

**Agenda**  
**Planning Commission Work Session**  
**City of Edina, Minnesota**  
**VIRTUAL MEETING**

**Wednesday, June 24, 2020**  
**6:00 PM**

- I. Call To Order
- II. Roll Call
- III. Work Plan Items Discussion
- IV. Adjournment

The City of Edina wants all residents to be comfortable being part of the public process. If you need assistance in the way of hearing amplification, an interpreter, large-print documents or something else, please call 952-927-8861 72 hours in advance of the meeting.



## CITY OF EDINA

4801 West 50th Street

Edina, MN 55424

[www.edinamn.gov](http://www.edinamn.gov)

**Date:** June 24, 2020

**Agenda Item #:** III.

**To:** Planning Commission Work Session

**Item Type:**

Other

**From:** Cary Teague, Community Development Director

**Item Activity:**

**Subject:** Work Plan Items Discussion

Discussion

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### **ACTION REQUESTED:**

No Action Requested

### **INTRODUCTION:**

See attached memo regarding discussion topics

### **ATTACHMENTS:**

Staff Memo

Draft Ordinance

Buy-In Comparison

Work Plan Tracker

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**Date:** June 24, 2020

**To:** Planning Commission

**From:** Cary Teague, Community Development Director

**Re:** Work Session Topics: Zoning Ordinance Amendment, Comprehensive Plan, and Parking at 44<sup>th</sup> and France.

The Planning Commission is asked to discuss the items above at the June 24<sup>th</sup> work session. The following provides some background on each issue:

## **Zoning Ordinance Amendments**

This is a continuation of the discussion regarding zoning ordinance amendment to address several items on the Planning Commission work plan for 2020. Once comfortable with the draft ordinance attached, staff would set public hearings for the Planning Commission and City Council.

Below is a summary of the draft ordinance. As requested at our last work session, attached is background information on the affordable housing section including a buy in comparison regulations from other cities around the country.

Sections I-10. Setbacks in the Greater Southdale District and Required Building Materials. These sections codify portions of the Design Experience Guidelines for the Greater Southdale District regarding setbacks and building materials. These changes address some of the key elements of the Guidelines regarding setbacks and building materials. Mic Johnson's recommendations have been included in this draft.

Section 11. Affordable Housing Required for Multi-Family Residential Uses in Commercial Zoning Districts. Within the City's Planned Commercial Zoning Districts (PCD) multi-family residential uses are currently allowed by Conditional Use Permit. The Ordinance amendment would require compliance with the city's affordable housing policy through the Conditional Use Permit process when considering multifamily housing in commercial districts. As requested by the Planning Commission, staff has provided some background information from other cities in regard to their buy-in fees. (See attached) Staff is recommending increasing the buy in number to \$120,000 with a 10% yearly escalator.



Section 12. Minimum Garage Stall Requirements. Reduces the number of enclosed parking stalls for single and double dwellings and townhouses from two spaces to one. This would reduce the cost of building and to de-emphasize the automobile.

Ordinance Amendments not covered in the attached draft ordinance:

Parking Standards: As discussed at the last work session we have added parking regulations to the list of ordinances that we will be working on. This is large undertaking and would be a stand-alone ordinance brought forward. Staff will begin to research and gather background data for the planning commission to consider over the next few months.

Impervious Surface: As discussed previously engineering staff is not ready to move forward. They have concerns regarding staffing and enforcement of the previous draft of the ordinance and will review that portion and make recommendations likely toward the end of this summer.

**Comprehensive Plan** – Discussion regarding the City Council putting the Comprehensive Plan into effect after Met Council approval, which is anticipated to be June 24, 2020.

**District Parking – 44th and France** – Short discussion regarding beginning the process.



**ORDINANCE NO. 2020-\_\_**  
**AN ORDINANCE AMENDMENT REGARDING SETBACKS IN THE SOUTHDALE AREA, BUILDING MATERIALS, HOUSING IN COMMERCIAL ZONING DISTRICTS, AND NUMBER OF GARAGE STALLS FOR SINGLE FAMILY HOMES**

THE CITY COUNCIL OF EDINA ORDAINS:

**Section 1. Sec. 36-525. - Requirements for building coverage, setbacks and height is amended as follows: (PRD & PSR Zoning District)**

(b) *Setbacks.* Setbacks shall be measured from the boundary of the tract. The required setbacks shall be increased to equal the building height for those buildings whose height exceeds the minimum setbacks required. The minimum setbacks are as follows:

	Front Street (in feet)	Side Street (in feet)	Interior Side Yard (in feet)	Rear Yard (in feet)
PRD-1	30*	30*	20	25
PRD-2	30*	30*	20	35
PRD-3	35*	35*	20	35
PRD-4, 5	35*	35*	35	35
PSR-3, 4	35*	35*	20	35
Accessory buildings	Same as principal building	10	10	

**\* Front and Side Street Setbacks for properties in the Greater Southdale District are subject to Sec. 36-1276**

**Section 2. Sec. 36-553. - Requirements for building coverage, setbacks and height is amended as follows: (MDD District)**

• (c)

*Setbacks.* Setbacks shall be measured from the boundary of the tract or from the public street right-of-way.

	Front Street (in feet)	Side Street (in feet)	Interior Side Yard (in feet)	Rear Yard (in feet)
MDD-3	35*	35*	20	35

Existing text – XXXX

Stricken text – ~~XXXX~~

Added text – **XXXX**

MDD-4	35*	35*	20	35
MDD-5	35*	35*	20	35
MDD-6	35*	35*	20	35

\* Front and Side Street Setbacks for properties in the Greater Southdale District are subject to Sec. 36-1276

**Section 3. Sec. 36-578. - Requirements for building coverage, setbacks and height is amended to add the following: (POD Zoning District)**

**(4) Front and Side Street Setbacks for properties in the Greater Southdale District are subject to Sec. 36-1276**

**Section 4. Sec. 36-579. (3) – Special Requirements (POD Zoning District) is amended as follows:**

(3) *Building design and construction.* In addition to other restrictions of this section and article III of [chapter 10](#), the use, construction, alteration or enlargement of any building or structure within the Planned Office District shall meet the following standards:

~~a. All exterior wall finishes on any building shall be one or a combination of the following:~~

- ~~1. Face brick;~~
- ~~2. Natural stone;~~
- ~~3. Specially designed precast concrete units, if the surfaces have been integrally treated with an applied decorative material or texture;~~
- ~~4. Factory fabricated and finished metal framed panel construction, if the panel materials are any of those noted in subsections (3)a.1 through 3 of this section; or~~
- ~~5. Glass or prefinished metal (other than unpainted galvanized iron).~~

**a. All new building façades in the district must have seventy five percent (75%) transparency at the ground level.**

**b. All facades on the first vertical 60 feet of a building (above grade) shall use natural materials (brick, stone) facing the public realm (streets, parks, sidewalks).**

**c. No building façade shall be longer than 200 feet without changing direction by a minimum of 90 degrees.**

**d. Ground level first floors must have a minimum floor to ceiling height of 20 feet.**

**b.e. All subsequent additions, exterior alterations and accessory buildings constructed after the erection of an original building shall be constructed of the same materials**

as the original building and shall be designed in a manner conforming to the original architectural design and general appearance.

**Section 5.** Sec. 36-617 (b) – Requirements for building coverage, setbacks and height in the PCD Zoning Districts is amended as follows:

**Sec. 36-617 (b). - Requirements for building coverage, setbacks and height.**

(b) *Setbacks.* Subject to the requirements of [section 36-618](#) (1) and (2).

	Front Street (in feet)	Side Street (in feet)	Side Yard (in feet)	Rear Yard (in feet)
PCD-1	35*	25*	25*	25*
PCD-2	35*	25*	25*	25*
PCD-3 North of 70th St.	35**	35**	35	35
PDC-3 South of 70th St.	50**	50**	50	50
PCD-4 Gas stations	35	25	25	25
All other uses	45	25	45	25

\*Subject to the requirements of [section 36-618](#).

\*\* Subject to the requirements of [section 36-1276](#)

**Section 6.** Subsection 36-618, Special requirements in the PCD Zoning Districts is amended as follows:

**Sec. 36-618. - Special requirements.**

~~(3) *Setbacks for PCD-3 subdistrict.* The minimum building setback required by [section 36-617](#) (b) shall be increased as follows:~~

- ~~a. In the area bounded by France Avenue on the west, York Avenue on the east and W. 70th Street on the south, the minimum building setback shall be increased by one third foot for each foot that the building exceeds 50 feet in building height. For purposes hereof, only those portions of buildings which exceeds 50 feet in building height need provide the additional setbacks required by this subsection.~~
- ~~b. In all other areas, the minimum building setback shall be equal to the building height for buildings taller than 50 feet.~~

(11) *Building design and construction.* In addition to the other restrictions of this section and article III of [chapter 10](#), the use, construction, alteration or enlargement of any building or structure within the Planned Commercial District shall meet the following standards:

- ~~a. All exterior wall finishes on any building shall be one or a combination of the following:~~

Existing text – XXXX

Stricken text – XXXX

Added text – XXXX

- ~~1. Face brick;~~
- ~~2. Natural stone;~~
- ~~3. Specially designed precast concrete units, if the surfaces have been integrally treated with an applied decorative material or texture;~~
- ~~4. Factory fabricated and finished metal framed panel construction, if the panel materials are any of those noted in subsections (11)a.1 through 3 of this section; or~~
- ~~5. Glass or prefinished metal (other than unpainted galvanized iron).~~

- a. All new building façades in the district must have seventy five percent (75%) transparency at the ground level.
- b. All facades on the first vertical 60 feet of a building (above grade) shall use natural materials (brick, stone) facing the public realm (streets, parks, sidewalks pedestrian and bike corridors).
- c. No building façade shall be longer than 200 feet without changing direction by a minimum of 90 degrees.
- d. Ground level first floors must have a minimum floor to ceiling height of 20 feet.
- e. Exceptions may be made to a-d above for an affordable housing project that has over 50% of the units considered to affordable housing as defined in Section 36-612 (1).

- ~~b.~~ f. All subsequent additions, exterior alterations and accessory buildings constructed after the erection of an original building shall be constructed of the same materials as the original building and shall be designed in a manner conforming to the original architectural design and general appearance.

**Section 7.** Subsection 36-643, Requirements for building coverage, setbacks and height in the PID Zoning District is amended to add the following:

- (g) Front and Side Street Setbacks for properties in the Greater Southdale District are subject to Sec. 36-1276

**Section 8.** Subsection 36-644, Special requirements in the PID Zoning District is amended as follows:

**Sec. 36-644. - Special requirements.**

(11) *Building design and construction.* In addition to the other restrictions of this section and article III of [chapter 10](#), the use, construction, alteration or enlargement of any building or structure within the Planned Industrial District shall meet the following standards:

- ~~a. All exterior wall finishes on any building shall be one or a combination of the following:~~
  - ~~1. Face brick;~~

- ~~2. Natural stone;~~
- ~~3. Specially designed precast concrete units, if the surfaces have been integrally treated with an applied decorative material or texture;~~
- ~~4. Factory fabricated and finished metal framed panel construction, if the panel materials are any of those noted in subsections (4)a.1 through 3 of this section; or~~
- ~~5. Glass or prefinished metal (other than unpainted galvanized iron).~~

- a. All new building façades in the district must have seventy five percent (75%) transparency at the ground level.
  - b. All facades on the first vertical 60 feet of a building (above grade) shall use natural materials (brick, stone) facing the public realm (streets, parks, sidewalks, pedestrian and bike corridors).
  - c. No building façade shall be longer than 200 feet without changing direction by a minimum of 90 degrees.
  - d. Ground level first floors must have a minimum floor to ceiling height of 20 feet.
- b.e. All subsequent additions, exterior alterations and accessory buildings constructed after the erection of an original building shall be constructed of the same materials as the original building and shall be designed in a manner conforming to the original architectural design and general appearance.

**Section 9. Sec. 36-664. - Requirements for building coverage, setbacks and height is amended as follows: (RMD Zoning District)**

(b) *Setbacks.*

Front Street	Side Street	Interior Side Yard	Rear Yard
35 feet**	35 feet**	20 feet*	20 feet*

\*Or the building height, if greater.

**\*\*Front and Side Street Setbacks for properties in the Greater Southdale District are subject to Sec. 36-1276**

**Section 10. DIVISION 2. - GENERAL REQUIREMENTS APPLICABLE TO ALL DISTRICTS EXCEPT AS OTHERWISE STATED is amended to add the following:**

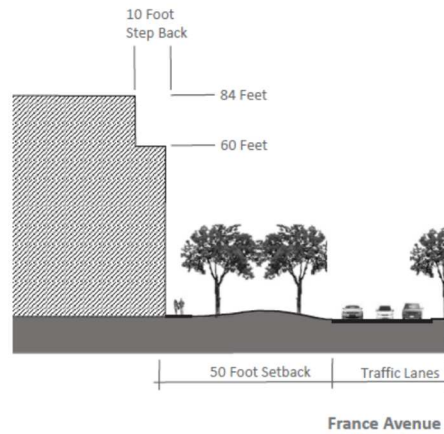
**Sec. 36-1276. – Setbacks in the Greater Southdale District**

- (1) Front Street Setbacks on **France Avenue** between Highway 62 and Minnesota Drive and the on **York Avenue** between 66<sup>th</sup> Street and 78<sup>th</sup> Street: A 50-foot setback is required from the face of the curb to the face of building. Above a building height of 60-feet the additional height must step back 10 feet from the face of the building.

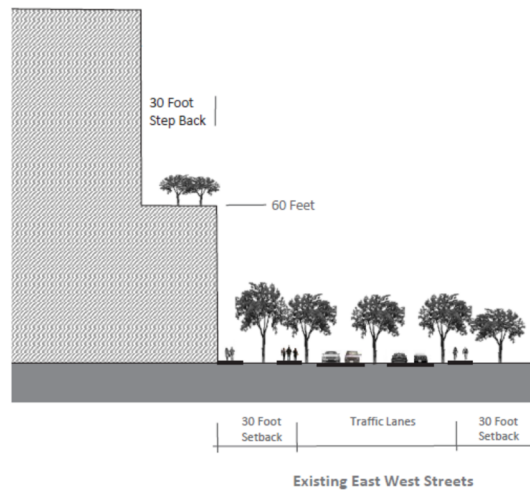
Existing text – XXXX

Stricken text – XXXX

Added text – XXXX



- (2) Front Street Setbacks on streets other than France Avenue and York Avenue: A 30-foot setback is required from the face of curb to the face of building with a building podium height of 60 feet. Above the 60-foot height limit, additional height should step back a minimum of 30 feet from the face of the building, to a maximum height of 105 feet. Any height about 105 feet should step back at minimum an additional 10 feet from the face of the building.



- (3) All new building façades in the district must have seventy five percent (75%) transparency at the ground level.
- (4) Service requirements (trash, recycling, loading) shall be contained within the building, shielded from public realm view.
- (5) All building services such as mechanical, electrical and plumbing equipment must be contained within the building.
- (6) Parking access shall not be located on principal facades facing the public realm.

**Section 11. Sec. 36-612. - Conditional uses. (PCD Zoning Districts) is amended as follows:**

The following are the conditional uses permitted in the PCD-1 subdistrict:

(1) *PCD-1 and PCD-2 subdistricts.* Multi-residential uses subject to following:

- a. New rental multi-family developments containing 20-units or more shall provide a minimum of 10% residential units at 50% area median income (AMI) or 20% residential units at 60% AMI.
- b. New for-sale developments shall provide a minimum of 10% of residential units at AMI.
- c. Rental and for-sale/owner occupied affordable units shall provide the following:
  - i. on-site parking (either surface or enclosed) for affordable units and the cost related to parking must be included affordable sales price or affordable rental rate. At least one enclosed parking space shall be included in the purchase price of a for-sale unit in the same manner offered to buyers of market rate units.
  - ii. Affordable and market rate residents will have equal access to all entries, lobbies, elevators, parking and amenities. Examples of amenities include storage lockers, balconies, roof decks, outdoor patios, pools, fitness facilities, and similar unit and project features.
  - iii. Exterior appearance of affordable units shall be visually comparable with market rate units in the development.
- d. New rental housing will remain affordable for a minimum of 20 years and this requirement will be memorialized by a Land Use Restrictive Covenant.
- e. New for-sale or owner-occupied developments will remain affordable for a minimum of 30 years and this requirement will be memorialized by a Land Use Restrictive Covenant. The Land Use Restrictive Covenant will contain a provision providing the Housing and Redevelopment Authority or Edina Housing Foundation the right of first refusal to purchase affordable units.
- f. The owners of multi-family rental housing projects subject to this Policy by receiving financial assistance shall accept tenant-based rental housing assistance including but not limited to Section 8 Housing Choice Vouchers, HOME tenant-based assistance and Housing Support. Tenants with rental assistance may occupy an affordable dwelling unit with the rent charged not exceeding the maximum allowed by Metro HRA or the assistance provider. Furthermore, the rent charged may not exceed the maximum allowed by the most restrictive funding source. This requirement will be enforced through a contract between the City of the project owner pursuant to which the owner will be required to adopt business practices that promote fair housing and provide documentation of compliance with these requirements to the City. This requirement will be further enforced through the City's monitoring policies and procedures.
- g. Owners of City-assisted housing projects shall affirmatively market affordable housing opportunities. All multi-family housing providers subject to this policy must submit an Affirmative Fair Housing Marketing Plan (AFHMP) at least every 5 years and a Survey and Certification regarding AFHMP outcomes annually. Owners must advertise housing opportunities on HousingLink or another medium acceptable to the City concurrent with any other public or private advertising.

- h. Recognizing that affordable housing is created through a partnership between the City and developers, the City and/or Housing and Redevelopment Authority will consider the following incentives for developments that provide affordable housing:
- i. Density bonuses
  - ii. Parking requirement reductions
  - iii. Tax increment financing for projects that exceed the minimum requirement
  - iv. Deferred low interest loans from the Housing and Redevelopment Authority and/or Edina Housing Foundation
  - v. Property Tax Abatement
- i. In lieu of providing affordable housing in each new qualifying development, the City may consider the following:
- i. Dedication of existing units in Edina to 110% of what would have been provided in a proposed new development. These units would need to be of an equivalent quality within the determination of the City.
  - ii. Financial risk and participation in the construction of affordable dwelling units of an equivalent quality by another developer on a different site within the City.
  - iii. An alternative proposed by a developer that directly or indirectly provides or enables provision of an equivalent amount of affordable housing within the city. An alternative could be payment of a Total Buy In (TBI) fee, a cash payment to the City in lieu of providing affordable housing units. The TBI shall be equal to ~~\$100,000~~ \$120,000 per unit rounding up to the next whole unit, with a yearly escalator of 10%. The TBI would be due in cash or certified funds in full to the City at the time of issuance of the building permit. A building permit will not be issued unless the TBI is paid in full. The City Council may allow the housing developer to pre-pay the TBI to satisfy a future Affordable Housing Opportunity on a case-by-case basis. TBI will be deposited into the Affordable Housing Trust Fund to be used for the development and preservation of affordable housing.

(2) *PCD-3 subdistrict.*

- a. Automobile agencies selling new, unused vehicles.
  - b. Boat or marine stores or agencies selling or displaying new, unused boats.
  - c. Multi-residential uses subject to following:
- iv. New rental multi-family developments containing 20 units or more shall provide a minimum of 10% residential units at 50% area median income (AMI) or 20% residential units at 60% AMI.
  - v. New for-sale developments shall provide a minimum of 10% of residential units at AMI.
  - vi. Rental and for-sale/owner occupied affordable units shall provide the following:
    - (1) on-site parking (either surface or enclosed) for affordable units and the cost related to parking must be included affordable sales price or affordable rental rate. At least one enclosed parking space shall be included in the

- purchase price of a for-sale unit in the same manner offered to buyers of market rate units.
- (2) Affordable and market rate residents will have equal access to all entries, lobbies, elevators, parking and amenities. Examples of amenities include storage lockers, balconies, roof decks, outdoor patios, pools, fitness facilities, and similar unit and project features.
- (3) Exterior appearance of affordable units shall be visually comparable with market rate units in the development.
- vii. New rental housing will remain affordable for a minimum of 20 years and this requirement will be memorialized by a Land Use Restrictive Covenant.
- viii. New for-sale or owner-occupied developments will remain affordable for a minimum of 30 years and this requirement will be memorialized by a Land Use Restrictive Covenant. The Land Use Restrictive Covenant will contain a provision providing the Housing and Redevelopment Authority or Edina Housing Foundation the right of first refusal to purchase affordable units.
- ix. The owners of multi-family rental housing projects subject to this Policy by receiving financial assistance shall accept tenant-based rental housing assistance including but not limited to Section 8 Housing Choice Vouchers, HOME tenant-based assistance and Housing Support. Tenants with rental assistance may occupy an affordable dwelling unit with the rent charged not exceeding the maximum allowed by Metro HRA or the assistance provider. Furthermore, the rent charged may not exceed the maximum allowed by the most restrictive funding source. This requirement will be enforced through a contract between the City of the project owner pursuant to which the owner will be required to adopt business practices that promote fair housing and provide documentation of compliance with these requirements to the City. This requirement will be further enforced through the City's monitoring policies and procedures.
- x. Owners of City-assisted housing projects shall affirmatively market affordable housing opportunities. All multi-family housing providers subject to this policy must submit an Affirmative Fair Housing Marketing Plan (AFHMP) at least every 5 years and a Survey and Certification regarding AFHMP outcomes annually. Owners must advertise housing opportunities on HousingLink or another medium acceptable to the City concurrent with any other public or private advertising.
- xi. Recognizing that affordable housing is created through a partnership between the City and developers, the City and/or Housing and Redevelopment Authority will consider the following incentives for developments that provide affordable housing:
- (1) Density bonuses
  - (2) Parking requirement reductions
  - (3) Tax increment financing for projects that exceed the minimum requirement
  - (4) Deferred low interest loans from the Housing and Redevelopment Authority and/or Edina Housing Foundation
  - (5) Property Tax Abatement
- xii. In lieu of providing affordable housing in each new qualifying development, the City may consider the following:

- (1) Dedication of existing units in Edina to 110% of what would have been provided in a proposed new development. These units would need to be of an equivalent quality within the determination of the City.
- (2) Financial risk and participation in the construction of affordable dwelling units of an equivalent quality by another developer on a different site within the City.
- (3) An alternative proposed by a developer that directly or indirectly provides or enables provision of an equivalent amount of affordable housing within the city. An alternative could be payment of a Total Buy In (TBI) fee, a cash payment to the City in lieu of providing affordable housing units. The TBI shall be equal to \$100,000 per unit rounding up to the next whole unit. The TBI would be due in cash or certified funds in full to the City at the time of issuance of the building permit. A building permit will not be issued unless the TBI is paid in full. The City Council may allow the housing developer to pre-pay the TBI to satisfy a future Affordable Housing Opportunity on a case-by-case basis. TBI will be deposited into the Affordable Housing Trust Fund to be used for the development and preservation of affordable housing.

- d. Offices, except offices allowed as a permitted accessory use.
- e. All nonresidential uses that increase the FAR to more than 0.5.

## Subdivision II. - Parking Spaces

### Section 12. Sec. 36-1311. Minimum number required is hereby amended as follows:

- (a) *Single dwelling units, double dwelling units and residential townhouses.* ~~Two fully enclosed spaces per dwelling unit.~~ One fully enclosed space per dwelling unit for single, double dwelling units and residential townhouses.

### Section 13. This ordinance is effective immediately upon its passage.

First Reading:  
Second Reading:  
Published:

Attest

\_\_\_\_\_  
Sharon Allison, City Clerk

\_\_\_\_\_  
James B. Hovland, Mayor

## Edina Planning Commission Project Tracker

Last Updated: June 13, 2020

Topic	Target Completion Month	Date Introduced	Prelim. Draft	Final Draft	Council Approval	Notes
<b>Administration</b>						
Bylaws	June 2020					
Joint Meetings						
Conflict of Interest - Possible Future						
<b>Work Plan 2020-21</b>						
<b>Comprehensive Plan Completion - Met Council Revisions</b>						
Rezone 7101-7155 Amundson Ave to commercial mixed use						
70th & Cahill - Increase Heights						
Edina Business Park Study						
Ordinances for Possible Revision						
Drive-throughs						
One-foot basement elevation rule						
Single-car garage	June 2020	5/27/2020	5/27/2020			Work session approval 5-27-20
Single-family homes in R2 District						
Secondary (accessory) dwelling units						
Impervious surface						
Restaurant Odor						
Building Materials		5/27/2020	5/27/2020			
Affordable Housing	June 2020	5/27/2020	5/27/2020			S. Hawkinson to update on 6-24-20
Southdale Design Experience Guidelines	July 2020	5/27/2020	5/27/2020			Setbacks OK'd in work session 5-27-20
Ordinances		5/27/2020	5/27/2020			Start w setbacks, some aesthetics
Checklist for Proposal Review						
Parking Ordinances						Requested by City Council 5-19-20
<b>Pipeline - Possible Future Topics of Consideration</b>						
Paid on-street parking						
Car idling						
Truck noise during construction						
Land use: proportion of street space used by cars						
Transportation/bike/transit/ped plan for Greater Southdale						
Lincoln Drive north & south node						
Tree ordinance						
Southdale Design Experience Guidelines						Additional Items
Affordable Housing Policies and Practices						