



MINUTES

**OF THE REGULAR MEETING OF THE EDINA PLANNING COMMISSION
WEDNESDAY, OCTOBER 26, 2005, 7:00 PM
EDINA CITY HALL COUNCIL CHAMBERS
4801 WEST 50TH STREET**

MEMBERS PRESENT:

**Chair David Byron, Michael Schroeder, Michael Fischer, John Lonsbury,
Helen McClelland, David Runyan, Geof Workinger, Stephen Brown, Floyd
Grabiel**

STAFF PRESENT:

Craig Larsen and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the September 28, 2005, were held over to add comments from Commissioner McClelland and Commissioner Brown they wanted inserted into the minutes.

II. NEW BUSINESS:

LD-05-7

**Will and Barbara Merrill
7219 and 7221 Gloucester Drive**

Mr. Larsen informed the Commission the property is an existing double bungalow. The proponents are requesting a party wall division to allow individual sale of the units. Separate utilities are provided.

Mr. Larsen concluded staff recommends approval.

Commissioner McClelland moved to recommend lot division approval. Commissioner Fischer seconded the motion. All voted aye; motion carried.

III. OLD BUSINESS:

P-05-3 **Cypress Equities**
7311 France Avenue South

Mr. Larsen reminded the Commission this item was continued to allow time for the Commission to receive the Greater Southdale Area Land Use and Transportation Study. That draft study has been completed and delivered to each Commissioner. Concluding Mr. Larsen introduced Mr. Bret Witzig of Cypress Equities to report on the changes made to the proposal.

Mr. Bret Witzig, Cypress Equities, Mr. Walter Hughes, Humphreys and Partners were present to respond to questions.

Chair Byron noted one of the principle reasons this request was continued for another month is because the Planning Commission was waiting for a draft report from consultants on the Greater Southdale Area Land Use and Transportation Study. Chair Byron said the Commission now has that draft and the draft acknowledges this proposal. Chair Byron asked Mr. Larsen his “take” on how this proposal fits the study. Mr. Larsen responded he believes the proposal meets the conditions set forth in the study, and he continues to support the request as submitted. Continuing, Mr. Larsen pointed out first and foremost the proposal before the Commission this evening meets the City of Edina’s existing rules with regard to zoning designation (land use). He explained the study also deals with land use changes (rezoning), which could occur north of this site. Mr. Larsen noted if the Council and Commission incorporate this as a “guide” the Zoning Ordinance would need to be modified to reflect the study. Mr. Larsen reiterated that is not the case here, this site is zoned mixed use; however, this proposal could establish a trend for redevelopment to the north. Chair Byron said if he understands correctly this proposal is consistent with the Greater Southdale Area Land Use and Transportation Study and meets the conditions of the City’s Zoning Ordinance as it exists today with regard to zoning. Mr. Larsen responded that is correct, the subject site is zoned MDD which is a mixed-use zoning designation.

Mr. Bret Witzig addressed the Commission and told them Cypress made adjustments to their plans as a result of the previous two meetings. Mr. Witzig said one point mentioned was that the design of the proposed condo tower and retail element was not unsimilar to projects seen in the Metro Area. Mr. Witzig added our goal is to show the Commission what Cypress Equities is capable of through design flexibility; pointing out changes made to the overall design of the

project. Another concern expressed is affordable housing. Mr. Witzig said affordable housing was discussed, but due to the type of construction and the concept of the overall project that wasn't seen as an opportunity. Concluding Mr. Witzig added another issue concerned engineering requirements and comments and those issues are addressed by our civil engineer.

Mr. Witzig introduced Mr. Hughes, project architect.

Mr. Hughes addressed the Commission and with graphics pointed out changes to the site plan, the relationship of the proposed buildings from different directions, and new architectural renderings. Mr. Hughes said the revised schematic includes exterior materials with a strong base of limestone (Kasota), brick and precast. The retail element also consists of a stone base, brick and precast. Mr. Hughes pointed out the revised schematic introduces a more contemporary look that is classic while being contemporary. Mr. Hughes noted the tower is designed with a wider base of Kasota Stone, which is very warm and very Minnesotan. The pre-cast will maintain Kasota stone coloration. Mr. Hughes asked the Commission to also note the window size has doubled, introducing more glass which breaks up the tower mass. He pointed out the tower now incorporates the use of balconies on the corners of the building, which also break up mass. Concluding, Mr. Hughes addressed the shadow studies and his willingness to answer questions from the Commission and audience.

Commissioner Brown asked if the variation in design changed the density. Mr. Hughes responded the building design has changed, but the unit count remains the same at 88. Mr. Hughes said the team is searching for the correct building design for this project, adding they understand the significance of this building. Concluding, Mr. Hughes said they are open to design change, adding their intent is to construct a timeless building, not a trendy one.

Commissioner Workinger thanked the developers for changes made to the plans, adding nice strides have already been accomplished. Commissioner Workinger stressed the importance of this location, adding in his opinion this building will be a landmark, pointing out it would be the tallest building in the Centennial Lakes development area. Continuing, Commissioner Workinger added, at least in his opinion, the proposed tower needs to be elegant and iconic in some respects, as a place that determines where you are. Concluding, Commissioner Workinger said he also sees positive steps made to integrate the public and private spaces.

Chair Byron asked Mr. Hughes to refresh him on the traffic movements in and out of the underground retail parking garage and condo tower/restaurants. With graphics Mr. Hughes explained the proposed restaurant parking garage is two levels of below grade parking which is entered on the west. The condo tower includes a Porte Cohere for front door drop off, and a north entrance for condo parking, with the residential and restaurant parking never mixing. The structures

are separately contained and accessed. Continuing, Mr. Hughes pointed out the parking below the retail element along France Avenue consists of two entries/exits. As a vehicle enters the site it can take an immediate right (east side of structure) or it can proceed around the circle to locate a surface space or it can enter the garage from the south. Exiting the structure can be accomplished the same way.

Commissioner McClelland questioned if traffic will navigate all the way around the circle or would it only be able to “skirt” the west edge. Mr. Hughes responded traffic can navigate around the circle; however surface parking is only available along on west edge. Commissioner McClelland questioned where the tram will go. Mr. Hughes responded the trail for the tram is represented by the dashed line. Mr. Larsen added the tramway route is as detailed as it can be at this time, adding the City has a broadly defined utility easement that will accommodate the tram.

Commissioner Brown asked if the parking garage(s) under the retail component are two separate below grade garages or are they connected. Mr. Hughes responded they are connected.

Mr. John Bohan, resident of Coventry Townhomes addressed the Commission and informed them he lives in the Coventry (directly across the pond), adding he has concerns and reservations with regard to this request. He commented he likes the look of the existing office buildings to the south and likes the look of the glass medical office building directly south of the subject site and across the lake from his home. Mr. Bohan said he believes the revised architectural renderings presented this evening are aesthetically better than the original renderings; however, in his opinion the tower is still too tall. Mr. Bohan reiterated the revised concept presented this evening is more compatible with the area; however, the building is still too tall, reminding the Commission we are really looking at 20 stories above the lake. Mr. Bohan said he is happy to see an east elevation of the tower, but reiterated the proposed tower may appear too massive and too tall. Mr. Bohan pointed out a main concern of his deals with traffic. He added the internal traffic flow, at least in his opinion, would be cumbersome. Mr. Bohan pointed out delivery trucks and other types of delivery vehicles (to include deliveries to the medical office building) traveling around the circle would disrupt traffic flow. Concluding, Mr. Bohan said the traffic congestion that presently exists on France Avenue is already difficult and this proposal will only increase congestion.

Ms. Kathy Moore encouraged the Commission to consider affordable housing whenever a development or redevelopment proposal comes before them. She pointed out in Edina’s Vision 20 emphasis is placed on providing affordable housing.

Jane Huber, 5225 Kellogg Ave, asked if the height of the proposed building is “set in stone”. Chair Byron responded the height of the building isn’t set in stone. He informed Ms. Huber four stages of approval are required for a development of this nature. Chair Byron pointed out initially the proposal depicted a 25 story building, and since that time the building height was reduced and refined. Chair Byron stated nothing is really firm until final approval is granted, and certainly comments on the height of the proposed building is welcome and relevant. Ms. Huber stated, it is only her opinion, but she would rather see something a bit lower.

Mr. Lee Canning, 6505 Gleason Court, asked Mr. Larsen if this proposal is approved if he believes a precedent would be set with regard to building height. Mr. Larsen responded he doesn’t believe so. He pointed out in the greater Southdale area there are a number of buildings of height, to include the 18 story building at Edinborough, Edina Towers at 17, and some other 12 story buildings, and Point of France. Mr. Larsen added redevelopment will likely occur in the greater Southdale area, to include some buildings of height, but in this case a precedent should not be set. Chair Byron noted the Greater Southdale Study indicates support for high density residential to include building height.

Commissioner Brown told the proponents he appreciates the changes made over the last few months in response to Commission concerns; however, he continues to be troubled by the density, and the perceived necessity of 88 units. Continuing, Commissioner Brown said at least in his opinion, the density of this project is driven by land cost, adding he continues to be concerned about the proposed density and building height. Commissioner Brown noted he is also troubled by the access off of France Avenue and the interaction between the mixed uses in the site and the traffic that will be generated internally. Commissioner Brown pointed out there is only one route into the retail component of the site, and this concerns him. Concluding, Commissioner Brown reiterated he is uncomfortable with the density adding he cannot support the proposal as presented, it’s too much. Commissioner Brown added he understands the proposal is mixed use, on a site zoned for mixed use, but personally, he is not comfortable with the redevelopment project. Commissioner Brown moved to recommend denial of the Amendment to the Overall Development Plan of Centennial Lakes. There was no second to Commissioner Brown’s motion.

Commissioner McClelland commented she also has concerns with regard to this proposal. She added she worries about the “sore thumb” aspect of the tower, it’s too tall. Commissioner McClelland said she is also concerned this could present a domino theory whereby allowing one tall building every redevelopment proposal that comes along would contain one. She also stated in her opinion the traffic on France Avenue will only get worse. Commissioner McClelland commented she doesn’t like being put in the position of “stomping” on the developer because the developer has been flexible in responding to

Commission concerns. Commissioner McClelland said she feels the mixed use aspect of the proposal is good for the site, residential usually equal less traffic. Commissioner McClelland acknowledged the value of land drives the height, but the Commission shouldn't look at economics. Commissioner McClelland said she would like the building to be lowered to 10 or 12 stories. She stated in her opinion, Edina doesn't necessary have to follow the trend of higher buildings, adding she is worried a precedent would will set. Concluding Commissioner McClelland stated there are aspects of this proposal she likes and those she doesn't like. She acknowledged she would like this proposal much better if it were somewhere but at the corner of France Avenue and Gallagher Drive.

Commissioner Fischer thanked the proponents for their response to concerns expressed by the Commission and told the Commission he believes this proposal should be forwarded to the City Council for their review. Commissioner Fischer stated in his opinion; this is the right location for this project. Commissioner Fischer also stated he believes the proposed building height can be handled in this area. Continuing, Commissioner Fischer pointed out the Gallagher Drive of today probably won't be the Gallagher Drive of tomorrow. Commissioner Fischer acknowledged he would feel more comfortable if the Southdale Study were in final approved form. Commissioner Fischer told the Commission, in his opinion, the mixed use aspect of this site is appropriate, reiterating he is less concerned with the height of the condo tower and is more concerned that the project is appropriately designed exteriorly and internally both from an aesthetic standpoint and traffic standpoint. He added another concern of his is how the building meets the ground, acknowledging he is more comfortable at this point in the process because it appears the development team understands the importance of this corner. Concluding, Commissioner Fischer said what the Commission needs to decide is if this is a "project worth doing" and if it is, to encourage the best end result possible.

Commissioner Schroeder commented he believes Gallagher Drive will be able to provide adequate access; however, he has a concern about the shared access between the subject site and the adjacent medial office site. He said the internal flow between these properties needs to be maintained. Commissioner Schroeder said the height of the proposed building doesn't "scare" him, adding if the design is carefully done, with the bar set very high; the building could look very good. Concluding, Commissioner Schroeder said he supports the proposal; acknowledging there probably will be changes made before the plan is finalized.

Commissioner Lonsbury commented if the City determines redevelopment is needed in certain areas of Edina the Commission will need to accept the fact that there will be change. Commissioner Lonsbury said what is before the Commission this evening can be summed up as "is this the best mixed use for the site." He added, at least the way he has viewed traffic is that residential use equals less traffic, pointing out the residential component of this proposal is, at least to him, attractive. Commissioner Lonsbury observed if the entire site were

to be redeveloped with straight retail or straight office there would potentially be more traffic. Commissioner Lonsbury said with the redevelopment phase that appears to be mounting in Edina the role of the Commission becomes one of vision. The Commission has to keep an eye to the future, and what the City wants to create for future generations. Concluding, Commissioner Lonsbury stated he can support this proposal, at least in his opinion it has merit if developed correctly.

Commissioner Grabiell told the Commission this proposal will generate more traffic; acknowledging any development or redevelopment in this area will generate traffic. Commissioner Grabiell said it appears to him the proponents want everything to be 1st class; however, what does this development mean to residents that live a few blocks away? Commissioner Grabiell said in his opinion the present traffic on France Avenue and along West 70th Street is already severe, with reoccurring problems, and this proposal will only add to that congestion. Commissioner Grabiell said before he can support any proposal the traffic problems that already exist must be resolved.

Commissioner Brown said that while he believes the project is tastefully done his feeling is “it is a 10 pound project in a 5 pound sack”. He added it will be difficult to get people to this site in a safe and timely manner. Concluding, Commissioner Brown said he cannot support the proposal as submitted; adding he believes more could be done to reduce the scale of the project.

Commissioner McClelland said she agrees with all the comments on traffic, adding she believes the traffic plan presented by the proponents is too general. Commissioner McClelland said she worries the streets in the area (especially West 70th Street) will suffer as a result of this redevelopment if it is constructed as proposed. Commissioner McClelland said in her opinion this proposal needs to be revisited again by the proponent. It is possible to reduce the residential unit number (reducing building height) and reduce retail space, maybe by eliminating one of the restaurants.

Commissioner Workinger told the Commission he supports the project and is happy with the cooperation exhibited by the proponent. Commissioner Workinger acknowledged traffic is an issue in this area, and will continue to be an issue. Commissioner Workinger said he believes there are remedies “out there” to address traffic issues present in the greater Southdale area. Commissioner Workinger said the issue really before the Commission is if redevelopment of this site should occur. Commissioner Workinger said regardless of redevelopment (this or another plan) traffic issues in the area need to be addressed. He pointed out any changes in street and intersections result in changes “down the line”, adding it is possible traffic may decrease on some streets and increase on other streets. Commissioner Workinger reiterated he is happy with the proposal as it relates to the park. He stated, at least in his opinion the height issue isn’t insurmountable, noting the revised building plans submitted this evening are very

good. Concluding, Commissioner Workinger said mixed use is a good use of this site, adding residential is also a plus. Commissioner Workinger said maybe the real issue in the Southdale area is traffic.

Commissioner Runyan stated he supports the project, adding he believes everything that can be said has been said. Commissioner Runyan said he agrees with the observation from Commissioner Brown that the density is tied to the cost of the land. Concluding, Commissioner Runyan reiterated he supports the proposal, and feels the proponents have done a good job addressing the concerns expressed by the Commission over the last two months.

Chair Byron commented he has learned a lot over the last few months with regard to Centennial Lakes. He pointed out the original plan called for considerably more residential units to be constructed, and that did not transpire. Chair Byron said presently the theatre isn't particularly attractive, noting the private segment was the driving force creating the retail and office aspects of the Centennial Lakes site as it exists today. Commissioner Byron stated in his opinion what must be maintained is the cohesiveness of the mixed uses, adding he believes this proposal accomplishes that cohesiveness. Continuing, Chair Byron pointed out from a land use standpoint the proposal is consistent with the newly drafted Greater Southdale Area Land Use and Transportation Study and the Centennial Lakes Master Plan. Chair Byron commented traffic is an important and difficult issue that probably won't go away. Chair Byron concluded he supports the proposal, he cautioned the developer to proceed using their best intentions and design creativeness because this location is one of the finest along France Avenue. Chair Byron said as always, there are reservations with regard to traffic, it doesn't go away.

Commissioner Grabiell agreed this should be forwarded to the Council pointing out it will return to the Commission for Final Approval. Commissioner Grabiell agreed traffic issues will continue suggesting maybe those issues should be resolved before redevelopment occurs in the greater Southdale area.

Chair Byron said he agrees it can be a frustrating process, adding he believes this project will work its way through the system properly, noting the developer still face challenges.

Commissioner Brown reiterated his concern is access to the site, density, and the intersection of France Ave/Gallagher Dr.

Commissioner Fischer agreed that traffic on France Avenue is congested; however, France Avenue is a regional corridor, but traffic has increased (especially on West 70th Street) because of the failure of the freeway system. Commissioner Fischer stated it is difficult to address this issue only from the local level, and limiting development in Edina won't solve these issues.

Commissioner Brown agreed the traffic issue is complex. He said he continues to worry about traffic on West 70th Street and pointed out an elementary school fronts that street.

Commissioner Lonsbury moved to recommend approval of the Amendment to the Centennial Lakes Overall Development Plan subject to: final site plan approval, Park Director approval of any changes to the park landscaping; proof of right to use Gallagher Drive as access to the development, Watershed District permits and Developer's Agreement. Commissioner Runyan seconded the motion. Ayes; Schroeder, Fischer, Lonsbury, Runyan, Workinger, Byron. Nays, McClelland, Brown and Grabiell. Motion carried.

IV. NEW BUSINESS:

**Z-05-3 Edina Gateway, LLC
Preliminary Rezoning to Mixed-Use Development
4930 77th Street West**

Mr. Larsen informed the Commission the subject property is zoning POD-1, Planned Office District. The proponents are requesting an Amendment to the Comprehensive Plan and Preliminary Rezoning to MDD-5. Mr. Larsen said while the proposal is generally in compliance variances are needed to redevelop this site.

Concluding, Mr. Larsen stated all of Pentagon Park is owned by the proponent of this redevelopment, and the Commission should review this project as a precedent for further redevelopment, especially sites on the golf course. Mr. Larsen said if approved allowing more than 33 dwelling units should be conditioned on providing affordable housing units within the building.

Mr. Jim Nelson, 7790 Lochmere Terrace, Ms. Harris, Mr. Kanynsky, and Dan Green were present representing the property owners.

Mr. Nelson told the Commission he is a resident of Edina and is very excited about the project. Mr. Nelson introduced the development team, and Mr. Green of the development team to speak to the project.

Mr. Green informed the Commission the rest of the Pentagon Park office buildings are being enhanced at this time, pointing out the subject site is an isolated site that abuts a residential neighborhood. Mr. Green said this proposal adds an element of new urbanism to this corner. With graphics Mr. Green

referred to the location of the site and explained the property is a little over 2 acres in size with the design team approaching the property with the intent to rezone it to a mixed use site. Mr. Green explained the approach taken is to reduce the visual impact of the project, especially as it relates to the residential lots across the golf course. Mr. Green said landscaping, and additional vegetation are an important element of this project. He noted the hard surface of the site has been reduced by introducing more green space, plus providing green/garden space on the roof. Mr. Green said at this time it is believed native landscaping would be incorporated into the site. With graphics Mr. Green continued to explain the project.

Chair Byron questioned if parking would be allowed on the north side of the proposed building. Mr. Green responded no parking is planned on the north side of the building.

Commissioner Runyan questioned the placement of trees on the roof, wondering if the integrity of the roof would be compromised. Mr. Green responded roof vegetation would be limited to selected species that work well in containment, without compromising the integrity of the roof. Commissioner Runyan asked if affordable housing was considered for this project. Mr. Nelson responded that option had not been considered. The concept for this project would probably appeal to those 35 and under and 55 and over. Mr. Nelson said price points have not been established at this time.

Chair Byron asked Mr. Larsen if there is a minimum tract size requirement for the MDD District. Mr. Larsen responded the minimum tract for an MDD district is 5 acres. Chair Byron commented if approved this would require a lot area variance. Mr. Larsen responded that is correct. Chair Byron stated if he figures correctly a 3.9 acre variance is required. Mr. Larsen responded that is correct.

Commissioner McClelland said it is unusual to hear a request for a rezoning to an MDD district and asked Mr. Larsen where MDD districts are located. Mr. Larsen responded Commissioner McClelland is right there has been limited opportunity to rezone to mixed use. Continuing, Mr. Larsen explained the MDD district took hold in the 1980's with the development of Edinborough and Centennial Lakes. More recently the redevelopment of the old Lewis Engineering site (now Grandview Square) received the MDD zoning designation. Concluding, Mr. Larsen stated this zoning category is not overly used.

Commissioner McClelland asked Mr. Green if he knows how much soil will be needed on the roof top. Mr. Green responded with this type roof there usually is approximately 4 inches of a light weight soil mixture, adding plants proposed for the roof need to be drought tolerant low growing plants. The landscaped roof of course benefits the residents but also aids in storm water retention and reduces run-off during 1 inch rains. Commissioner McClelland commented she

likes the design and is happy the grass/vegetation will be real and not astro-turf or the like.

Chair Byron asked if the “green roof” faces south. Mr. Green responded it is both north and south facing.

Chair Bryon noted the staff report indicates when the Commission considers this application the Commission should keep in mind other Pentagon Park properties (especially sites along the golf course) and the potential for precedent as it relates to redevelopment. Commissioner Byron asked Mr. Nelson if there are future plans for the rest of the Pentagon Office Park complex. Mr. Nelson responded at this time there are no future redevelopment plans for the rest of the Pentagon sites to include the string of buildings along 77th W. on the north side or the “original” Pentagon building on the south side. Mr. Nelson pointed out the subject site is isolated from the rest of the office park complex and the proposed redevelopment of this site is designed to stand on its own merits, reiterating at least at this point in time there are no specific plans for the rest of the Pentagon Office Park complex.

Chair Byron asked the proponents if they decided on the retail mix for the building and the target market. Mr. Nelson responded at this time he is not certain on the tenant mix, but believes the mix would include a high quality restaurant. The targeted market would include the office parks located west of Highway 100, and also the Pentagon Office Park tenants. Mr. Nelson added at this point there are no signed leases. Chair Byron commented that retail in this area would not benefit the residential neighbors (R-1) directly north/east and immediately adjacent. Chair Byron explained a near residential neighbor would have to travel over two miles to access this site, reiterating by roadways it is isolated from the residential neighborhood to the east. Chair Byron question if the proponents also own the property directly to the south (across 77th Street). Mr. Nelson responded in the affirmative. Chair Byron pointed out there appears to be no residential homeowners “in your trade area”, and asked Mr. Nelson if retail was considered south of 77th Street, (leaving the north side of West 77th street free of retail). Mr. Nelson stated at this time they have not contemplated redevelopment options south of West 77th street. Continuing, Mr. Nelson said he believes the subject site would provide reasonable service based retail to possibly include a dry cleaners, coffee shop, kinko and restaurant. Concluding Mr. Nelson said the goal of the retail is to serve the surrounding office uses, residents of the proposed condo units and Edina residents.

Commissioner Workinger commented he would like clarified for him where the residents and their guests would park on the surface lot. Mr. Green responded it is believed resident and guest parking would occur on the western 22 stalls along Highway 100. Mr. Green said it is believed this would work best, adding it would be the area less used with regard to the retail component of the project.

Chair Byron asked the proponents the price and size of the proposed residential units. Mr. Green responded at this time the price points have not been established; however, unit prices would probably range from the mid 200 thousands to upward of 475 thousand. He said the units would probably begin at around 1000 square feet with a mix of one and two bedroom units, with a den component option.

Commissioner Losnbury said in viewing the plans he didn't notice a scale indicating the height of the equipment screening structure and the elevator. Mr. Green said he believes the screening of the mechanical equipment is roughly 5 feet. The elevator is between 3 and 4 feet.

Commissioner Brown complimented the proponent on their design and said in viewing the proposal he envisioned as one of the tenants a Starbucks or Caribou type of establishment and questioned if in their conversations concerning the proposed restaurant they ever discussed including a bar in the restaurant. Mr. Nelson responded at this time he believes the focus of the restaurant would be on food; however, a restaurant/bar mix would be an option, reiterating the majority of the focus would be on food. Commissioner Brown said one concern of his would be traffic flow at that corner and a bar/restaurant could create more congestion during certain times and a "coffee establishment" would create heavy traffic flow in the early morning. Mr. Nelson acknowledged this location would be a good location for a Starbucks/Caribou, adding the proposed restaurant size is roughly 5000 square feet. Commissioner Brown pointed out parking could be an issue for these "food establishments" because there is no place to off load. Mr. Nelson responded he agrees with that statement, reiterating it is his hope the restaurant and other non-food related tenant uses would distribute traffic throughout the day, and not only during peak times.

Chair Byron informed the Commission he resides on West Shore Drive, (adjacent to golf course) adding he is stating his position at the outset in opposition to the proposal. Chair Byron said in his opinion this proposal just doesn't fit. It doesn't fit Edina's Comprehensive Plan as it exists today, it doesn't fit the present zoning classification, and it doesn't meet the requirements of the MDD-5 zoning district requiring a parcel size of 5 acres or greater. Chair Byron added it is very clear to him that mixed use of this nature is designed for larger acreage parcels. Continuing, Chair Byron pointed out with a mixed use site it is difficult to know exactly what one is getting. He pointed out the existing MDD zoning districts in the City were developed with strong community backing. Chair Byron said to the best of his knowledge the proponent has had no contact with the immediate residential neighbors. Chair Byron stated in his opinion this proposal is spot zoning and it doesn't fit the neighborhood. Chair Byron questioned how the City could ever approve spot zoning. He added the immediate residential neighborhood doesn't need this retail. He pointed out it is a two mile drive for immediate neighbors to access this site. Chair Byron said at

least in his opinion the neighbors in this area are very happy with the existing office relationships especially the new office building constructed by Raunhorst. Chair Byron pointed out this area was originally developed with office along the major roadways and a recreational component separating the office uses from the residential properties. He added the new office building, previously mentioned, also provided noise relief to neighbors, creating a win win situation. Concluding, Chair Byron said in his opinion, another retail hub is not needed in this area, and more retail is not needed in this quadrant, especially since it doesn't serve the nearby Edina residents (unless they work in the office buildings in the area). Chair Byron stated he doesn't want a precedent established, reiterating he is not in support of the proposal as submitted.

Commissioner Workinger commented during the discussion this evening there was talk about minimum tract sizes for the mixed use districts, and asked Mr. Larsen how the City came up with the tract sizes. Mr. Larsen responded the Mixed-Development District was first established to address large parcels or vacant and/or an accumulation of vacant parcels, he added he can't recall how parcel size was determined for each MDD district. Commissioner Workinger questioned if each MDD district has different parcel size requirements. Mr. Larsen responded different minimums are required. The MDD-5 district requires a parcel size of 5 acres and the minimum tract area for MDD-6 is 50 acres.

Commissioner Fisher said he is confused, if this site is zoned for office use, how we got to an MDD request. Mr. Larsen responded the proponent came to the City with a "use concept" that isn't permitted in the office district. Staff studied the proposal and needed to determine what would be the best zoning classification for this site in light of the requested change in land use. Mr. Larsen acknowledged the proponents could have requested rezoning the site to commercial (commercial now allows residential use above retail) or to consider rezoning to an MDD-5 district. Concluding, Mr. Larsen said the MDD-3 and 4 zoning districts do not allow retail, reiterating MDD-5 does, and adding it seemed like the best fit considering the multiple tracts of land owned by the proponent in the immediate area.

Commissioner Brown asked why the subject site couldn't be rezoned to MDD-4 avoiding a parcel variance (MDD-5 requires a 5 acre tract). Mr. Larsen responded the MDD-4 zoning would not permit the construction of a restaurant. Mr. Larsen explained the reason the MDD-5 zoning made the most sense is because the Pentagon Office complex is under one ownership. The City needed to be forward thinking in the event redevelopment would occur on the rest of the Pentagon tracts, acknowledging the precedential nature of this site if redeveloped. Concluding, Mr. Larsen said in an isolated case one could consider that a rezoning to commercial at this corner may have made more sense.

Commissioner McClelland told the proponents she appreciates the creativity of their design, adding Chair Byron brought up some points she really didn't consider. One point being the variance due to parcel size. Commissioner McClelland said another concern she has is that the entry into this property is awkward, and with comings and goings traffic congestion could become an issue. Commissioner McClelland reiterated her major problem is with the size of the tract, in her opinion the tract size should be larger to accommodate both retail and residential. Concluding Commissioner McClelland reiterated the project design is very good - it's just such a bad corner.

Commissioner Workinger agreed the shared access is difficult. He informed the Commission the Traffic Commission reviewed the proposal and the traffic generated from this proposal was found to be minimal. Commissioner Workinger noted the Traffic Commission approved this proposal (which doesn't mean the Commission needs to approve it). Continuing, Commissioner Workinger explained the Traffic Commission also observed there are a number of traffic patterns in this area that need to be addressed and resolved, reiterating the traffic counts generated by this project turned out to be acceptable.

Commissioner Lonsbury said he preferences his remarks by informing the Commission he lives on Southdale Road and understands what it is like to live with buildings nearby (but not nearly as close as this proposal), including building height, noise of equipment (snow and lawn care) etc. Continuing, Commissioner Lonsbury stated he would like to compliment the design team on an amazing set of comprehensive materials. He added the design is great; however, what he viewed as missing from the materials is the "before and after" slide from the point of view of the residents across the golf course. Commissioner Lonsbury said his concern is that the proposed building will appear larger/taller and set closer to the property line, thereby closer to residents across the course. Commissioner Lonsbury said presently the view residents have of the existing building is of mature trees, a privacy fence (although not a very good one), and minimal building view. If the proposed project were approved the residents would view a larger nicer building, but it is closer to their rear yards and the building would stick up above the tree line. Concluding, Commissioner Lonsbury said in his opinion the proposed building is too close to the property line adjoining the golf course, adding he is struggling with the views the residential neighbors will have of the building, coupled with the multiple variance requests.

Commissioner Fischer said he also wants to echo comments about the fine quality of the presentation and the inventiveness of the design. Commissioner Fischer stated he believes the Chair made an interesting point he didn't grasp, which is, this proposal could be considered spot zoning. Commissioner Fischer pointed out this project is completely different from the previous proposal (Cypress). That site is zoned correctly, but this parcel requires a rezoning to an MDD district. Continuing, Commissioner Fischer added he is conflicted because of the high quality of the design and the proposed change in

land use may solve or mitigate some of the on going traffic issues in the area. Commissioner Fischer pointed out someone could actually live in the proposed condo units and work in one of the nearby buildings and walk to work, or take a bus. Commissioner Fischer said it is unfortunate this piece of property has impact on the single family neighborhood across the golf course.

Commissioner Lonsbury moved to recommend denial of the request for Preliminary Rezoning and Amendment to the Comprehensive Plan. Commissioner McClelland seconded the motion.

Commissioner McClelland asked the proponents if they would rather withdraw their request and bring a revised proposal back before the Commission in the future. Chair Byron informed the proponents regardless of what action the Commission takes they have the right to go forward to the City Council, or request a continuance. Chair Byron asked the proponents what they would prefer. Mr. Nelson told the Commission at this time his instinct is to withdraw. He thanked the Commission for their input, adding the meeting this evening has been very informative. Mr. Nelson apologized for the lack of communication with the immediate residential neighbors, adding their intent is to create something that the residents across the golf course would be happy to look at and happy to have as a neighbor. Mr. Nelson withdrew the request for Preliminary Rezoning and Amendment to the Comprehensive Plan.

Commissioner Lonsbury withdrew his motion for denial and accepted the applicants request to withdraw their proposal. Commissioner Lonsbury moved to recommend accepting Mr. Nelson's withdrawal. Commissioner Grabel questioned if the withdrawal is without prejudice. Chair Byron stated it is without prejudice. Commissioner McClelland seconded the motion. All voted aye; motion carried.

V. ADJOURNMENT:

Jackie Hoogenakker

