

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
JUNE 2, 2015  
7:00 P.M.**

**I. CALL TO ORDER**

Mayor Hovland called the meeting to order at 7:07 p.m.

**II. ROLL CALL**

Answering rollcall were Members Brindle, Staunton, Stewart, Swenson, and Mayor Hovland.

**III. MEETING AGENDA APPROVED**

**Member Brindle made a motion, seconded by Member Stewart, approving the meeting agenda.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

**IV. CONSENT AGENDA ADOPTED**

**Member Swenson made a motion, seconded by Member Stewart, approving the consent agenda as follows:**

**IV.A. Approve regular, work session, and closed session meeting minutes of May 19, 2015**

**IV.B. Receive payment of the following claims as shown in detail on the Check Register dated May 21, 2015, and consisting of 34 pages; General Fund \$631,694.47; Police Special Revenue \$1,539.26; Braemar Memorial Fund \$841.00; Arts and Culture Fund \$324.00; City Hall Debt Service Fund \$5,000.00; PIR Debt Service Fund \$7,997.50; Working Capital Fund \$18,216.26; Equipment Replacement Fund \$14,565.64; Art Center Fund \$3,462.69; Golf Dome Fund \$1,221.19; Aquatic Center Fund \$9,839.53; Golf Course Fund \$37,145.11; Ice Arena Fund \$5,359.04; Edinborough Park Fund \$2,813.06; Centennial Lakes Park Fund \$4,949.64; Liquor Fund \$209,159.41; Utility Fund \$87,397.25; Storm Sewer Fund \$6,998.00; PSTF Agency Fund \$178.00; Grandview TIF District \$682.50; Pentagon Park District \$105.00; Payroll Fund \$2,546.90; TOTAL \$1,051,835.45 and for receipt of payment of claims dated May 28, 2015, and consisting of 28 pages; General Fund \$436,163.52; Pedestrian and Cyclist Safety Fund \$59,124.38; Working Capital Fund \$702,425.25; Equipment Replacement Fund \$7,852.30; Art Center Fund \$459.23; Golf Dome Fund \$139.00; Aquatic Center Fund \$1,793.69; Golf Course Fund \$64,676.74; Ice Arena Fund \$14,988.52; Sports Dome Fund \$282.85; Edinborough Park Fund \$3,346.51; Centennial Lakes Park Fund \$15,497.87; Liquor Fund \$186,737.80; Utility Fund \$454,615.85; Storm Sewer Fund \$428,677.44; PSTF Agency Fund \$3,317.80; TOTAL \$2,380,098.75**

**IV.C. Receive Park Board Resignation of Keeya Steel and Approve Alternate Appointment of Koren Hawk Nelson, to the remainder of the term expiring March 1, 2016.**

**IV.D. Approve Traffic Sign Maintenance Policy**

**IV.E. Approve Allocation of Future Park Improvement Funds to Park Signage Project**

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

**V. SPECIAL RECOGNITIONS AND PRESENTATIONS**

**V.A. POLICE OFFICER OF THE YEAR, JACOB HECKERT – PRESENTED**

Police Chief Nelson presented the Mike Siitari Officer of the Year Award to Jacob Heckert and shared many of his notable contributions.

**V.B. EDINA HIGH SCHOOL ROBOTICS TEAM 1816 – PRESENTED**

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Three members of the Edina High School Robotics Team 1816 "The Green Machine" shared that the team consisted of 50 members and was part of the national robotics organization called For Inspiration and Recognition of Science and Technology. This was the team's tenth year to raise funds and build a robot to compete regionally and nationally. The students described their successful year and outreach programs.

### **V.C. ALEX STANFORD, REPRESENTATIVE ERICK PAULSEN AIDE – PRESENTED**

Alex Stanford, aid to Congressman Erick Paulsen, provided a brief reminder of the services Congressman Paulsen's office could provide throughout the 3rd Congressional District and a brief legislative update.

### **V.D. DEVIN MASSOPUST, CITY MANAGEMENT FELLOW – INTRODUCED**

Manager Neal introduced Devin Massopust as the new City Management Fellow.

Mr. Massopust shared that he was from South Dakota, described his previous work experience, and stated he was excited to begin work in Edina.

### **VI. PUBLIC HEARINGS HELD – Affidavits of Notice presented and ordered placed on file.**

#### **VI.A. FINAL REZONING FROM POD-2 TO PUD AND FINAL DEVELOPMENT PLAN, FRAUENSHUH COMPANIES, 7700 FRANCE AVENUE – RESOLUTION NO. 2015-54 ADOPTED AND ORDINANCE NO. 2015-8 ADOPTED**

##### Community Development Director Presentation

Community Development Director Teague presented the request from Frauenshuh Companies to develop the northeast corner of 7700 France with a free standing, 7,000 square foot seafood restaurant. The site was 17 acres in size and contained a six-story 275,000 square foot office building and a 7,623 square foot single-story office building. The restaurant would be designed for seating up to 242 people and had received preliminary approval in October 2014. The proposed plans were consistent with the preliminary approval.

##### Proponent Presentation

Steve Faber, Frauenshuh Companies, noted the only change was to provide a second means of exiting in case of emergency. This had been added off the patio to comply with ADA code.

Allen Ackerberg, Parasole Restaurants, expressed appreciation to Edina's staff for their good work and presented the materials board.

Mayor Hovland opened the public hearing at 7:34 p.m.

##### Public Testimony

No one appeared to comment.

### **Member Brindle made a motion, seconded by Member Stewart, to close the public hearing.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**Member Stewart introduced and moved adoption of Resolution No. 2015-54, Final Rezoning from POD-2, Planned Office District-2, to PUD, Planned Unit Development and Final Development Plan for 7700 France Avenue, subject to the following conditions:**

1. **Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:**
  - **Site plan date stamped April 21, 2015.**
  - **Grading plan date stamped April 21, 2015.**
  - **Landscaping Plan date stamped April 21, 2015.**
  - **Building elevations date stamped April 16, 2015.**
  - **Building materials board as presented at the Planning Commission and City Council meeting.**
2. **The property owner is responsible for replacing any required landscaping that dies.**

3. **The applicant shall construct a boulevard style sidewalk along France and sidewalk connections from the existing building to the restaurant and from the boulevard sidewalk to the building.**
4. **The Final Lighting Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.**
5. **The Final Lighting Plan must meet all minimum requirements per Section 36-1260 of the City Code.**
6. **Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.**
7. **Compliance with all of the conditions outlined in the director of engineering's memo dated May 8, 2015.**
8. **Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.**

**And to grant First and waive Second Reading adopting Ordinance No. 2015-8, Amending the Zoning Ordinance to Establish the PUD-8, Planned Unit Development-8 District at 7700 France Avenue.**

Member Brindle seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

***VI.B. PRELIMINARY PLAT WITH LOT WIDTH AND LOT AREA VARIANCES, JERROD LINDQUIST, 5945 CONCORD AVENUE – RESOLUTION NO. 2015-55 TABLED TO JUNE 16, 2015***

Community Development Director Presentation

Mr. Teague presented the request from Jerrod Lindquist to subdivide his property at 5945 Concord Avenue into two lots. If approved, the existing house would be torn down and new houses built on each lot. The Planning Commission, at its May 13, 2015, meeting, recommended denial on a vote of 5-4. Staff recommended denial per the findings in the Planning Commission staff report.

Proponent Presentation

Jerrod Lindquist shared that he had lived at the property for 19 years and the house was built in 1948. He felt it was cost prohibitive to improve the home and described the conditions that he believed proved the variance findings were met. Mr. Lindquist presented a neighborhood survey that supported two houses versus one house.

Mayor Hovland opened the public hearing at 7:54 p.m.

Public Testimony

Ray Sharp, 5940 Ashcroft Avenue, addressed the Council.

Jeff Johnson, 5825 Ashcroft Avenue, addressed the Council.

**Member Swenson made a motion, seconded by Member Brindle, to close the public hearing.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

Mr. Teague answered questions of the Council relating to tree preservation, other neighborhoods within the 500-foot radius, and stormwater.

The Council discussed adding a condition that stormwater be managed on site. Member Swenson indicated that she could not support this subdivision request because the lots located directly across the street were larger lots. Member Staunton stated that granting variances need to meet an extreme hardship and he did not feel this request met that threshold so he also was not able to support the subdivision.

**Member Brindle made a motion, seconded by Member Stewart, to table consideration of Preliminary Plat with Lot Width and Lot Area Variances, Jerrod Lindquist, 5945 Concord Avenue to June 17, 2015, and direct staff to prepare findings for approval with the conditions as stated, adding a condition requiring stormwater to be managed on site.**

Rollcall:

Ayes: Brindle, Stewart, Hovland

Nays: Staunton, Swenson

Motion carried.

***VI.C. PRELIMINARY PLAT 5321 AND 5331 EVANSWOOD LANE, AND 5320 AND 5324 BLAKE ROAD, FRANK BERMAN – RESOLUTION NO. 2015-56 ADOPTED***

Community Development Director Presentation

Mr. Teague presented a request from Frank Berman to combine and subdivide his four properties at 5321 and 5331 Evanswood Lane, and 5320 and 5324 Blake Road into seven lots. The existing home at 5331 Evanswood Lane would remain, and the home at 5324 Blake Road would be removed. The proponent proposed to construct a 24-foot wide cul-de-sac off Blake Road within a 40-foot right-of-way. The proponent had attempted to minimize tree loss and address drainage issues in the area by locating the roadway along the north lot line with stormwater retention areas along the new street. The Planning Commission did not believe a sidewalk was needed, but conditioned the requirement of a looped water main. The Planning Commission and staff recommended approval.

Mr. Teague answered questions of the Council relating to enforcing stormwater management after the lots were sold, the tree preservation ordinance, landscaping swales, curbing, drainage, and the looped water main.

Reid Schultz, Landform Professional Services, answered questions of the Council relating to stormwater management.

Proponent Presentation

Kendra Lindahl, Landform Professional Services, shared that they were the second developer to work on the project and spoke about traffic, tree preservation, and drainage. Ms. Lindahl noted that agreements had been reached with staff on each issue except the looped water main requirement. The Bermans requested a dead end water main in an attempt to preserve mature trees along their property line.

Jack Perry, Briggs & Morgan, addressed the Council and requested the dead end water main to preserve the trees that the Bermans cared so much about, noting they had gone to great lengths to preserve as many trees as possible.

The Council noted that the trees in question were located on Lot 7 and might not be protected when the lot was sold.

Mayor Hovland opened the public hearing at 9:18 p.m.

Public Testimony

Charles Gits, 5311 Evanswood Lane, addressed the Council.

Kim Gits, 5311 Evanswood Lane, addressed the Council.

Rebecca Wallin, 6208 Parkwood Road, addressed the Council.

**Member Swenson made a motion, seconded by Member Stewart, to close the public hearing.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

Mr. Teague addressed issues raised during public testimony, indicating that there was not an ordinance that prevented a house from being between two streets and that the proposed subdivision met Code in every way in regarding development density.

The Council discussed additional conditions: Condition 9, directionally drilling the looped water main within the right-of-way easement between the Berman property and Lot 7; and, Condition 10, the revised curbing plan date stamped June 2, 2015.

**Member Staunton introduced and moved adoption of Resolution No. 2015-56, Approving a Preliminary Plat at 5321 and 5331 Evanswood Lane, and 5320 and 5324 Blake Road, subject to the following conditions:**

1. **The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void. Final plat shall include a complete grading and drainage plan subject to review and approval of the city engineer.**
2. **At the time of final plat approval, the applicant shall enter into a Developers Agreement with the City. The Developers Agreement shall include the requirement for construction of the streets as proposed, as recommended in the engineering memo dated May 8, 2015. The agreement shall also include all the conditions of approval.**
3. **Prior to release of the final plat, the following items must be submitted:**
  - a. **Park dedication fee of \$15,000 must be paid prior to release of the final plat.**
  - b. **A construction management plan will be required for the overall development of the site.**
  - c. **Submit evidence of a Nine Mile Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.**
4. **Prior to issuance of a building permit, the following items must be submitted:**
  - a. **Curb-cut permits must be obtained from the Edina engineering department. Driveway plans must be consistent with the proposed grading plan to preserve as many trees as possible.**
  - b. **Individual homes must comply with the overall grading plan for the site. Each individual building permit will be reviewed for compliance with the overall grading plan subject to review and approval of the city engineer.**
  - c. **A construction management plan will be required for the construction of the new homes.**
  - d. **Utility hook-ups are subject to review of the city engineer.**
  - e. **All homes must be constructed with fire sprinkler protection in accordance to NFPA 13d or IRC 2904.**
  - f. **Signage stating "No Parking Fire Lane" along one side of the roadway the entire length of the road, and within the cul-de-sac.**
5. **Compliance with the conditions outlined in the director of engineering's memo dated May 8, 2015.**
6. **Compliance with the conditions outlined in the fire marshal's memo dated February 18, 2015.**
7. **A stop sign is required to be installed on the new street approaching Blake Road. Clear sight lines shall be maintained from the intersection.**
8. **Compliance with the City's newly adopted tree ordinance.**
9. **The installation of the looped water main shall be directionally drilled and located within the drainage and utility easement between Lots 6 and 7.**
10. **Curbing shall be installed per the revised plans date stamped June 2, 2015, as presented by the Director of Engineering at the Council meeting.**

Member Stewart seconded the motion.

The Council agreed that because the project met Code, it should be supported and commended the work that went into designing the storm water management plan.

Rollcall:

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Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

### **VII. COMMUNITY COMMENT**

Phil Mero, 4501 Grimes Avenue, addressed the Council concerning a new build at 4419 Grimes Avenue. Mr. Mero expressed strong concern over the development and specifically the dangerous driveway for the safety of his family and property.

### **VIII. REPORTS / RECOMMENDATIONS**

#### **VIII.A. BRAEMAR GOLF COURSE MASTER PLAN – OPTION NO. 5 APPROVED**

Parks and Recreation Director Kattreh thanked the Braemar Master Plan Task Force for its hard work and introduced Joe Abood, Braemar Golf Course General Manager.

Mr. Abood presented the history of the Master Plan, Richard Mandell's findings, infrastructure issues, ecological enhancements, design goals, six options for renovation, and Pro-formas.

Ms. Kattreh informed the Council that staff recommended Option No. 5, 18-holes with minimal disturbance. The remaining land would revert to parkland for all residents to utilize. Ms. Kattreh outline considerations of proposed options, estimated project timeline, and the actions requested of the Council.

Richard Mandell, Richard Mandell Golf Architecture, answered questions of the Council relating to the differences between Option Nos. 4 and 5, his recommendation, and the costs.

Ms. Kattreh answered questions of the Council indicating that staff's intention of waiting until the Par 3 Course and the new 18-hole renovations were completed before looking at a 4-hole practice loop or other practice area to determine what, if anything was needed.

#### **Member Staunton made a motion, seconded by Member Swenson, selecting Master Plan Option No. 5 from Richard Mandell Golf Architecture's Renovation Business Plan.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

#### **Member Staunton made a motion, seconded by Member Swenson, authorizing staff to enter into contract negotiations for design and construction documents and to oversee bidding and construction administration for the golf course renovation.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

#### **Member Staunton made a motion, seconded by Member Swenson, approving the contract with Short Elliott Hendrickson to complete wetland and water restoration services for the golf course renovations.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

#### **Member Staunton made a motion, seconded by Member Swenson, directing staff to include a Braemar Park Master Plan in its 2016 budget and work plan.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

#### **Member Staunton made a motion, seconded by unanimous acclamation, to conclude service, with great gratitude, of the Braemar Master Plan Task Force.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

**VIII.B. REQUEST FOR PURCHASE: AUTHORIZE ENGINEERING SERVICES FOR MORNINGSID  
A AND WHITE OAK C NEIGHBORHOOD STREET RECONSTRUCTION PROJECT –  
APPROVED**

Mr. Millner explained that the Morningside A and White Oaks C neighborhoods were scheduled for reconstruction in 2016. Mr. Millner presented a map of the project location and noted that Barr Engineering recently completed a study on flood protection and clean water improvements that addressed the question of whether water levels in landlocked wetlands were too high for too long. He presented the existing conditions, historical precipitation, model results, drainage project, water level fluctuations, resident concerns, improvement options, and timeline. Staff recommended approval to authorize engineering services for this reconstruction project.

**Member Swenson made a motion, seconded by Member Staunton, approving the Request for Purchase, Authorize Engineering Services for Morningside A and White Oak C Neighborhood Street Reconstruction Project, awarding the bid to the recommended bidder, Short Elliot Hendrickson, Inc. at \$105,979.00.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

**VIII.C. SKETCH PLAN – EDINA COMMUNITY LUTHERAN CHURCH, 4113 WEST 54TH STREET  
– REVIEWED**

Community Development Director Presentation

Mr. Teague stated the Edina Community Lutheran Church was proposing to construct a new sanctuary addition. The Church had made a Conditional Use Permit application in 2013; however, due to staff and neighborhood concerns relating to the building appearance, storm water drainage to the south, and tree loss, the Church waived the 180-day review period. The Church had now hired a new architect to create a sanctuary design that better fit the character of the neighborhood, addressed storm water drainage, and reduced tree loss. Mr. Teague stated the Church received a CUP for a sanctuary addition in 1992 and since the current proposal had the same seating capacity as the existing Church and would not impact parking, the existing parking variance would stand.

Proponent Presentation

Eileen Supple, 7332 West Shore Drive, shared that Edina Community Lutheran Church had been at this location for 67 years, but now needed space that was more functional. Its intention was to build a new sanctuary and use the old sanctuary for other purposes.

Randy Moe, Bentz/Thompson/Rietow Architects, presented the existing site plan, sketches, and preliminary grading and drainage plans.

Tom Whitlock, Damon Farber Landscape Architects, presented the concept landscape plan.

Rhonda Pierce, Pierce Pini + Associates, noted the existing site did not have any stormwater management and discussed the proposed stormwater management plan.

The Council asked questions relating to the building and parking lot footprint, square footage, impact of heavy construction equipment on the wetland slope, and screening of the eastern lot line to screen headlights. The Council acknowledged that the site remained under parked and indicated its support for the new sanctuary design, storm water mitigation, enhanced landscape design, maintaining the residential sense, and separation from the neighbor to the east.

**VIII.D. RESOLUTION NO. 2015-57 ADOPTED – ACCEPTING VARIOUS GRANTS AND  
DONATIONS**

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Swenson introduced and moved adoption of Resolution No. 2015-57 accepting various grants and donations.** Member Staunton seconded the motion.

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Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland  
Motion carried.

**IX. CORRESPONDENCE AND PETITIONS**

**IX.A. CORRESPONDENCE**

Mayor Hovland acknowledged the Council's receipt of various correspondence.

**IX.B. MINUTES:**

- 1. ENERGY AND ENVIRONMENT COMMISSION, APRIL 4, 2015**
- 2. TRANSPORTATION COMMISSION, APRIL 16, 2015**

Informational; no action required.

**X. AVIATION NOISE UPDATE** – Received

**XI. MAYOR AND COUNCIL COMMENTS** – Received

**XII. MANAGER'S COMMENTS** – Received

**XII.A. GRANDVIEW FORMER PUBLIC WORK SITE – UPDATE REGARDING POTENTIAL SCENARIOS** – Received

**XIII. ADJOURNMENT**

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 12:12 a.m.

Respectfully submitted,

Minutes approved by Edina City Council, June 16, 2015.

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Debra A. Mangen, City Clerk

Video Copy of the June 2, 2015, meeting available.

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James B. Hovland, Mayor