



MINUTE SUMMARY
Meeting of the Edina Planning Commission
Wednesday, February 27, 2008, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

MEMBERS PRESENT:

Julie Risser, Nancy Scherer, Kevin Staunton, Michael Schroeder, Mike Fischer, Steve Brown, Floyd Grabel, Arlene Forrest, Katie Sierks and John Lonsbury

STAFF PRESENT:

Planner, Cary Teague, Assistant City Manager, Heather Worthington, City Engineer, Wayne Houle, Assistant City Engineer, Jackie Sullivan, and Planning Commission Secretary, Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the January 30, 2008, meeting were filed with corrections from Chair Lonsbury.

II. OLD BUSINESS:

Update of the 2008 Edina Comprehensive Plan

Commission Comment

Chair Lonsbury used a PowerPoint presentation highlighting changes made to the Comprehensive Plan since their last meeting.

Chair Lonsbury referred to a letter with attachments from Mohagen Hansen Architectural Group. The letter is in response to the Comprehensive Plan and was submitted as written public testimony. Chair Lonsbury noted the purpose of the letter is to request a modification to the Comprehensive Plan for property located within the greater Southdale area bordered by Highway 62, France Avenue, Valley View Road/Lake Cornelia and 66th Street.

Commissioners briefly discussed the letter and suggested that the interested parties give oral testimony to the City Council when the Council conducts their public hearing on the Comprehensive Plan.

A discussion ensued with Commissioners acknowledging the changes to the Plan and pointing out the importance of small area plans. Commissioners also noted the Plan has responded to concerns of residents by reducing building height in the City, reiterating the importance of small area plans if/when redevelopment occurs. Commissioners also noted the importance of creating a Plan that meets Edina's future housing, transportation and environmental needs.

Chair Lonsbury suggested that action on the Comprehensive Plan be done with two motions. The first, Commission approval or denial of the plan and second a motion forwarding the Comprehensive Plan Update to the City Council with Commission recommendation.

Commission Action

Commissioner Staunton moved approval of the Update of the 2008 Edina Comprehensive Plan, including the amended Transportation element. Commissioner Brown seconded the motion. All voted aye; motion carried.

Commissioner Grabiell moved to forward the Update of the 2008 Comprehensive Plan to the City Council with the Commission's unanimous recommendation of approval. Commissioner Fischer seconded the motion. All voted aye; motion carried.

III. NEW BUSINESS:

Zoning Ordinance Amendment 850.14, Subd. 8

Staff Presentation:

Planner Teague addressed the Commission and explained Wayzata Properties is proposing to redevelop the 43 acre Pentagon Park office site and rezone the site to MDD-6. Planner Teague explained that Zoning Ordinance 850.14 Subd. 8A. requires that the minimum tract area for an MDD-6 development district be 50 acres. At this time staff is recommending an ordinance amendment to decrease the minimum tract area for the MDD-6 district from 50 to 40 acres.

Planner Teague concluded staff believes it is reasonable to amend the ordinance for the following three reasons:

1. The 50 acre minimum was established solely for the Centennial Lakes development which was 50 acres in size. As mentioned, the MDD-6

zoning district and all of its standards were created specifically for the Centennial Lakes project.

2. By requiring a minimum of 50 acres for large scale mixed use project, it effectively eliminates the possibility of rezoning to the MDD-6 district. To assemble 50 acres of land in a fully developed community is virtually impossible.
3. The City of Edina does not have a Planned Unit Development (PUD) ordinance. Typically, cities offer a PUD to encourage land owners to develop a mixture of uses or flexibility in conventional zoning. The closest thing Edina has to a PUD is the MDD, Mixed Development District. The MDD-6 District requires a mixture of land uses, by only allowing non residential uses based on the number of residential dwellings within that MDD-6 District. For every one dwelling unit, 3,650 square feet of non-residential square footage may be built.

Concluding, Planner Teague stated staff believes it is reasonable to allow a 40 acre lot area minimum for an MDD-6 development.

Commission Comment:

Commissioners expressed interest in further reducing the allowed acreage minimum in the MDD-6 district to 30, or even 20 acres instead of 40 acres as proposed by staff. Commissioners questioned the reasoning behind the acreage requirement chosen, even at 50 acres. Planner Teague explained when the City proposed and approved the creation of the MDD-6 zoning district it was formulated around the Centennial Lakes development. Planner Teague acknowledged he didn't know the exact reason the 50 acre requirement was implemented in the MDD-6 zoning district. Continuing, Planner Teague said at this time the proposed reduction in acreage would accommodate the Gateway development. Commissioners acknowledged Edina is almost completely developed, adding there are limited single or contiguous parcels over 40 acres owned by a single property owner.

Public Comments:

Mr. John Bohan, 800 Coventry Place, Edina, questioned if the proposed ordinance change would impact Centennial Lakes and its present MDD-6 zoning. Planner Teague responded he believes there would be no impact, adding if someone would pursue re-parceling Centennial Lakes they would have to request an amendment to the Centennial Lakes overall development plan and all that would entail. Concluding, Planner Teague pointed out the proposed change to the MDD-6 district is only for a decrease in tract area.

Commission Comment:

A discussion ensued with the acknowledgement that the updated Comprehensive Plan will encourage development of a PUD subdistrict, and if a new PUD subdistrict is developed the MDD zoning district would probably not be used, with that noted Commissioners indicated they are comfortable with changing the Code language to reflect 30 acres.

Commission Action:

Commissioner Fischer moved to recommend approval of an amendment to Zoning Ordinance 850.14 Minimum Tract Area (The minimum tract area for subdistrict MDD-5 shall be five acres. The minimum tract area for subdistrict MDD-6 shall be 30 acres). Commissioner Brown seconded the motion. All voted aye; motion carried.

**Z-08-5 Overall Development Plan
Comprehensive Guide Plan Amendment
Rezoning
Wayzata Properties – Pentagon Office Park/77th Street**

Staff presentation

Planner Teague informed the Commission the Edina City Council heard and approved the preliminary development plan and rezoning of the subject site at their December 18, 2007 meeting. Planner Teague explained approval of the preliminary development plan paved the way for the applicant to pursue an overall development plan, and final rezoning. Planner Teague stated at this time the applicant is requesting approval for a Comprehensive Guide Plan Amendment, Final Rezoning and an Overall Development Plan for the entire project.

Planner Teague stated staff believes that the City Council should adopt a resolution approving a Comprehensive Guide Plan Amendment from Office to Mixed Use based on the following findings:

- A. The guide plan change is consistent with the adjacent land uses.
- B. The senior housing provides a good land use transition from the golf course to the north, and the light industrial and office uses to the south.
- C. The project would meet all zoning ordinance requirements.
- D. The guide plan change would be consistent with the public health, safety, and welfare.
- E. Senior housing is a need given Edina’s aging population.

Planner Teague recommended Rezoning from R-2, POD-1 & POD-2 to MDD-6 based on the following findings and Overall Development Plan approval based on the following findings:

- A. The guide plan change is consistent with the adjacent land uses.
- B. The senior housing provides a good land use transition from the golf course to the north, and the light industrial and office uses to the south.
- C. The project would meet all zoning ordinance requirements.
- D. The guide plan change would be consistent with the public health, safety, and welfare.
- E. The rezoning would be consistent with the proposed guide plan designation.
- F. The proposed development would not have an adverse impact on neighborhood traffic or property values.
- G. The Overall Development Plan is generally consistent with approved Preliminary Development Plan approved by the City Council on December 18, 2007.

Approval of the Rezoning and Overall Development Plan should also be subject to the following conditions:

- A. Future developments must be consistent with the Overall Development Plan dated January 31, 2008. Any changes would require an amendment to the Overall Development Plan.
- B. Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative.
- C. Trail and sidewalk connections must be included as demonstrated and public easements must be established over all public sidewalks.
- D. Dedication of a right-of-way to straighten out the curve at 77th Street and Parklawn (this area of easement would be subject to approval of the City Engineer).
- E. The easternmost entrance off of 77th Street into the senior housing development must be designed as a shared entrance (with the golf course).
- F. The four-story senior independent buildings that face 77th street must be designed so as not to appear as the back side of buildings.
- G. All traffic mitigation measures and conditions as required by the Transportation Commission and traffic study must be followed.
- H. The developer/applicant would be responsible to pay their fair share of any mitigation measures that would be required as part of an approval of the overall development plan for the site.
- I. All buildings must be built with sprinkler systems, subject to review and approval of the Fire Marshall.

- J. Buildings at 4930 West 77th Street shall be limited to 4 stories or 50 feet, whichever would be less, and must maintain a 50-foot setback from the rear lot line.
- K. Convenience gasoline stations and drive-through windows shall be prohibited on the north side of 77th Street.
- L. Compliance with all of the conditions outlined in the City Engineer's memo dated February 22, 2008.
- M. With the exception of Burgundy Place, the housing within this development must be senior housing.
- N. Following completion of the proposed hotel, a large percentage of senior housing must be built prior to or along with non-residential uses.
- O. Bike and bus traffic circulation be carefully considered throughout the development.
- P. With the exception of the buildings at 4930 77th Street West, future buildings North of West 77th Street development will be limited to four stories or 58 feet in height.

Appearing for the applicant:

Jim Nelson, Real Estate Strategies, LLC, Paul May and Dan Green of Miller Dunwiddie were present.

Applicant Presentation:

With graphics Mr. Nelson gave a general history and brief overview of the proposed project.

Mr. Green further highlighted aspects of the project and explained the project would be implemented in phases over a period of 7 to 10 years. Mr. Green outlined the phased development as follows: Phase 1, hotel on towers site; Phase 2, independent, assisted and townhome living on quad site; Phase 3, townhomes on quad site/west office building; Phase 4, townhome and independent living on quad site; Phase 5, assisted living on quad site; east office building on tower site. Completion.

Chair Lonsbury opened the hearing for public testimony.

Public Testimony

Mr. Ronald Rich, 7008 West Shore Drive, suggested that the curve of West 77th Street connecting at Parklawn Avenue be reconstructed with a gentler curve (if any changes to the roadway are planned). Mr. Rich pointed out since redevelopment will occur in this area, now is the time to address roadway changes, adding he believes this change would be an improvement.

A brief discussion ensued regarding the merit in rearranging the link between West 77th Street at Parklawn Avenue pointing out this project will be developed in phases and if the City Engineer deems it appropriate to realign this intersection changes would be implemented. Commissioners also acknowledged any changes made to the roadway would require the cooperation of individual landowners.

Commissioner Fischer moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; public hearing closed.

Commission Comment

A discussion ensued with regard to constraints that could be placed on the project if approval is limited to “senior housing only”, pointing out if the senior housing market softens the development could be compromised. It was also acknowledged if the proposed housing element were changed from senior to general public parking demands would also change. The Commission also noted parking ratios are based on the MDD-6 zoning designation.

Commissioners indicated their support for the project, noting in their opinion the senior housing element is a major win for the City. Commissioners’ reiterated development will occur in phases and if there are any changes in the market or otherwise those changes would be addressed during the Final Development approval process of each phase.

Commissioners also praised the developer on their holistic approach to the redevelopment. In conclusion the Commission applauded the development team and the project expressing their overall support.

Commission Action

Chair Losnbury suggested that the motion be made in two parts; first Comprehensive Guide Plan Amendment and second Rezoning and Overall Development Plan approval.

Commissioner Brown moved to recommend Comprehensive Guide Plan Amendment. Commissioner Fischer seconded the motion. All voted aye; motion carried.

Commissioner Forrest moved to recommend Rezoning and Overall Development Plan Approval subject to the following conditions:

- A. Future developments must be consistent with the Overall Development Plan dated January 31, 2008. Any changes would require an amendment to the Overall Development Plan.**

- B. Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative.**
- C. Trail and sidewalk connections must be included as demonstrated and public easements must be established over all public sidewalks.**
- D. Dedication of a right-of-way to straighten out the curve at 77th Street and Parklawn (this area of easement would be subject to approval of the City Engineer).**
- E. The easternmost entrance off of 77th Street into the senior housing development must be designed as a shared entrance (with the golf course).**
- F. The four-story senior independent buildings that face 77th street must be designed so as not to appear as the back side of buildings.**
- G. All traffic mitigation measures and conditions as required by the Transportation Commission and traffic study must be followed.**
- H. The developer/applicant would be responsible to pay their fair share of any mitigation measures that would be required as part of an approval of the overall development plan for the site.**
- I. All buildings must be built with sprinkler systems, subject to review and approval of the Fire Marshall.**
- J. Buildings at 4930 West 77th Street shall be limited to 4 stories or 50 feet, whichever would be less, and must maintain a 50-foot setback from the rear lot line.**
- K. Convenience gasoline stations and drive-through windows shall be prohibited on the north side of 77th Street.**
- L. Compliance with all of the conditions outlined in the City Engineer's memo dated February 22, 2008.**
- M. With the exception of Burgundy Place, the housing within this development must be senior housing.**
- N. Following completion of the proposed hotel, a large percentage of senior housing must be built prior to or along with non-residential uses.**
- O. Bike and bus traffic circulation be carefully considered throughout the development.**
- P. With the exception of the buildings at 4930 77th Street West, future buildings north of West 77th Street development will be limited to four stories or 58 feet in height.**

Commissioner Forrest also suggested that point O. should reflect that the Transpiration Commission and the Bike Edina Task Force have weighed in the project and both have recommended approval of the project. Commissioner Grabiell seconded the motion. All voted aye; motion carried.

**P-08-1 Preliminary Development Plan & Preliminary Rezoning
Opus Northwest LLC
5146 Eden Avenue**

Planner Teague told the Commission the applicant is proposing to tear down the existing public works building and build a four-story 114,764 square foot office building with attached four-level parking ramp.

Planner Teague explained the request requires the following: Comprehensive Guide Plan Amendment; Rezoning from Planned Industrial District (PID) to Planned Commercial District 2 (PCD-2) Planner Teague pointed out to the Commission the project also requires building setback variances, parking structure setback variance and a building height variance.

Planner Teague stated staff recommends approval of the preliminary development plan and preliminary rezoning for the proposed office building subject to the following conditions:

1. The Final Development Plan must be generally consistent with approved Preliminary Development Plan date stamped January 31, 2008.
2. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative.
3. Trail and sidewalk connections must be included as demonstrated on the preliminary plans. Public easements must be established over all public sidewalks.
4. All buildings must be built with sprinkler systems, subject to review and approval of the Fire Marshal.
5. Compliance with all of the conditions outlined in the City Engineer's memo dated February 28, 2008, and
6. Compliance with all conditions required by the Transportation Commission.

Planner Teague also stated staff recommends approval of the following variances: principle building setback from the south and west lot lines from 58 to 25 feet; and from the east lot line from 58 to 35 feet; a one-foot parking structure variance from the north and west lot line from 21 feet to 20 feet from the north lot line; and an 8-foot building height variance.

Appearing for the Applicant

Mr. Tom Lund, Opus LLC and the Opus development team were present.

Commission Comment

Commissioners stated that in their opinion the proposal involves two points of thought, process and philosophy. Commissioners indicated public land should be considered “golden” and any relinquishment of public land should be carefully reviewed and processed.

Chair Lonsbury suggested that the discussion on the project be conducted in two parts, Comprehensive Guide Plan Amendment and Rezoning. Chair Lonsbury stated at this time he would like to focus the discussion on the Comprehensive Guide Plan Amendment.

Chair Lonsbury opened the public hearing for testimony.

Public Comment

Kimberly Montgomery, 5300 Evanswood Lane, addressed the Commission and questioned “why the rush?” with this project. Ms. Montgomery stated this site should be used for public purposes. Ms. Montgomery added in her opinion, the project as proposed has high negatives and the subject site as public land has greater potential than being developed for an office building.

Ron Rich, 7008 West Shore Drive, told the Commission in his opinion the subject site is better suited to service light rail. He stated he agrees with the comment from Ms. Montgomery that this project has the appearance of being rushed through.

JoEllen Dever, 7405 Oaklawn Avenue, requested clarification on the proposal.

Ms. Virginia Kearney, 4226 Grimes Avenue, told the Commission she would support slowing down the process. She added in her opinion when redevelopment is proposed on public land the public needs a chance to weigh in. Ms. Kearney added she believes the subject site is better suited for a community center, or meeting place for young people. She pointed out Edina doesn’t want to fall behind other communities in the amenities they provide. Concluding, Ms. Kearney stated there should be “public voice for public property”.

Comments from the Applicant:

Mr. Lund explained Opus responded to a Request for Proposal (RFP) from the City of Edina to redevelop the public works site. Mr. Lund stated Opus was chosen by Council and has worked closely with staff on this project. Mr. Lund added Opus also invited property owners who reside within 1000 feet of the subject site to attend a meeting outlining the proposal. Mr. Lund stated a small number of immediate residents attended this meeting.

**Commissioner Fischer moved to close the public hearing.
Commissioner Schroeder seconded the motion. All voted aye.**

Commission Comment

Commissioners expressed confusion on the notification process, pointing out the land is public land, questioning who was notified. Assistant Manager Worthington explained to the Commission the history of the site, the RFP process and how the City got to this point. Planner Teague told the Commission with regard to the notification process Code requires mailed notification to property owners within 1000 feet of the subject site, publication in the Edina Sun Current, and posting of a sign. All those requirements were met.

Commissioners also pointed out they just voted on the update of the Comprehensive Plan which indicates mixed use for this site, not commercial as proposed. Commissioners also acknowledged the uniqueness of this proposal pointing out the City Council actually initiated the process and the City in a sense is the applicant.

Commissioner Fischer presented to the Commission a PowerPoint presentation highlighting the project and elements of the update of the 2008 Comprehensive Plan with the suggestion that a small area plan should be considered, adding this site may be better served in another way.

A discussion ensued with Commissioners reiterating their unease with the process, especially as it relates to public land. Commissioners also stated in their opinion the update of the Comprehensive Plan clearly indicates that this area should be considered for mixed-use. Commissioners did acknowledge public works needs a new facility; however, the importance of this site should be further considered, pointing out an important feature to keep in mind is that this parcel is located along an active rail line. The location of this parcel along a rail line may become very important in the future, especially if light rail is implemented. Commissioners also noted at one time coupling redevelopment of this site with a "Park & Ride" was also mentioned.

Commissioner Risser moved to deny the request for an amendment to the Guide Plan. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Chair Lonsbury said at this time the Commission will consider the request for rezoning inviting Mr. Lund to present the Opus proposal.

Mr. Lund introduced the Opus development team and with graphics explained and highlighted the project.

Chair Lonsbury opened the hearing to further public testimony.

Public Comment

Dr. Mumtaz Kazim, 12 Merilane, addressed the Commission and informed them she represents Edina Family Physicians, adding Edina Family Physicians will be the occupants of the new medical building. Concluding, Ms. Kazim told the Commission she, along with her fellow physicians, would appreciate their support and approve the project as submitted.

Ms. Montgomery, 5300 Evanswood Lane, asked what will happen to the existing trees on the site. Mr. Faber responded they will try to save as many trees as possible, adding the site will also be re-landscaped to meet Code.

Commission Comment

A discussion ensued with Commissioners acknowledging the proposed office building is a good building, a good project, adding the Commission probably would have looked favorably on the project if the site was private, not public land. Commissioners acknowledged the requested zoning change is inconsistent with the Comprehensive Plan; however, it is consistent with surrounding properties.

Commission Action

Commissioner Forrest moved to recommend rezoning denial. Commissioner Scherer seconded the motion. Ayes; Scherer, Schroeder, Fischer, Brown, Grabiell, Forrest, Lonsbury. Nay; Risser, Staunton. Motion to deny carried.

IV. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury acknowledged receipt of back-of-packet materials and asked Commissioners if there is anything they would like to discuss.

Commissioners asked Planner Teague how the “massing” study is proceeding. Planner Teague responded it is the intent of staff to have a draft of findings and recommendations available for the Commission meeting at the end of March.

Commissioners also expressed interest in moving forward on a tree ordinance and reminded staff that Katie Sireks, PC student member has expressed interest in this project and would be able to solicit help from other interested Edina High students.

V. ADJOURNMENT:

The meeting was adjourned at 11:00 PM

Submitted by _____