

RESOLUTION NO. 2021-97

APPROVING FINAL REZONING FROM PCD-I PLANNED COMMERCIAL DISTRICT- I AND APD, AUTOMOBILE PARKING DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT, FINAL SITE PLAN AND SITE IMPROVEMENT PLAN AGREEMENT FOR 4917 EDEN AVENUE

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

Section 1. BACKGROUND.

- I.01 RueterWalton is proposing to re-develop 4917 Eden Avenue, currently occupied by a Perkins Restaurant and office building. The applicant would tear down the existing Perkins and office and build a seven (7) story 196-unit apartment and 3,700 square foot restaurant. The applicant shall provide 10% of the units at 50% AMI for affordable housing..
- I.02 On April 28, 2021, the Planning Commission held a public hearing and recommended approval of the Request. Vote: 7 Ayes and 1 Nays.
- I.03 On June 1, 2021 the City Council held a public hearing and approved the request.
- I.04 The applicant has submitted final plans that are consistent with approved preliminary plans.
- I.05 The City Attorney has drafted the Site Improvement Plan Agreement, to which the applicant is agreeable.
- I.06 To address one of the conditions of Preliminary Approval, engineering staff has completed a study which includes a plan to address transportation issues east of Highway 100 in the Grandview District by the City of Edina. The plans will be shared with the neighborhood and considered by the HRA and City Council in 2021.

Section 2. FINDINGS

2.01 Approval is based on the following findings:

- 1. The proposed land uses, and density are consistent with the Comprehensive Plan and the existing Zoning on the site.
- 2. The proposal meets the City's criteria for PUD zoning. The PUD zoning would:
 - a. Promote a more creative and efficient approach to land use within the City, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the City.

- c. Provide for variations to the strict application of the land use regulations in order to improve site design and operation, while at the same time incorporate design elements that exceed the City's standards to offset the effect of any variations. Desired design elements include sustainable design, greater utilization of new technologies in building design, special construction materials, landscaping, lighting, stormwater management, pedestrian oriented design, and podium height at a street.
 - d. Project is of high quality of design and design compatible with surrounding land uses, including both existing and planned.
 - e. Maintains the efficiency of public streets and utilities.
 - f. Provides a mixture of land uses within the development.
 - g. Project would meet the City's affordable housing policy.
- 3. The PUD would ensure that the development proposed would be the only building that would be allowed on the site unless an amendment to the PUD is approved by City Council.
- 4. The PUD would ensure 10% of the units within the building would be for affordable housing.
- 5. The proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. The 20 affordable housing units would help the City of Edina achieve its goal with the Met Council of creating 1,804 units by the year 2030.
 - b. A Pedestrian-Friendly Environment. Improving the auto-oriented design pattern present in much of the city will call for guidelines that change the relationship between parking, pedestrian movement and building placement.
 - i. Provide visual screening and privacy to buffer cars from people, provide visual relief and allow stormwater infiltration in parking lots.
 - ii. Evaluate current parking standards in order to encourage shared parking and minimize the visual impact of surface parking.
 - iii. Landscaping is essential to screen parking areas, buffer adjacent residential uses and create a pedestrian-friendly environment along streets.
 - c. Encourage successful mixed-use development.
 - d. Create and maintain housing options that serve a diverse range of ages, household types, and economic situations.
 - e. Ensure that public realm design respects community character, supports of commercial and mixed-use development, promotes community identity, and creates high quality experiences for pedestrians, cyclists, transit users, and motorists.
 - f. Multifamily. This land use is defined by the multiple unit building type where each individual unit does not have direct ground floor access to the exterior. Multifamily developments are concentrated primarily along the main traffic arteries and are generally located toward the edges of the city, often in proximity to retail business

establishments. Concentrations of multifamily developments are found along York Avenue, France Avenue, Vernon Avenue, Lincoln Drive, and Cahill Road.

- g. Per the Mixed-Use Land Use Description: “Primary uses: Retail, office, service, multifamily residential, and institutional uses. Vertical mixed-use should be encouraged and may be required on larger sites.”
 - h. “Mixed-use development allows for a savings in time and convenience for residents who choose to live in closer proximity to where they work and shop. Community interest is served by this type of development, as the city is able to integrate additional residences and businesses more efficiently within existing city infrastructure. Pedestrian amenities and proximity of uses encourage more trips to be made by foot or bike, reducing the increase of congestion that can otherwise result from conventional development of separated land uses.”
 - i. “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. On existing auto-oriented development sites, encourage placement of liner buildings close to the street to encourage pedestrian movement.
 - Locate prominent buildings to visually define corners and screen parking lots.
 - Locate building entries and storefronts to face the primary street, in addition to any entries oriented towards parking areas.
 - j. “Support the development of mixed-use districts that provide a variety of living opportunities within a walkable and livable area.”
6. The existing roadways and parking would support the project. Wenck Consulting conducted a traffic and parking impact study and concluded that the proposed development could be supported by the existing roads and proposed parking.
 7. The proposed height of seven stories is reasonable for this site. To provide affordable housing within this project, the additional height is needed to create more market rate units to help absorb the cost of the affordable housing units. The building height overlay district limits this site to four stories. The nearest single-family home to this site is 540 feet to the north. Section 36-618 (6) of the City Code requires that buildings within the PCD District that are 7 stories tall, be setback 4 times the height of the building. The building would be 76 feet tall, therefore, a 304-foot setback is required.
 8. The proposed uses would be an upgrade to the current development on the site.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves Final Rezoning of the site from PCD-I, Planned Commercial District-I and APD, Automobile Parking District to PUD-21, Planned Unit District – 21 and the Site Improvement Plan Agreement.

Approval is subject to the following conditions:

1. Project shall be constructed per the Final Plans dated October 5, 2021
2. The Final Landscape Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance. A performance bond, letter-of-credit, or cash deposit must be submitted for one and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures at the time of any building permit.
3. Provision of code compliant bike racks for each use near the building entrances. Proposed bike parking stalls should be in convenient, well-lit locations within 50' of a public entrance to a principal building. Rack style and spacing should follow the recommendations of the Association of Pedestrian and Bicycle Professionals (APBP).
4. The Final Lighting Plan must meet all minimum requirements per Section 36-1260 of the City Code.
5. Roof-top mechanical equipment shall be screened per Section 36-1459 of the City Code.
6. Submit a copy of the Minnehaha Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
7. A Site Improvement Plan Agreement is required at the time of Final Approval.
8. The project must conform to the City's affordable housing policy. The project shall provide 10% of the units (20 units) within the building for affordable housing for families earning 50% area median income (AMI) for the Twin Cities.
9. Compliance with the conditions outlined in the director of engineering's memo dated April 21, 2021, and the transportation engineer memo dated April 21, 2021.
10. There shall be a minimum of 4 EV charging stations installed and a minimum of an additional 40 stalls wired to accommodate future EV installation.
11. Subject to the Zoning Ordinance Amendment revising the PUD, Planned Unit Development for this site.
12. Provision of a green roof and solar garden as shown on the building renderings.
13. Compliance with all the conditions outlined in the fire marshal and building official's memo dated April 22, 2021.
14. Submittal of a construction management plan subject to review and approval of city staff prior to issuance of a building permit. The plan must demonstrate minimal impact to pedestrian and vehicle movement.
15. Hours of construction must be consistent with City Code.

16. Provide the necessary easement for potential highway off-ramp along the westerly property line.
17. Driveway Entrance permit required for entrance reconstruction. Driveway on Wilson Road shall be at least 50-feet from the intersection with Eden Ave per City Code.
18. Maintenance of sidewalks to be responsibility of property owner. Maintenance of sidewalks on Eden Ave and Wilson Road will be by the City. City snowplowing operations are 5-feet wide on these sidewalks. If owner wants a wider path, this would be the responsibility of the owner.
19. Install a sidewalk from the restaurant entrance and west side parking area to Eden Avenue for pedestrian access and safety.
20. Pedestrian crossing improvements shall be made to the intersection of Willson and Eden Avenue subject to approval of the city engineer.
21. A satisfactory plan for resolution of the transportation system issues east of Highway 100 in the Grandview District by the City of Edina.

Adopted by the City Council of the City of Edina, Minnesota, on November 3, 2021.

ATTEST: _____
Sharon Allison, City Clerk

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 November 3, 2021, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2021.

Sharon Allison, City Clerk