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**RESOLUTION NO. 2016-33**  
**APPROVING PRELIMINARY REZONING FROM POD-1&2, PLANNED OFFICE**  
**DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT AND PRELIMINARY**  
**DEVELOPMENT PLAN FOR**  
**6550 XERXES AVENUE AND 3250 66<sup>TH</sup> STREET WEST**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

**Section 1. BACKGROUND.**

- 1.01 DLC Residential, LLC is proposing to redevelop the 5.6 acre office building sites at 6550 Xerxes and 3250 66<sup>th</sup> Street West. The applicant is proposing to tear down the existing buildings and redevelop the site with the following two phase development:

Phase 1 (3250 66<sup>th</sup> Street West):

- A 6-7 story, 227-unit apartment building, with two levels of underground parking, a club room, fitness area, and a green roof with an amenity terrace, including a pool.

Phase 2 (6650 Xerxes Avenue):

- A 5-6 story, 145-unit apartment building. Five and four floors of housing above the parking and amenities area.

- 1.02 The property is legally described as follows:

See Attached Exhibit A.

- 1.03 To accommodate the request, the following land use applications are requested:

1. Preliminary Rezoning from POD-1&2, Planned Office District to PUD, Planned Unit Development; and
2. Preliminary Development Plan.

- 1.04 On November 12, 2015, the Planning Commission considered the request. A motion to approve the Preliminary Rezoning and Preliminary Development Plan failed. Vote: 4 Ayes and 5 Nays.

- 1.05 As a result of Planning Commission concerns in regard to the traffic study, Kimley Horn revised their traffic study to update/increase the anticipated growth numbers in the surrounding area. The revised study still concludes that there are no improvements that need to be made to the existing roadway system.

## **Section 2. FINDINGS**

### **2.01 Approval is based on the following findings:**

1. The proposal would meet the purpose and intent of the PUD, as most of the above criteria would be met. The site is guided in the Comprehensive Plan as "Community Activity Center – CAC," which encourages a mixing of uses, including retail and multi-family residential. The proposed uses are therefore consistent with the Comprehensive Plan as amended.
2. The proposed land uses, multi-family residential and commercial are consistent with existing and proposed land uses in this area.
3. The proposed development is within the height and density guidelines of the Comprehensive Plan.
4. The Comprehensive Plan recognizes the Southdale area and the CAC as the most intense district in terms of uses, height and coverage. The City allows a floor area ratio of up to 1.5 in other parts of the City, such as 50th France; therefore, the floor area ratio of the proposed use, which is predominantly residential, seems appropriate for the area.
5. The traffic and parking study done by Kimley Horn concludes that the existing roadways can support the proposed project, and there would be adequate parking provided.
6. The project would create a pedestrian friendly development with extensive pedestrian paths planned for the site. Sidewalks would provide pedestrian connections for residents to the north through the development to connect to the Southdale area.
7. The site is a gateway into Edina, and the building has taken the curved shape of the site that it sits on. Podium Height would be used on 66<sup>th</sup> Street.
8. The public realm provided for in the development would be within and around the sidewalk areas. The proposed plans invite people through the project from the north to provide a pedestrian access to Southdale and the Metro Transit station. Boulevard style sidewalks are provided to comfortably move residents around the building and through the project to create a comfortable pedestrian experience. A large green space, adjacent to the boulevard style sidewalk is proposed to fill in the right-turn lane, another signature of this gateway area.
9. The development would include affordable housing.
10. The applicant is also proposing some sustainability principles within their project narrative, including: Green roofs, 15% increase in energy efficiency; participation in the Xcel Energy EDA program; and green construction practices.
11. The PUD would ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.

12. The proposal addresses many of the working principles of the Greater Southdale Area Working Group as mentioned in the above findings.
13. The proposed project would meet the following goals and policies of the Comprehensive Plan:
  - a. Building Placement and Design. Where appropriate, building facades should form a consistent street wall that helps to define the street and enhance the pedestrian environment.
  - b. Movement Patterns.
    - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
    - A Pedestrian-Friendly Environment.
  - c. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
  - d. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
  - e. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
  - f. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
  - g. Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.
  - h. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.
  - i. Provision of affordable housing.

### **Section 3. APPROVAL**

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Preliminary Rezoning to PUD, Planned Unit Development and Preliminary Development Plan subject to the following conditions:

1. The Final Development Plans must be generally consistent with the Preliminary Development Plans dated January 22 and February 5, 2016.
2. Final plans must show all mechanical equipment and the means to screen it. No ground level mechanical equipment shall be located in front of the building on a public street.
3. The Final Landscape Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance.

4. The Final Lighting Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance.
5. This sidewalk proposed along Xerxes must be extended to the east property boundary. The north-south sidewalk on the west side of the private drive must also be extended to York Avenue.
6. Submittal of a complete sign plan for the site as part of the Final Development Plan application. Signage should include monument sign locations and size, way finding signage, and wall signage.
7. Compliance with all of the conditions outlined in the director of engineering's memo dated February 12, 2016.
8. As part of a Developer's Agreement, the property owner would be required to participate in appropriate cost sharing improvements to the 66<sup>th</sup> and York intersection which may include elimination of the right turn lane, providing green space and improving pedestrian crossings.
9. Ten percent (10%) of the housing units shall be designated for affordable housing. Specific detail would be determined at the time of final approval.
10. Sustainable design principles must be used per the applicant narrative. The building shall meet the current state energy code guidelines. A plan of how standards are intended to be met must be submitted prior to issuance of a building permit.
11. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.
12. The temporary cell pole must be removed as soon as possible. No final occupancy permit will be granted for the apartment building until the pole is removed.
13. A 30-foot roadway easement shall be dedicated at the time of Final Development Plan for Phase 2, for a future extension of 65<sup>th</sup> Street.

Adopted by the city council of the City of Edina, Minnesota, on March 15, 2016.

ATTEST: \_\_\_\_\_  
Debra A. Mangen, City Clerk

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James B. Hovland, Mayor

STATE OF MINNESOTA            )  
COUNTY OF HENNEPIN        )SS  
CITY OF EDINA                 )

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of March 16, 2016, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2016.

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City Clerk