



# CITY OF CHANHASSEN

**PC DATE:** August 16, 2020

**CC DATE:** September 12, 2022

**REVIEW DEADLINE:** September 13, 2022

**CASE #** 2022-12

**BY:** KA

## **PROPOSED MOTION:**

“The Chanhassen Planning Commission recommends the City Council approve **Amending** the Avienda Regional Mixed-Use Planned Unit Development (PUD), Ordinance 657.”

**LOCATION:** Southwest corner of Powers Boulevard and Lyman Boulevard

**APPLICANT:** Landform Professional Services, LLC      Level 7 Development  
105 South Fifth Avenue, Suite 513      4600 Kings Point Road  
Minneapolis, MN 55330      Minnetrista, MN 55330

**PRESENT ZONING:** PUD-RC

**2030 LAND USE PLAN:** Office or Regional Commercial

**ACREAGE:** Approximately 118 +/- acres

**DENSITY:** Assumes 55% of commercial and 45 % of site residential of net acreage.

**LEVEL OF CITY DISCRETION IN DECISION-MAKING:** The City has a relatively high level of discretion in approving rezonings, PUDs and amendments to PUDs because the City is acting in its legislative or policy-making capacity. A rezoning or PUD, and amendment thereto, must be consistent with the City’s Comprehensive Plan. *A Comprehensive Plan amendment is required to permit the additional units.*

**Notice of this public hearing has been mailed to all property owners within 500 feet.**

## **SUMMARY OF REQUEST**

The developer is requesting to amend the PUD. The zoning for the development is guided by the PUD-RC Ordinance. This report summarizes the requested changes from the developer and staff recommendations. The proposed changes will be incorporated into the PUD.

At this time there are no site plans being approved. This application amends the framework for Development District and the PUD-RC (uses and development guidelines). Any proposed developments will have to come back through the city process for approval.

## **Details of Requested Changes**

1. Adding 53 row homes between the townhomes and the apartments
2. Increasing the number of apartments from 250 units to 417 units
3. Combine the two, 150-unit senior housing developments to one 300-unit building at the southwest corner

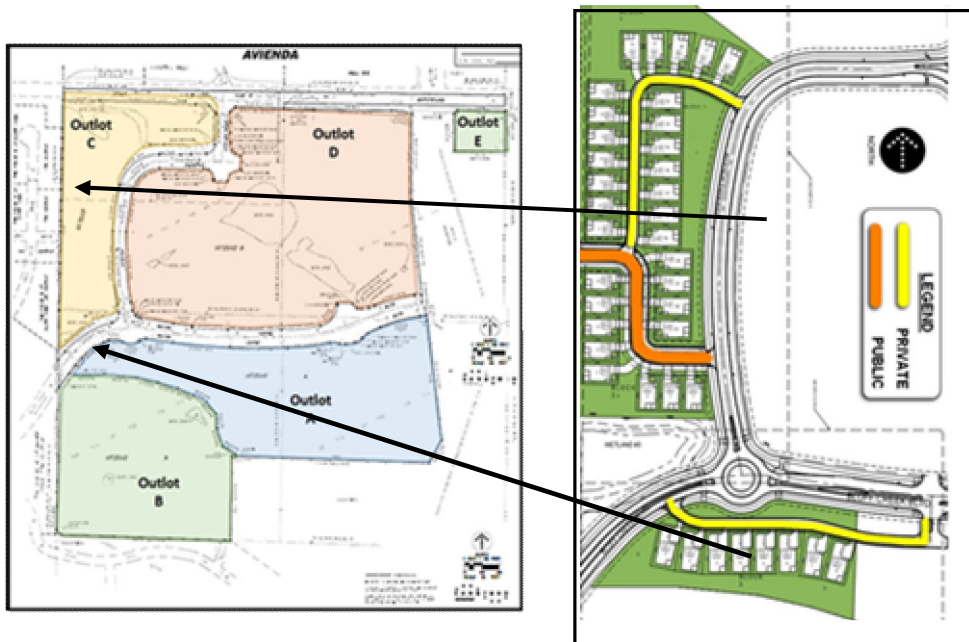
4. The northerly senior housing is now a retail use
5. Shows potential locations for three to four additional drive-throughs (beyond the four already approved) but does not seek approval at this time
6. The district plan may be fluid as future users are identified

## **BACKGROUND**

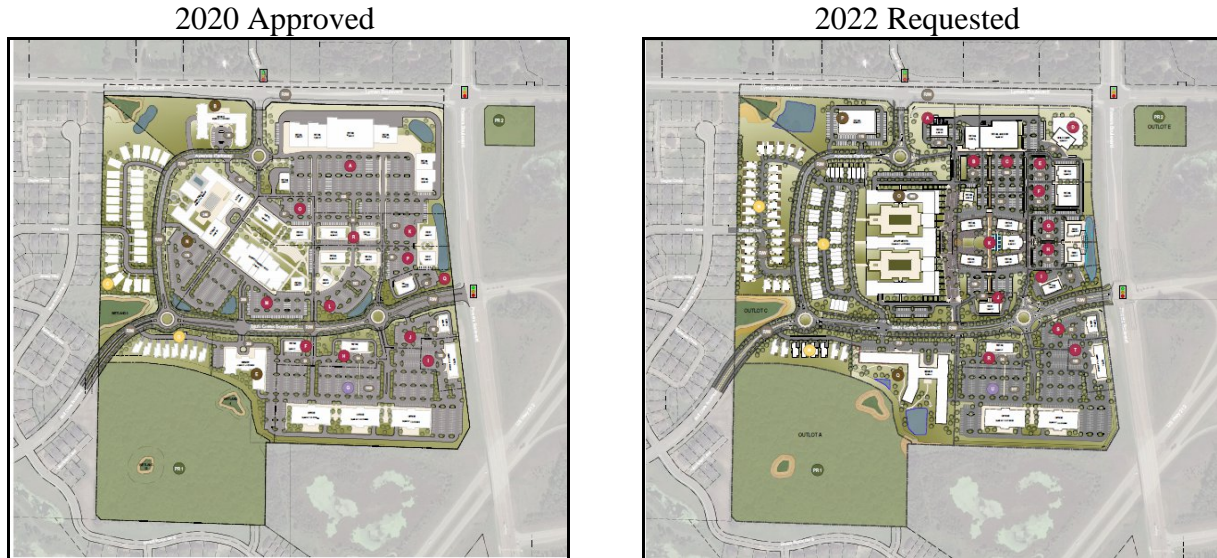
- November 1, 2016: The Planning Commission recommended conceptual approval of the PUD.
- November 28, 2016: The City Council gave conceptual approval of the PUD.
- February 27, 2017: During its Work Session, the City Council reviewed the significant issues of the Alternative Urban Areawide Review (AUAR). *The AUAR included traffic modeling.*
- February 28, 2017: An open house was held.
- March 7, 2017: The Planning Commission held a public meeting to review the proposed update to the AUAR document. The Planning Commission forwarded their comments to the City Council.
- March 13, 2017: The City Council authorized publication in the Environmental Quality Board (EQB) Monitor for April 3 and closed the AUAR comment period on April 17.
- May 8, 2017: The City Council adopted a final resolution for the updated AUAR and Mitigation Plan.
- May 6, 2017 and June 6, 2017: The Planning Commission held public hearings on the plan.
- June 20, 2017: The Planning Commission recommended preliminary plat approval.
- July 10, 2017: The City Council approved Preliminary Plat creating 17 lots, three outlots and dedication of public right-of-way for public streets; and rezoning the property zoned Agricultural Estate District, A-2, to Planned Unit Development-Regional Commercial District (PUD-RC). Design Standards; and a Conditional Use Permit to encroach into the primary zone and required buffer for development in the Bluff Creek Corridor; Wetland Alteration Permit to 4.897 acres of permanent wetland impacts as shown in plans dated April 14, 2017 and June 13, 2017, to request to construct into the primary zone and required buffer for development in the Bluff Creek Corridor.
- June 25, 2018: The City approved the final plat and grading permit.
- April 8, 2019: The Chanhassen City Council approved the extension of the final plat and grading permit to December 31, 2019 and extinguished the final plat for Avienda but allowed for grading.
- December 9, 2019: The Chanhassen City Council approved the extension of the preliminary plat until June 30, 2020 and permitted grading as stated in the conditions listed below and in accordance with the preliminary plat approvals.
- June 30, 2020 the City Council approved the Rezoning to PUD-RC and Amended Subdivision Preliminary Plat.
- July 12, 2021 the City Council approved the Final Plat for Avienda creating five outlots and dedication of public right-of-way.

- October 25, 2021, the City Council approves the Preliminary Plat for the Subdivision of 40± acres into 39 lots and six (6) outlots, Avienda Townhomes.

### Avienda Townhomes



### Development Plan



Land Use by Category					
Category	Approved		Proposed		Change
Res (all)	24.88	21.27%	36.27	30.75%	9.49%
Com	42.95	36.71%	34	28.83%	-7.88%
Office	12.87	11.00%	10.89	9.23%	-1.77%
Preserve	22.53	19.26%	22.53	19.10%	-0.16%
ROW	13.76	11.76%	14.25	12.08%	0.32%
Total	116.99	100.00%	117.94	100.00%	0.00%

**VISION** (from the 2040 Comprehensive Plan)

The land use change to either Office or Regional Commercial District as a part of the 2030 Comprehensive Plan was based on the City’s vision for a lifestyle center. The Comprehensive Plan states:

**2.7.4 Regional/Lifestyle Center Commercial**

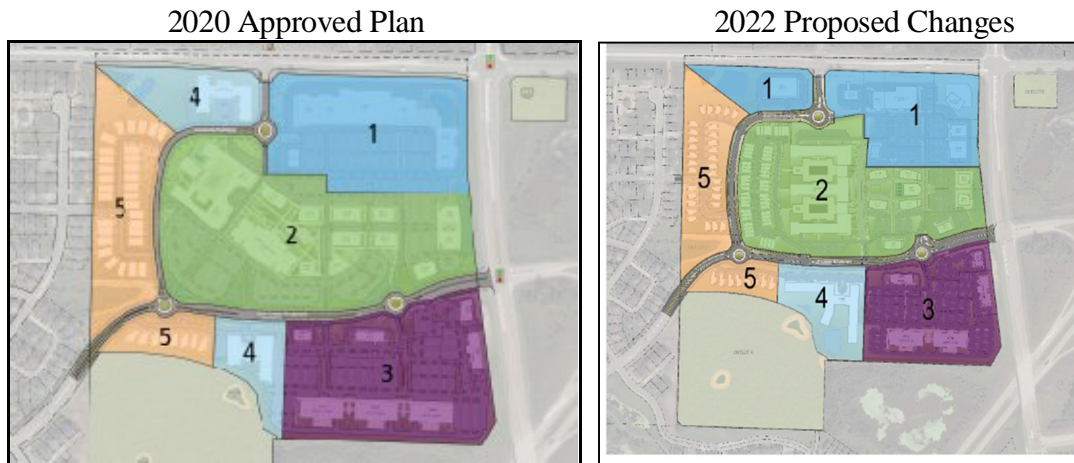
**Definition/Vision:** A mixed commercial district with retail and entertainment uses of a scale and function that serves a regional market. The physical environment emphasizes an attractive, comfortable walking experience for shoppers and visitors and is designed to serve trail users and

mass transit as well as automobile traffic. Centers of this type have at least two major retail anchors and are characterized by the diversity and mix of retail and service uses within their boundaries. Uses within this district should complement existing retail users in the other commercial districts. Development of these centers shall be planned as a group of organized uses and structures to accommodate a sensitive transition between commercial activities such as loading, parking of automobiles, lighting, and trash collection, and surrounding residential uses. Such centers shall be designed with one theme, with similar architectural style, similar exterior building materials, and a coordinated landscaping theme. Vehicle and pedestrian access is coordinated and logically linked to provide a comprehensive circulation system.

***Goods and Services Examples***

- Entertainment
- Department Store
- Comparison Shopping
- Specialty Retail/Boutique
- Restaurants
- Hotels
- Residential

**Developer’s District Master Plan**



The development Master Plan identifies five distinct sub-districts within Avienda. Each of these sub-districts (outlined on the plan above) is defined by specific site development patterns and perhaps a distinctive character or image. The sub-districts complement one another as part of the overall plan. They include:

The applicant’s narrative is attached. An overview of the requested changes and responses/considerations is outlined below:

1. **Expand the uses permitted in the different districts to allow the developer to bring new uses like the regional recreation uses. (Section C (7))**
2. **Clarify that the district boundaries are fluid in nature and can be adjusted to accommodate the uses that ultimately come to Avienda.**
3. **Modify Section C (6) of the ordinance to allow the option for the two approved senior housing developments (which were limited to two buildings with 150 units per building to be combined into a single building (up to 300 units) in District 3 and District 4 to accommodate a Senior Housing Project.** *Staff is supportive of the two senior housing developments combined into one building but the City wants to ensure a retail or entertainment use in the northwest corner.*
4. **Change the NW area previously shown as District 4 for senior to District 1 to accommodate additional retail. The change would have all of the frontage along Lyman Boulevard planned for retail uses.** *Staff is supportive of the two senior housing development combined into one but want to ensure a retail or entertainment use is in the northwest corner.*
5. **Allow row homes in District 2 (Village Retail District) to provide another housing option in the lifestyle center. This change would require a Comprehensive plan amendment to allow the additional density. The row homes would be an urban-style townhome that meets the city's goals of lifecycle housing.** *The 2020 request did not utilize the maximum density of 16 units an acre. Based in the Comprehensive Plan the maximum number of units allowed at the site is 768 units; they are requesting 809 units. If the requested changes are approved, the Comprehensive Plan could be amended to permit up to 18 units an acre, thereby permitting the additional 41 units.*  
**Revising the number of units in the apartment from 250 units to 417 units.** *The acreage now attributed to residential increases from 28.88 acres to 36.27 acres. The increase in land dedicated to housing reduces the land available for retail/entertainment use.*
6. **The applicant has stated that the retail environment has dramatically changed and will continue to change. They believe that there is increased market demand for drive-through locations.** *The approved plans allow for a total of four drive-throughs. The plans depict an additional 3-4 drive though locations for marketing purposes. No additional approvals are being sought or granted with this amendment. The developer is advising they may make future requests based on uses/tenants. The PUD as approved allows for two drive-throughs north of Bluff Creek Boulevard for a grocery, pharmacy or bank and two south of Bluff Creek Boulevard likely for coffee or similar type use.*
7. **The developer has submitted an updated Trip Generation.** *This study states that the proposed land use would experience a decrease in anticipated traffic volumes. (Attached)*
8. **Entertainment Use.** *The plans show a reduction amount of entertainment use. The movie*

*theater use (60,000 sq. ft.) in District 2 is eliminated based on current market conditions. To ensure that an entertainment use(s) is built as part of the development, Staff is proposing a requirement for a minimum square footage of 25,000 square feet of entertainment in Districts 2 and/or 3. The developer has indicated agreement with this condition.*

2020 Plan



2022 Plan



- 9. Open Space/Plaza.** *The total area and configuration has changed. See above for depictions. Developer will provide total square footage comparison at the meeting. The proposed plaza will be privately owned, programmed, and maintained. The intent is to have shared space for the development and the retail/restaurants around the plaza with programming and use that is open to the public.*
- 10. Parking.** *A significant amount of the parking is on now the south side of Bluff Creek Boulevard serving the entertainment retail area to the north. The Planning Commission may consider/discuss the impact on the walkability of the area.*
- 11. Intent.** *The Planning Commission may consider/discuss if the revised plan meets the intent of the Regional Commercial/Lifestyle Center.*

### **Development Master Plan Revised Districts**

Proposed changes in uses are provided in the attached PUD Ordinance.

- Sub-District 1 - Retail - Provides a location for larger-scale in-line and stand-alone retail and entertainment uses. *The district has been expanded to include the area that was intended for 150 units of senior housing.*
- Sub-District 2 - The Village - Provides the broadest variety, highest density, and greatest intensity of development, encouraging both vertical and horizontal mixed-use. *Comprehensive Plan Amendment would allow up to 18 units per acre and includes 417 apartments and 58 row homes. The row homes provide a transition between the low-density townhomes and the apartments while increasing the land area for housing and total number of units.*
- Sub-District 3 - Mixed Use - Provides a location for smaller-scale retail, service, and other auto-oriented uses as well as hotels and medical/technology-related uses. *The District area has been reduced to accommodate the senior housing (300 units) in one building. A hotel and office use as well as two drive-through uses are in this District. A significant amount of the overall parking is in this District. A full-service car wash is proposed to be added as a permitted use in this district.*
- Sub-District 4 - Multi-Family- Provides opportunities for high-density senior or rental apartments. *This District has been expanded to have all the senior housing, 300 units, at one location.*
- Sub-District 5 – Low-Density Residential - Provides opportunities for small lot homes. *This District has a preliminary plat approved for 39 lots.*



### **RECOMMENDATION**

The Planning Commission recommends approval of the amendments to the Avienda PUD-RC (Ordinance #657) subject to the approval of the Comprehensive Plan Amendment and adoption of the Findings of Fact and Recommendation.

### **ATTACHMENTS**

Findings of Fact and Recommendation  
Development Review Application  
PUD Ordinance  
Narrative  
Development Plan 8.1  
Chanhassen Engineering Comments  
Toole Design Updated Trip Generation  
Carver County Engineering Comments  
Affidavit of Mailing