

REPORT / RECOMMENDATION



To: MAYOR & COUNCIL

Agenda Item #: IX. A.

From: Debra Mangen
City Clerk

Date: March 4, 2014

Subject: Correspondence

Action
Discussion
Information

Action Requested:

No action is necessary.

Attachment:

Attached is correspondence received since the last Council meeting.



Protecting, maintaining and improving the health of all Minnesotans

February 6, 2014

Jeff Brown
Community Health Services Administrator
City of Edina Community Health Board
4801 West 50th Street
Edina, MN 55424

Dear Mr. Brown:

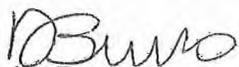
Congratulations on your appointment as the Community Health Services (CHS) Administrator for the City of Edina Community Health Board. Thank you for the submission of your résumé and the additionally requested documentation for the CHS Administrator Qualification Review Process. We have reviewed the information you provided and have determined that you meet the required qualifications for CHS Administrators as defined in Minnesota's Administrative Rule 4736.0110.

We would like to take this opportunity to welcome you to Minnesota's community health services system. In Minnesota, public health activities are carried out through a partnership of shared authorities and responsibilities of the state and local governments. The mission of the state-local public health partnership is *to lead efforts to protect and promote the health of all people in Minnesota*. This is accomplished through a combination of state goals and locally identified priorities. The governance responsibilities of state and local government are primarily outlined in Minnesota Statutes 145A, though specific program requirements may be found in federal law, other state laws and rules, or local ordinances.

I encourage you to review our communications, to attend meetings of the State Community Health Services Advisory Committee (SCHSAC), and to contact Minnesota Department of Health (MDH) staff for technical assistance in any program area. In particular, we hope you will contact staff in the Office of Performance Improvement with questions as you become acquainted with the depth and breadth of public health activities in your area. Please feel free to contact Becky Buhler from the Office of Performance Improvement at 651-201-5795 or email her at becky.buhler@state.mn.us with questions about the local public health system, Planning and Performance Measurement Reporting System (PPMRS) or the legal requirements of the Local Public Health Act.

Again, welcome to Minnesota's community health services system. We look forward to working with you!

Sincerely,


Debra Burns
Director, Office of Performance Improvement
Minnesota Department of Health
625 Robert Street
P.O. Box 64975
Saint Paul, MN 55164-0975

cc: James Hovland, Chair, City of Edina Community Health Board
Julia Ashley, Public Health Nurse Consultant, Metro Region, MDH

February 15, 2014 Saturday/Sunday

Dear Mr. Howland,

Visiting friends of ours were ticketed last night for parking overnight on our quiet street on a Saturday night. No warning, just a \$42 ticket.

I've been a resident for 30+ years, pay my taxes, all the right things. It's disappointing when you ~~are~~ fine city nickels & dimes you. These kinds of things do not create community spirit or respect for the police and city govt.

Just thought you should know that judgement and grace needs to be part of your job. And the police chief's as well. On down.

Disappointing.

- Greg Keene

Deb Mangen

From: Susan Marty Eldridge <smartyeldridge@gmail.com>
Sent: Tuesday, February 18, 2014 7:03 PM
To: Edina Mail
Subject: Grandview Public Land

Please let me know how I can be involved, I am in favor of keeping the Grandview land for future public use.
THANKYOU

Susan Marty Eldridge
Cell: (952) 250-9528
Work: (952) 920-9721

Deb Mangen

From: Extra Mile America <extramile.americafoundation@yahoo.com>
Sent: Tuesday, February 18, 2014 8:14 PM
To: Edina Mail
Subject: Thank you, Mayor James Hovland

Dear Mayor Hovland,

Thank you very much for believing in the power of the “go the extra mile” message and declaring 11/1/2013 “Extra Mile Day.” As the Founder of Extra Mile Day, I am elated to report that 444 cities made the 2013 declaration... a major leap over the 23 inaugural cities we had in 2009.

As you know, “Extra Mile Day” acknowledges the power we each have to create positive change in ourselves, our families, our organizations and our communities when we personally go the extra mile. Of course, it’s easy to sometimes feel that our individual voices don’t matter; “Extra Mile Day” boldly proclaims the opposite. Whether it is one elected official or one non-elected government employee, whether it is one citizen, one business, or one organization... ONE going the extra mile does make a difference.

I wish you huge success in 2014, and as you plan your agenda, please remember November 1 is a perfect date around which to plan special recognition events.

If I can ever be of value to you professionally or personally, please let me know.

With gratitude,

Shawn Anderson
Founder, [Extra Mile America](#)
(310) 402-4826
Shawn@ExtraMileAmerica.com

Deb Mangen

From: bporter4339@msn.com
Sent: Wednesday, February 19, 2014 1:31 AM
To: Edina Mail
Subject: Contact Us form submission

Name: Bennett Porter

Organization:

Website:

Address_1: 5120 Halifax Ave S

Address_2:

City: Edina

State: MN

Zip_Code: 55424

Email: bporter4339@msn.com

Phone: 6122516371

Referrer: google

Message: I attended the city council meeting on 2/18 and would like to comment on Resolution 2014-18 (50th and France Parking Improvements). The businesses in our downtown are a wonderful asset to our neighborhood and community. As a close neighbor, I love to walk when utilizing the downtown area so others have more access. Many other neighbors do this also. I also support the minority opinions expressed by Joni Bennett and Ann Swenson regarding public money for ramps that are filled with employees instead of customers. We learned tonight that possibly 75% of ramp parking may be used by employees. I believe at least 50% of the ramp parking should be available for customers. Setting this guideline now will establish boundaries for all future discussions regarding public financing of ramp maintenance and any future ramp. Employee parking issues will always exist in city business districts. I am very familiar with parking issues around the 44th and France area where I owned the Westgate Pet Clinic. Employees adapt by moving their cars every 4 hours, if there is a 5 hour parking restriction. Or by parking in surrounding neighborhoods. They may even consider taking the bus, if we increase the cost of a parking permit above the suggested \$120/yr. As cars gradually move into our neighborhood to park, citizens will support that the ramps need expansion and that instituting parking fees are reasonable to cover the investment. Please establish a reasonable guideline for this envious public/private partnership now: At least 50% customer parking for public investment dollars.

From: Aaron C Swann <aaron.c.swann@seagate.com>
Sent: Wednesday, February 19, 2014 4:42 PM
To: swensonann1@gmail.com; Josh Sprague; Mary Brindle (Comcast); jonibennett12@comcast.net; Edina Mail
Subject: Re: [Edina411] Council News from Josh Sprague

Josh,
I hope your comments regarding enterprise operations serving "niche user groups" does not reflect your view of the golf operations. Furthermore I expect that on March 4th the council will either reject outright the recommendations of the park board to close Fred Richard's golf course or at the very least send the proposal back with instructions to come up with additional options for improving the financial performance that do not include a poorly thought out closure. As has been previously stated, Fred Richards is debt free and profitable (cash flow positive) and is a financial positive for the City of Edina.

Regards,
Aaron Swann
6710 Cahill Rd

On Wed, Feb 19, 2014 at 4:23 PM, Sprague, Josh <joshsprague@edinarealty.com> wrote:

All:

Here are the highlights from last night's Council meeting and work session:

- (1) At our work session, we review the Park Board's 2014 work plan, which notably includes completion of a Parks Strategic Plan, featuring an updated community needs assessment (the last full blown park survey was in 2006), as well as visioning and master planning for the entire park system. It also includes a review and recommendation on cost recovery goals for enterprise facilities: at what level do we subsidize these enterprises to equitably and sustainably meet the needs of both the masses and the niche user groups? There are many variables. It will be an interesting discussion. We also discussed a redacted version of the naming/dedication and donations policies, the former of which may involve additional Council discussion as to what type of public process, and what type of waiting period, is appropriate and reasonable.
- (2) At our Council meeting, we received a formal greeting from our new fire chief Tom Schmitz. Before serving as assistant chief in Eden Prairie, Tom was a long-term employee of the Edina Fire Dept. That makes 3 new department heads in the last 60 days, including police chief Dave Nelson, and city engineer Chad Millner.
- (3) We approved our annual appropriations of federal Community Block Development Grant (CBDG) funding as follows: \$18,700 to public services (\$10,095 to HOME, household and outside maintenance services for the elderly; \$5,000 to CAPSH, homeownership and employment support/services; and \$3,605 to HOME line, tenant hotline with free legal advice), and \$105,971 to community development (\$50,000 to our Home Rehabilitation Program, which provides income-based, deferred payment loans for home improvements; and

\$55,971 to WHAHLT, a land trust program that creates affordable single-family homes by subsidizing the land portion of the purchase price). CBDG federal funding has dropped 22% over the last 6 years.

(4) We held over for reconsideration at our next meeting the authorization to move forward with parking/wayfinding improvements at 50th & France, due mainly to a hang-up with the proposed employee parking policy. What staff and parking consultant recommended was to create more permitted employee parking spots (peak employee parking need is in the 700 range), and spread them out more evenly among the ramps (including prime spots in south ramp). The thought was that by offering a broader mix of permitted parking spots, more employees would comply with the system and move out of the customer designated areas. However, my colleagues were concerned that the recommended plan would not leave enough dedicated south ramp customer stalls. Staff will hold another discussion with our consultant and the advisory team, investigate other options, and come back to us with a final recommendation at the next meeting. The city portion of the project is \$2.375M, the largest cost of which is installation of an elevator in the south ramp, and the parking/wayfinding system. That portion will be funded out of the Centennial Lakes TIF District, which includes money transferred from a previous 50th & France TIF District before it was de-certified.

(5) We approved the final plat for the Acres Dubois 8-lot subdivision in the Morningside Neighborhood. The final plat includes a tree and slope preservation easement, which we have been seeing more of these days to preserve drainage and character. It also includes an innovative underground infiltration system that will better manage onsite stormwater and reduce impacts to adjacent properties.

(6) We approved the creation of a redevelopment TIF district for Pentagon Park (see attached), which will allow plans to move forward for the multi-phased redevelopment of the blighted site. Potential TIF funded improvements will include parking facilities, stormwater management features, soil correction measures, and transportation infrastructure. The next step is for a preliminary term sheet to be drafted between the city and the developer.

(7) We authorized bids for the Edina Sports Dome/Outdoor Rink project, with a budget of \$12.4M including \$2M in project contingencies. This budget was up \$2M from preliminary estimates due to additional site work required but not previously identified (site grading, soil correction, retaining walls, and site access), material costs increases and additional improvements required for the related East Rink refrigeration replacement (which ties into the new outdoor rink). There will be a credit of \$250,000 to the project due to a grant recently received from Hennepin County Youth Sports. Pamela Park field improvements, being funded through the same bond issue as the Dome, will see a cost savings of approximately \$500,000 due to deletion of a new grass field, and accommodation of that demand by slightly enlarging the planned artificial field.

(8) We approved Joint City-School District Partnership Goals (see attached), with the addition of item #8 which will cover joint implementation of the Active Routes to School Plan.

(9) This year, our communications department is running a 12 month online community outreach campaign , featuring a different topic of interest each month. January's topic was "Food Trucks in Edina." Comments were solicited from our <http://speakupedina.org> online forum, as well as from social media and other outlets. The full report can be seen here: <http://bit.ly/1d1anHN>.

Next up on March 4: final determination on Fred Richards Golf Course, final action on the 50th & France Project noted above, and appointment of new Board and Commission members.

Warmest,

:: js

josh sprague

edina city council

cell/text 612.501.0252

[website](#) | [video blog](#)

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Josh Sprague is a Realtor with Edina Realty @ 6800 France Ave, Board Member of the Rotary Club of Edina, Past Chair & Member of the Southdale YMCA Board, and Member of the Edina City Council

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You are subscribed to the Google Group "edina411."

To unsubscribe, send email to edina411+unsubscribe@googlegroups.com

Visit this group online at <http://groups.google.com/group/edina411?hl=en?hl=en>

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For more options, visit https://groups.google.com/groups/opt_out.

Deb Mangen

From: Bruce Kirking <brucekirking@hotmail.com>
Sent: Thursday, February 20, 2014 12:38 PM
To: Edina Mail
Subject: The Fred

Dear Whomever,

Looking at all the issues and monies I think it is best to shut down the "Fred" golf course. If a business looked like this it would be shut down. Unfortunately, we all wish we had more things like this at our disposal BUT we can't. We need to take care of priority things and let some of these type of things fall away. So is reality.

Thanks,

Bruce Kirking
Primerica Financial Services
612-327-9513 cell

Deb Mangen

From: Abby Schauerman <abbys14@earthlink.net>
Sent: Thursday, February 20, 2014 2:04 PM
To: Edina Mail
Subject: Fred Richards

Hello Council Members,

I'm writing to you to ask for Fred Richards to stay open. I do believe its the perfect golf course for our youth in Edina and it just needs to be advertised more. I think with better advertising, more junior leagues and lessons, the Fred can increase its revenue. I believe Braemar's Executive course will be heavily impacted and many adults and youth won't be able to get tee times without planning days ahead. While I do understand the need for Braemar to upgrade its courses and make changes necessary, I Don't believe closing Fred Richards is the answer. Many residents don't even know Fred Richards is there. This is a problem, It needs to be advertised more and possibly more "fun" events to draw more patrons in. As a mother of 3 in Edina and a patron of Fred Richards, I ask the members of the council to wait and consider other options for funding and drawing in patrons instead of closing the Fred.

Thank you for your consideration,

Abby Schauerman
Edina Resident

Deb Mangen

From: hergiew@comcast.net
Sent: Thursday, February 20, 2014 4:05 PM
To: Edina Mail
Subject: Braemar Golf Course

Honorable Members of the Edina City Council,

I like playing Braemar Golf Course a lot, even the "New" nine, and would very much like to see its popularity increase.

In 1997, I organized a group of 22 senior, retired golfers. 12 of us play golf somewhere every other Wednesday from May 1st to Oct 1st. Since 1997 we have played close to 200 times. That's 2400 rounds. Our members take turns selecting the courses we play. **No one has ever selected Braemar as the course for the twelve of us to play, not once in about 200 times.** Why? Because our cost to play Braemar with a cart exceeds \$50, may be close to \$55. The issue is not whether we can afford to pay that. The issue is why should we pay \$50-\$55 for Braemar when we can play many very good courses in the metro area for about \$32 and certainly substantially less than the cost of Braemar. I expect there are many golfers who feel like we do.

Unless Braemar's prices become competitive, the number of rounds played on it will not increase substantially.

Wayne Hergott
5629 Interlachen Circle
Edina, MN 55436
hergiew@comcast.net
PH. 952 927-8842

Deb Mangen

From: Richard or Margaret Leonard <rleon6553@yahoo.com>
Sent: Friday, February 21, 2014 7:39 PM
To: Edina Mail; Ron WAY
Subject: Braemar

Just a note re: the renovation project at our Golf Course

As an Edina resident for many years, and not even a golfer as I raised a family here, I always knew the value of this activity center to the value of my property, and to the value of the young families who used the practice and short course to introduce our children to the game.

Now, some years later, and having the opportunity to be a part of the Braemar Ranger Staff for many years, I have to remind the Council of the many visitors we have, using this facility, from all over the world. I have had the good fortune to talk with golfers from Greenland to New Zealand, the Far East, Middle East and all countries in Europe. They are here for business meetings, because Minneapolis is a hub of national and international companies. And the language of business relationships is Golf.

Edina has great shopping, restaurants and lodging, but what a business golfer remembers about Edina, and Minnesota, is not the food or where they stayed for the meeting, but the quality of the golf course they played, and the friendliness of the staff. This is how they think of Minnesota, and especially of Edina.

Braemar is Edina, and Edina is Braemar. Edina is a top quality community, and to attract more and new top quality businesses from around the world, we need to show that level of quality in our parks and golf facilities. It is an investment in our future we cannot miss.

I urge you to do all you can to support the renovation and Improvement of the Braemar gold facility.

R. R. Leonard, Edina

Margaret and Dick Leonard

Felicity Hanson
7457 West Shore Drive
Edina, MN 55435

February 20, 2013

Dear Mayor Hovland:

I have shared this letter with my neighbors, so I share it with you also. I am writing to express serious concerns regarding the proposed closing of the Fred Richards Golf Course, the park board's ignoring many of the National Golf Foundation's (NGF) recommendations for Edina's golfing enterprise and, finally, the proposals presented by Mr. Tankenoff and Hillcrest Properties for the "park," if the golf course were to close.

History

I have lived on West Shore Drive for nearly 28 years. My home is a one-story walkout at the far west end, and narrowest point, of the golf course. In the time I've lived here, a large portion of the green area behind my home was taken up by the three-story Barr Engineering building; later, the three-story office building to the west of my home became the four-story Burgundy Place apartment building on West 77th Street. I spoke at Edina City Council meetings opposing both these proposals in their original form (Barr was originally a six-story building within 300 yards of my backyard).

There's No Point Buying a Dog and Barking Yourself

My first point: With regard to closing the Fred Richards Golf Course, I believe the Edina City Council is acting with unseemly haste, without sufficient input from concerned citizens or proper research, and the park board is certainly not following the recommendations of the National Golf Foundation (more on that below).

I believe there are many aspects to this matter that haven't been fully explored and questions remain, such as options to closing Fred Richards course – why not lease the course to a private operation? Why is the August 2011 National Golf Federation report being ignored, which advised the city to "Resist large-scale capital projects that have low return on investment, such as a) Golf Dome replacement; b) Clunie remodel." (Minutes of the Joint Work Session of the Edina City Council and the Edina Park Board, August 30, 2011). This is only two-and-a-half years ago.

Other NGF report quotes contradict the Park Board findings:

(http://edina.granicus.com/MetaViewer.php?view_id=8&clip_id=1263&meta_id=31037)

- [Braemar] golf course and clubhouse are in good condition with no urgent upgrades needed.
- The maintenance condition of the Braemar 27 is outstanding, reflecting the quality of the superintendent and the maintenance staff.
- While there are concerns about the overall fit of the newer Clunie 9-hole course at Braemar, any large-scale capital investment in redesigning and/or remodeling the course will not likely produce additional revenue to the facility and thus the project is not cost justified nor recommended. Rather, the City should commit to minor adjustments in the golf course (tree trimming, tee movement, etc.) completed a little at a time and through the existing maintenance program.
- The only major capital improvements recommended for the Braemar clubhouse include the renovation of the banquet area restrooms, to be completed before 2013.
- Among the keys to growth in golf activity will be increasing participation among minorities and females. Beginner-type facilities such as Braemar Executive, Fred Richards Golf Course, and the Golf Dome can be helpful in meeting this challenge. [Cornelia area has a large minority population. The school is over 40% minority students.]
- The Braemar Golf Course could probably do more to try to attract a greater volume of non-golf business to the Braemar Grill. This will likely require some expansion of menu offerings and upgrade in service, but is possible without incurring a large increase in expense.

Considering the above points, the city and park board cannot justify their proposed spending spree to upgrade facilities that a couple of years ago received an excellent report. Another question is why, last year, the city paid for a second report from another party, a city manager, who drew different conclusions.

I ask that the city contact the NGF for a follow-up report to discover what, if anything, has changed in two years. The neighbors and golfers of the Fred Richards course deserve this second appraisal by the NGF, an organization with many years of experience evaluating city golf courses.

Other questions remain: Didn't the Fred make money in 2013 (\$28,000) despite awful weather conditions? Is it true that Braemar has a quarter-million dollar advertising budget of which the Fred Richards receives zero? Why aren't there a couple of directional signs on France to make the Fred Richards course more successful?

I could go on, but in my opinion there are too many unanswered questions that demand the City Council pause for further examination. Have they considered the impact that closing the course will have on the residents' property values both bordering the course and in the surrounding area? Have they considered how closing the course will affect so many golfers, one third of them children? Why should our properties take the hit for Braemar's upgrades, which the NGF report specifically does not recommend?

But I think all this is beside the point. Mr. Tankneoff is in a hurry, so let's get it over with already. The Minneapolis/St Paul online business journal, *Bizjournals*, quoted on December 6, 2013: "There comes a point where we can't wait," Tankneoff said. "Are we integrating our land or not?"

A Tale of Two Proposals

My next point: With regard to the proposals put forth by Mr. Tankneoff and Hillcrest Properties, as described in the Jan. 16, 2014 *Sun Current*, I have even greater concerns.

Two proposals were presented to the City Council on January 7, 2014. One offers a design based on the golf course remaining. The other proposal shows a design if the golf course closes. The latter design is of serious concern because it shows a "parkway," which is just a euphemism for a road. The *Sun Current* states: A parkway that circles the site and returns traffic to West 77th Street is also planned." This road would enter the golf course at the traffic light at Burgundy Place apartments, in close proximity to residents' homes, run on the golf course behind Barr Engineering's parking lot, and then veer north away from the new office buildings toward the center of the course. Roads between the office buildings would connect with this "parkway," which would carry vehicles of office workers and visitors, vehicles trying to avoid the West 77th Street logjam, vehicles of Sparks users, utility vehicles at 5 AM, and so on. Even farther into the center of the course is the planned bike trail.

One city council member doesn't recall this road. A February 2014 article by Lisa Kaczke for the *Sun Current*, states "Bennett said the council has always been clear that Fred Richards will remain public land and won't be sold or become a road, adding that she's not sure where that misinformation is coming from." Perhaps she did not notice this road on Hillcrest's proposal - another reason to slow this process down - but it is very clearly there, whatever we call it.

Done Deal?

I feel like the decision to close the golf course was made back in 2013, or even prior to that. The Minneapolis/St Paul online business journal, *Bizjournals*, reported on December 6, 2013: City officials and Tankneoff have met "for the past year to talk about how Pentagon Park could be turned into an upscale office park similar to Centennial Lakes..." The journal further states:

Hillcrest's two concepts have one major difference. One is status quo for the golf course site and the other envisions the city closing the course and creating a public park, with ball fields, paths, streams and ponds that are better integrated through the entire 84-acre site. [I.e. the public land AND the high-density offices become as one.]

[Hillcrest is] seeking tax increment financing assistance from the city to help improve soil conditions and help pay for infrastructure such as street improvements; the golf course plan would require less TIF.

(As a method of financing, TIF is now outlawed in California, the state that developed this concept.) Naturally, Mr. Tankenoff "prefers the integrated approach" for his office park. Does anyone have even a vague estimate as to what all these changes might cost? Likely more than any deficit the Fred Richards Golf Course could rack up.

Noise and Nightlife? Imagination Run Wild!

Finally, the Jan. 16 *Sun Current* article states "[Mary] Brindle says she hopes that the potential business and restaurants provide some nightlife for the area so that the entire site doesn't go dark at 5 p.m." Excuse me, I live here! I *want* the site to go dark; I didn't move here for nightlife and restaurants. If I wanted to live in a busy area like Centennial Lakes, I could have moved there.

As if it's not bad enough to face the possibility of the Fred Richards course closing, now we have to contend with imagination run wild in our City Councilors. While some imagination is essential, reimagining the area behind my house is unacceptable. What plan will be next for our backyards? And where did these ideas come from? They came from the presentation Mr. Tankenoff/Hillcrest Properties gave on January 7, 2013, which "ignited the imagination of city staff and made the city realize what the area west of France Avenue could become." (*Sun Current* Jan. 16, 2014). Clearly it was very persuasive.

I urge the Edina City Council to table the proposal to close Fred Richards Golf Course until probing questions have been answered by the park board regarding the NGF report and options for Fred Richards more fully explored. I assert that it is unnecessary to close the golf course, except that it would be extremely desirable for the Tankenoff/Hillcrest Properties office parks. Furthermore, residents deserve assurance regarding the disposition of the green space and that no road, or "parkway," will be built. As Mr. Tankenoff will proceed with his projects either way, there is little need for a hasty decision.

Respectfully,

Felicity Hanson

felhanson@gmail.com

Deb Mangen

From: Jeff Paul <jeff_mn554@yahoo.com>
Sent: Saturday, February 22, 2014 12:04 PM
To: Edina Mail
Subject: Fred Richards Golf Course

Dear Mr. Mayor and Council:

I support the Park Board's recommendation to close the Fred Richards Golf Course. It is time we make the fiscally prudent decision and realize people just do not play golf has much as they used to. I read a comment that it was important for our youth to learn to play golf to enhance their future careers. I have been in sales and business development for over 25 years and never take a client out to play golf. The business world is too diverse and the days of anyone having the luxury of time or money to play golf for business died many years ago. It is also against most business' ethics policies to accept this type of gift or entertainment.

I understand that \$485,000 of Edina Liquor profits are used to subsidize the municipal golf operations annually. The golf operations have benefited from this subsidy too long and there needs to be a change. This subsidy policy is fine to help establish a new enterprise or help support an enterprise in the short-term. But a subsidy should not be the policy long-term for an enterprise used by so few citizens, especially when there is duplication of this enterprise with other Edina golf courses. Please also consider the encroachment of discount liquor stores in Bloomington or potential Sunday sales of liquor. There is a strong possibility that our prior liquor store profitability may decline in the near future and there will be less funding available to support this enterprise.

While a few small interests have a lot to gain from keeping the Fred Richards Golf Course open, the costs are spread out over a large group of people, the tax payers of Edina. Please be aware the concentrated group of beneficiaries is much more motivated to lobby for keeping the course open than the more diffuse, disorganized group of non-golfers who may not even know where the course is located. I will not be designing and purchasing a new t-shirt to protest this issue!

Please follow the expert's recommendations and close this course. Find a way for those displaced by the closing of one course to strengthen the use of our major course. Please remember, you are not deciding to close the last golf course in Edina. Those displaced will have many other local courses to play.

Thanks,

Jeffrey Dopf

Edina Citizen

Deb Mangen

From: Amy Christensen <Amy.Christensen@scantron.com>
Sent: Sunday, February 23, 2014 2:14 PM
To: Cindy Larson; Cary Teague; David Nelson; Deb Mangen; Edina Mail
Cc: Scott Neal; Tony Martin; Amy Bachler; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com; John Christensen (john.christensen@acuitybrands.com)
Subject: Hours of Construction - Clarification Needed
Attachments: ordinance # 2014-01.pdf; Con Management Plan.pdf

Ms. Larson,

I live, and have lived, next to many construction projects on my block, Rutledge Avenue. You told me to call the police for any violations and this Sunday there was considerable work being doing at 4524 Rutledge. I called and the dispatcher stated that you had sent an email stating that construction is allowed on Sunday and Holidays. This is what the police dispatchers are stating is the law, stated by you via email, and I am very confused.

I looked at every possible ordinance, amendment and communication on the website and I can't find any reference to the ability to allow construction on Sundays and Holidays. In fact, I found just the opposite.

1. The Construction Plan (attached) it states the following:

"4 I I .06 Permit Standards for Both Demolition Permits and Building Permits.

Subd. 2 Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. and 6:00 p.m. on Saturday."

2. The City Code of Ordinances states the following:

"**Sec. 10-111. Permit standards for both demolition permits and building permits.**

(b) Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday.

3. It also appears the ORDINANCE NO. 2014-01 was also updated in February to clarify that they **cannot work on Sundays and Holidays**. (Attached)

The "ORDINANCE NO. 2014-01
AN ORDINANCE AMENDING CHAPTER 10 OF THE EDINA CITY CODE
CONCERNING RESIDENTIAL REDEVELOPMENT ENFORCEMENT" which was signed by Debra Mangen and James Hovland on February 3, 2014 states the following:

"Sec. 10-111. Permit standards for both demolition permits and building permits.

(b) Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday. **Work is prohibited on Sundays and Holidays.**"

The Police Dispatcher was very pleasant and stated that my information was incorrect. She is doing her job very well but I can't see in any the published Edina laws, that it is OK to work on Sundays and Holidays. It seems that it was only in an email by you, our liaison. If I am incorrect, please point me to the change in the ordinance that allows this variation in operational hours. Also, if I am incorrect, exactly when do we get a reprieve from the construction? When can we celebrate holidays? When can our children play in the snow without strange men hovering around? The neighborhood kids just wanted to play outside and they couldn't because of the construction. It is loud, full of traffic and involves total strangers. Frankly, they can't be outside during any project.

Please clarify where I am incorrect and if there was a misunderstanding, please clarify that with the Police.

- Amy Christensen

4520 Rutledge Avenue
Edina, MN 55436
[O] 952-374-9126
[C] 952-240-9120
Amy.Christensen@Scantron.com



CONFIDENTIALITY NOTICE: The information contained in this message is intended only for the recipient and may contain information that is confidential. If you are not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient; please be aware that any dissemination, forwarding, printing, copying, disclosure or distribution of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by replying to the message and deleting all copies, including attachments, from your system.

The minimum insurance coverage must be maintained until six (6) months after the demolition has been completed or, if a new dwelling is being constructed, a certificate of occupancy has been issued. The City must be named as an additional insured.

- Subd. 2 The applicant must furnish the City a cash escrow of Two Thousand Five Hundred (\$2,500) Dollars. A single escrow is required for both a demolition permit and building permit. The City may draw on the cash escrow to reimburse the City for the repair of damage to public property or to remedy permit violations. If the City draws on the cash escrow, upon the City's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount to Two Thousand Five Hundred (\$2,500) Dollars. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.
- Subd. 3 Based upon soil types, topography, the location of adjacent structures and other pertinent information, the Building Official shall determine if a soils investigation report is necessary. If the Building Official determines that a soils report is necessary, the applicant shall have a soil report prepared and signed by a licensed professional soil scientist or licensed professional engineer. The report must provide detailed plans to ensure that adjacent property will not be damaged by reducing lateral support for driveways, foundations, fences or lawns caused by excavation, demolition or construction activity. The report must be approved by the Building Official. The permit holder must adhere to the approved plan.
- Subd. 4 Before a permit is issued, the Building Official must photograph the existing condition of the property, curbs, sidewalks, streets, boulevard and trees adjacent to the property.
- Subd. 5 For a demolition permit, at least fifteen (15) days before demolition commences, the permit holder must provide written notification to all property owners within three hundred (300) feet of the demolition site notifying the property owners of the proposed demolition and building plans, if applicable, and invite them to a neighborhood meeting. The neighborhood meeting must be held at least five (5) days before demolition commences. A sign must also be posted on the demolition site at least five (5) days before demolition commences identifying the nature of the demolition, the permit holder, a contact name and phone number, and the site address. The sign must also provide a City phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five (5) and six (6) square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until the completion of demolition.
- Subd. 6 For a building permit, a sign must be posted on the permit site at least five (5) days before construction commences identifying the nature of the construction, the permit holder, a contact name and phone number, and the site address. The sign must also provide a City phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five (5) and six (6) square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until a certificate of occupancy has been issued.
- Subd. 7 For a building permit, the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer. The plans must be approved by the City Engineer and the permit holder must

adhere to the approved plans. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The erosion control plan must document how proper erosion and sediment control will be maintained on a continual basis to contain on-site erosion and protect on and off-site vegetation. Permit holder must protect all storm drain inlets with sediment capture devices at all time during the project when soil disturbing activities may result in sediment laden storm water runoff entering the inlet. The permit holder is responsible for preventing or minimizing the potential for unsafe conditions, flooding, or siltation problems. Devices must be regularly cleaned out and emergency overflow must be an integral part of the device to reduce the flooding potential. Devices must be placed to prevent the creation of driving hazards or obstructions.

411.06 Permit Standards for Both Demolition Permits and Building Permits.

- Subd. 1 The permit holder must comply with the State Building Code, State Statutes and the City Code, including City Code Sections 410, 415, 425 and 830.
- Subd. 2 Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. and 6:00 p.m. on Saturday.
- Subd. 3 The permit holder must repair any damage to public property, streets, and sidewalks. If damage occurs to the foregoing, it must be repaired within three (3) working days after the damage occurs, unless the permit holder has received written permission from the Building Official to delay repairs to a later specified date.
- Subd. 4 The permit holder must maintain a five-foot (5') parking setback from driveways and a thirty-foot (30') parking setback from intersections. When parking on a street, a vehicle must be completely located on the street surface, parallel to and within twelve (12) inches of the curb. Vehicles in violation of these requirements may be towed in accordance with Minnesota Statutes § 168B.035. On street parking of equipment other than licensed motor vehicles is prohibited. Stopping, standing or parking a vehicle is prohibited, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
- a. On a boulevard between the sidewalk and roadway;
 - b. Within five (5) feet of the intersection of any public or private driveway or alley with any street or highway;
 - c. Where the vehicle will block a fire escape or the exit from any building;
 - d. Where temporary signs prohibit parking.

Parking is allowed on local streets if a twelve-foot (12') wide area is open for the traveled portion of the road. On collector and arterial roadways, a minimum of twenty-two feet (22') must be open for the traveled portion of the

road. Off-street and off-site parking for on site workers is required to the extent practicable.

- Subd. 5 The permit holder must install and maintain a rock entrance pad or its equivalent at each location where vehicles enter or exit the construction site, at locations approved by the Building Official.
- Subd. 6 The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within twenty four (24) hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property. At the end of each working day, the permit holder must remove any soil, trash or debris that washed or was deposited on any public sidewalk or street and must remove any trash or debris that washed or was deposited on any adjacent property.
- Subd. 7 Dust control is the responsibility of the permit holder. The permit holder must eliminate dust problems immediately upon receiving notice from the Building Official that there is a dust problem.
- Subd. 8 No building material, temporary sanitary facilities, dumpster or equipment may be placed within street right-of-way, or on a sidewalk. Motor vehicles may not be parked or stopped on a sidewalk. Public sidewalks must be left open and unobstructed at all times.
- Subd. 9 Prior to commencing demolition, protective fencing approved by the Building Official must be installed around boulevard trees and trees that will not be removed.
- 411.07 **Stop Work Orders.** If the Building Official finds any work being performed in a dangerous or unsafe manner or that is in violation of the provisions of the permit, City Code or the State Building Code, the Building Official may issue a stop work order. The stop work order must be in writing and issued to the permit holder or the person doing the work. Upon issuance of a stop work order, the cited work must immediately cease. The stop work order must state the reason for the order and the conditions under which the cited work will be permitted to resume.
- 411.08 **Misdemeanor.** Violations of this Section or of the terms of approval of a permit issued under this Section are a misdemeanor.

ORDINANCE NO. 2014-01
AN ORDINANCE AMENDING CHAPTER 10 OF THE EDINA CITY CODE
CONCERNING RESIDENTIAL REDEVELOPMENT ENFORCEMENT

THE CITY OF EDINA ORDAINS:

Section 1. Section 10-109 of the Edina City Code is amended to read as follows:

Sec. 10-109. Permit applications.

The applicant must complete the application forms provided by the city, pay the permit fees in the amount set forth in section 2-724, deposit the cash escrow and furnish all other documents and reports required for the permit. The application must be signed by the property owner or the owner's authorized agent.

Section 2. Section 10-110 (3) & (5) of the Edina City Code is amended to read as follows:

Sec. 10-110. Permit requirements.

- (3)** *Soils investigation report and shoring plan.* Based upon soil types, topography, the location of adjacent structures and other pertinent information, the building official shall determine if a soils investigation report and/or shoring plan is necessary. If the building official determines that a soils report is necessary, the applicant shall have a soil report prepared and signed by a licensed professional soil scientist or licensed professional engineer. If the building official determines a shoring plan is necessary, the applicant ~~The report~~ must provide a detailed plan to ensure that adjacent property will not be damaged by reducing lateral support for driveways, foundations, fences or lawns caused by excavation, demolition or construction activity. The soils report and shoring plan must be approved by the building official. The permit holder must adhere to the approved plan(s).
- (5)** *Written notification of demolition.* For a demolition permit, at least 15 calendar days before demolition commences, the permit holder must provide written notification to all property owners within 300 feet of the perimeter of the demolition site notifying the property owners of the proposed demolition and building plans, if applicable, and invite them to a neighborhood meeting. The neighborhood meeting must be held at least five days before demolition commences. A sign must also be posted on the demolition site at least five days before demolition commences identifying the nature of the demolition, the permit holder, a contact name and phone number, and the site address. The sign must also provide a city phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five and six square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until the completion of demolition.

Section 3. Section 10-111 of the Edina City Code is amended to read as follows:

Sec. 10-111. Permit standards for both demolition permits and building permits.

- (a) The permit holder must comply with the state building code, state statutes and this Code, including articles III, VI, VII and XVII of this chapter.
- (b) Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday. Work is prohibited on Sundays and Holidays.
- (c) The permit holder must repair any damage to public property, streets, and sidewalks. If damage occurs to the foregoing, it must be repaired within three working days after the damage occurs, unless the permit holder has received written permission from the building official to delay repairs to a later specified date.
- (d) The permit holder must maintain a 5-foot parking setback from driveways and a 30-foot parking setback from intersections. When parking on a street, a vehicle must be completely located on the street surface, parallel to and within 12 inches of the curb. Vehicles in violation of these requirements may be towed in accordance with Minn. Stat. § 168B.035. On-street parking of equipment other than licensed motor vehicles is prohibited. Stopping, standing or parking a vehicle is prohibited, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
 - (1) On a boulevard between the sidewalk and roadway;
 - (2) Within five (5) feet of the intersection of any public or private driveway or alley with any street or highway;
 - (3) Where the vehicle will block a fire escape or the exit from any building;
 - (4) Where temporary signs prohibit parking.

Parking is allowed on local streets if a 12-foot wide area is open for the traveled portion of the road. On collector and arterial roadways, a minimum of 22 feet must be open for the traveled portion of the road. Off-street and off-site parking for on-site workers is required to the extent practicable.

Police officers, community service officers, parking monitors and the Residential Redevelopment Coordinator of the City shall be responsible for enforcing the parking requirements and parking regulations of this Section.

- (e) The permit holder must install and maintain a rock entrance pad or its equivalent at each location where vehicles enter or exit the construction site, at locations approved by the building official.

- (f) The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within 24 hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property. At the end of each working day, the permit holder must remove any soil, trash or debris that washed or was deposited on any public sidewalk or street and must remove any trash or debris that washed or was deposited on any adjacent property.

- (g) Dust control is the responsibility of the permit holder. As weather permits, materials subject to demolition shall be thoroughly dampened with water so as to prevent dust. The permit holder must eliminate dust problems immediately upon receiving notice from the building official that there is a dust problem.

- (h) No building material, temporary sanitary facilities, dumpster or equipment may be placed within street right-of-way, or on a sidewalk. Motor vehicles may not be parked or stopped on a sidewalk. Public sidewalks must be left open and unobstructed at all times.

- (i) Prior to commencing demolition, protective fencing approved by the building official must be installed around boulevard trees and trees that will not be removed.

Section 4. This ordinance is effective immediately upon its passage and publication.

First Reading: February 3, 2014
Second Reading: Waived
Published: February 13, 2014

Attest Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Deb Mangen

From: Scott Nelson <sdnelsonmn@aol.com>
Sent: Monday, February 24, 2014 4:07 PM
To: Edina Mail
Subject: BRAEMAR GOLF OPERATIONS

Good morning Mayor Hovland, Esteemed City Council Members, City Manager Neal, and Director Kattreh:

I imagine you have received hundreds of emails regarding the topic of Braemar Golf Operations and have been deep in careful thought and consideration. I commend all of you for your commitment to the City of Edina and its future as it relates to the Golf Operations. The passion people have shown...the rationale they have presented...are all anchored in sound and reasonable thought. But the emotion needs to be put to the side and sound business judgment and principles need to be pursued.

Do you look at development of a new surge of golfers, or look at upgrading the existing jewel of Braemar Golf Operations?

You look at both...for now and over the next ten years and beyond.

Braemar was one of the leading public golf courses in the state, and even recognized as one of the 'Top 75' in the nation. I would hope we are in the 'Top 75' of the state (quite a come down) today, but we are Edina...we need to be one of the best public courses in the state.

There are options for Fred Richards. Repurpose it, so as golf popularity climbs, Edina is ready to react. Maybe a 6 hole course. Maybe larger holes. Perhaps elimination of bunkers. Solutions like this are being looked at nationally as the game of golf goes through a transition and is being forced to 'reinvent' itself. Edina could be on the leading edge if we stay prepared.

Invest in the Braemar complex for now. Improved driving range...infrastructure...cart paths are just three of the first actions that could prove to the metropolitan area that Braemar is back! That parking lot should be full again and Braemar will contribute to the revenue stream of Edina, and not a drain.

Thank you again for your commitment, and for your considerations.

Best Regards

Scott Nelson
6428 Vernon Avenue
952-220-5166

Sent from my iPad

Deb Mangen

From: twinklarson@msn.com
Sent: Monday, February 24, 2014 5:20 PM
To: Edina Mail
Subject: golf

Close Fred Richards and invest in Braemar's regulation course.

Deb Mangen

From: Patty Dronen <pdronen@hotmail.com>
Sent: Tuesday, February 25, 2014 9:59 AM
To: Edina Mail
Subject: 5146 Eden Avenue

I am writing to you to share my views on how to best use the 3.3 acre property at 5146 Eden Avenue.

I'm sure all of the City Council members have traveled to other suburban cities that have new, big, beautiful community centers. This is something that Edina is sorely lacking. Our community center is anything but the things I described in the opening of this paragraph. The building is hard to navigate, uneasy to use without having a permit, old, and not inviting at all. Sharing a facility with an elementary school is not ideal. Parking is atrocious.

Imagine a welcoming community center with classroom space, gyms, play areas, workout facilities, maybe a theatre space, maybe a small cafe/coffee shop. That is something this community needs. A community center for all members of our community, young and old.

Do not sell or lease this land to a developer. We do not need any more senior high rises, apartment buildings, etc. As is evidenced by the number of tear-downs our city is experiencing, people moving into this community have money. They want to live in a city with a great school system, conveniently located to all areas of the metro area. They want/need a community center that can compete with other communities' centers. These same families will stay in Edina if we can provide them with a community center that they WANT to use, not one they NEED to use.

Thank you for your time.

Patty Dronen

Deb Mangen

From: Betsy Nelson <betsytn@gmail.com>
Sent: Tuesday, February 25, 2014 3:20 PM
To: Edina Mail; jonibennett@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Closing Fred Richards golf course

Dear Mayor Hovland and City Council Members,

I'm writing to express my concern about the recent recommendation to close the Fred Richards golf course. I am a lifelong Edina resident whose family has enjoyed the exceptional quality of life our city has to offer. We have enjoyed the outdoor and indoor parks, skating rinks, ball fields, walking trails, tennis courts, concerts, swimming pools, fireworks, amazing schools, and golf courses. I feel that closing Fred Richards is a hasty decision without any regard for the feelings of Edina residents.

My husband Bob attended the two meetings that were held to inform the public and hear comments about the plan. He was struck by two things: the overwhelming feeling of the Edina residents in attendance that closing Fred Richards is a mistake, and the rush to this decision without addressing any other solutions or having a master plan. Closing this jewel of a small golf course will directly affect all our residents, but especially two segments of our population who the city usually finds important. This is the course where our young people learn to play golf, a lifelong sport that they will enjoy long after they have stopped putting on football pads, hockey helmets, and baseball shoes. This is the course where our older adults, who have spent countless hours watching their kids in those football pads, hockey skates, and baseball gloves, can play a relaxing round of golf.

I took my first golf lessons at Braemar. We learned to putt and practiced our swings. But when it came time to learn how to play a game, we went to Fred Richards. Experienced players walked the course with us, teaching us etiquette and the ins and outs of golf. There was a slower pace at Fred Richards and we were able to take our time as beginners. My husband plays the course every week from May through September with a Seagate Technology golf league. It's the perfect course for a league made of people with widely varying abilities. Losing this golf course will be a mistake and a huge loss for the city.

Closing Fred Richards should not be the solution to a deficit in the park budget. If we don't have enough golfers for all of our courses, have we done any marketing? People won't play on a course that they don't know about. I feel strongly that this is a hasty decision and more research needs to be done. Please stand back and think about other options before taking such a drastic step.

Sincerely,

Betsy Tudor Nelson
612-309-6580

Deb Mangen

From: Laura Hotmail Account <laura196511@hotmail.com>
Sent: Wednesday, February 26, 2014 8:54 AM
To: Edina Mail
Subject: Golf operations study is not being studied with more reasonable assumptions!

Dear Council Members,

I am very concerned that staff is not updated the golf operations study with more reasonable "rounds of golf" as requested by a member of the park board at the last park board meeting. Economic and financial decisions are being made based on the golf study which has an unreasonable assumption of an increase in golf rounds at Braemar from 79,000 to 100,000.

I am very concerned about the financial health of the city given staffs use of a very optimistic estimate of future rounds of golf. Also it is shocking that staff has conveniently found an "omission" of \$250,000 in the financial statements. The reality is the financial statements show Fred Richards does not lose money.

Below is the response from Ann Kattreh to my request to see the updated study with more reasonable future rounds of golf as requested by the park board member:

Hi Laura,

We are not updating or changing the golf operations study as presented at the last 2 public hearings.

Sincerely,

Ann

This process is moving way to fast, please vote no on Tuesday for closing the treasure that is Fred Richards. As a city lets do this process right and involve the citizens and use reasonable assumptions for the future of golf operations in Edina.

Thank You,

Laura Schleck

c: 612-865-7852

Deb Mangen

From: Jenny Laffita (CC) <Jenny.Laffita@cityofdoral.com>
Sent: Tuesday, February 25, 2014 2:57 PM
Cc: Barbara Herrera (CC); Connie Diaz (CC); Karina La Rosa (CC); Mayor Boria
Subject: City of Doral Resolution Supporting Reforms to Current Immigration Laws and Regulations
Attachments: Res_No_14-30_Immigration_Reform.pdf

Good Afternoon, Honorable Mayor's,

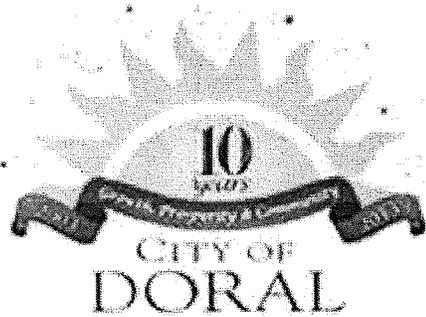
On behalf of Mayor, Luigi Boria of the City of Doral, Florida, please see attached a resolution supporting reforms to the current immigration laws and regulations. Mayor Boria is sending this resolution for your consideration.

Should you have any questions, please do not hesitate to contact Mayor Boria at 305.593.6725

Respectfully,

Jennifer M. Laffita ✎
Local Hearing & Public Records Coordinator

City of Doral
8401 NW 53rd Terrace
Doral, FL 33166
Tel: 305-593-6730 ext. 7015
E Fax: 305-593-6620
Jenny.Laffita@cityofdoral.com
www.cityofdoral.com



The City of Doral is on [Twitter](#) and [Facebook](#)!

Please note that the State of Florida's Public Records Laws provide that most written communications to or from the City of Doral regarding government business are public records available to the public upon request. This e-mail communication may therefore be subject to public disclosure.

RESOLUTION No. 14- 30

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA SUPPORTING CONGRESSIONAL EFFORTS TO ADOPT AND IMPLEMENT REFORMS TO THE CURRENT IMMIGRATION LAWS AND REGULATIONS; AUTHORIZING THE MAYOR TO FORWARD A COPY OF THIS RESOLUTION TO THE STATE OF FLORIDA MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND SENATE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The City Council of the City of Doral (the "City") believes fixing our nation's broken immigration laws is among the most important issues of interest to our residents and the City believes strongly that maintaining the status quo will further damage the economic, political and social structure of our cities and our country; and

WHEREAS, the City believes that a meaningful fix to immigration must begin with a strengthening of border security. Further, interior enforcement should be improved to enhance our ability to identify and remove visa overstays, but our state and local law enforcement must be able to remain focused on community policing; and

WHEREAS, the nation would benefit from a less bureaucratic and more time-sensitive system that allows workers of all types - seasonal, agricultural, lesser-skilled and high skilled – to lawfully come to America, either temporarily or permanently, and contribute to our economy; and

WHEREAS, part of immigration reform must also provide a uniform system of employment verification; and

WHEREAS, there are equally compelling moral dimensions also related to immigration reform that underscore the importance of moving forward with the effort; people must be able to come out of the shadows and fully pursue the American Dream for

themselves and their families. This is also essential to our efforts to combat crime and provide effective police protection for our residents, property owners, businesses and visitors.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Immigration Reform. The City believes the time is ripe for Congress to pass legislation that fixes immigration and creates a system that builds our economy, meets the nation's future workforce requirements, eliminates the incentives to enter the country illegally, humanely deals with the undocumented persons already here, and works to keep families together.

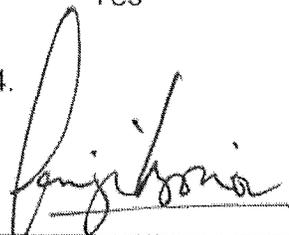
Section 3. City Clerk. The City Clerk is directed to forward a copy of this Resolution to the State of Florida members of the United States House of Representatives and Senate.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

By unanimous consensus of the City Council, the item was approved.

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

PASSED and ADOPTED this 19 day of February, 2014.



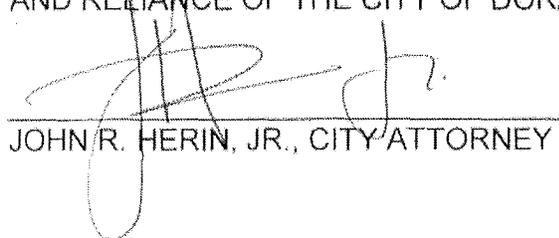
LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF DORAL ONLY:



JOHN R. HERIN, JR., CITY ATTORNEY

140270 Pete Fisher, Dr.
Mike Gorshe, Driver
E-82: Scott Vadnais
John Brooks
Matt Willemms

Edina Ambulance.

I would like to express my thanks and gratitude for your assistance after my recent car accident.

I was the driver of a vehicle that left the road and rolled after I hit some black ice on the entrance ramp from France Ave. onto Hwy 62 on January 23rd. My vehicle landed on the driver's side and I had to be extricated from it.

Your prompt response was appreciated and your efforts to keep me warm, comfortable and calm were wonderful. I could not see how I would ever be able to get out of that vehicle, but you made it happen! Your professionalism made a stressful situation much easier for me. Thanks for all that you do each + every day!

Sarah Pietz



Mrs. Sarah Pietz
11461 Pinto Cir
Lakeville, MN 55044-9794
12 FEB 2004 PM 12



Meeting Basic Needs.
Building Stronger Communities.

February 20, 2014

Mayor James Hovland
City of Edina
4801 50th Street West
Edina, MN 55424

Dear Mayor Hovland;

Thank you for the City of Edina's annual support of \$25,000.00. This contribution will have an immediate impact on families in Edina during times of financial crisis to help them regain stability.

We've been in our new location for a little over a month and the impact on VEAP's ability to serve our community was immediate. Over 200,000 pounds of food were distributed through VEAP's Food Pantry in the month of January! In one day alone, 170 families were able to visit the pantry and select a seven day supply of food -- with room to spare. VEAP's old pantry was at capacity when it served 120 families a day. The move to our new home has also decreased the wait for a pantry appointment; from an average of five days to next day or even same day appointments. This makes a tremendous difference to families such as Carla's. When Carla's car broke down, she needed to cancel her appointment. When she called to reschedule, she was so grateful that she didn't have to wait a week for an appointment. Carla was able visit the pantry the following day and didn't have to worry about how she would feed her young family.

On behalf of all the families and individuals VEAP serves, thank you again for your support. Together we are building a stronger Edina community.

Sincerely,

Susan Russell Freeman
Executive Director

P.S. Join us Friday, February 28, 2014 for a Toast to VEAP! Visit our website, VEAP.org to purchase tickets and for more information on this event to celebrate VEAP's new home.

Please consider this letter your receipt. VEAP is a 501 (c)(3) organization and all contributions are tax-deductible to the full extent of the law. No goods or services were received in exchange for this contribution.

Heather Branigin

From: adickey1@comcast.net
Sent: Wednesday, February 26, 2014 12:00 PM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Save Fred Richards

I am writing on behalf of my family and our community, with the hopes of the City of Edina opting to find a way to keep Fred Richards Golf course open. I have spent a majority of my life time enjoying the game of golf, played for EHS, won a State Championship for Edina and continue to compete as an adult. I learned to play at the Braemar Par 3 course back in the 70s, it was the perfect environment for new golfers to learn the game and develop a life-long love of the game. I have now shared that love of the game with my children.

Over the years, my children have learned to play and LOVE the game of golf -- and it has been at Fred Richards. We chose the Fred as a learning ground for 3 reasons:

- 1) As Braemar is unable/unwilling to accommodate young golfers, the Fred is the only course that allows children to play, and enjoy the sport.
- 2) Braemar did away with the Par 3 course I learned on and replaced it with an Executive Course -- which is too challenging for kids just learning how to play.
- 3) It is in our community and we wanted to support the City of Edina.

I know there is a financial burden on the city, however I fear that your solution (to close the Fred), doesn't solve the problem, but makes the problem worse --

If the monies saved from closing The Fred are invested back at Braemar --it would cause the following problems:

- 1) The course would be made more challenging (eliminating the elderly as well as the intermediate young golfer) --
- 2) The age limit for kids to play at Braemar is 12 (lowering the age wouldn't help b/c the course would be too challenging for the new golfer) Waiting until they are 12 to play Braemar ensures that the next generation of Edina residents will not learn nor play the game of golf. By 12, they have already been exposed to a majority of activities offered within our community.

As a mother of 4, the pressure on our kids to find activities to pursue is easy, but i want my children to have the option to play the game of golf, a lifetime sport that promotes competition, independence, and a healthy lifestyle. The only way our community can support the next generation, and thereby MAINTAINING Braemar's rounds/year - -is to keep The Fred open.

Sincerely,
Ann Dickey

Heather Branigin

From: Mary Beth <marybethgaines@gmail.com>
Sent: Wednesday, February 26, 2014 12:18 PM
To: Edina Mail
Subject: SWLRT

Hello James,

Please do not destroy STEP, our local food shelf by voting in favor of the current proposed train reroute. They serve over 4000 st louis park residents. More than one fourth of the children who attend our great SLP schools receive food and services from STEP.

A bike trail cannot mean more than food on these people's tables. Please.

Thank you,
Mary Beth Gaines

Heather Branigin

From: Hale Kunerth <hale@bigplanet.com>
Sent: Wednesday, February 26, 2014 7:03 PM
To: Edina Mail
Subject: Fred Richards

I would like to support the park boards recommendation to close Fred Richards golf course.

Also I would like to suggest a development similar to centennial lakes. A combination of public/park space along with commercial space. With the park area buffering the existing residential area to the north.

I often marvel as I walk around centennial lakes at how a former gravel pit was turned into something so spectacular.

Hale Kunerth
20 year Edina resident

Heather Branigin

From: Laura J. Davis <jdlaura2004@yahoo.com>
Sent: Thursday, February 27, 2014 1:11 PM
To: Edina Mail
Cc: Melody Chestler; Aileen Foley; Mary Werbalowsky; Louann Waddick; Sarah Zarrin; Meg Davidson
Subject: To Mayor and City Council from Edina Go Green

Dear Mayor Hovland and Council Members Bennett, Brindle, Sprague and Swenson:

For your information, please see the link below to an Article in yesterday's New York Times entitled, "California Endangered Species: Plastic Bags" which discusses the efforts of California lawmakers to ban single use plastic bags on a statewide basis. The State Senator sponsoring that legislation is quoted as saying, "It has become increasingly clear to the public the environmental damage that single-use plastic bags have reaped."

As you all know, one of Edina Go Green's ultimate goals is to ban single use plastic bags in Edina, as it has been done in many other progressive communities all over the world. To that end, in the next few months we hope to meet with each of you to discuss our next steps in moving that goal closer toward reality. We look forward to seeing you all soon.

Thank you,
Edina Go Green

Melody Chestler, Meg Davidson, Laura Davis, Aileen Foley, Louann Waddick, Mary Werbalowsky, Sarah Zarrin.
https://urldefense.proofpoint.com/v1/url?u=https://www.nytimes.com/2014/02/26/us/plastic-bags-come-under-siege-in-california.html?_r%3D0&k=2a4Akkj3oY%2F0kjwft1MTMw%3D%3D%0A&r=1Bvmt3oyzZn4OhHn7m3YfTA0L0u6YDYHptFJ%2F22cSQA%3D%0A&m=sw8jzoE5VNEYpr7U%2BNfXlwm4d1WyoPXrv8%2FbXZiEmWs%3D%0A&s=a7cf3010eb566f98122f94a747e0e5d24bc2ef919d9ea3cb56704ce44d3e88f3

Heather Branigin

From: K B Montgomery <kmschoolmail@aol.com>
Sent: Thursday, February 27, 2014 3:19 PM
To: Edina Mail
Subject: Fwd: Letter to the CAT
Attachments: Firstenburg-Detailed-Case-Study-2.pdf; Grandview CAT lrt 22712.doc

Hi Lynette,

Could you please send this letter to the CAT for tonight's meeting and copy the Council.

Many thanks,
Kim

K B Montgomery
kmschoolmail@aol.com

-----Original Message-----

From: K B Montgomery <kmschoolmail@aol.com>
To: kmschoolmail <kmschoolmail@aol.com>
Sent: Thu, Feb 27, 2014 3:18 pm
Subject: Letter to the CAT

February 27, 2014

To the GrandView Community Advisory Team

Cc: Edina City Council

I understand the CAT is going to have a discussion about potential public uses for the former public works site tonight. In advance of that discussion, I thought it might be helpful for the CAT to see a successful Gold LEED certified community center in Vancouver, WA. I have attached a case study for Firstenburg Community Center.

I am also sending a link to the Master Plan used in creating the Firstenburg: http://www.sportsmgmt.com/projects/featuredprojects/firstenburg_assets/Firstenburg.pdf

Vancouver used its strategic planning processes (Parks and Recreation Facilities and Services Strategic Plan and Comprehensive Facility Needs Study) to first define community goals. Edina is about to embark on its Vision 2040, revise its Comp Plan and create a Parks and Recreation Master Plan. Like Vancouver, these plans could and should be used to first inform community needs planning in GrandView.

The public process to define programming, site planning and do conceptual design work took 3 months (page 3-Master Plan). In addition, the Master Plan included a market analysis, projections for capital costs, revenue potential, estimated operations costs and capital funding recommendations. In total, the study to define and design the community center took 6 months.

In order to adequately address, design and develop public amenities to serve community needs in GrandView, an experienced public realm consultant (not a developer) should be engaged. To do less, will short-change Edina and its residents.

Thank you, as always, for your time and attention.

Respectfully,

Kim Montgomery

K B Montgomery
kmschoolmail@aol.com

Firstenburg Community Center

Vancouver, Washington



The LEED Gold Certified Firstenburg Community Center creates an enduring model of civic architecture and a source of pride for the city of Vancouver. With thousands of visitors daily, the Center provides an unequalled opportunity to demonstrate to the public the benefits and beauty of successful green design.

The Firstenburg Community Center is a multi-use facility that combines recreational and community spaces with other public services. It embodies the character of the community, provides convenient access to services and brings together a diverse mix of users.

The recreation program includes swim and warm water leisure/therapy pools, a two-court gymnasium, fitness space, aerobics dance studios and multi-purpose activity spaces. The community spaces incorporate child watch, a teen lounge and game room, a senior lounge and resource room, and meeting rooms. The multi-use community rooms, which together seat up to 350, address the lack of meeting and gathering spaces in east Vancouver and provide a venue for City Council meetings, social dances, performances, neighborhood fairs and community forums.

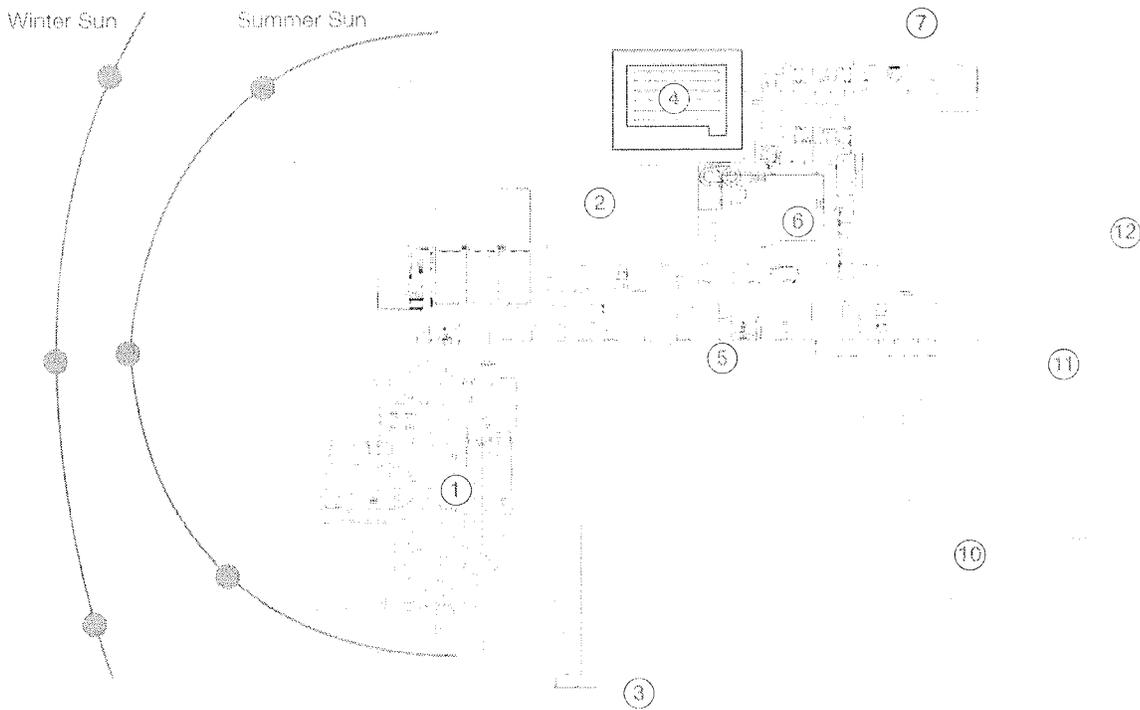
The building and site were carefully designed to seamlessly integrate a now complete city branch library (also designed by Opsis), a future lap pool, and a future arts and crafts wing, which will reinforce the civic identity of this facility. Families have the opportunity to visit the site together, using library and community center resources to enjoy a wide range of recreation and learning activities.

Project Summary

Location: Vancouver, Washington
 Gross Sf: 80,982 sf
 Building Footprint: 64,003 sf
 Cost: \$17M
 Completed: 2007

Site Features

- 1 Library, Completed 2010
- 2 Courtyard with Spray Ground
- 3 Bus Stop
- 4 Future Lap Pool
- 5 Bike Parking
- 6 Firstenburg Community Center
- 7 Walking Trail / Service Lane
- 8 Porous Concrete Paving
- 9 Established Coniferous Forest
- 10 Future Parking

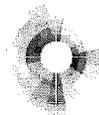


LEED NC v.2.1 Credits Achieved

Site	8/14
Water	3/5
Energy	5/17
Materials	6/13
Indoor Quality	11/15
Innovation	4/5
Total = 39 Credits; Minimum for LEED Gold = 39	

Wind

Wind patterns and directions for each season are shown in the diagrams below.



Spring



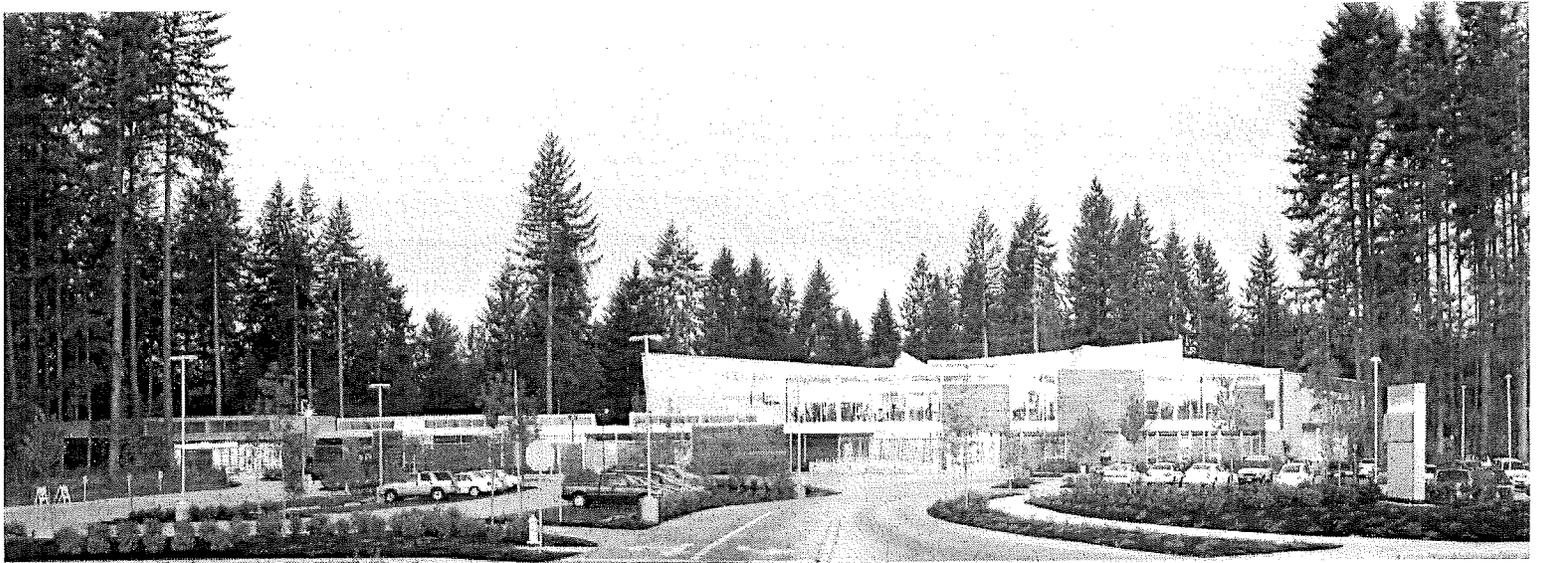
Summer



Fall



Winter

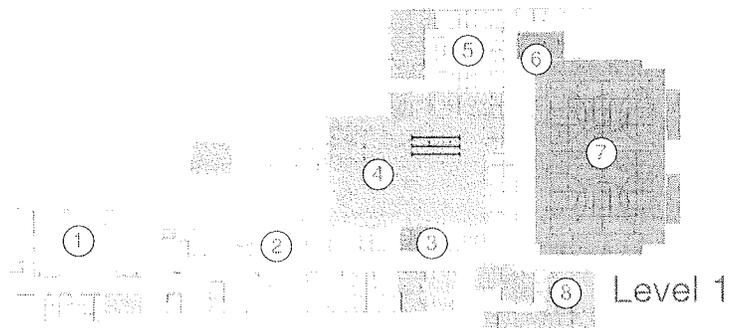


SITE ECOLOGY AND LAND USE

The Firstenberg Community Center is a two level building massed to reduce the development footprint, preserve mature tree stands and enliven the facility by concentrating activity and social spaces. At the start of the design process, an extensive tree survey identified the presence of laminated root rot disease throughout much of the forested site, as well as dense stands of weak trees dangerously susceptible to blow down. The footprint and position of the building are a result of careful analysis of the areas of healthy and significant trees, solar orientation, prevailing wind direction, noise from the adjacent street, and program requirements.

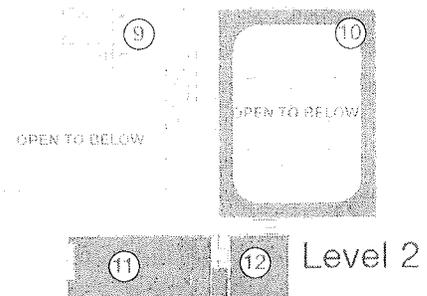
The building takes advantage of the park-like setting with large windows for daylighting and courtyards to allow interior functions to participate with the natural landscape. Native drought-tolerant planting was integrated into the coniferous forest ecology creating habitat for birds and other species.

Use of alternative transportation is encouraged by building a bus stop and shelter, providing ample bike parking and designated carpool parking and creating pedestrian links to an adjacent park and future regional trail. The parking lot's organic shape maximizes the number of significant existing trees retained, while its use of porous concrete and drainage swales means that all of the stormwater is managed on site with no impact on the municipal system.



Program

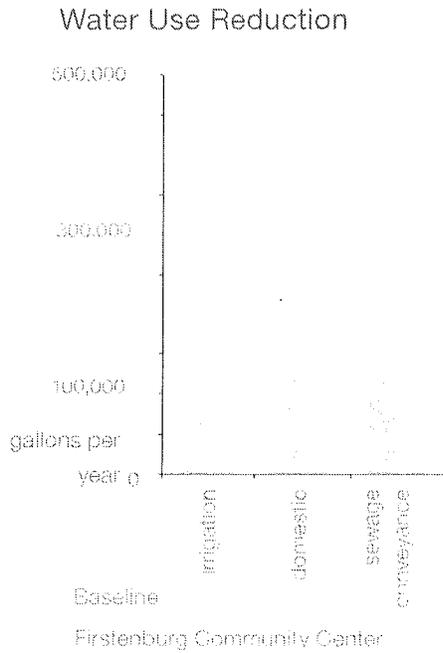
- | | |
|------------------|------------------|
| 1 Community Room | 9 Mechanical |
| 2 Game Room | 10 Deck |
| 3 Juice Bar | 11 Fitness |
| 4 Pool | 12 Multi Purpose |
| 5 Locker Room | |
| 6 Rock Climbing | |
| 7 Gym | |
| 8 Administration | |



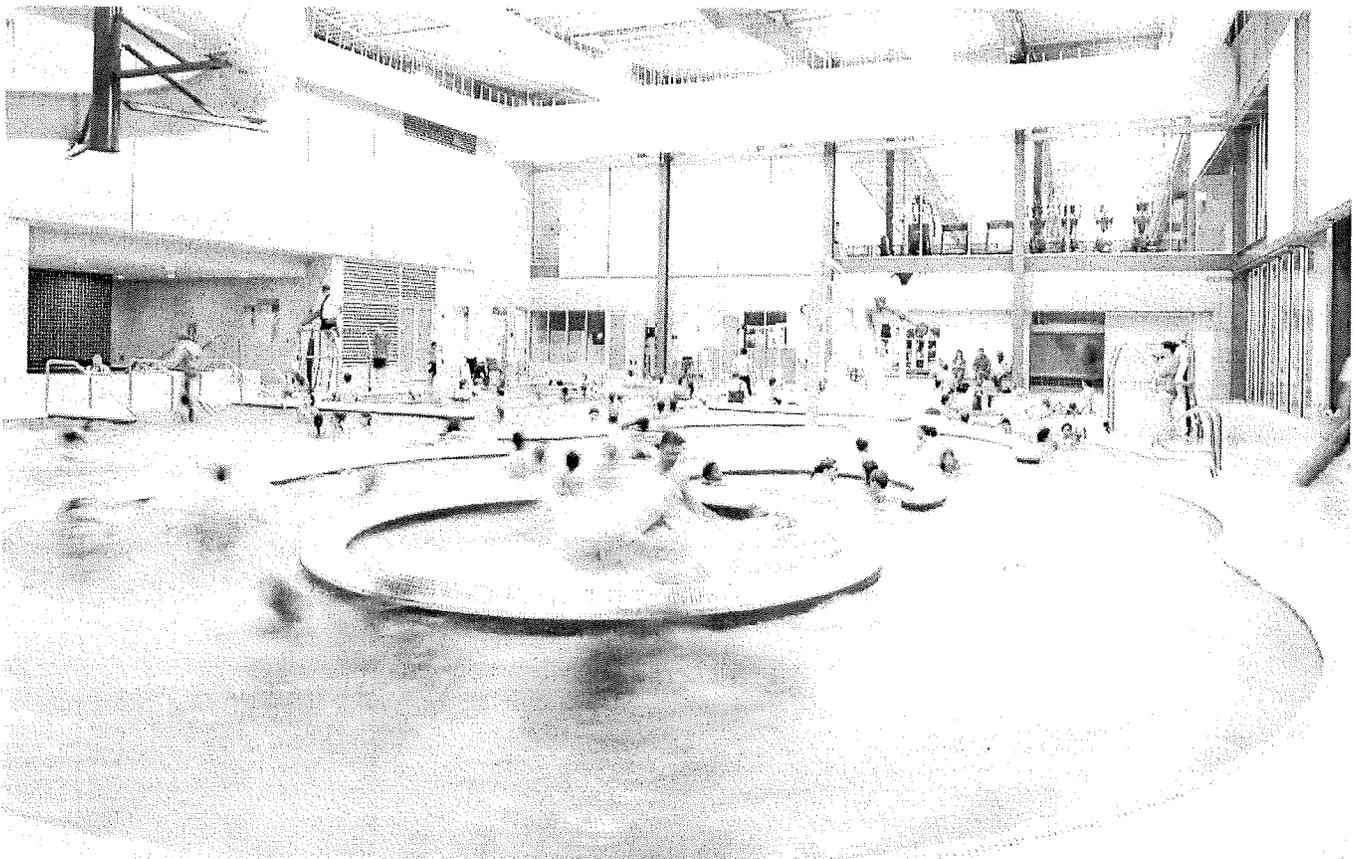
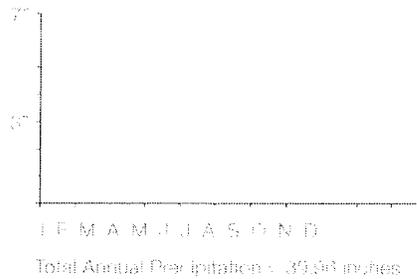
WATER CYCLE

By carefully selecting drought tolerant native plants that can survive the region's dry summers and using high efficiency irrigation technology, water use for irrigation was reduced by over 50%.

Water use inside the building was reduced by 31% over a baseline building, while water use for sewage conveyance was reduced by 63%. This is achieved through the use of waterless urinals and low flow fixtures, as well as by using graywater from the pool's filter backwash system to flush many of the building's toilets. Approximately 60,000 gallons of 'recycled' graywater are used annually.



Monthly Precipitation

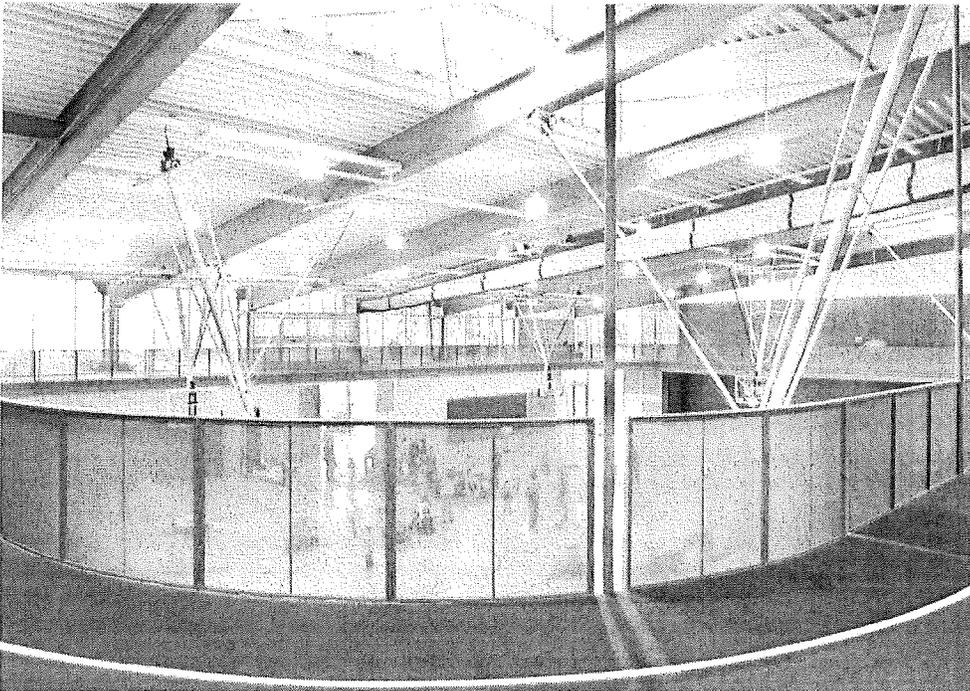


ENERGY FLOWS

Sustainability goals identified at an early design charette highlighted maximization of transparency between spaces, using daylight throughout the entire building, reinforcing opportunities for passive cooling, creating strong connections to the site and providing a welcoming open display of recreation and community spaces. These forces resulted in a long thin building footprint that allows for exceptional daylight and cross ventilation, while creating a large protected south facing courtyard.

Radiant concrete slab floors are heated or chilled to maintain comfortable temperatures throughout the year while using minimal energy. The mass of the concrete in the floor as well as in exposed thermally massive walls effectively stores heat or coolness to decrease the effect of exterior temperature swings. Other passive systems such as automated natural ventilation and solar shading devices that block heat gain from direct sun in the summer, but allow it during the winter work in tandem with the thermal mass and mechanical systems.

A central heat pump recovers waste heat in the summer and uses it to heat the pool and domestic water, often allowing the 96% efficient boilers to shut down entirely. Daylight sensors integrated with dimmable energy efficient lighting fixtures eliminate the use of artificial lighting whenever possible. In combination, these systems result in energy use that is anticipated to be at least 27% less than traditional building construction.



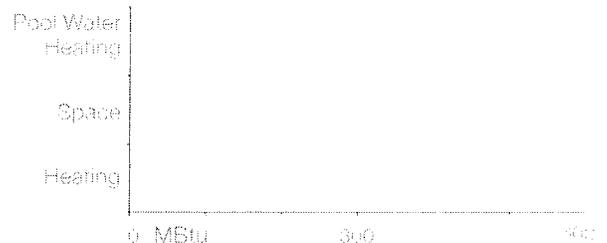
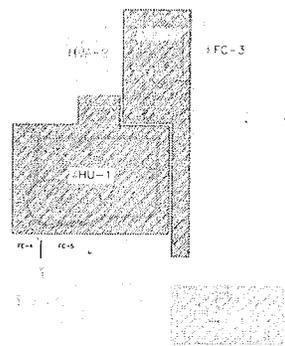
Energy Use

27%
Annual Energy Savings

\$66,629
Annual Energy Cost Savings

Mechanical Air Handler Systems

- Full Natural Ventilation
- ▨ Constant Volume
- ▩ Hybrid VAV / Natural Vent.
- ▧ Hybrid Fan Coil / Natural Vent.
- ▦ Make-Up Air
- ▤ Variable Air Volume
- ▥ Low opening for Nat. Vent.
- ▧ High opening for Nat. Vent.

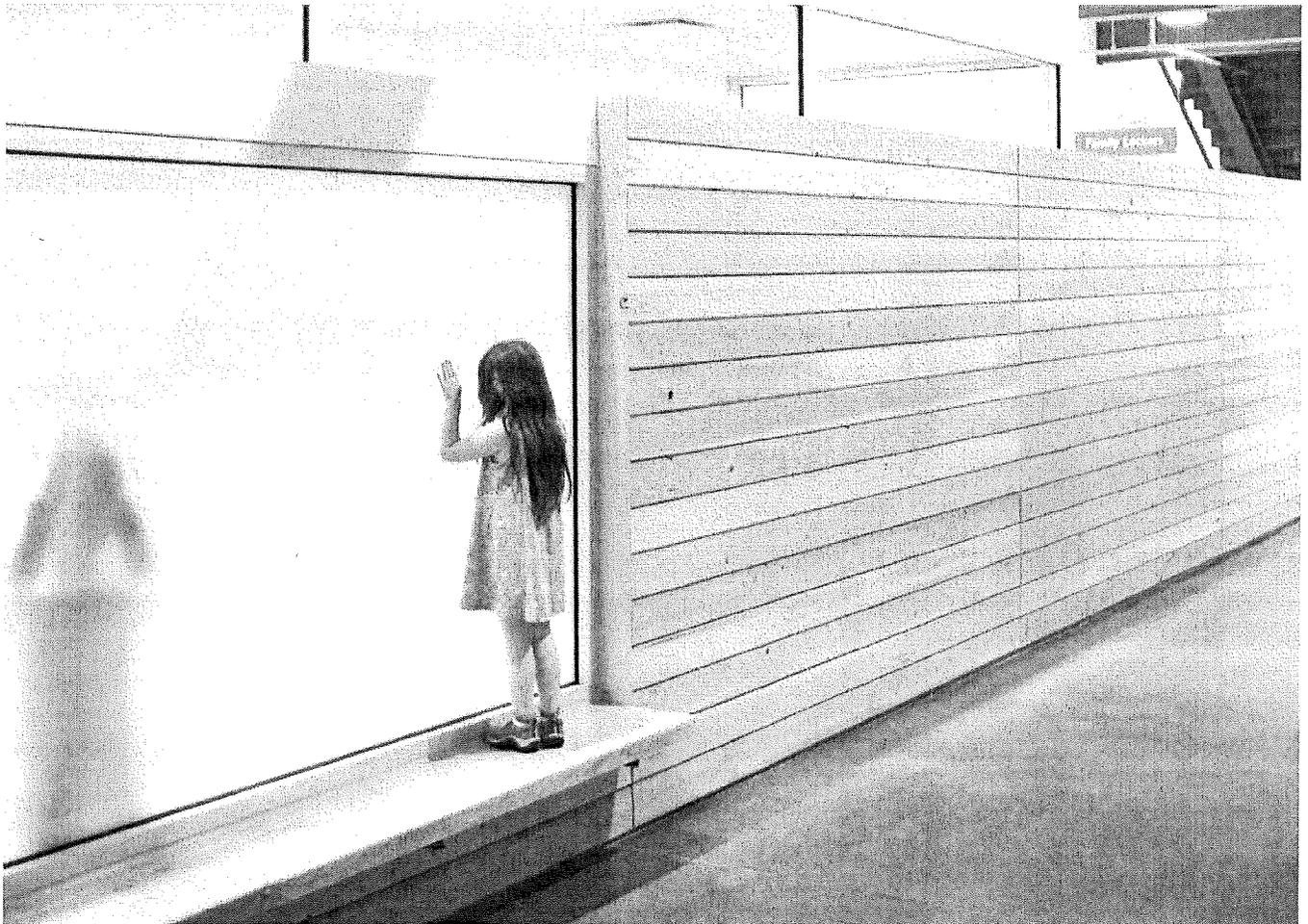
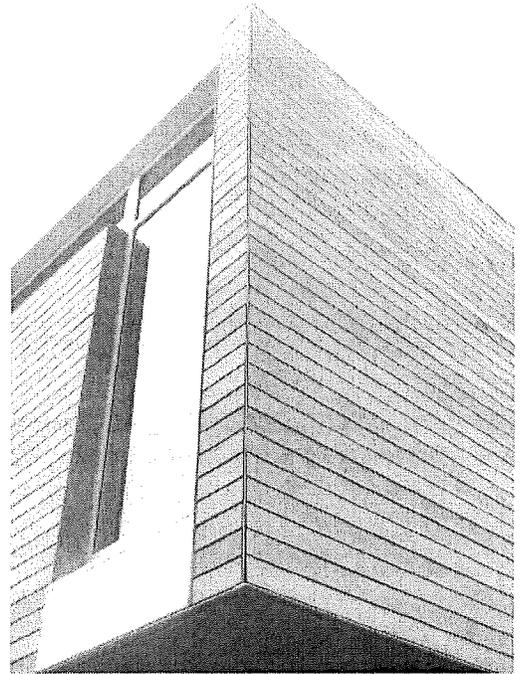


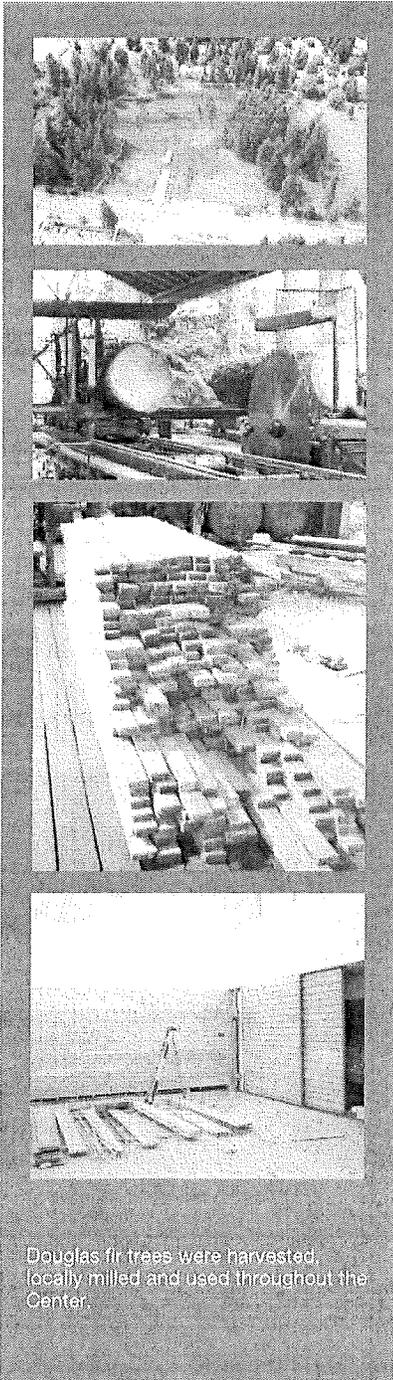
Firstenberg Community Center
Baseline

MATERIALS AND CONSTRUCTION

Throughout this heavily-used facility, materials have been selected for their durability, beauty, and sustainability. A strong emphasis is placed on natural, non-toxic enduring materials that will be attractive for decades to come, while also eliminating material use altogether when possible. Douglas fir trees, many of which were diseased, were harvested from the site and milled locally for 12,000 board feet of material used as wall paneling, screens, benches and bleacher seats. Other wood, such as the exterior wood rainscreen system that provides durable protection for the building's waterproofing, was constructed with Forest Stewardship Council certified sustainably harvested wood.

The bamboo community room flooring and acoustical wall paneling made from perforated wheatboard are quick growing 'rapidly renewable' materials. Recycled materials such as the glass wall tiles used in the locker rooms and natatorium make up nearly 30% of all construction materials used. Use of unnecessary materials was eliminated with the use of exposed steel structure, ground face concrete masonry block walls, and concrete floors, and passive heating and cooling eliminates substantial need for ductwork. Material waste was also considered during construction as the contractor was able to recycle 99.4% of all construction waste.





Douglas fir trees were harvested locally milled and used throughout the Center.



29%

Recycled Materials used for Construction

41%

Regional Materials Manufactured within 500 Miles used for Construction

56%

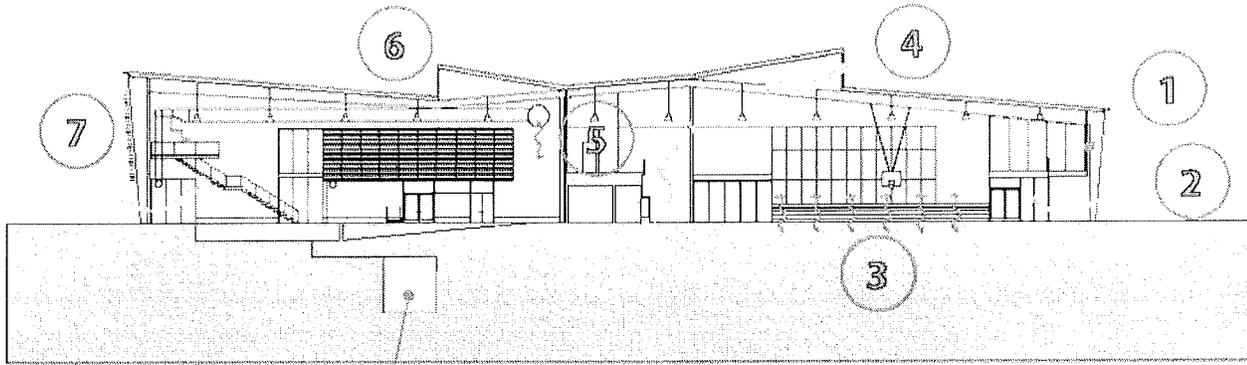
Of Wood Base Building Products are Forest Stewardship Council Certified

99.4%

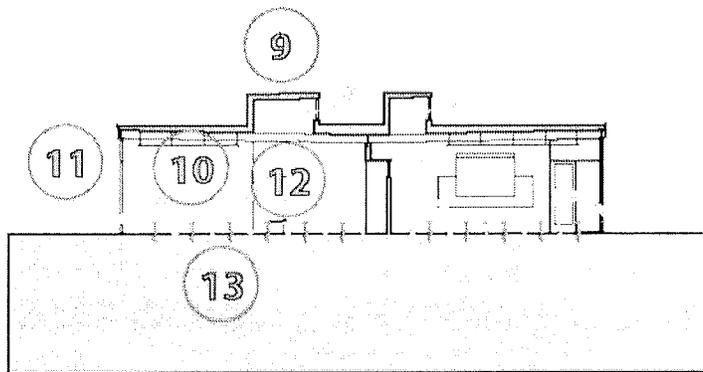
Construction Waste was Recycled

Awards

- Northwest Pacific Region AIA Merit Award 2008
- Portland Chapter AIA Merit Award 2006
- Portland Chapter AIA Sustainable Design Award 2006
- ASHRAE Technology Award, 2007 First Place
- Athletic Business Magazine Facility of Merit Award 2007
- Washington Recreation and Park Association Spotlight Award 2007
- Vancouver Community Pride Award 2006



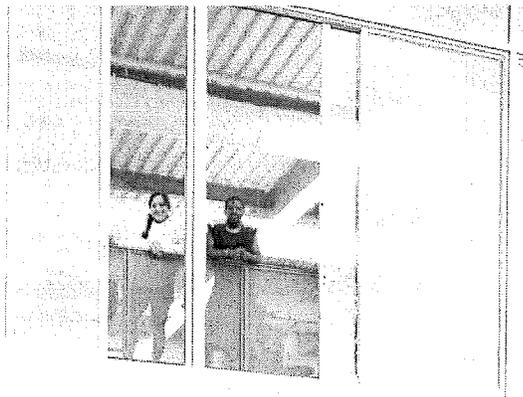
North-South Section



East-West Section

Daylight and Ventilation Features

- 1 North Facing Daylight Glazing
- 2 North Facing Air Intake
- 3 Radiant Heated Slab
- 4 Daylight and Stack Ventilation Monitor
- 5 Clear Glazing to Natatorium
- 6 South Facing Daylight Monitor
- 7 South Facing Wood Structure
- 8 Pool Filter Backwash System Tank
- 9 Radiant Heated and Chilled Slab
- 10 Indirect Lighting with Daylighting Control
- 11 Operable Windows and Trickle Vents
- 12 Screen and Bench of Milled Site Trees
- 13 Radiant Heated and Chilled Slab



INDOOR QUALITY

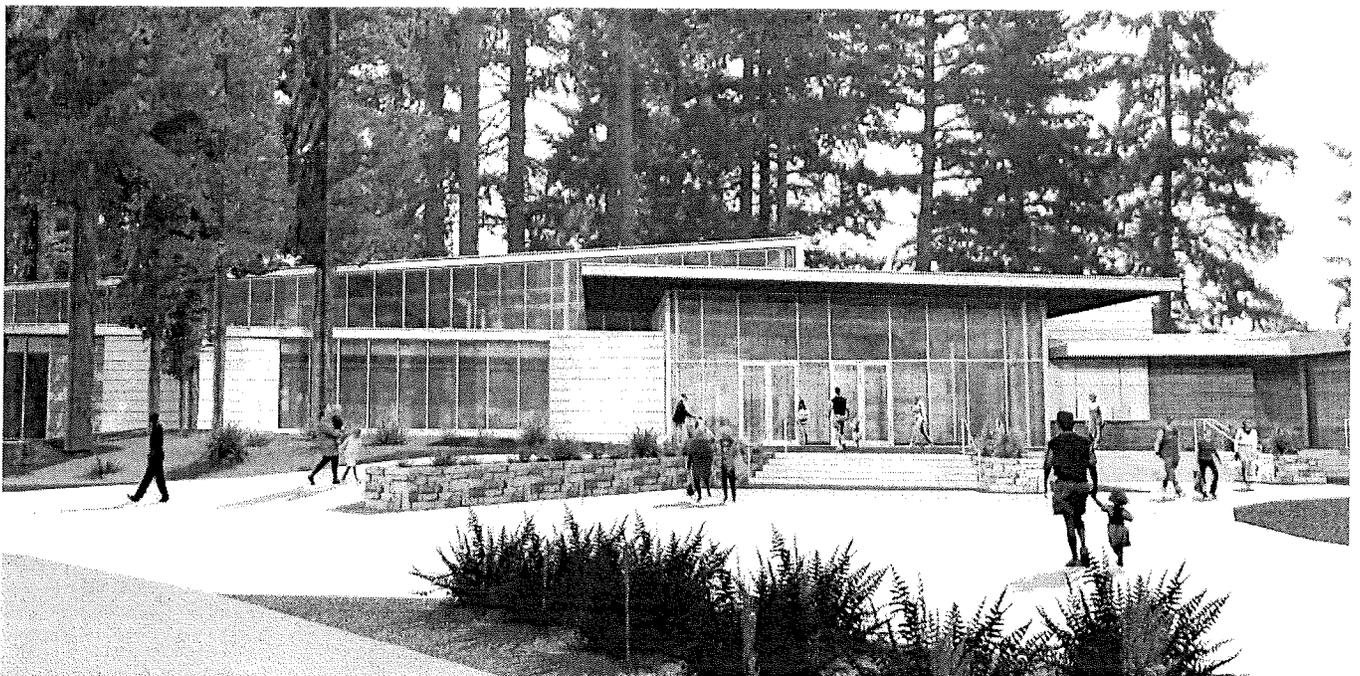
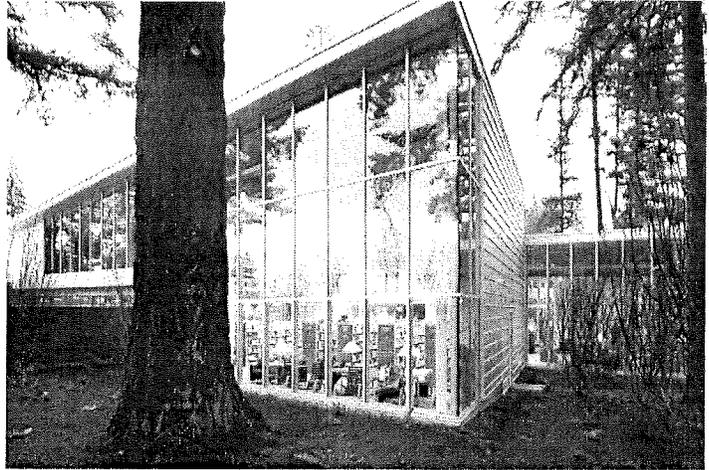
Ample daylighting, natural ventilation and non-toxic finishes help Firstenberg Community Center provide a healthy environment for the community's health and recreation activities. The design team used the Portland Daylighting Lab's artificial sky to model a variety of monitor and sunshade configuration possibilities, and a three dimensional model simulating air patterns and space temperatures was created in order to refine the natural ventilation systems. These efforts resulted in east-facing roof monitors with windows operated by sensor-activated actuators to provide deep penetration of daylight into the building and natural stack ventilation as well as north facing monitors at the gymnasium to provide natural stack ventilation and throw daylight deep into the building for balanced, glare-free natural light.

Air quality is further improved by CO2 sensors and low level trickle vents that ensure sufficient ventilation while minimizing energy loads. Composite wood and agrifiber products specified contain no added formaldehyde and construction materials were specified to avoid volatile organic compounds (VOC's). In the natatorium, low level exhaust and ultraviolet secondary water treatment reduce air-borne chlorine contaminants while fabric duct work can be laundered to maintain a clean air distribution system.

Cascade Park Community Library

In 2010, construction was completed on the Opsis Architecture and Johnston Architects designed Cascade Park Community Library directly adjacent to the Firstenberg Community Center. The co-location of the facilities provides numerous efficiencies for systems, from public transportation and parking to utilities, which create a new 'civic center' for the recently annexed portion of Vancouver.

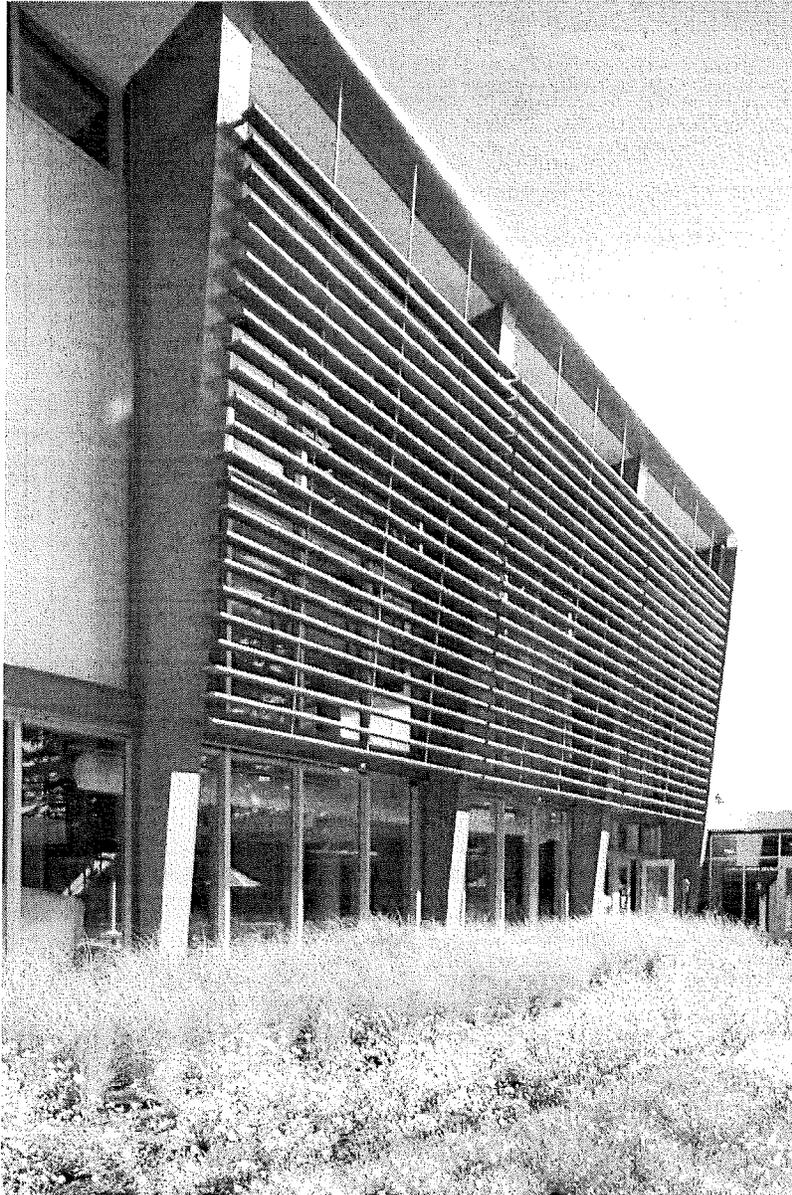
The building focuses views into stands of large existing trees and captures filtered daylight. The dramatic, sloped wood ceiling reading room, stacks, and checkout are open visually to the surrounding children's area, teen area, and meeting rooms. A large community meeting room features a shared but securable entrance for use when the Library is closed. The children's area includes a curving wood parent perch, a family story room and an outdoor courtyard. The building won the 2010 Community Pride Design Award.



DESIGN & CONSTRUCTION TEAM

Opsis Architecture
Arup Engineers, Structural Engineer
Keen Engineering, Mechanical Engineer
Interface Engineering, Electrical Engineer
2020 Engineering, Civil Engineer
JD Walsh & Associates, Landscape Architect

Water Technology, Aquatics Engineer
The Sports Management Group, Programming/Operations
Halliday Associates, Food Facilities
Mark Day & Associates, Technology
Anderson Kriegler, Signage
Berschauer Phillips, Contractor



Photos courtesy of Michael Mathers Photography

Opsis Architecture
920 NW 17th Avenue
Portland, OR 97209
503.525.9511
www.opsisarch.com

Heather Branigin

From: Derek Johnson <dereksjohnson@gmail.com>
Sent: Thursday, February 27, 2014 9:16 PM
To: Edina Mail
Subject: Delay on Fred Richards decision

Dear City Council,

Please vote no to closing Fred Richards on Tuesday March 4th. There is no need to rush the closure of Fred Richards before there is public input, public discussion and a master plan of the golf courses. This process has not been fair or open. Let's begin the discussion on how we can upgrade Braemar and keep Fred Richards golf course open. Thanks and regards.

The Johnson family
Edina, MN

Heather Branigin

From: Greta Mason <gretamason@msn.com>
Sent: Thursday, February 27, 2014 10:51 PM
To: Edina Mail
Subject: Fred Richards Golf Course

Please vote no to closing Fred Richards Golf course on Tuesday March 4th 2014. There is no need to rush the closure of Fred Richards. More public input is needed. The process, up to this point has not been open enough to the public and has been too hasty. Let's begin discussion on how to upgrade Braemar Golf course and keep Fred Richards Golf course open.

Greta & Troy Mason
4508 Andover Road

Heather Branigin

From: Troy Mason <tmason@rainbowtreecare.com>
Sent: Thursday, February 27, 2014 11:14 PM
To: Edina Mail
Subject: Save the Fred

Please vote no to closing Fred Richards Golf course on Tuesday March 4th 2014. There is no need to rush the closure of Fred Richards. More public input is needed. The process, up to this point has not been open enough to the public and has been too hasty. Let's begin discussion on how to upgrade Braemar Golf course and keep Fred Richards Golf course open.

Sent from my iPhone

Heather Branigin

From: Anne Hinrichs <a.hinrichs@msn.com>
Sent: Thursday, February 27, 2014 11:19 PM
To: Edina Mail
Subject: Keep Fred Richards OPEN!

I have played Fred Richards many times as I filled in on my mom's golf league. I feel like it serves a distinct need here in Edina and I am sorry to hear that you are planning on closing it! I feel like this decision is rushed -- have all the options been carefully considered? Have we really done our BEST effort to find ways to increase the traffic at Fred Richards? I would hate to see this course close and certainly wonder what might happen to that land.

Please move more slowly and carefully consider all that is at stake.

Thanks -

Anne Hinrichs
Edina Morningside resident

Heather Branigin

From: Tom Kluis <tomkluis@gmail.com>
Sent: Friday, February 28, 2014 7:08 AM
To: Edina Mail
Subject: Citizen comment on city golf courses

To the Mayor and members of the City Council -

I would like to comment on the discussion on the city-owned golf courses. I agree with the plan to convert Fred Richards into a park area rather than a golf course and begin renovations and improvements at Bremer.

Is it unfair to subsidize Fred Richards in such a huge manner for the benefit of a very small population. A larger and more accessible park is preferred.

Finally, I am not opposed to the city selling the land to private development and using the dollars for other items such as 50th and France parking, other parks, a bike trail, infrastructure improvements, and the like.

Thank you,
Tom Kluis
Lyle Circle, Edina MN

Heather Branigin

From: Laura Hotmail Account <laura196511@hotmail.com>
Sent: Friday, February 28, 2014 7:39 AM
To: Edina Mail
Subject: Additional options for Golf Courses

Dear Council Members,

I wanted to pass along an article in the Star Tribune this week regarding some creative ways other municipal golf courses are utilizing their courses.

<http://www.startribune.com/local/west/247103631.html>

Please don't fast track closing Fred Richards. Please vote to keep Fred Richards open on Tuesday. Lets work together as a community for the best uses of Edina's golf operations.

Thank you
Laura Schleck
c: 612-865-7852

Heather Branigin

From: Jerry Madison <jm@andersonmadison.com>
Sent: Friday, February 28, 2014 8:51 AM
To: Edina Mail
Subject: Fred Richards

My wife and I are longtime Patron Members of Braemar Golf courses and the Minneapolis City Courses. We play on average 80 rounds a season. We play two or three rounds a season at Fred Richards usually at the very end of the season. It is a nice little course but we favor shutting it down if it will strengthen the main Braemar Courses.

Times change and difficult decisions have to be made. We favor closing it sooner rather than later to eliminate the agony.

Jerry and Janet Madison
7710 Computer Avenue
Edina, Minnesota 55435

Heather Branigin

From: Fred Friends <newlawlife1@hotmail.com>
Sent: Wednesday, February 26, 2014 8:18 PM
To: Jon Tevlin; Josephine Marcotty; kdiaz@startribune.com; May Yee Chen; nathan.nelson@startribune.com; Warren Wolfe; Lori Sturdevant; Jill Burcum; Jeremy Olson; Forster, Julie; jcoolman@acnpapers.com; Stephanie Hemphill; Rupa Shenoy; msteil@mpr.org; Elizabeth Baier; Scott Neal; Edina Mail
Subject: Great Story on the Environment - Edina
Attachments: Full Fred EAW petition 140223.pdf

Attached is the makings of a great story

It involves of a citizens petition for discretionary environmental review from a group of citizens from Edina for the Pentagon Park Redevelopment project that seeks to use City owned open space for disposal of stormwater run off from the project.

See the attached petition delivered to the Environmental Quality Board on Monday.

Please call the citizens listed in the petition for any additional information.

February 24, 2014

Via Hand Delivery

Minnesota Environmental Quality Board
c/o Ms. Kate Frantz
520 Lafayette Road North
Saint Paul, MN 55155

RE: Citizens Petition for Environmental Review – City of Edina Land Use Conversion

Dear Ms. Frantz –

Enclosed please find our Citizens Petition for Environmental Review pursuant to Minnesota Rules 4410.1100 including the following for the project listed above:

1. A description of the proposed project;
2. Identification of the project proposer;
3. Identification of a representative for petitioners, including mailing address and telephone number;
4. A brief description of the project's potential environmental effects, including an explanation of how unusual or unique characteristics of the project or its location create a need for an EAW even though no mandatory threshold is exceeded;
5. Material evidence of potential for significant environmental effects because of the project's nature or location; and
6. Signatures of at least 25 individuals, with no restriction on location of residence,

By copy of this letter we have given the project proposer written notice of the filing of the petition. If you have any other questions please contact me using the information on the petition.

Sincerely

Ms. Colleen Wolfe

c. City of Edina, Minnesota
Hillcrest Development

PETITION FOR DISCRETIONARY ENVIRONMENTAL REVIEW

Project: Conversion of the Fred Richards Golf Course in Edina

Project Proposer: Hillcrest Development (“Developer”) and City of Edina (“City”)

Name, address, and telephone number of the representatives of the Petitioners

John Stang – pstang@comcast.net
4525 Sedum Lane, Edina, MN 55435
612-804-7292

Colleen Wolf - colleenwolfe5@comcast.net
4408 Gilford Drive, Edina, MN
952-250-6669

Description of the Proposed Project:

The City of Edina Project includes the closure, land use conversion and joint repurposing of Fred Richards Golf Course including inclusion of the former golf course in the redevelopment of the Pentagon Park office complex along 77th Street in the City of Edina. (See property location on included materials¹) and closure, land use conversion and repurposing of Fred Richards Golf Course. The total site area is, on information and belief, approximately 81 acres in size based on site renderings published by the developer and information from the City’s website about the golf course; and would likely redevelop the entire combined site over the next 2-15 years in the future. Proposed uses include office, retail, residential, and a hotel and conversion of the City owned golf course into a stormwater drainage area for the development. The Developer is asking the City for a PUD type of Development and inclusion of the golf course for its plans. Which would allow greater flexibility of land uses, amenities, setbacks, pedestrian connection, and closing the Fred Richards Golf to redevelop this City open space into a stormwater drainage and retention system for the development and discussed in the attached material².

¹ See [Exhibit A](#),

² See [Exhibit C](#), [Exhibit D](#) and [Exhibit E](#)

Clearly the City's project for the Fred Richards Golf Course and the redevelopment of the Pentagon Park Office Complex are Connected and Cumulative as defined in Minnesota Rules Part 4410.1000, subpart 4 and part 4410.2000, subpart 4. These rules specify that an EAW or Supplemental EIS must precede approval of each stage or component of connected projects.

The City is attempting to divide these two projects merely to divide up a large system into exempted segments which is not allowed under the rules (parts 4410.1000 and 4410.2000, subparts 4). The Fred Richards portion of the connected project cannot be approved or started until the review is completed.

Brief Description of Potential environmental effects:

The petitioners request an EAW to fully assess the potential for cumulative and sequential significant environmental effects of with the combined City's use intensification and incorporated conversion of the Fred Richards Golf Course into a stormwater drainage and containment system for the development and surrounding area. The project resulting with the physical changes to the adjoin sites contemplated by the City and Developer start with the closure of the golf course and physical manipulation to change the drainage, grades, and entire appearance and conditions at the site to allow for an area wide redistribution, change or collection and installation of new stormwater control measures, enhanced human interaction and finally environmental damages and changes. The potential impacts include:

1. **Stormwater.** Clearly the intentional and unintentional changes in stormwater run-off and drainage to the large surrounding the Development and Golf Course given the change in topography and drainage can result in many negative impacts. The project is directly in the middle of and connected hydraulically to 9-Mile Creek and impacts may occur far from the project site. The intensification of use, reconfiguration and physical manipulation of the Fred Richards site golf course anticipates a large increase in the water deposited on the Project site as a result of the City's decision to integrate it into the overall plan for the area.³

9-mile Creek watershed already has a TMDL established by the MPCA for Chloride and the City has failed to address the harm and likely degradation of this important water body based on increased stormwater run-off from the use of the Project

³ See pages identified as A4, A11 and the staff report as part of Exhibit B which show a flooding of the Fred Richards property and incorporation of a large portion of the property for stormwater runoff from the Pentagon Park Development. See also, pages 7 – 15 of Exhibit F which shows the planned connection between the two parcels, intensified "Connection" and "Integrated Stormwater" features on the east side or right hand side of the page.

property for stormwater from the adjoining redevelopment project and potential violation of the TMDL⁴

2. **Flooding Related Concerns.** Petitioners are concerned that the project as proposed will negatively affect the already high water table with issues labeled as Other Flood Areas on the FEMA flood maps published by the City⁵, pushing water to nearby residential areas in an area with a high water table and history of flooding. Petitioners are also concerned that the previously low areas of the project land will be graded to a height higher than current conditions thereby affecting nearby residential areas. The City has failed to address or consider these externalities associated with its development. The petitioners are concerned about the potential increase in mosquitoes in the summer associated with this flooding.
3. **Wildlife Impacts.** Because the project the City is contemplating is in the middle of the nine mile creek watershed district, and because much of the project involves reducing dry land in the same, Petitioners are concerned about the impact on species which migrate through the area. Including the identification of threatened or endangered species including⁶:
 - a. Two Blanding's Turtles (*Emydoidea blanding*)
 - b. One Peregrine Falcon (*Falco peregrines*)
 - c. One Common Moorhen (*Gallinula chloropus*)
 - d. One Forester's Tern (*Sterna forsteri*)

Petitioners do not believe that the RGU has taken this matter into consideration. A site survey of these resources should be conducted.

4. **Soil contamination, hazardous waste and storage tanks.** There is no indication that a plan dealing with the disturbance of polluted soil has been submitted. It is not known how ground water will be impacted when polluted soil is disturbed. The City should be required to identify any toxic or hazardous materials to be used or present at the site and must identify measures to be used to prevent them from contaminating groundwater. There is an extensive history of leaking underground storage tanks used for gasoline, heating fuel oil and waste oil in the Project area A

4 See Exhibit J

5 See Exhibit G The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has prepared Preliminary Flood Insurance Rate Map (FIRM) plate 27053C0452 published on Edina City Website <http://edinamn.gov/index.php?section=community-development>.

⁶ See Exhibit H

search of the Minnesota Pollution Control Agency (MPCA) website accessing “What’s in My Neighborhood” data indicated the following sites are identified within or near the project boundary:

- a. • 1 former CERCLIS/Superfund site
- b. • 1 abandoned unpermitted dump located west of Tracy Avenue
- c. • 5 leaking underground storage tank sites (some with more than one release event)
- d. • 2 air permitted sites
- e. • 28 hazardous waste generators (small to minimal quantity)
- f. • 21 tank sites⁷

The number, location and size of underground storage tanks have not been provided. Petitioners are also concerned about the proximity and lack of information on the limits of the former France Avenue Dump for the City of Bloomington just to the east and up-gradient of the City’s project. Depending on the rain during the time of excavation, Petitioners want to see a plan for the disposal of potentially contaminated rainwater that accumulates on the construction and storage tank sites. There is no plan of which Petitioners are aware that deals with storage, disposal or reuse of polluted soil. Petitioners request an emergency response containment plan be made publicly available.

5. **Additional Impacts.** Additional impacts from the Project include:

- a. Wastewater treatment or septic system issues.
- b. Noise
- c. Odors
- d. Visual and Aesthetic Impacts

The Proposed Project falls into a Mandatory Category for Environmental Review

⁷ See Exhibit I

While not part of this application, the petitioners request that the EQB consider the absence of compliance by the City by way of its ignoring the requirements of Minnesota Rules 4410.4300. An EAW must be prepared for projects that meet or exceed threshold of any of the criteria listed in Subparts 2 through 37 of the rule. If the project is an “expansion” of an existing project, like here where the City of Edina is seeking to combine the Fred Richards golf course with the Pentagon Park development, the cumulative total of the proposed project must be taken into account (e.g. the total 81 acres).

Subpart 36 of Minnesota Rule 4410.4300 specifically lists “Land use conversion, including golf courses as one the threshold categories that requires a mandatory environmental review.

Previously, the Gateway Alternative Urban Area wide review was completed 2007, but ONLY for the Pentagon Park Redevelopment Project. That study did not include the incorporation or intensified use of the Fred Richards golf course and did not address cumulative or sequenced environmental impacts associated with the project.⁸ Additionally, that AUAR is outdated as it is required to be updated every 5 years.⁹

Supporting Evidence:

Without an on-site investigation and analysis, the applicant's relied upon information supplied by the City of Edina and the Developer. This information includes:

1. Project Aerial Photo – Exhibit A
2. Staff Report to Edina Planning Commission dated December 11, 2013 – Exhibit B
3. Minutes of the City of Edina for Work Session for Pentagon Park dated April 16, 2013 and minutes – Exhibit C
4. December 6, 2013 Minneapolis/St. Paul Business Journal – Exhibit D
5. January 17, 2014 Edina Sun Current – Exhibit E
6. Open House Presentation from Hillcrest Development September 2013 – Exhibit F
7. FEMA Flood Insurance Map from City of Edina Website February 2014 – Exhibit G
8. Three Rivers Park District Presentation on Regional Trail Edina Section September 17, 2013 – Exhibit H
9. Minnesota Pollution Control Agency Printout of Whats in My Neighborhood from MPCA Website February 2014 – Exhibit I
10. US Environmental Protection Agency Total Maximum Daily Load requirements for Chloride for 9 Mile Watershed district – Exhibit J.
11. Information from www.savethefred.org

⁸ See [Exhibit B](#)

⁹ See [Exhibit C](#)

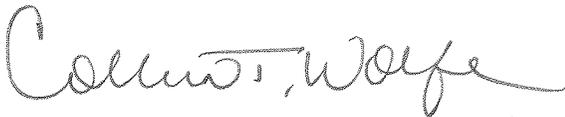
12. Information from www.edinamn.gov

Conclusion: The applicant is petitioning the Environmental Quality Board to order the preparation of a discretionary Environmental Assessment Worksheet (EAW) so that the full impact of this significant change and physical manipulation of both the project site and City's significant land use conversion in the open space of the Golf Course to a combined, integrated and part of the commercial Pentagon Park development can be thoroughly reviewed for its Cumulative Environmental Affects. This major land use conversion in the use of the City land will significantly degrade the quality of management of stormwater, air quality, traffic and noise, along with other significant factors. In addition the increase in traffic will endanger local auto and pedestrian traffic. Given the City of Edina's involvement in the project the Petitions urge the EQB to consider appointing the 9-Mile Creek Watershed District as the RGU for this review.

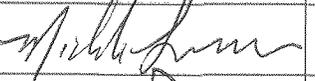
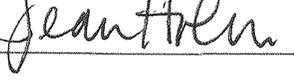
Furthermore, this Project by the City of Edina more than meets the threshold for mandatory environmental review as required by Minnesota Rules 4410.4300, Subpart 36 given the land use conversions being proposed by the City.

The formal initiation of the EAW process will lead to the establishment of consistent regulatory guidelines that will ensure that future generations will benefit the community as a whole and the developer and future developers and residents of the City.

Respectfully Submitted,



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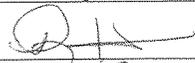
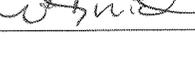
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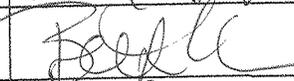
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14	TROY BAUER	5304 Halifax Ave S	Troy Bauer	TROYBAUER@gmail.com
15	DAVE STRAND	6236 CRESCENT DR.	Dave Strand	DAVESTRAND@COMCAST.NET

All Edina MN

	Print Name	Address	Signature	Email
1	Tim Nussy	7408 West Shore Drive		TIMNASSY@GMAIL.COM
2	JOHN KARPINSKY	5012 KAC Terrace		joak@ADVANCEdecor.com
3	Tony Snow	6716 Hillside Ln		TonySnow@Comcast.com
4	DAVID BREITER	6024 SCHAEFER RD		DBREITER@COMCAST.NET
5	Jean F Nelson	276 Riverwoods Rd		whorl@Comcast.net
6	Bob Nelson	" " "		" " "
7	Kelly Linton	4716 W. 60th St		sklinton@earthlink.net
8	Nancy Snow	6716 Hillside Lane		nancysnow@comcast.net
9	Tracey Filies	5200 W. 61st Street		filiesfamily@gmail.com
10	Beth Klemmensen	5109 Indiana Edina		beth.klemmensen@gmail.com
11	Laura Gierken	5025 Yvonne Terr		Lauragierken@gmail.com
12		6905 St. Patrick		
13	Scott Brewer	4508 Woodlark Ave		ScottB@SFMC.COM
14	Kerri Hiniker	9309 Minnehaha Blvd		
15	Sam MacDonald	2601 Humboldt Ave S, #10		Sam@esp.com

All Edna MN

	Print Name	Address	Signature	Email
1	Bob Murray	5241 Woodcrest Dr / ^{Edina} 55124	Bob Murray	murray@nsi.com
2	Judy Tucker	6414 Hill-A-Way Ct	Judy Tucker	JKTucker@a9.com
3	Bob M. Gerry	6304 St Johns Ave ^{Edina}	Bob M. Gerry	rmgerry@isgm.com
4	Jeanne M. Gerry	6304 St Johns Ave ^{Edina} MN	Jeanne M. Gerry	jmgerry@comcast.net
5	M. P. D.	4613 Edna Blvd	M. P. D.	dpbaker2@aol.com
6	Mary Gustafson	4509 Blue Av	Mary Gustafson	glicksternfive@gmail.com
7	Jolene Tucker	7209 Gleason	Jolene Tucker	jolene.tucker@comcast.net
8	Andy Tucker	7209 Gleason Rd	Andy Tucker	andytucker@comcast.net
9	Mike Sonner	6212 St. Johns Ave	Mike Sonner	MTSONNER@HOTMAIL.COM
10	Steve Schatz	6241 Knoll Dr	Steve Schatz	SSCHSATZ@HOTMAIL.COM
11	Terry Schatz	" "	Terry Schatz	t.schatz@comcast.net
12	Tom Oden	6416 Timber Ridge	Tom Oden	toden@jansworth.com
13	Lesh Rauch	6805 Chelmer Tr	Lesh Rauch	LeshRauch@aol.com
14	Catherine Shull	7712 Glasgow Dr	C Shull	catshull@comcast.net
15	MICHELLE KLEIN	6840 OAKLAWN AVE.	Michelle Klein	BEKLEIN@COMCAST.NET

All Edina MN

	Print Name	Address	Signature	Email
1	Scott Nelson	6628-Limerick Dr.		_____
2	Herm Finnegan	4421 Dunberry Ln		_____
3	Troy Johnson	7411 Hyde Park Dr.		_____
4	Maureen Brener	4508 Waddell Ave		_____
5	Shannon Rusk	4521 Wooddale Ave		shannon@oppidan.com
6	MARIL PIERCE	7109 FUELWELL DR		_____
7	Meggan Bowly	4675 Drexel Ave		mbowly@comcast.net
8	Taylor Eide	5817 WOOD DR		taylor.eide@gmail.com
9	Alex Eide	5817 WOOD DR		a.eide@gustows.edu
10	Jake Eide	5817 WOOD DR		Jake jake@amlink.com
11	Emily Eide	5817 WOOD DR		emily.eide10@gmail.com
12	Lynda Sonnet	6513 St John Ave		sonnet@parknicollet.com
13	Debra	4509 BANE AVE		Debra@Little.com
14	Rusk	4521 WOODALE AV		JAMESRUSK@comcast.net
15	Annabern	6712 WEST TRAIL		_____

All Edine MA

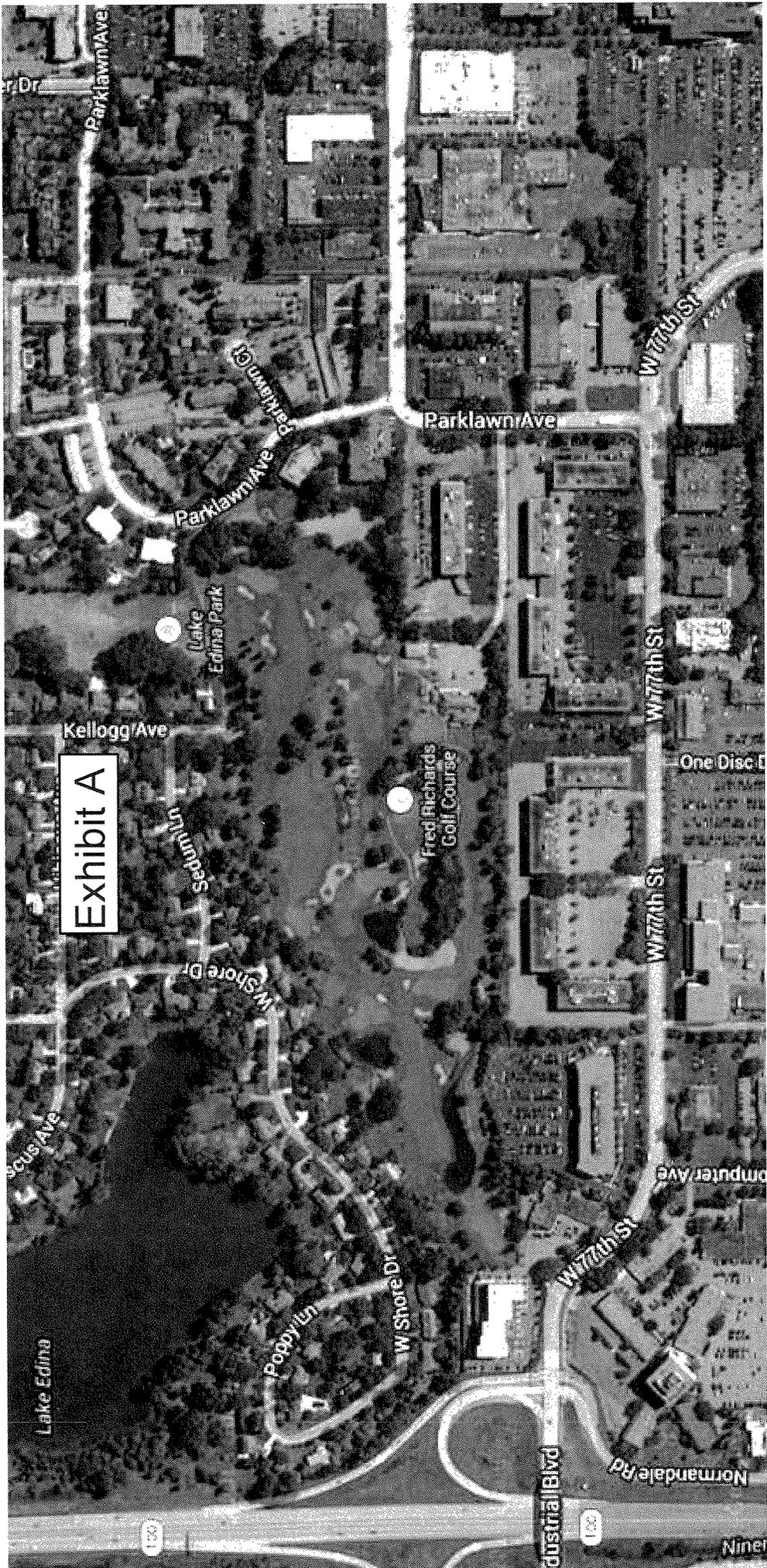


Exhibit A

City Hall • Phone 952-927-8861
Fax 952-826-0389 • www.CityofEdina.com

Exhibit B

Date: December 11, 2013
To: Planning Commission
From: Cary Teague, Community Development Director
Re: Sketch Plan Review – Pentagon Park

The Planning Commission is asked to consider a sketch plan proposal to redevelop Pentagon Park along 77th Street. (See property location on page A1.) The total site area is 43 acres in size; and would likely redevelop over the next 2-15 years in the future. Proposed uses include office, retail and a hotel. No housing is anticipated at this time, however, that use is currently allowed on the property, and should remain as a potential future land use. (See sketch plans including two development options on pages A3-A12.) The site is currently zoned MDD-6, Mixed Development District. (See existing overall development plan for Pentagon Park on page A2.) Anticipated land uses for the site all meet the current zoning regulations.

Following the sketch plan review by the Planning Commission and City Council, the applicant will follow up with a request to rezone the site to PUD, Planned Unit Development, to allow greater flexibility of land uses, amenities, setbacks, pedestrian connection, and depending on the future use of Fred Richards Golf Course, potential greater connection and integration in this public space. The goal after sketch plan is to obtain a Preliminary Rezoning to PUD of the entire site, along with approval of an overall master development plan.

Final Rezoning would then be sought, along with the first phase of development, which would likely be the property on the south side of 77th Street adjacent to Highway 100.

A compliance table is provided on the following page to demonstrate how the proposed plans would comply with the current zoning of MDD-6, Mixed Development District.



Compliance Table

	City Standard (MDD-6)	Proposed - PUD
Setbacks - Buildings		
Front Setback	35 feet + ½ foot for each foot the building height exceeds minimum setback	*50 feet (77th Street - 12 story buildings) *35 feet (Viking Drive - 12 story buildings)
Rear	35 feet + ½ foot for each foot the building height exceeds minimum setback	50 feet
Side	35 feet + ½ foot for each foot the building height exceeds minimum setback	50 feet
Setbacks - Parking Structures		
Front/street	20 feet or the height of the structure	50 feet
Building Height	4 stories north of 77 th Street 12 stories south of 77 th Street	*5 stories 12 stories (Heights over 12 stories would require a Comprehensive Plan amendment)
Parking lot and drive aisle setback	20 feet (street)	20 feet
Building Coverage	30%	30%
Maximum Floor Area Ratio (FAR)	50% - Non-residential Uses 50% - Residential Uses 1,881,134 square foot site	*1,777,560 s.f. total proposed non-residential (includes, Burgundy Place, Walsh Title & a 250,000 s.f. hotel)
Parking Stalls – Mixed Development District	Non Residential: 1,777,560 s.f./300 = 5,425 stalls required	Parking detail has not been calculated at this time
Minimum Lot Size	43 acres	43 acres

*** Would require a variance under the current code**

The most significant change proposed is replacing the residential square footage with non-residential square footage. Within the context of the Alternative Urban Areawide Review (AUAR), the proposal would shift from Scenario 2, to closer to Scenario 3. (See pages A15 & A35, of the attached AUAR.) Please note on page A35, the square footage proposed, does not exceed the maximum square footage contemplated in the AUAR.



While, the densities contemplated here are still within the parameters of the AUAR, traffic would have to be studied to verify if any, and at what point would roadway improvements would be necessary per the AUAR.

PUD GOALS

Below are the Code requirements and considerations for PUD. The applicant has pledged to include many of the goals and standards for a PUD. Those include: Sustainable design, living streets concept, improved pedestrian connections, pedestrian oriented design, and lighting, landscaping and creative Stormwater management.

D. Procedure for Rezoning to a Planned Unit Development (PUD) District.

1. Purpose and Intent. The purpose of the PUD District is to provide comprehensive procedures and standards intended to allow more creativity and flexibility in site plan design than would be possible under a conventional zoning district. The decision to zone property to PUD is a public policy decision for the City Council to make in its legislative capacity. The purpose and intent of a PUD is to include most or all of the following:
 - a. provide for the establishment of PUD (planned unit development) zoning districts in appropriate settings and situations to create or maintain a development pattern that is consistent with the City's Comprehensive Plan;
 - b. 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 may 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 or transition to residential neighborhoods, parks or other sensitive uses;
 - d. ensure high quality of design and design compatible with surrounding land uses, including both existing and planned;



- e. maintain or improve the efficiency of public streets and utilities;
- f. preserve and enhance site characteristics including natural features, wetland protection, trees, open space, scenic views, and screening;
- g. allow for mixing of land uses within a development;
- h. encourage a variety of housing types including affordable housing; and
- i. ensure the establishment of appropriate transitions between differing land uses.

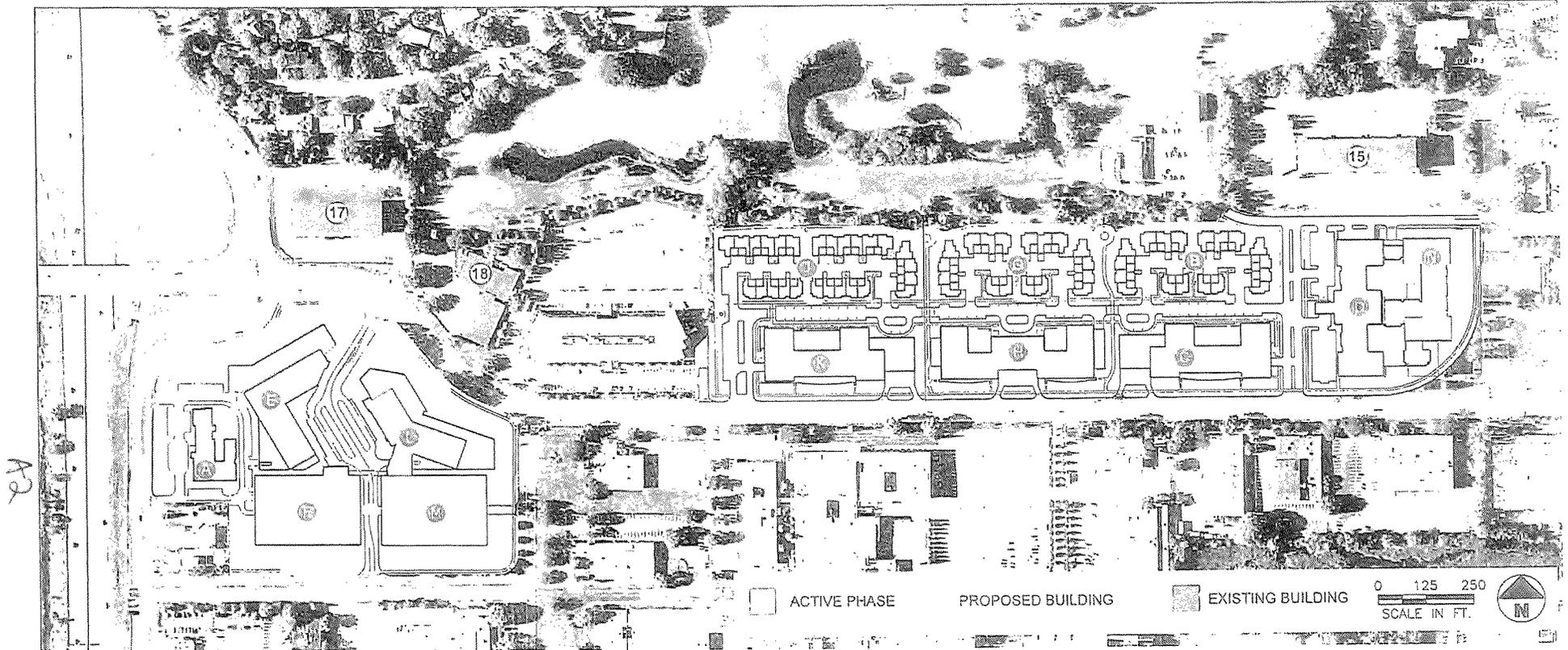
2. Applicability/Criteria

- a. Uses. All permitted uses, permitted accessory uses, conditional uses, and uses allowed by administrative permit contained in the various zoning districts defined in Section 850 of this Title shall be treated as potentially allowable uses within a PUD district, provided they would be allowable on the site under the Comprehensive Plan. Property currently zoned R-1, R-2 and PRD-1 shall not be eligible for a PUD.
- b. Eligibility Standards. To be eligible for a PUD district, all development should be in compliance with the following:
 - i. where the site of a proposed PUD is designated for more than one (1) land use in the Comprehensive Plan, **the City may require that the PUD include all the land uses so designated or such combination of the designated uses as the City Council shall deem appropriate to achieve the purposes of this ordinance and the Comprehensive Plan;**
 - ii. any PUD which involves a single land use type or housing type may be permitted provided that it is otherwise consistent with the objectives of this ordinance and the Comprehensive Plan;
 - iii. permitted densities may be specifically stated in the appropriate planned development designation and shall be in general conformance with the Comprehensive Plan; and
 - iv. the setback regulation, building coverage and floor area ratio of the most closely related conventional zoning district shall be considered presumptively appropriate, but may be departed from to accomplish the purpose and intent described in #1 above.

As highlighted above in **bold**, the City may require housing to be incorporated into the



development to achieve the purpose of the MDD-6 zoning and the Comprehensive Plan which calls for housing within the development. The applicant has indicated that housing may be a possibility in future, but does not anticipate it in the short term.



A2

OVERALL DEVELOPMENT PLAN (EXISTING)

EXISTING BUILDINGS

- ⑮ 7600 PARKLAWN
85,632 gsf
- ⑰ BURGUNDY PLACE
36 UNITS (MIXED USE)
16,560 gsf
- ⑱ WALSH TITLE
21,000 gsf (OFFICE)

PROPOSED BUILDINGS

- Ⓐ A- LOFT HOTEL
80,000 gsf
150 ROOMS
- Ⓒ TOWNHOME 1
18 UNITS
- Ⓓ INDEPENDENT LIVING 1
122 UNITS
- Ⓔ ASSISTED LIVING 1
103 UNITS
- Ⓕ WEST BUILDING (4-10 STORIES)
377,375 gsf (OFFICE)
- Ⓗ WEST PARKING
6 LEVELS
1,200 STALLS
- Ⓖ TOWNHOME 2
18 UNITS
- Ⓖ INDEPENDENT LIVING 2
122 UNITS
- Ⓙ TOWNHOME 3
26 UNITS
- Ⓚ INDEPENDENT LIVING 3
122 UNITS
- Ⓛ EAST BUILDING (4-11 STORIES)
350,000 gsf
- Ⓜ EAST PARKING
6 LEVELS
1,200 STALLS
- Ⓝ ASSISTED LIVING 2
103 UNITS

milller dunwiddie
ARCHITECTURE



Kimley-Horn
and Associates, Inc.



Wayzata Properties, LLC.

PROJECT:

EDINA GATEWAY
Pentagon Park Redevelopment
Re-Zoning and Overall Plan

CONVL. NO.:

ICAM0612

DATE:

31 JANUARY 2008

DRAWN:

69

CHECKED:

DRAWING TITLE:

PROPOSED SITE PLAN
EDINA GATEWAY - COMPLETE PROJECT
(2017)

DRAWING NUMBER:

S-2.P

123 North Third Street Suite 104
Minneapolis MN 55401-1657
www.millerdunwiddie.com

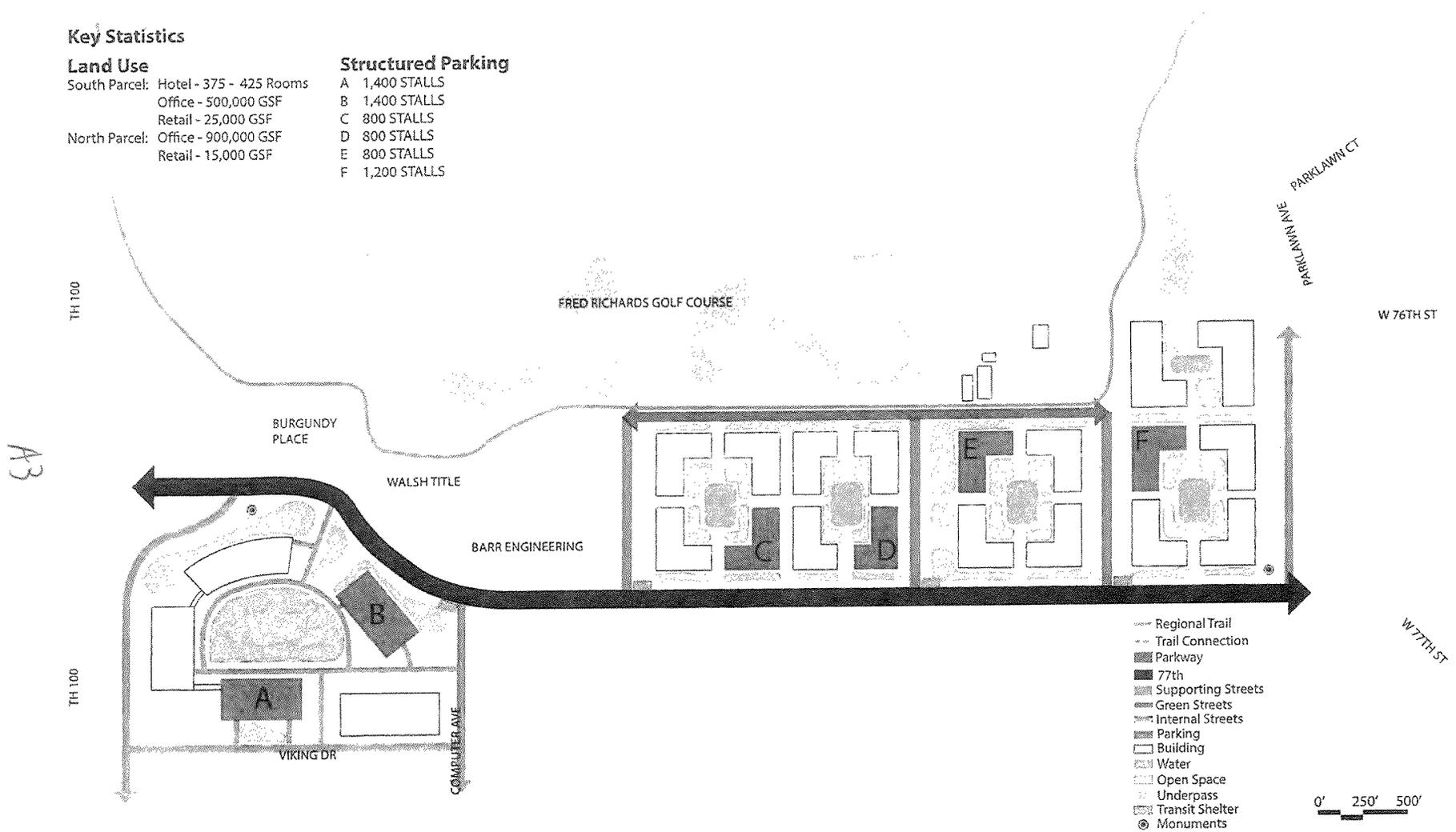
Key Statistics

Land Use

South Parcel: Hotel - 375 - 425 Rooms
 Office - 500,000 GSF
 Retail - 25,000 GSF
 North Parcel: Office - 900,000 GSF
 Retail - 15,000 GSF

Structured Parking

A 1,400 STALLS
 B 1,400 STALLS
 C 800 STALLS
 D 800 STALLS
 E 800 STALLS
 F 1,200 STALLS



DAMON **FARBER** ASSOCIATES
 BOB CLOSE STUDIO, LLC

PRELIMINARY PLANNING COMMISSION
 TIF DIAGRAM OPTION 1
 EDINA, MN - NOVEMBER 6, 2013

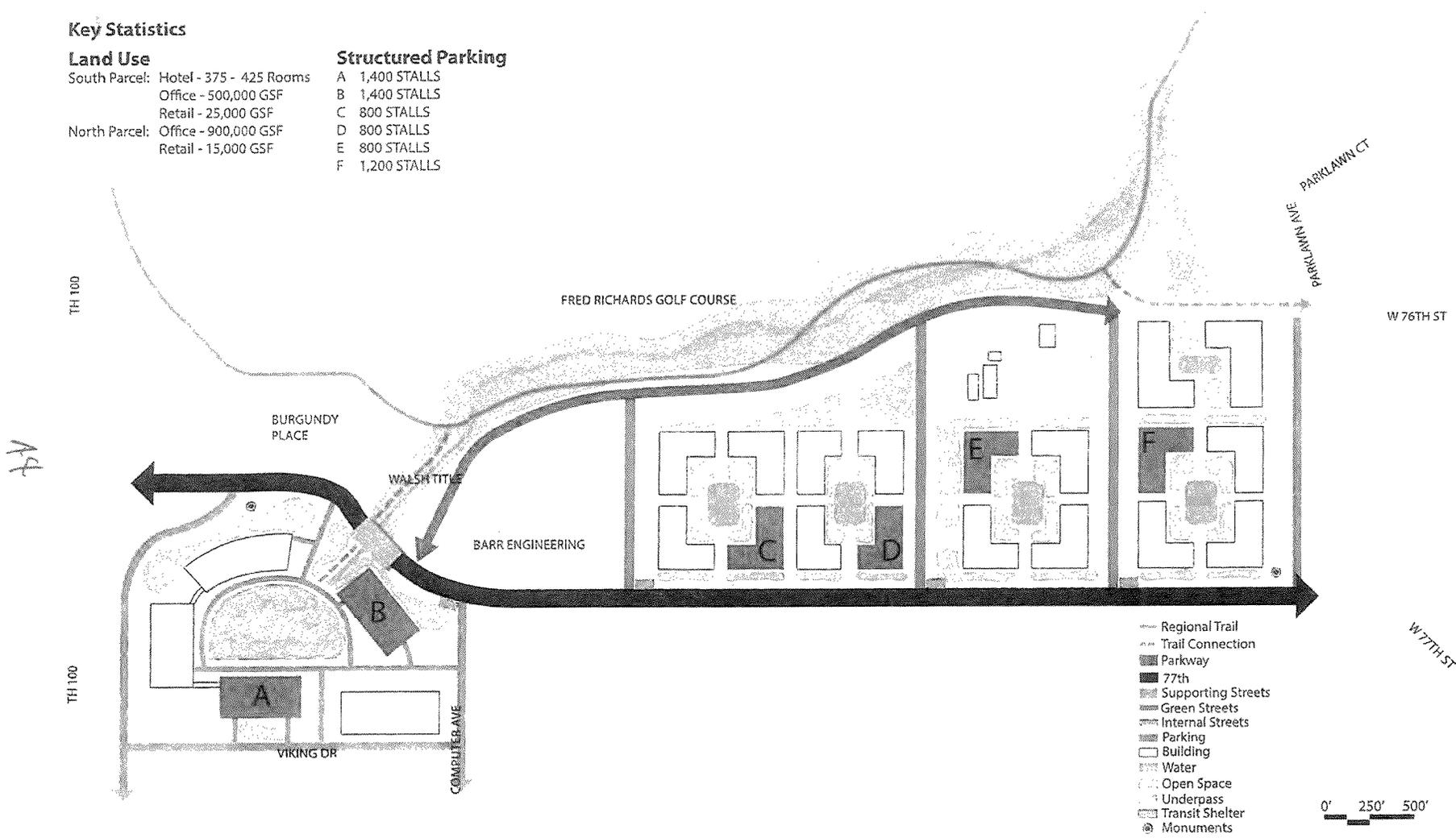
Key Statistics

Land Use

South Parcel: Hotel - 375 - 425 Rooms
 Office - 500,000 GSF
 Retail - 25,000 GSF
 North Parcel: Office - 900,000 GSF
 Retail - 15,000 GSF

Structured Parking

A 1,400 STALLS
 B 1,400 STALLS
 C 800 STALLS
 D 800 STALLS
 E 800 STALLS
 F 1,200 STALLS



DAMON **FARBER** ASSOCIATES
 BOB CLOSE STUDIO, LLC

PRELIMINARY PLANNING COMMISSION
 TIF DIAGRAM OPTION 2
 EDINA, MN - NOVEMBER 6, 2013

Key Statistics

Land Use

South Parcel: Hotel - 375 - 425 Rooms
 Office - 500,000 GSF
 Retail - 25,000 GSF
 North Parcel: Office - 900,000 GSF
 Retail - 15,000 GSF
 Retail/Medical/Office - 20,000 GSF

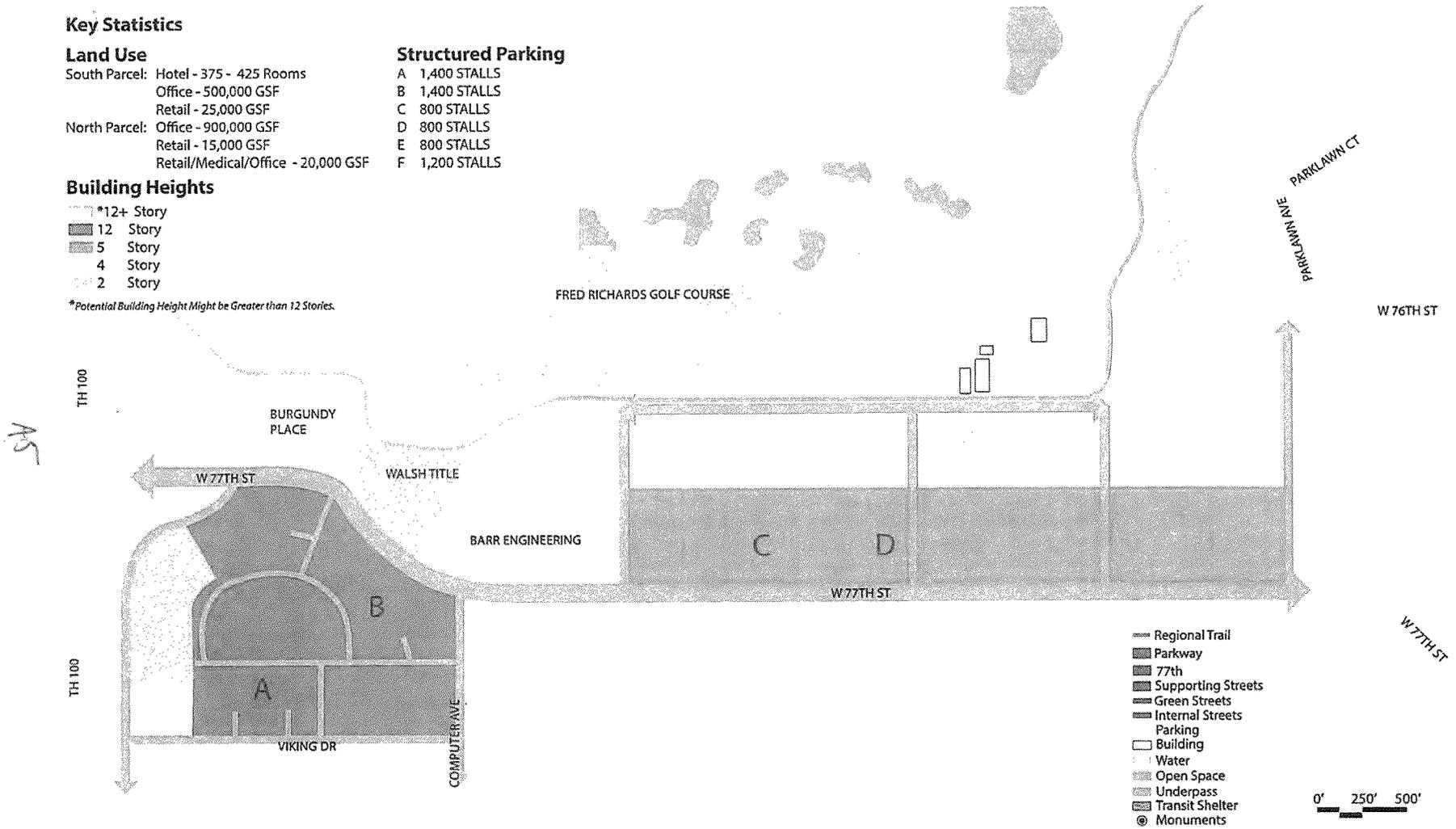
Structured Parking

A 1,400 STALLS
 B 1,400 STALLS
 C 800 STALLS
 D 800 STALLS
 E 800 STALLS
 F 1,200 STALLS

Building Heights

- *12+ Story
- 12 Story
- 5 Story
- 4 Story
- 2 Story

*Potential Building Height Might be Greater than 12 Stories.

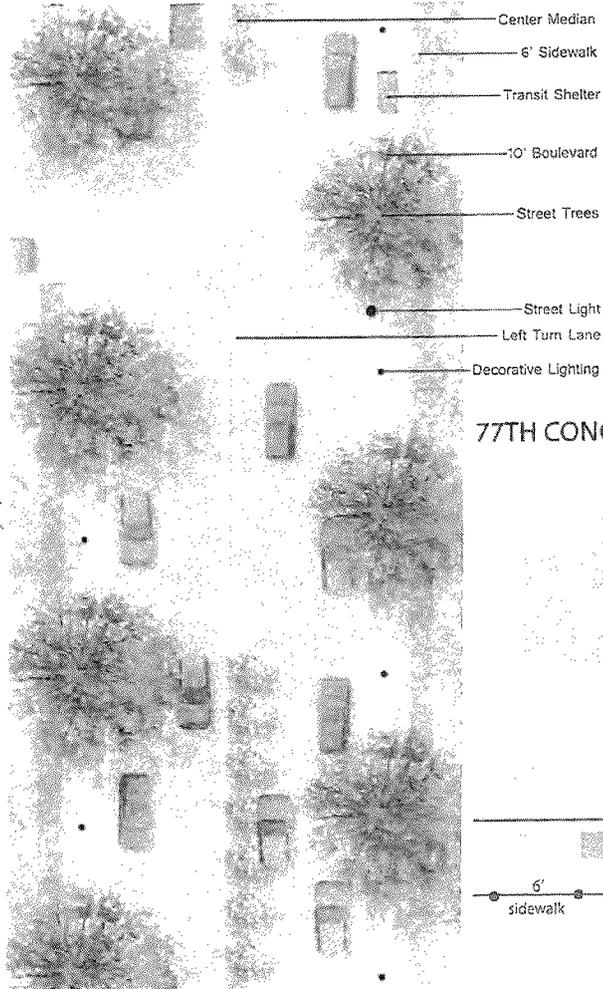


DAMON **FARBER** ASSOCIATES
 BOB CLOSE STUDIO, LLC

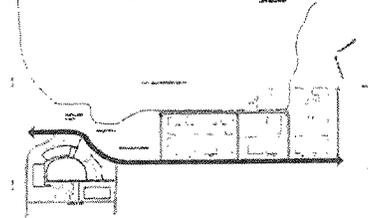
BUILDING HEIGHTS
 EDINA, MN - DECEMBER 6, 2013

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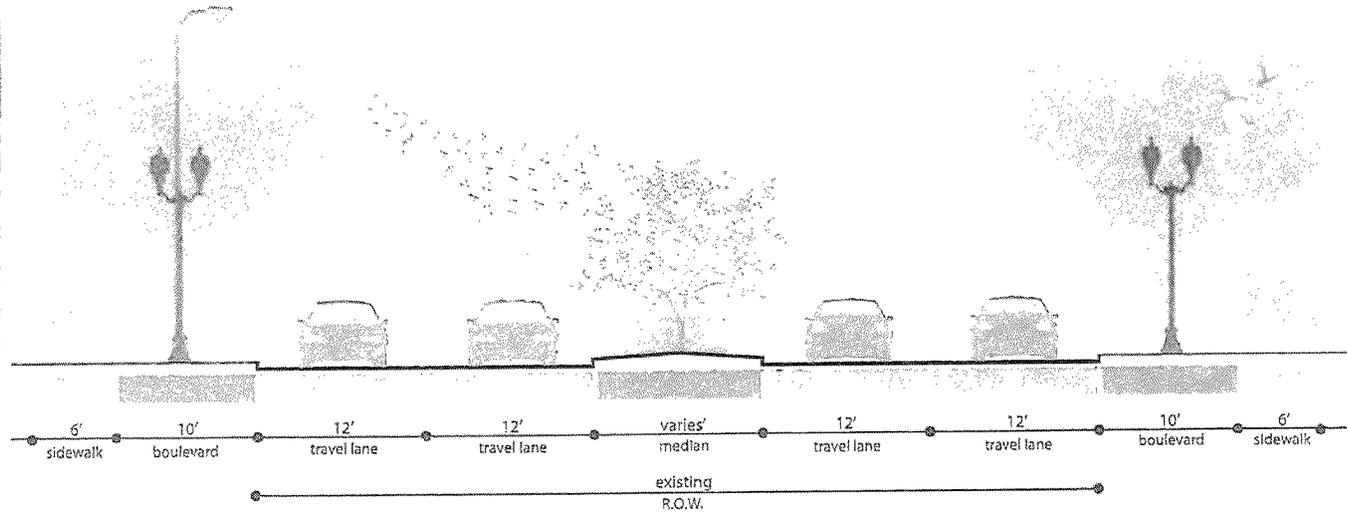
77TH CONCEPT PLAN



- Center Median
- 6' Sidewalk
- Transit Shelter
- 10' Boulevard
- Street Trees
- Street Light
- Left Turn Lane
- Decorative Lighting



77TH CONCEPT SECTION

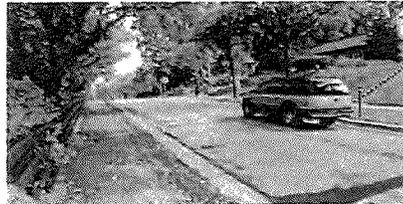
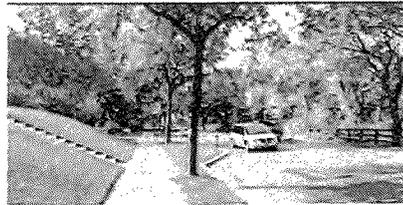
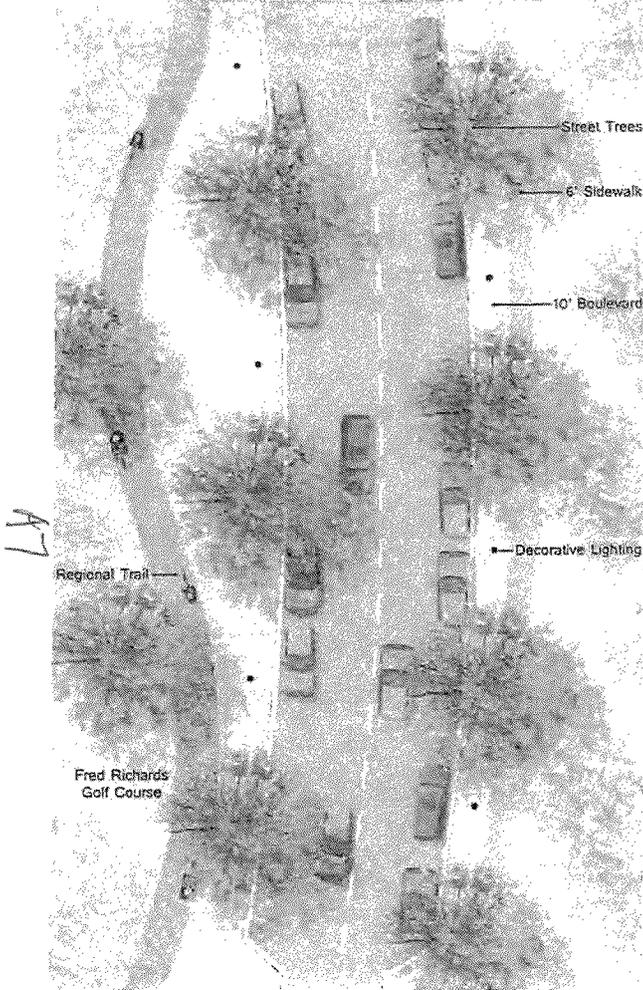


KEY ELEMENTS

- Center median with small accent trees
- Left turn lanes
- Boulevard/sidewalks
- Decorative lighting
- Shade trees
- Transit shelters
- Street lights
- Pedestrian lights

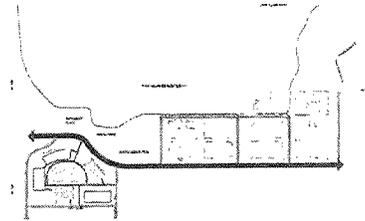
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PARKWAY CONCEPT PLAN

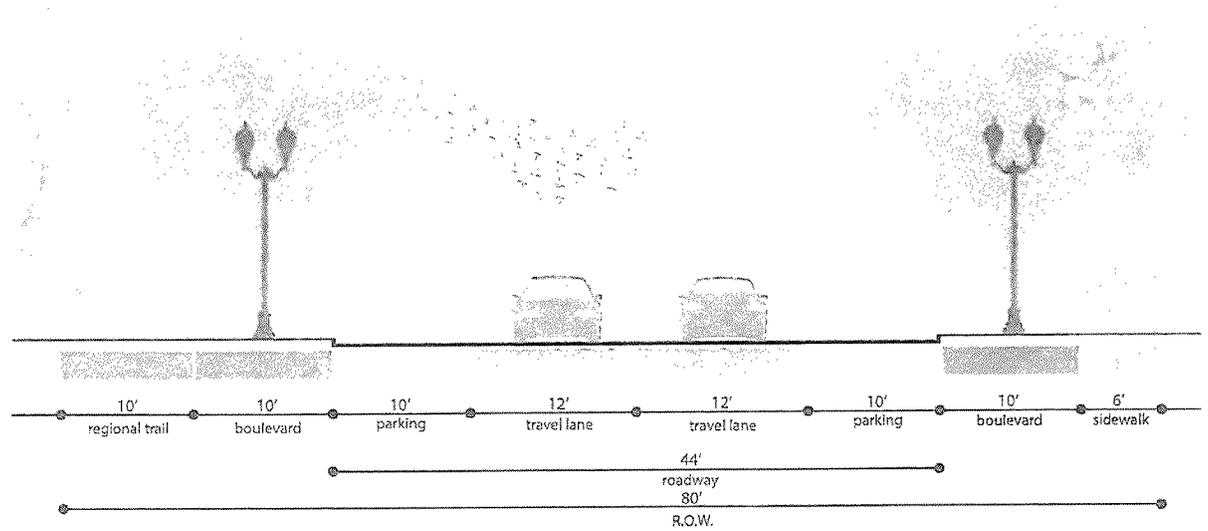


KEY ELEMENTS

- Decorative lighting
- Street trees
- 6' sidewalk with 10' boulevard
- One lane of traffic in each direction
- Parking bays for parking



PARKWAY CONCEPT SECTION



DAMON **FARBER** ASSOCIATES
BOB CLOSE STUDIO, LLC

ROADWAY TYPES

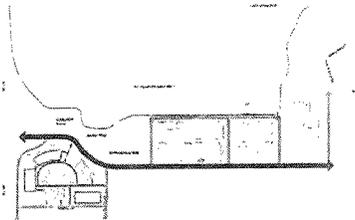
EDINA, MN - NOVEMBER 6, 2013

SUPPORTING STREET CONCEPT PLAN

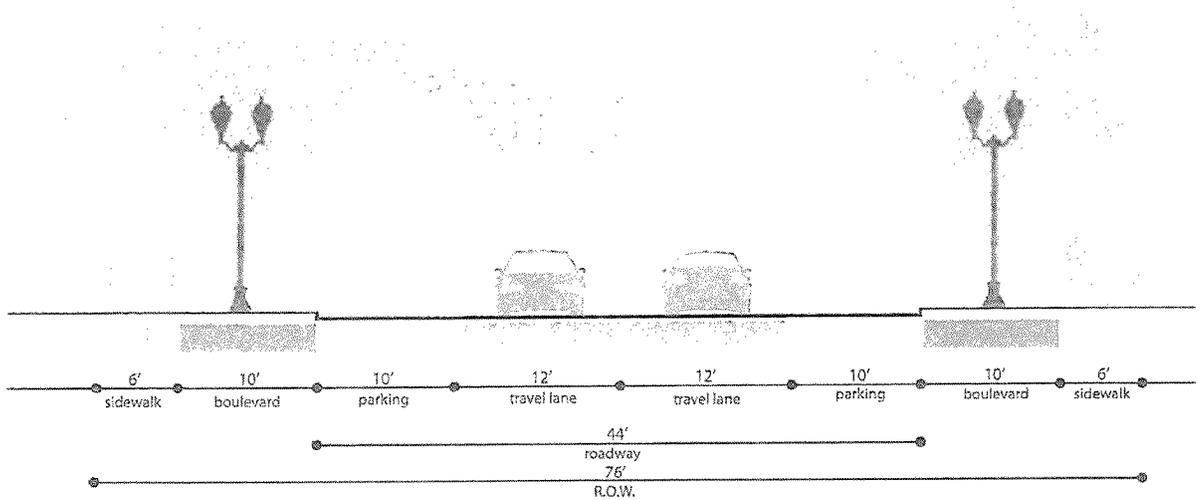


KEY ELEMENTS

- Parallel parking
- 10' boulevards/6' sidewalks
- Decorative lighting
- Street trees



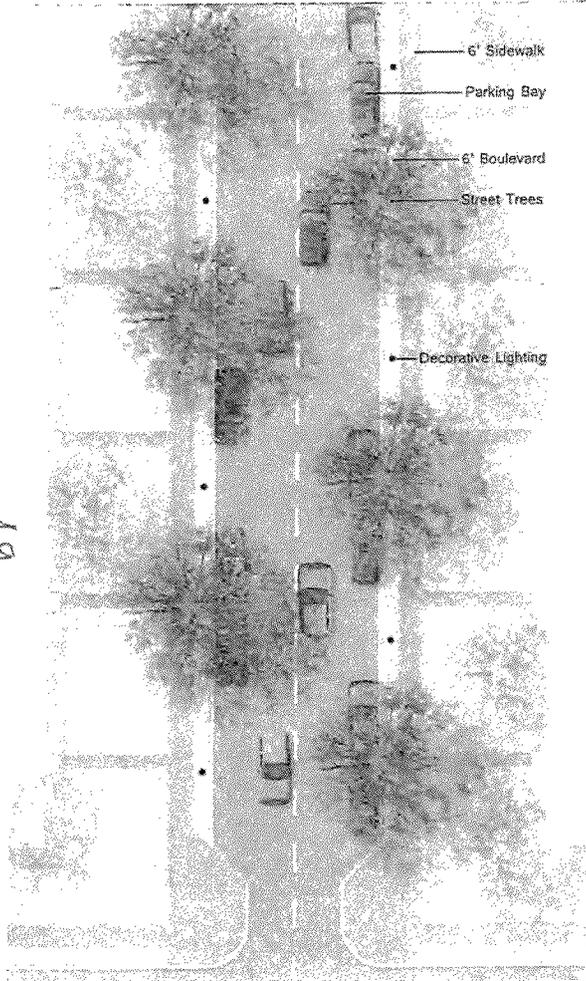
SUPPORTING STREET CONCEPT SECTION



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BOB CLOSE STUDIO, LLC

ROADWAY TYPES
EDINA, MN - NOVEMBER 6, 2013

GREEN STREET CONCEPT PLAN

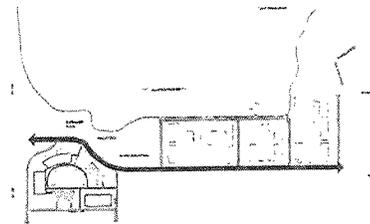


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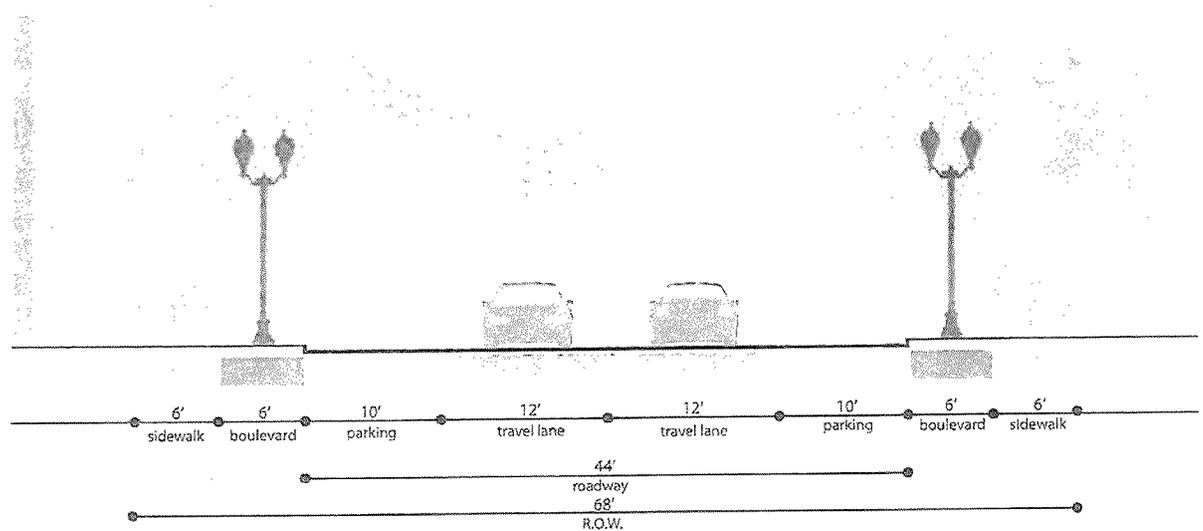


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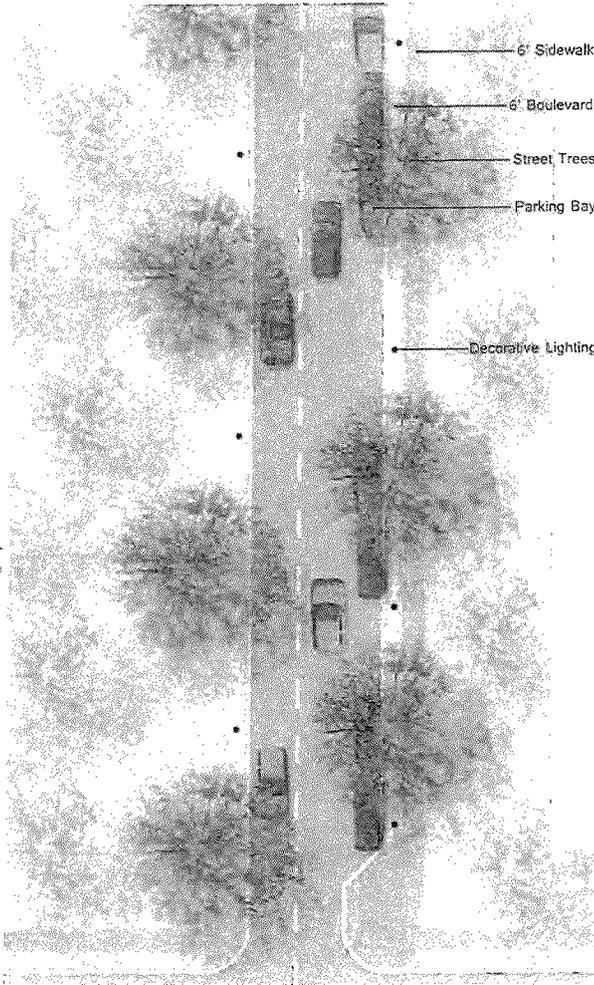
- Parallel parking
- 6' boulevards/6' sidewalks
- Decorative lighting
- Street trees



GREEN STREET CONCEPT SECTION

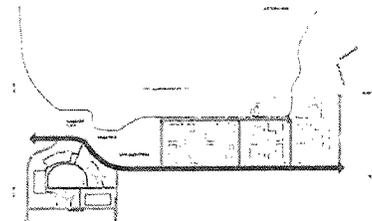


INTERNAL STREET CONCEPT PLAN

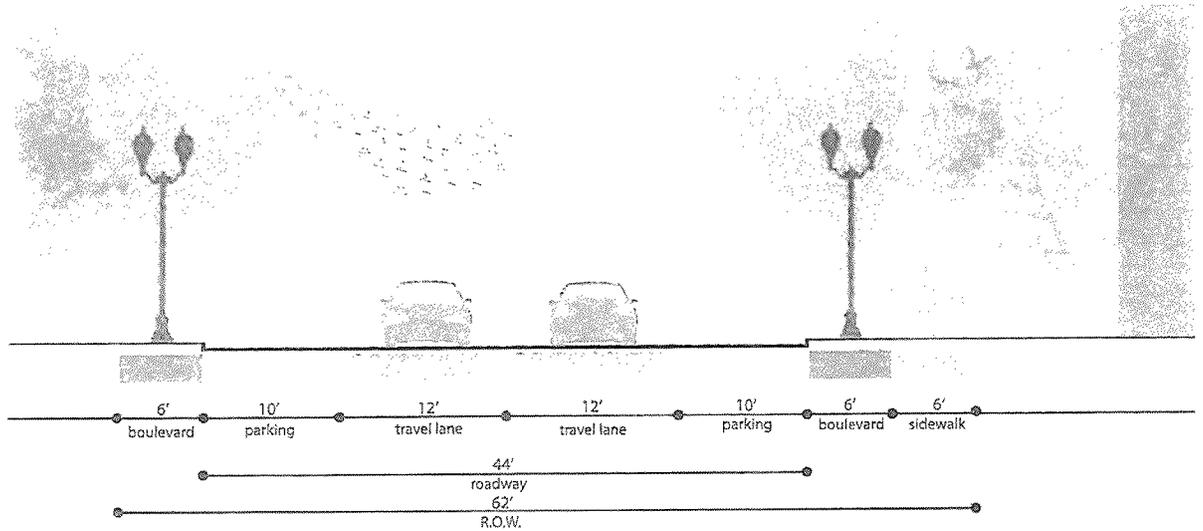


KEY ELEMENTS

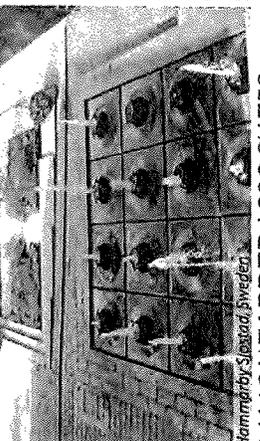
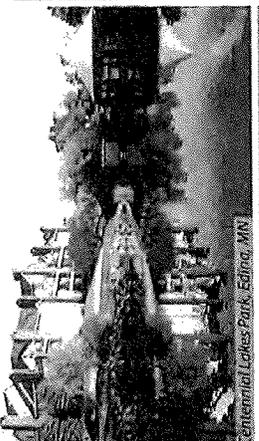
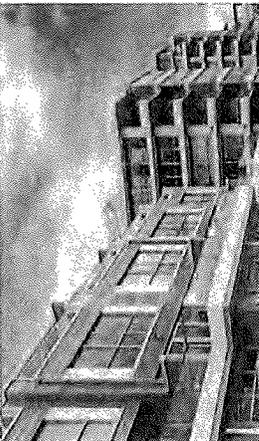
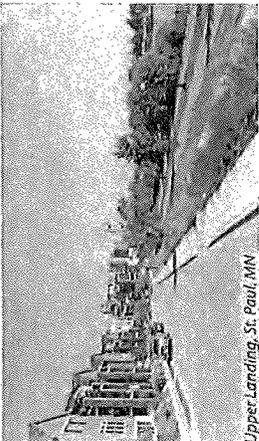
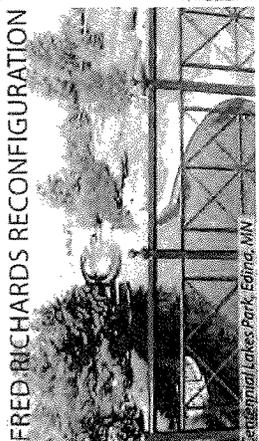
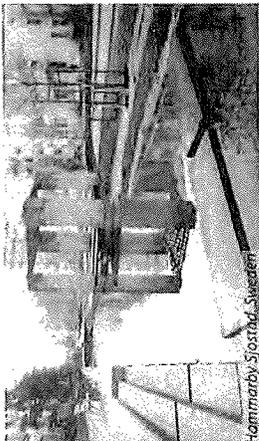
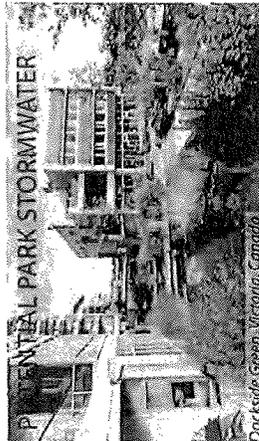
- Boulevard
- Sidewalks
- Decorative lighting
- Shade trees
- Parking bays



INTERNAL STREET CONCEPT SECTION



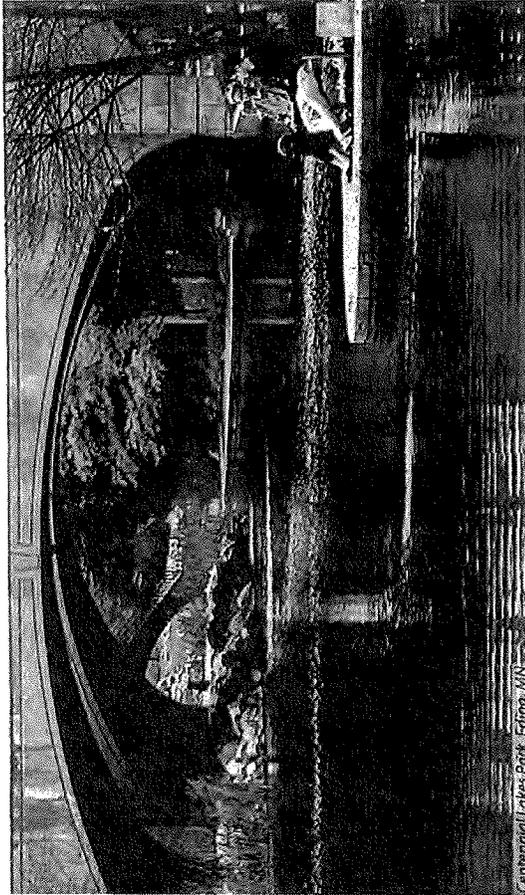
A10



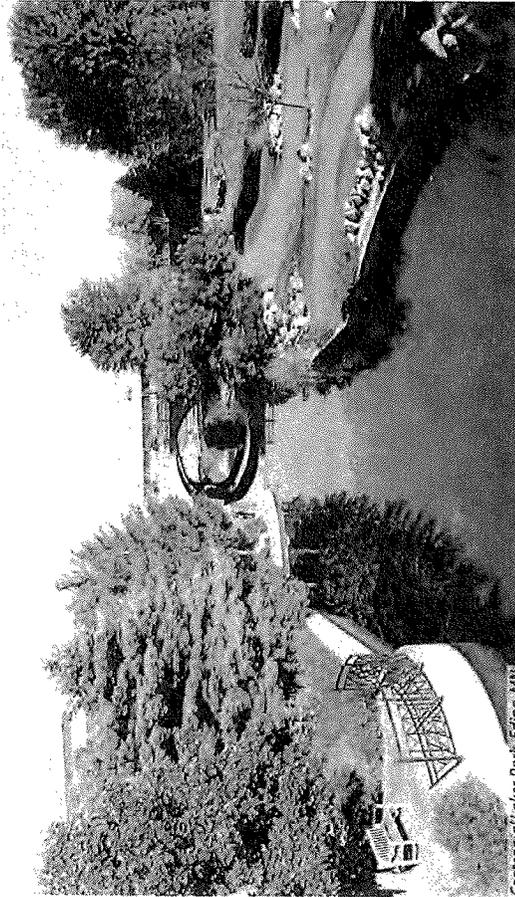
DAMON FARBER ASSOCIATES
BOB CLOSE STUDIO, LLC

STORMWATER MANAGEMENT
EDINA, MN - NOVEMBER 6, 2013

All



Centennial Lakes Park, Edina, MN



Centennial Lakes Park, Edina, MN

A12

77TH AVENUE BRIDGE
EDINA, MN - NOVEMBER 6, 2013

DAMON FARBBER ASSOCIATES
BOB CLOSE STUDIO, LLC

FINAL ALTERNATIVE URBAN AREAWIDE REVIEW UPDATE

GATEWAY STUDY AREA - UPDATE

**FOR THE
CITY OF EDINA, MINNESOTA**

**Original AUAR: September 2007
Update 1: June 2013**

Prepared By:

**WSB & Associates, Inc.
701 Xenia Avenue - Suite 300
Minneapolis, MN 55416
763-541-4800**

**City of Edina
4801 West 50th Street
Edina, MN 55424
952-826-0460**

TABLE OF CONTENTS

TITLE SHEET

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List of Figures

Figure 1	Location Map
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Figure 3	Aerial Photo
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Figure 5	Adjacent Developments

Appendix A – Figures

Appendix B – Agency Correspondence

I. Introduction and Purpose

The Gateway Study Area (Study Area) is approximately 135 acres. The Study Area is bounded by Minnesota Trunk Highway 100 (TH 100) on the west; France Avenue on the east; 76th Street West and Fred Richards Golf Course on the north; and Edina's border with Bloomington on the south. The area is shown on **Figures 1, 2, and 3**. The Study Area currently contains a mixture of light industrial/warehouse, commercial, office and residential uses. There is a total of 1,904,000 gross square feet (gsf) of these uses in the existing conditions.

The City of Edina adopted the Final AUAR on November 5, 2007. Pursuant to Minnesota Rules 4410.3610 Subp. 7, for the AUAR to remain valid as the environmental review document for the area, the document needs to be updated every five years until all development in the study area has received final approval. Since redevelopment has not occurred in the study area and the AUAR expired in November 2012, the purpose of this document is to update the AUAR pursuant to Minnesota Rules.

The 2007 AUAR included an analysis of the following development scenarios (**Figure 4-1 to 4-4**):

- Scenario 1 – Comprehensive Plan
- Scenario 2 – Master Plan Scenario
- Scenario 3 – Maximum Commercial Build Scenario
- Scenario 4 – Maximum Residential Scenario

Table 1: Summary of Redevelopment Scenarios

	Existing Conditions	Scenario 1: Comprehensive Plan	Scenario 2: Master Plan	Scenario 3: Maximum Commercial	Scenario 4: Maximum Residential
Office	1,873,000	1,546,000	1,862,000	3,261,000	1,094,000
Commercial / Retail/Hotel		15,000	174,000	15,000	15,000
Office & Light Industrial Mix		1,296,000	1,296,000	1,296,000	1,296,000
Residential	31,000	31,000	914,000	31,000	1,581,000
TOTAL:	1,904,000	2,888,000	4,246,000	4,603,000	3,986,000

In 2008, the City updated their Comprehensive Plan. However, Scenario 1 is still consistent with the Comprehensive Plan.

This AUAR Update serves as an update of the 2007 AUAR, and includes a review of the areas that have and have not developed, an update to the environmental analysis as needed, and a review of the mitigation measures. The original 2007 AUAR is available

A15

for review on the City's web-site at
<http://edinamn.gov/index.php?section=community-development-planning>.

II. Approved Development/Current Conditions

No redevelopment has occurred within the study area. **Figure 3** shows the aerial photo for the site. In 2008, the City updated their Comprehensive Plan. However, Scenario 1 is still consistent with the Comprehensive Plan.

III. Areas Remaining to be Developed

No redevelopment has occurred within the study area. The initial potential redevelopment that triggered the initial AUAR in 2007 did not come to fruition. Recently, there has been renewed interest in redevelopment of the area. The redevelopment plans are within or below the densities analyzed in the AUAR.

Timeline: The 2007 AUAR anticipated redevelopment of the Pentagon Towers and Pentagon Quad areas (approximately 39 acres) to begin in 2008 and be completed within 5-7 years. The remaining 96 acres did not have a specific timeline for redevelopment. This redevelopment has not occurred. The current estimate for redevelopment timeline for the area is 5-10 years.

IV. Update to the Environmental Review

Wildlife: The DNR Natural Heritage Database was reviewed to provide an update for any threatened and endangered species. This review and DNR correspondence is included in **Appendix B**. There are no new incidents of rare or endangered species within the study area.

Contamination and Past Land Use: Public MPCA database information was reviewed to update this section of the AUAR to identify verified or potential hazardous substances and petroleum release sites associated with the project area or surrounding area. The following databases were reviewed as part of this investigation:

- MPCA "What's in My Neighborhood?" website search
- MPCA Storage Tank Leak site website search

Twenty-nine database listings were identified for the project area. Some of the identified sites were listed on more than one database and the majority of the listings were for small quantity hazardous waste generator (15) and tank sites (7). Inclusions on these databases do not directly indicate an environmental hazard and no spills or mishandling of hazardous waste was identified during the review. However, the following database listings for the project area were determined to directly indicate historic or current environmental contamination:

Leaking Underground Storage Tank (LUST) Sites

- MPCA Leak #4105 – Pentagon Office Park located at 4930 West 77th Street, Edina, MN 55435. This site has been issued site closure by the MPCA. Site closure indicates that the contamination, if present, has been investigated and determined to not pose a threat to human health or the environment. Note: site closure does not indicate that the site is free of contamination.
- MPCA Leak #627 - Pentagon Office Park located at West 77th Street, Edina, MN 55435. This site has been issued site closure by the MPCA.
- MPCA Leak # 617 – Roberts Automatic Products located at 4451 West 76th Street, Edina, MN 55435. This site has been issued site closure by the MPCA.

Voluntary Investigation and Cleanup (VIC) Sites

- MPCA VIC #28660 – Hillcrest Development located at 4530, 4540, 4550, 4570, 4600, 4640, and 4660 West 77th Street, Edina, MN 55435.
- MPCA VIC #29410 – Hillcrest Development located at 4510, 4815, and 4901 West 77th Street and 7600 Parklawn Avenue, Edina, MN 55435.
- MPCA VIC #2890 – Parklawn located at 7625 Parklawn Avenue, Edina, MN, 55435.
- MPCA VIC #13540 – National Rental Car located at 7700 France Avenue, Edina, MN 55435.

Petroleum Brownfields Sites

- MPCA PB #4182 – Hillcrest Development located at 4530, 4540, 4550, 4570, 4600, 4640, and 4660 West 77th Street, Edina, MN 55435 (also a VIC site).
- MPCA PB #4239 – Hillcrest Development located at 4510, 4815, and 4901 West 77th Street and 7600 Parklawn Avenue, Edina, MN 55435 (also a VIC site).

Wastewater System: The AUAR analyzed the wastewater system in the area, including the Metropolitan Council's interceptor, BN-499. Since the 2007 AUAR, a wastewater project was completed in the area. As a result of the AUAR and potential re-development anticipated within the study area, the City of Bloomington, in conjunction with Met Council, upgraded Lift Station 10 (MCES L-55) to a near-term capacity of 1.8 million gallons per day (mgd). Project improvements also involved constructing a new 16-inch forcemain to replace the existing 12-inch forcemain in West 84th Street in Bloomington providing a long-term capacity in the forcemain of 4.8 mgd. Inter-community flows from Edina have been redirected to the new forcemain, essentially bypassing the gravity portions of MCES Interceptor BN-499 to provide additional capacity for re-development in Bloomington.

Water Supply System: No changes to the water supply system have occurred in the area.

Storm Water Management: The Nine Mile Creek Watershed District adopted updated rules in 2008. Based on these rules, if a redevelopment project disturbs more than 50 percent of the existing impervious surface on the parcel (or increases the imperviousness of the entire parcel by more than 50 percent), retention of one inch of runoff from all the impervious surface will need to be provided. Also, peak flow runoff rates cannot exceed the existing conditions for the 2-year, 10-year, and 100-year storm events and the runoff from a 2.5-inch storm event from the parcel will need to be treated to remove at least 60% of the phosphorus and 90% of the total suspended solids.

Additionally, Edina Lake, which is north of the project area, was added to the impaired waters list in 2008. Edina Lake is impaired for nutrients/eutrophication. No TMDL study has been completed to date.

Transportation: The AUAR completed in 2007 analyzed the impacts of the four development scenarios for the years 2014 and 2030. The analysis for both years assumed a 1% per year growth in general background traffic, the approved development in the Cities of Bloomington and Edina (see Cumulative Impacts) and the proposed Gateway Development traffic. Updated traffic counts were conducted the week of April 1, 2013 at selected intersection and roadway segments on 77th Avenue. The updated traffic counts were then compared to those assumed in the 2007 AUAR to determine if the analysis and recommended mitigation measures were still valid.

The peak hour traffic counts ranged from 5% to 15% less than those counted for the base year in the AUAR in 2007. In addition, the 2013 counts were 65% to 75% less than the 2014 Scenario 1 condition, which had the smallest associated trip generation.

The Average Daily Traffic (ADT) counts used as a baseline in the AUAR were from the 2005 MnDOT State Aid counts. In 2009 these counts were updated and in general, these counts were at or slightly lower than those in 2005. The 2013 ADT counts compared to the 2009 ADT counts showed a slight increase (10%) on the section of 77th Street from TH 100 to Parklawn Avenue.

Based on the facts that 1) no Gateway Development has occurred in the area, and 2) the majority of the additional development has been in Bloomington and Edina and their traffic generation included in the new 2013 traffic counts, and 3) the area traffic levels have not changed significantly from those assumed in the AUAR for the baseline conditions (see Cumulative Impacts), it can be concluded that the future year analysis and recommended mitigation is still valid.

Cumulative Impacts: The Study Area and its surroundings are within a first-ring suburb of Minneapolis that is generally fully developed. Cumulative impacts will generally be driven by either individual parcel redevelopment or area-wide redevelopment. To analyze cumulative impacts for the Study Area, the information

from the 2007 AUAR was updated to reflect known or approved redevelopment projects within or near the TH 100 and I-494 area. **Table 2** summarizes the known redevelopment plans and updates the 2007 AUAR in the area and **Figure 5** shows the location of these projects.

Table 2. Summary of Adjacent Redevelopment Proposals

<i>City</i>	<i>Development</i>	<i>Summary of Impacts</i>
<i>Bloomington</i>	<i>Duke-Weeks Realty Limited Partnership (Norman Pointe)</i>	Phase 1 and 2 completed Phase 3 to add an additional 312,000 sq. ft. of office in the future
	<i>Walser Real Estate II, LLC (Walser Toyota)</i>	50,000 sq. ft. car dealership project completed.
		Addition of 112,000 ft ² of medical office space completed
	<i>Ryan Companies US, Inc. (Marketpoint)</i>	Phase 1 and 2 completed. Phase 3 to add an additional 250,000 sq. ft. of office in the future.
	<i>Hilton Hotel</i>	256 room hotel and adjoining restaurant completed
	<i>Normandale Investments, LLC</i>	122 space parking ramp to meet demand for existing offices completed
	<i>United Properties</i>	285,000 square foot office building at 8200 Norman Center Drive completed
	<i>Covington Apartments</i>	250 Apartment units - Approved, under construction.
	<i>8100 Office Tower</i>	255,000 ft ² of office - Future
	<i>Hotel</i>	100 Rooms - Future
	<i>Luxembourg Apartments</i>	282 Apartment units - Approved, under construction
	<i>OATI Office/Data Center</i>	100,000 ft ² of office - Future
<i>Venture Bank Office</i>	37,000 ft ² of office - Completed 2009	

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	<i>Hotel</i>	257 Rooms - Future
	<i>Norman Pointe III Office Tower</i>	312,000 ft ² Office - Future
	<i>Marketpoint III Office Tower</i>	250,000 ft ² Office - Future
	<i>6500 France Avenue</i>	209 Unit Senior Housing / Skilled Care - In review process
<i>Edina</i>	<i>Cypress Properties</i>	Redevelopment of 40,000 ft ² of a movie theater to 86,000 ft ² of retail development. (Not Yet Completed)
	<i>Target</i>	Approved increase of retail space from 154,000 ft ² to 196,500 ft ² by 2008. (Completed)
	<i>Westin</i>	Approved construction of an 18 story building with 79 condominiums, a 225 room hotel, and 7,000 ft ² restaurant (Completed)
	<i>York Place Development</i>	Approved construction of 49,000 ft ² of retail space and 86 senior apartments. Replaces 52,750 ft ² of office space. (Development Completed as CVS)
	<i>TE Miller Development (7380 France Office)</i>	Net increase of 2,000 gsf of office space (Completed)
	<i>6996 France Avenue</i>	3,000 ft ² Retail and 5,000 ft ² Office - Completed
	<i>Centennial Lakes Coffee Shop</i>	2,000 ft ² Coffee Shop - Approved under construction
	<i>Fairview Southdale Expansion</i>	30,000 ft ² Emergency Room expansion - In review process
	<i>Southdale Residential</i>	232 Units - Approved under construction
	<i>Whole Foods</i>	32,000 ft ² Whole Food Grocery store - Completed
	<i>YMCA</i>	21,000 ft ² Expansion - Completed

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V. Mitigation Summary and Update

Many of the mitigation measures outlined in the 2007 AUAR still remain valid. The updated mitigation measures are outlined below and either remain in effect from the 2007 AUAR or have been updated based on new analysis as noted.

A. Land Use Compatibility and Permitting

- A1. The proposed change in land use of Scenarios 2, 3, and 4 at the Pentagon Towers and Pentagon Quads site will require a Comprehensive Plan Amendment.
- A2. Any redevelopment will be required to meet Edina zoning requirements.
- A3. Any project proposers will be required to obtain any necessary approvals and permits.
- A4. If components of a proposed project exceed Edina City Code requirements, variances from the City's requirement will need to be applied for by the developer. The City will review these variance requests and make a determination as to the approval or denial of the project as part of the review process. A project proposer could also seek to amend the City Code. This request would also be reviewed by the City.

B. Geologic Hazards, Erosion Control, and Hazardous Material

- B1. Prior to demolition an asbestos survey shall be completed by a project proposer. At the time of demolition, any necessary asbestos abatement will need to be completed by the project proposer in compliance with MPCA requirements.
- B2. The management, containment, and cleanup of any spills that may occur within the Study Area during construction will be addressed by the permit holders of the MPCA NPDES/SDS Storm Water Construction Permit and its accompanying Storm Water Pollution Prevention Plan preparation.
- B3. If a neighborhood convenience store and gas station is proposed, the project proposer will be required to adhere to State regulations for containment of underground petroleum tanks and an annual license would be needed.
- B4. The Storm Water Pollution Prevention Plan (SWPPP), including temporary and permanent seeding and staging plans, will be required to be submitted by each project proposer and reviewed by Edina.
- B5. The project proposer will need to develop an erosion control plan and submit this plan to the Nine Mile Creek Watershed District for review and approval.

- B6. During construction, the project proposer and their contractor will implement Best Management Practices as needed to prevent erosion and sedimentation of downstream water resources.
- B7. Edina will develop a SWPPP and obtain an NPDES permit for the construction of any public infrastructure improvements (sanitary sewer, storm sewer, water main) that disturb one acre of land or more.
- B8. Edina will conduct erosion control inspections during construction.
- B9. Project proposers will make environmental hazard investigation documents, such as Phase I Environmental Assessments, available to Edina.
- B10. Project proposers will be required to remediate any contaminated soils encountered in conformance with MPCA regulations.
- B11. Project proposers will be required to remove and properly dispose of trash and debris located within a project site, including all demolition materials that may include asbestos.
- B12. Municipal waste hauler companies will make residential and commercial recycling programs available to the Study Area. General municipal waste will be removed by these waste hauler companies.
- B13. The NPDES Construction Site permit requires a site specific SWPPP to be completed for the construction by the project proposer. This SWPPP is required to include pollution prevention management measures for solid waste and hazardous material spills that occur during construction.
- B14. Mitigation includes conformance with the Edina spill response plan. Spills will be reported to the fire chief and/or applicable City Staff. The fire chief and/or applicable City Staff will in turn notify any other appropriate officials depending on the nature of the spill.
- B15. Project proposers will be required to develop a temporary dewatering plan for construction activities, review this plan with Edina and Nine Mile Creek Watershed District for approval, and conform to the dewatering requirements of the Department of Natural Resources (DNR) and NPDES Construction permit.
- B16. If a redevelopment project involves permanent dewatering for underground facilities, a detailed dewatering plan is required to be developed by the project proposer. This plan would include anticipated dewatering amounts, direction of discharge, analysis of impact on adjacent ponds and downstream receiving waters, and impact on the organic material within the Study Area for the

potential for subsidence. The plan will need to be submitted to Edina, Nine Mile Creek Watershed District, and DNR for review and/or approval.

C. Fish, Wildlife, Wetlands, and Ecologically Sensitive Resources

- C1. Buildings to be removed as part of redevelopment will be field checked by the project proposer to determine if there are nesting Peregrine Falcons on the structure. If falcons are noted nesting on the structure, the site cannot be disturbed until the juvenile birds have fledged and left the nest.
- C2. The project proposer will be required to delineate wetlands within their project boundaries, if any, and review these delineations with the Nine Mile Creek Watershed District and Edina to determine jurisdictional status. The Nine Mile Creek Watershed District is the Local Government Unit for the Wetland Conservation Act and will review and verify any wetland delineations.
- C3. If wetland impact is proposed, the project proposer will be required to minimize impact to the maximum extent possible and mitigate for any unavoidable impacts in conformance with the Wetland Conservation Act.

D. Municipal Water Use and Service

- D1. Edina will work with Bloomington to determine the needs for water system capacity improvements, water main upgrades, and future service to the Gateway Study Area.
- D2. In conjunction with their Comprehensive Plan update, Edina will complete an update to the 2002 Water Distribution System Analysis for the entire city to determine what current and future water system improvements may be necessary to continue to serve the City's water needs and maintain a water system firm capacity above the maximum daily water use within the City.
- D3. As redevelopment occurs, Edina will complete an analysis of the water mains within the Study Area to determine if performing water main replacement is necessary and if it should occur in conjunction with other potential infrastructure improvements, such as sanitary sewer, storm sewer, and transportation improvements.
- D4. Any abandoned wells found within the Study Area will be sealed in accordance with Minnesota Department of Health guidelines. This will be the responsibility of the project proposer.
- D5. In accordance with Edina's Wellhead Protection Plan, continued protection of the existing Drinking Water Supply Management Areas located within the Study Area will be required for redevelopment projects.

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- D6. There is potential for areas that redevelop within the Bloomington service area to request to be served by Edina. If this occurs, additional analysis and water main improvements will need to be completed by Edina in coordination with Bloomington.
- D7. Individual redevelopment may require the installation of service pumps to serve multi-story buildings and to provide adequate fire protection. The size and type of pumps will vary based on individual building characteristics, should meet the existing local building and fire protection codes, and will be the responsibility of the developer.

E. Water Quality and Quantity

- E1. Redevelopment projects will be required to be designed to meet the policies of the most current Edina Comprehensive Storm Water Management Plan.
- E2. Redevelopment projects will be required to be designed to meet the policies of the most current Nine Mile Creek Watershed District requirements.
- E3. Redevelopment within the Study Area will be required to limit peak runoff rates to at least existing conditions and reduce the runoff volume so as not to negatively impact the existing storm sewer system.
- E4. Redevelopment needs to reduce the amount of impervious surface within the project limits or develop a site specific storm water management plan that shows that the project will not impact downstream pollutant or volume loading.
- E5. If warranted by Edina's Nondegradation Plan, project proposers will need to include storm water management strategies that reduce the total suspended solid loadings, total phosphorous pollutant loadings, and storm water runoff volumes from the Study Area.
- E6. Any redevelopment project that disturbs more than one acre of land is required to develop a SWPPP and obtain an NPDES permit from the MPCA.
- E7. Edina and project proposer(s) will investigate the expansion of the existing ponding areas within the Fred Richards Golf Course to provide additional storage and treatment as outlined in Edina's Water Resource Management Plan.
- E8. The Cities of Edina and Bloomington will petition the Nine Mile Creek Watershed District to expand the South Pond (SP_1) pond to provide additional storm water treatment for the area.
- E9. As Total Maximum Daily Load (TMDL) studies are completed for Nine Mile Creek, the results of these studies will be reviewed by Edina. Redevelopment in

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the Study Area will be required to meet any mitigation and pollutant load reductions that may be outlined within the TMDL studies.

Update: This mitigation measure also applies to Edina Lake.

- E10. The project proposer will review and determine which Low Impact Development (LID) practices are feasible to be used for each parcel. Edina will review the LID techniques and encourage their use to the greatest extent possible.
- E11. A maintenance plan is required to be reviewed and approved by the Nine Mile Creek Watershed District for privately constructed and maintained storm water management facilities.

F. Wastewater Mitigation Plan

- F1. Any redevelopment activities that may increase the total sanitary sewer flows within Service Area A beyond threshold limits for peak capacity will require upgraded facilities within the Gateway Study Area (Computer Avenue sanitary sewer) and Bloomington (MCES Bloomington Lift Station No. 10) to accommodate increased flows.

Update: Bloomington Lift Station No. 10 is also denoted at MCES Lift Station L-55. In 2011, the pumps in the existing lift station were upgraded to provide a near-term peak capacity of 1.8 million gallons per day (mgd). Future increases in flow for re-development will need to be evaluated as the final lift station site is proposed to be relocated with the proposed future realignment of I-494.

- F2. Edina, Bloomington, and Metropolitan Council Environmental Services will continue discussions and analysis regarding proposed capacity upgrades to Bloomington Lift Station No. 10 and the MCES BN-499 Interceptor along West 84th Street in Bloomington.

Update: Capacity to L-55 (Bloomington LS 10) was increased to a peak flow of 1.8 MDG as previously discussed. Also in 2011, The MCES BN-499 interceptor was replaced with a 16-inch forcemain from L-55 southerly and westerly along W. 84th Street to a gravity sewer approximately 600 feet west of France Avenue. The forcemain was designed to carry peak flows for the proposed redevelopment area.

- F3. Edina will complete its update to their Comprehensive Sanitary Sewer Plan.
- F4. Edina will upgrade Lift Station No. 22.

- F5. In conjunction with redevelopment activities, Edina will determine the condition of the existing sanitary sewer pipe within the Gateway Study Area to determine if repairs or replacement is necessary based on in-place pipe condition and infiltration potential.

G. Traffic and Transportation

G1. Scenarios 1 and 4

The following mitigation strategies are needed for Scenario 1 and 4 to accommodate future full development traffic projections:

- | | |
|---------------|---|
| Intersection: | France Avenue / West 76 th Street |
| Improvement: | Extend one southbound thru lane on France Avenue to create a total of four thru lanes |
| Intersection: | France Avenue / West 78 th Street |
| Improvement: | Eastbound dual right turn lanes on West 78 th Street
Southbound lanes approaching the I-494 ramps restriped to provide exclusive lanes to both westbound I-494 and eastbound I-494. The right lane will drop at the westbound I-494 ramp providing an exclusive ramp lane. The second lane will also be an exclusive lane leading to I-494 eastbound, reducing the weaving and stacking of vehicles that occur today. The County has expressed interest in participation. |
| Intersection: | Edina Industrial Boulevard / West 78 th Street |
| Improvement: | Eastbound dual left turn lanes on West 78 th Street |
| Intersection: | Edina Industrial Boulevard / Metro Boulevard |
| Improvement: | Add southbound right turn lane on Metro Boulevard, restriping the existing two southbound lanes to accommodate an exclusive left turn lane, and a thru/left lane, providing dual left turn lanes.
Add 300 foot eastbound left turn lane on Edina Industrial Boulevard |
| Intersection: | Northbound TH 100 / West 77 th Street |
| Improvement: | Add 150 foot northbound right turn lane on Frontage Road
Westbound dual right turn lanes on West 77 th Street |

- G2. Scenario 2
Scenario 2 will require **all the improvements listed above** in addition to the following:

Intersection:	Minnesota Drive / France Avenue
Improvement:	Dual westbound left turn lanes on Minnesota Drive Eastbound dual left turn lanes on Minnesota Drive
Intersection:	Northbound TH 100 / West 77th Street
Improvement:	Add 150 foot eastbound right turn lane on West 77 th Street
Intersection:	Computer Avenue / West 77 th Street
Improvement:	Northbound dual left turn lanes on Computer Avenue
Intersection:	Minnesota Drive / West 77 th Street / Johnson Avenue
Improvement:	Southbound dual left turn lanes on West 77 th Street

- G3. Scenario 3
Scenario 3 will require **all the above improvements listed under Scenarios 1, 2, and 4** in addition to the following:

Intersection:	Minnesota Drive / France Avenue
Improvement:	Eastbound dual right turn lanes on Minnesota Drive
Intersection:	France Avenue / West 78 th Street
Improvement:	Westbound dual right turn lanes on West 78 th Street
Interchange:	TH 100 / West 77 th Street
Improvement:	Six-lane section from Metro Boulevard to Computer Avenue Dual left turn turns at both TH 100 Ramps (Hence an eight-lane bridge)

- G4. General
The mitigation measures discussion above (G1 – G3) are needed to address full build-out of the site and surrounding area. Specific mitigation measures required for proposed development plans will be established through traffic and transportation studies required for each development proposal. These proposals will need to document compliance within the AUAR and mitigation plan.

- G5. Transit/Non-Motorized Transportation
As redevelopment occurs in the Study Area, consideration of site-specific improvements needs to be included as developments are proposed. These

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would include upgrading the existing transit facilities, including bus shelters, to become ADA compliant and improving the sidewalk and/or path connections in and around each redevelopment.

H. Odor, Noise, and Dust

- H1. During construction activities, the project proposer and contractor shall observe all dust control Best Management Practices for fugitive dust.
- H2. Edina will limit construction activities and any other activities that produce noise audible outside the perimeter of a property to between 7:00AM to 9:00PM Monday through Friday and between 8:00AM and 7:00PM on Saturday, Sunday, and holidays.
- H3. Noise mitigation will be necessary if any residential units are constructed near Receptor 2, located in the southwest quadrant of TH 100/West 77th Street. Any residential buildings should be constructed using noise abatement methods. Noise abatement requirements to conform to state standards can be found in Minn. Rules 7030.0050, subp. 3.

I. Archaeological, historical, or architectural resources

- I1. Prior to redevelopment of the Pentagon Towers and Quads sites that would require razing of the existing structures, an evaluation and documentation of the historical and architectural significance of the sites will be needed by the project proposer. This information will need to be submitted to Edina.

J. Cumulative Impacts

- J1. Edina will work with Bloomington and potentially participate in a regional traffic study that will assist in anticipating future potential redevelopment within the TH 100/I-494 area and plan for infrastructure improvements.

Edina will also coordinate with other entities to address cumulative impacts. These items have been addressed in other areas of the AUAR and include mitigation plan items D1, D6, E8, F1, and F2.

VI. AUAR Update Review

This AUAR Update has been reviewed pursuant to Minnesota Rules 4410.3610 Subp. 7. The Gateway Study Area AUAR will remain valid for an additional five years from the City Council adoption date.

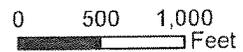
Appendix A – Figures

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Figure 2
USGS Location Map
Gateway AUAR



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Plan: K:\GIS\2012\01040401\01040401_2_Aerial.mxd Date: 4/29/2013

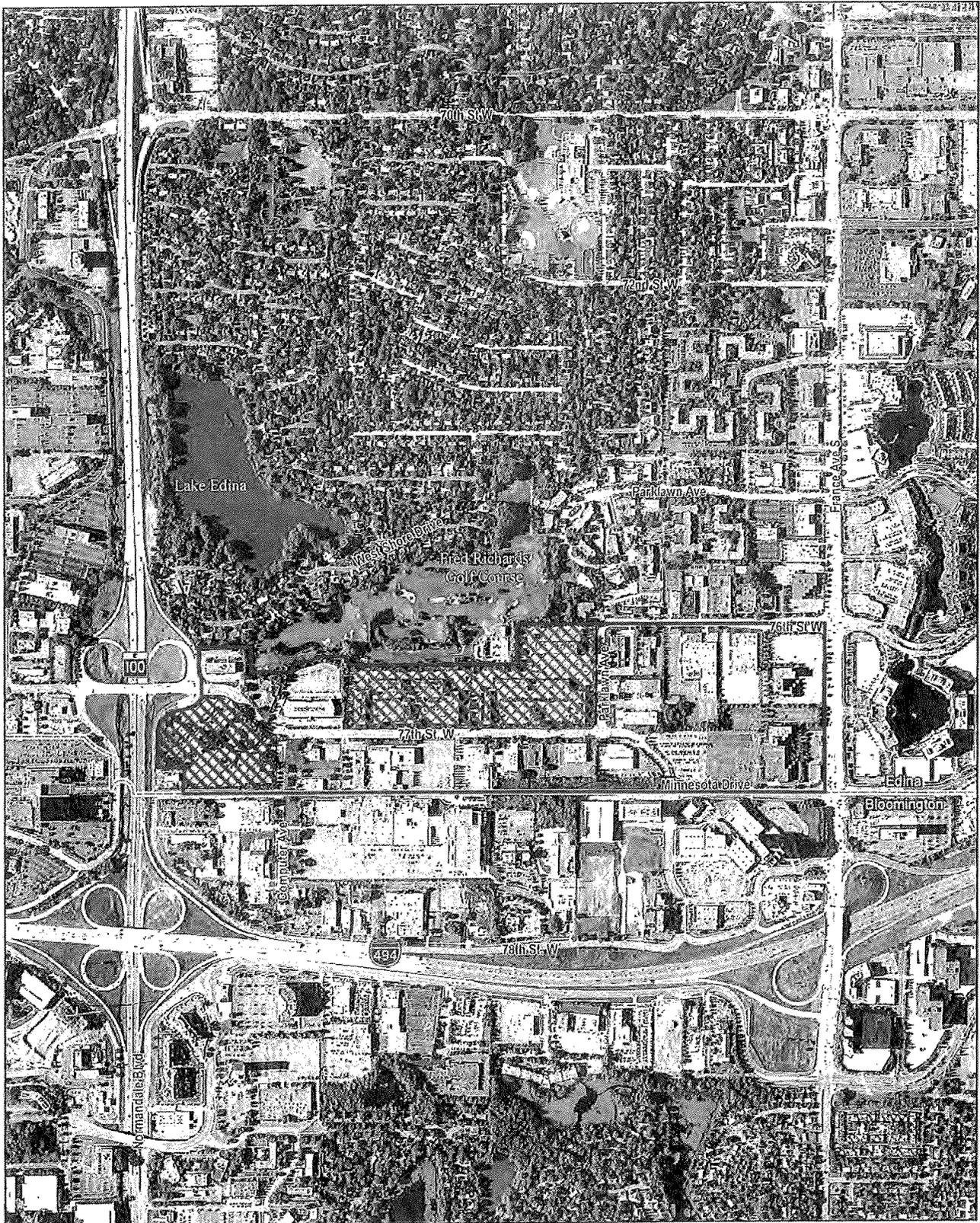
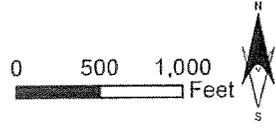


Figure 3
Aerial Location Map
Gateway AUR

- Legend**
-  Gateway AUR Study Area
 -  Pentagon Quads
 -  Pentagon Towers



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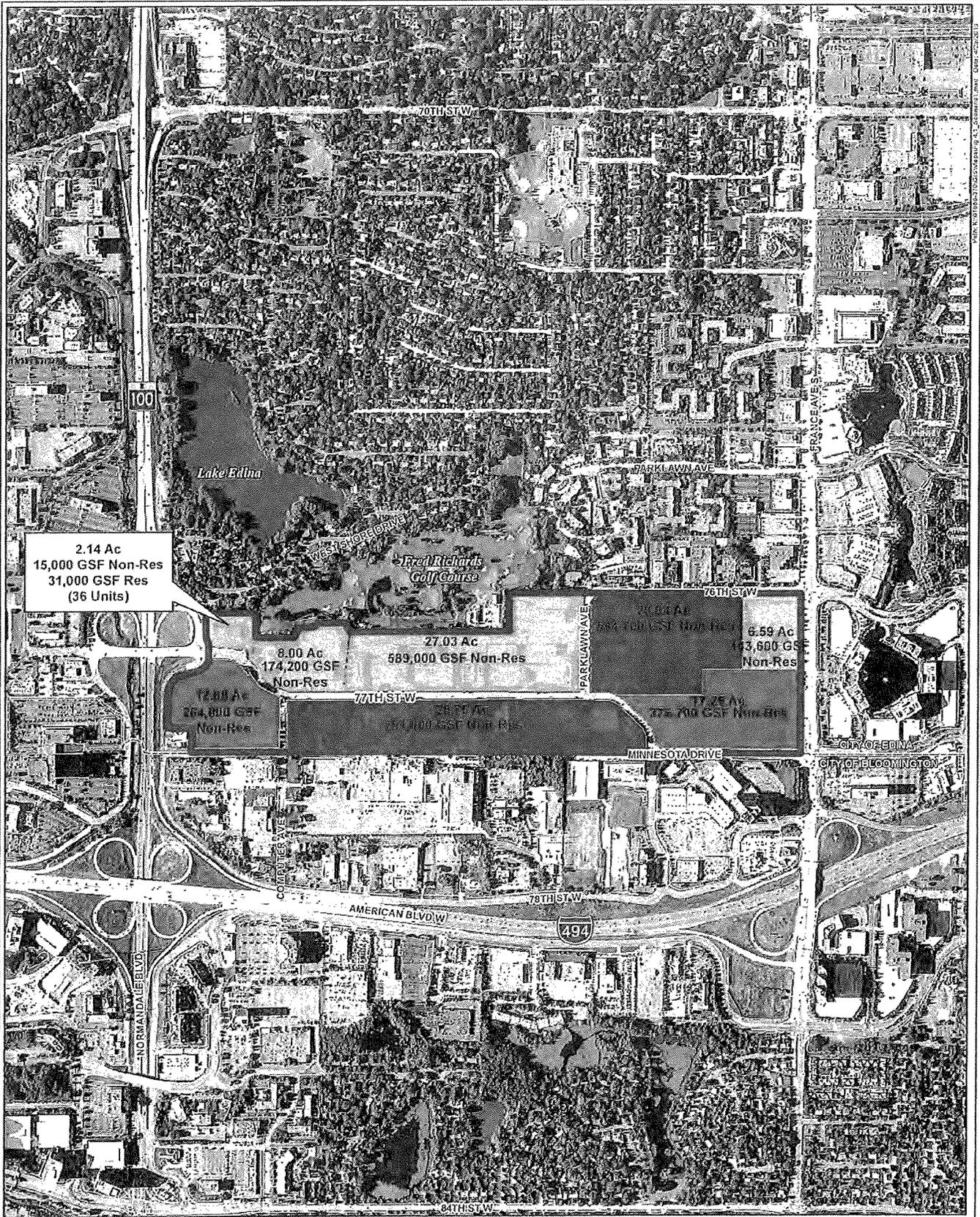
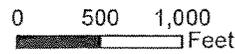


Figure 4-1
Gateway AUAR
Scenario 1:
Comprehensive Plan

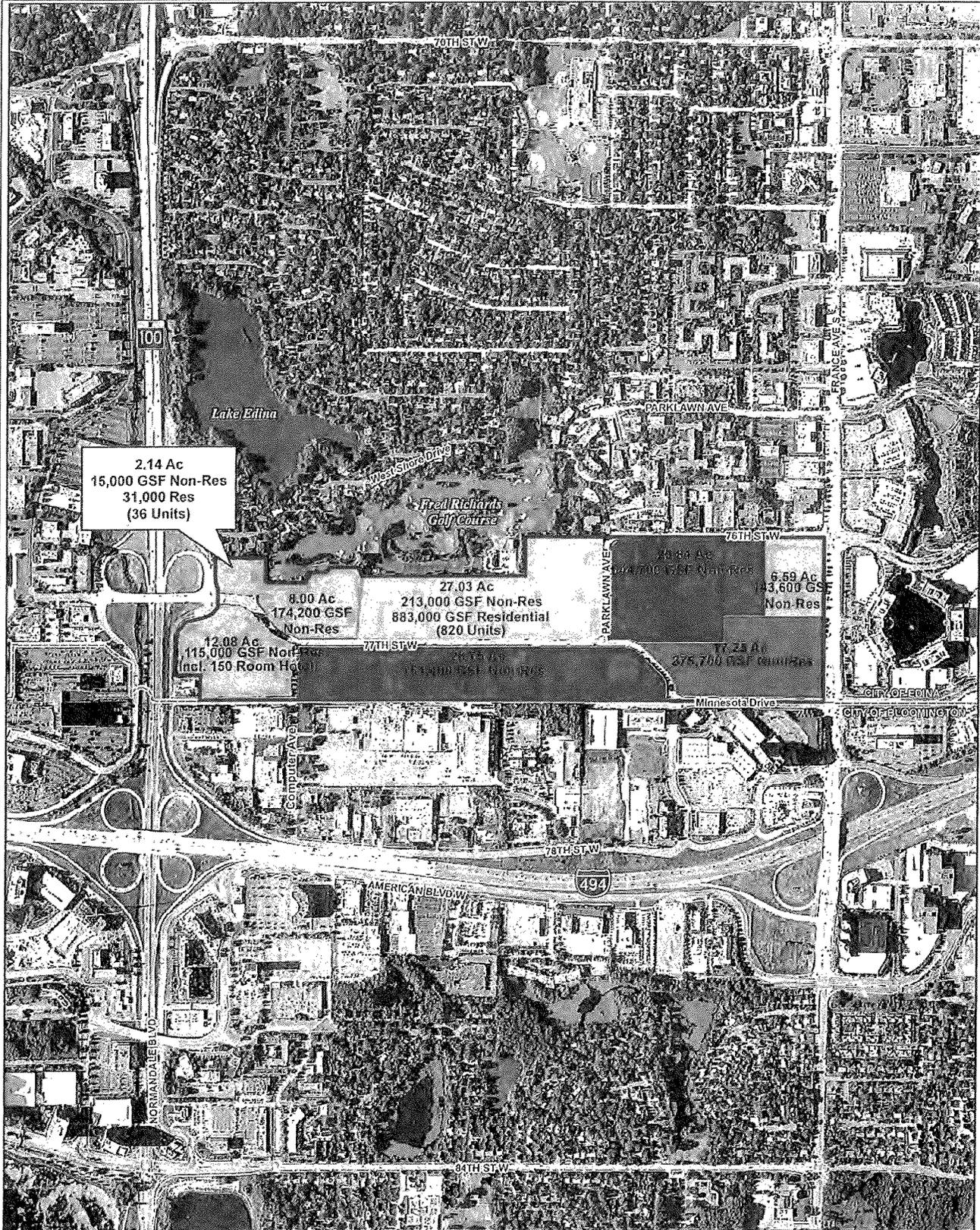
Legend

- Gateway AUAR
- POD-1
- PCD-3
- PID
- POD-2

* GSF = Gross Square Feet



PLAN: K:\GIS\Projects\Gateway\Map_Scenario2.mxd Date: 4/26/2013



2.14 Ac
 15,000 GSF Non-Res
 31,000 Res
 (36 Units)

8.06 Ac
 174,200 GSF
 Non-Res

27.03 Ac
 213,000 GSF Non-Res
 883,000 GSF Residential
 (820 Units)

24.84 Ac
 1,700 GSF Non-Res

6.59 Ac
 43,600 GSF
 Non-Res

12.08 Ac
 115,000 GSF Non-Res
 (incl. 150 Room Hotel)

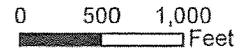
13.25 Ac
 375,700 GSF (Mixed-Use)



Figure 4-2
Gateway AUAR
Scenario 2:
Master Plan

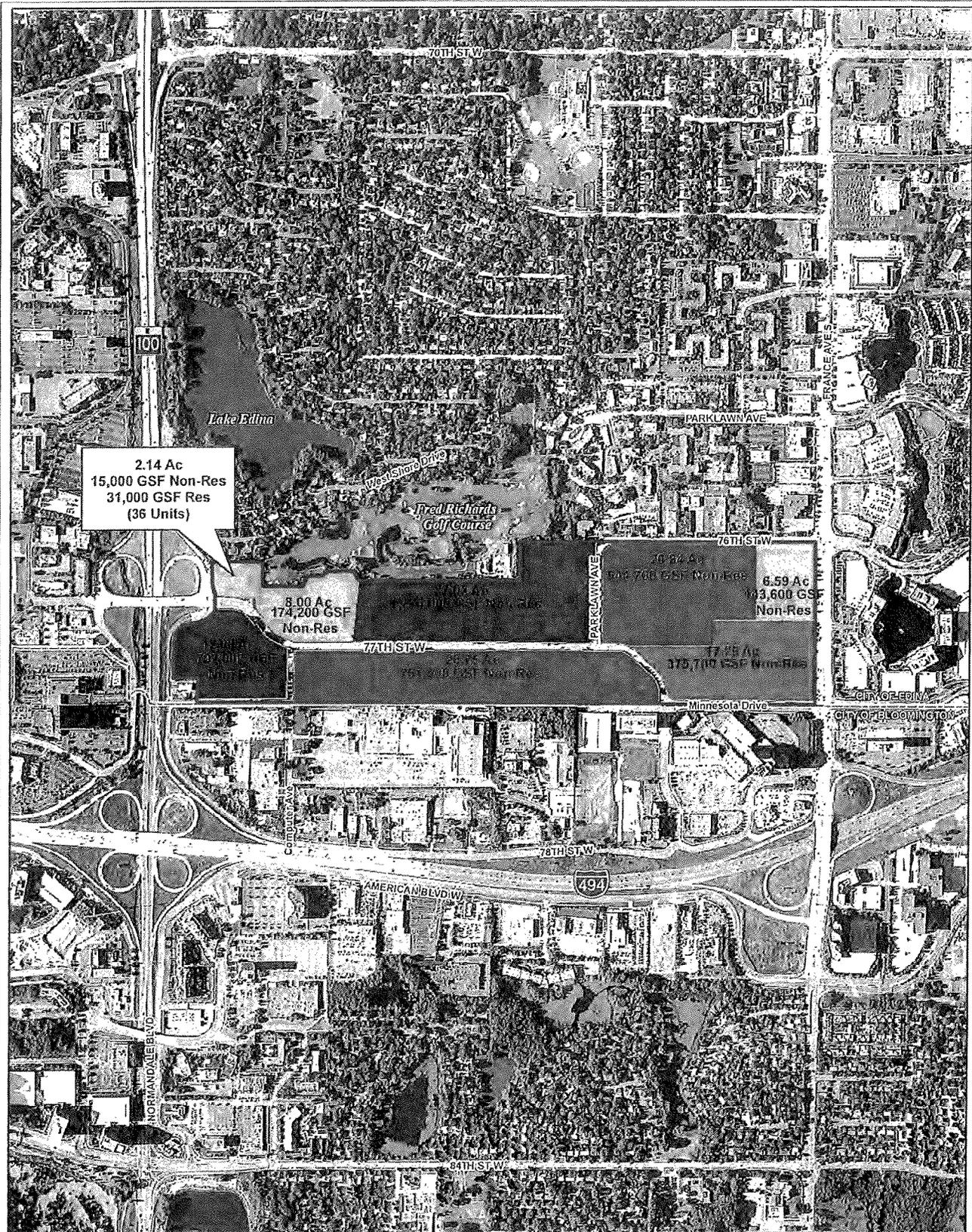
Legend

- Gateway AUAR
- PID
- POD-1
- POD-2
- PCD-3
- PSR-4



* GSF = Gross Square Feet

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2.14 Ac
15,000 GSF Non-Res
31,000 GSF Res
(36 Units)

Legend

- Gateway AUAR
- POD-1
- PCD-2
- PID
- PCD-3
- * GSF = Gross Square Feet

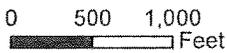


Figure 4-3
Gateway AUAR
Scenario 3

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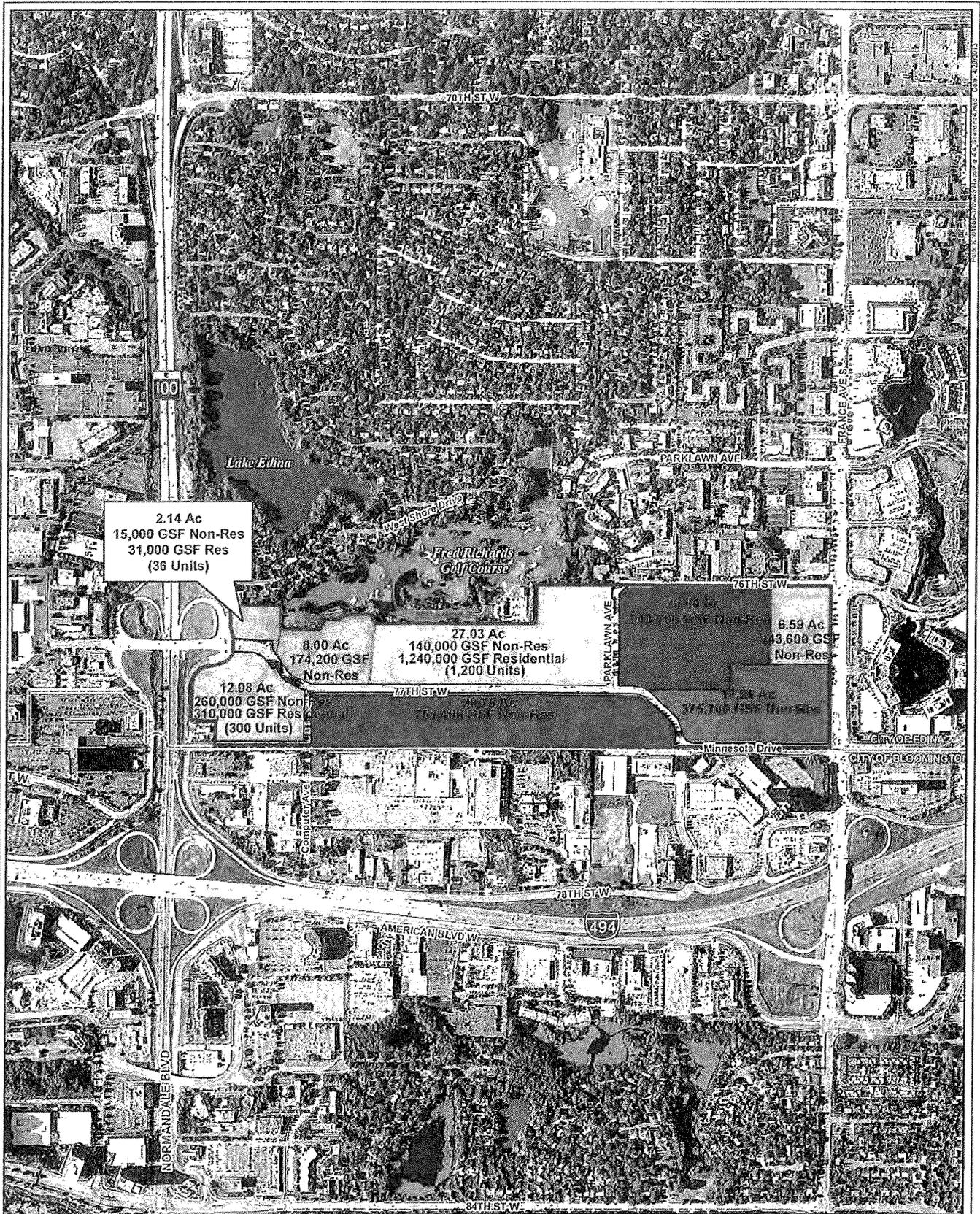
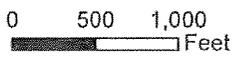


Figure 4-4
Gateway AUAR
Scenario 4

Legend

- MDD-5
- POD-1
- PCD-3
- Gateway AUAR
- PID
- POD-2
- PSR-4



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* GSF = Gross Square Feet

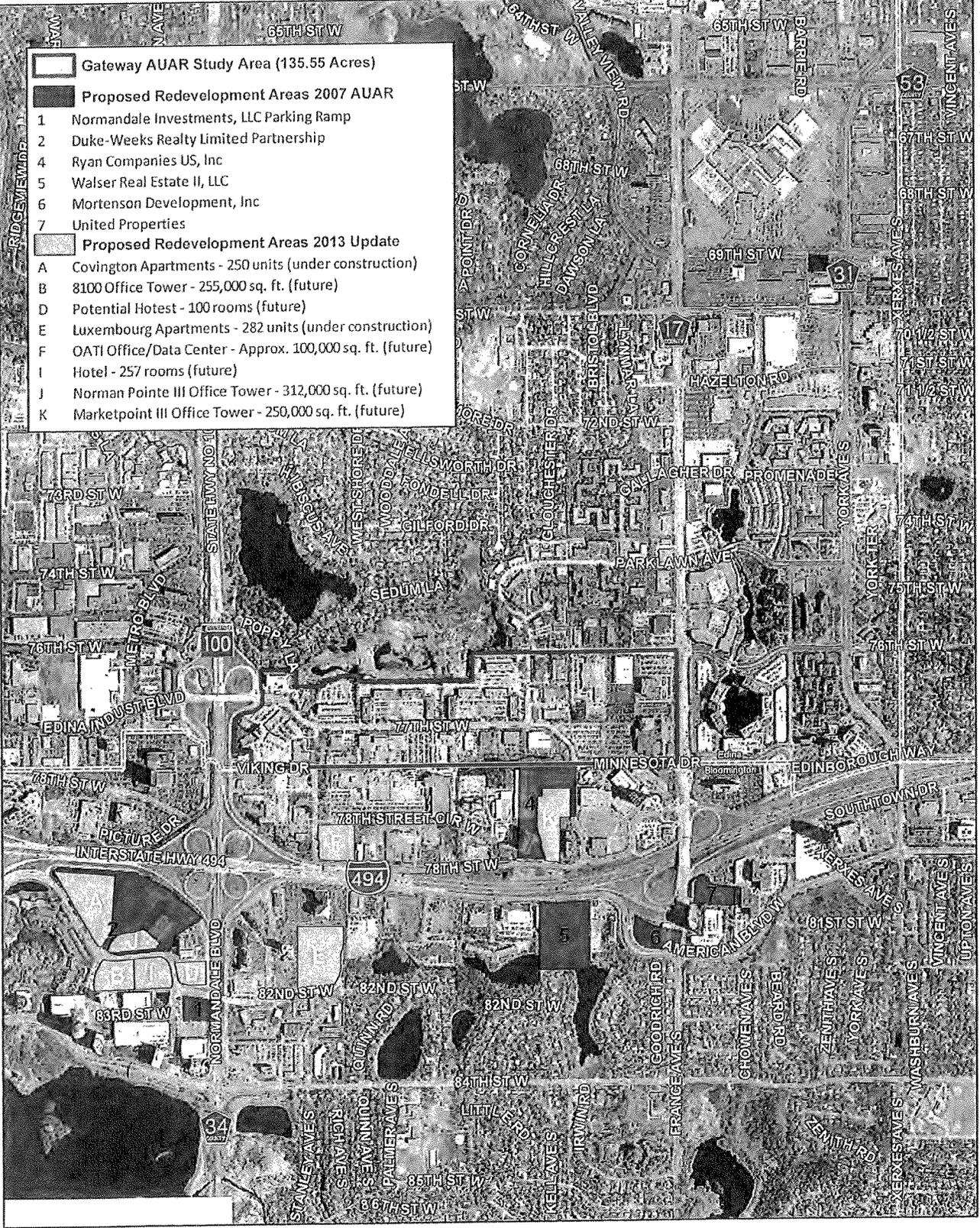


Figure 5
Adjacent Developments Map
Gateway AUAR

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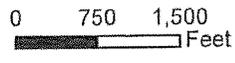


Exhibit C

**MINUTES
OF THE WORK SESSION OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
APRIL 16, 2013
5:07 P.M.**

CALL TO ORDER

Mayor Hovland called the meeting to order at 5:07 p.m. in the Community Room of City Hall.

ROLL CALL

Answering roll call were Members Bennett, Brindle Sprague, Swenson and Mayor Hovland.

Planning Commissioners attending were: Ken Potts, Michael Fischer and Kevin Staunton. Mr. Staunton entered the meeting at 5:30 p.m.

Staff attending the meeting included: Jennifer Bennerotte, Communications & Technology Services Director; Wayne Houle, Director of Engineering; Ari Klugman, City Manager Intern; Karen Kurt, Assistant City Manager; Scott Neal, City Manager; Bill Neuendorf, Economic Development Manager; Brian Olson, Public Works Director and Cary Teague, Community Development Director. City Consultant Bruce Jacobson was also in attendance.

Mayor Hovland said the meeting would focus on two topics: a sketch plan review of the Pentagon Park/Gateway District and the Grandview District next steps.

PENTAGON PARK SKETCH PLAN

Community Development Director Teague noted in 2008 the City Council had approved a rezoning of the 43-acre Pentagon Park to a Mixed Development District 6 (MDD-6) and approval of an Overall Development Plan for the site. Mr. Teague explained part of that approval process included an Alternative Urban Areawide Review (AUAR) environmental study which must be updated every five years. To date, none of the proposed new development has occurred and the AUAR was being updated by Hillcrest Development, current owner of the property. He introduced Scott Tankenoff, Hillcrest Development, who was looking for comments from the Council and Planning Commission on a potential "Density Transfer Concept", potential revision to the Overall Development Plan and a potential roadway that would connect Edina Industrial Boulevard to 77th Street.

Mr Tankenoff explained that Barr Engineering was interested in a particular site and the proposed changes were necessary to accommodate their preferred site. The Council expressed concerns over the proposed height increases, the density transfer and potential roadway along the Fred Richards Golf Course. The consensus among Council was to not allow the shift to happen in a manner that would jeopardize future meaningful residential redevelopment along the ring of land bordering Fred Richards, especially with an entire neighborhood of single family homes just north of the site. The Council did state it would support a denser office use along 77th St, where the infrastructure was already in place to support the use, and where an office park could serve as a "buffer" to the interior ring of residential use along Fred Richards.

GRANDVIEW NEXT STEPS

Minutes - Work Session/Edina City Council/April 16, 2013

Economic Development Manager Neuendorf sought direction for a Phase II process for the Grandview District Redevelopment, following up on the highly successful Phase I community-based process that resulted in the Grandview District Redevelopment Framework. Following discussion of the Council and Planning Commissioners, it was determined that in Phase II, the plan would be to send out an RFI (Request for Information) allowing developers to submit proposals for redevelopment of the public works site that aligned with the principles espoused in the Framework. Further, a ten-member Community Advisory Team (CAT) would be appointed to review RFI's and, later, to review development plans. The CAT would consist of one district business owner, one district property owner, two neighborhood representatives, two community at-large representatives, one Edina Transportation Commission member, one Park Board member, and two Planning Commission members. In early 2014, full plans would be developed, followed by the CAT's review and recommendation to the Council.

Mayor Hovland declared the meeting adjourned at 6:59 p.m.

Respectfully submitted,

Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, May 7, 2013.

James B. Hovland, Mayor

Exhibit D

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SUBSCRIBER CONTENT: Dec 6, 2013, 5:00am CST

Real Estate

Is there room for golf in Pentagon Park plan?

Hillcrest Development and The Opus Group are redeveloping

the 42-acre Pentagon Park office park in Edina.



Sam Black

Senior reporter- Minneapolis / St. Paul Business Journal

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Scott Tankenoff has two options for the city of Edina: one that involves keeping the Fred Richards Golf Course, and one that doesn't.

Tankenoff, president of Minneapolis-based Hillcrest Development, and business partner Mark Rauenhorst, one of the owners of Minnetonka-based The Opus Group, are redeveloping a 42-acre office park known as Pentagon Park along West 77th Street in Edina.

Tankenoff has met with Edina residents and city officials of the affluent suburb for the past year to talk about how Pentagon Park could be turned into an upscale office park similar to Centennial Lakes in Edina or Normandale Lake Office Park in Bloomington.

One of the keys to that plan, however, is improving the connection of the site to the green space immediately north of the office park. That area is now the home of the city-owned Fred Richards Golf Course, a 9-hole course that also sits on a 42-acre site.

Edina hired a consultant in May to study the performance and operations of all its golfing facilities, which lost money in 2012 and will again this year. Edina officials last month called 2013 the worst year ever for its public courses. (Municipal golf courses across the Twin Cities are having troubles.)

Edina hasn't started any formal deliberations about the possible closure of Fred Richards yet, but it is expected to address the question next year. Some of the patrons and neighbors of the course are sure to oppose closing it. There's already a website, savethefred.org.

Enter Hillcrest, which will present two redevelopment scenarios for its Pentagon Park office project at a Dec. 11 planning commission meeting.

Both plans call for a "several hundred million dollar" business park with a 400-room "meaningful, signature" hotel on the western portion of the site closest to Highway 100 and about 1.4 million square feet of office space.

Hillcrest's two concepts have one major difference. One is status quo for the golf course site and the other envisions the city closing the course and creating a public park, with ball fields, paths, streams and ponds that are better integrated through the entire 84-acre site.

It's seeking tax increment financing assistance from the city for either plan to help improve soil conditions and help pay for infrastructure such as street improvements; the golf course plan would require less TIF.

Tankenoff prefers the integrated approach, but said he could live with either. He would like some direction on the two plans this spring and needs a decision on the course by the end of 2014.

"There comes a point where we can't wait," Tankenoff said. "Are we integrating our land or not."

Sam Black covers real estate, manufacturing and economic development

Industries:

Commercial Real Estate

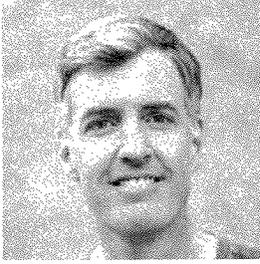
Trending

In Partnership with

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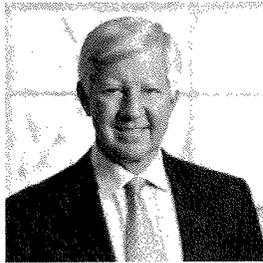
Lee Odden



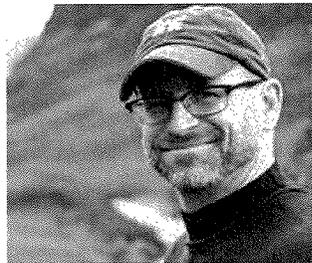
Matthew Dornquist



Cem Erdem



Bill George



Jon Bloom

Pentagon Park concept receives a favorable review

Exhibit E

By Lisa Kaczke

January 17, 2014 at 7:00 am



2



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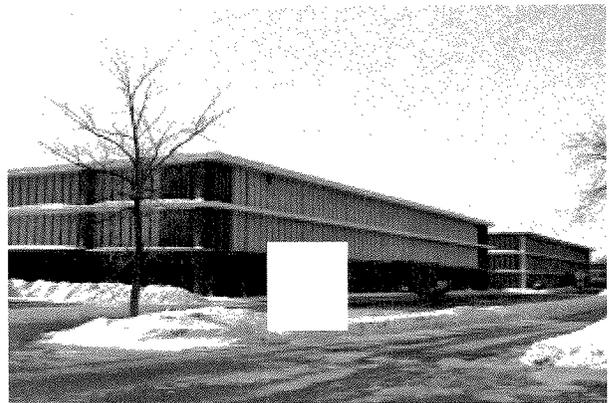
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Sixteen months of planning to change Pentagon Park into a Centennial Lakes-type of office park are beginning to take shape with an initial favorable review by the Edina City Council.

Scott Takenoff of Hillcrest Development has created two working ideas for the site – one if neighboring Fred Richards Golf Course remains a golf course and a second if the city decides to re-purpose the course.

Takenoff's plans call for a multi-phase rehabilitation of the 43-acre office park over a 15-year period.



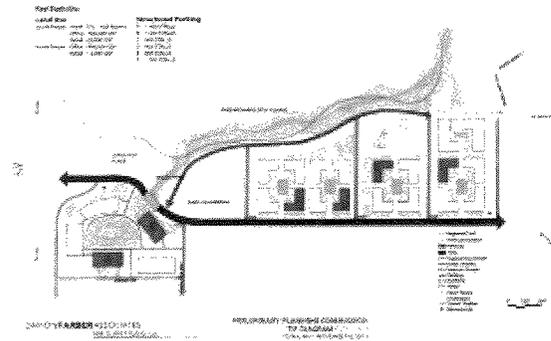
"It took 25-plus years to make a wreck out of it and it's going to take a number of years to make it successful," Takenoff told the Edina City Council on Tuesday, Jan. 7.

Mayor Jim Hovland noted that Takenoff has helped the city see a vision for the property.

"It was state of the art at the time and it can be state of the art again," Hovland said.

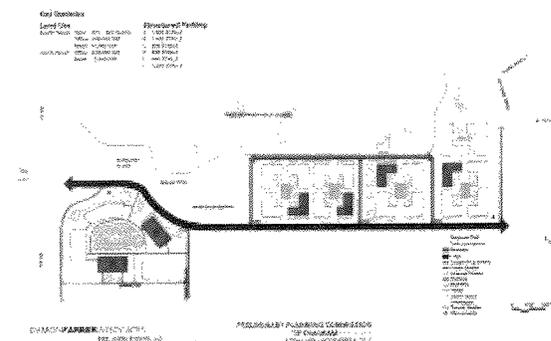
A sketch plan of the site received favorable comments from the Edina City Council on Jan. 7. A formal vote isn't taken on sketch plans presented to the city council. The Edina Planning Commission also reviewed the sketch plan in December.

However, the sketch plan didn't include any building or architectural plans for the site and only included a conceptual plan for the office park, located at 4815 W. 77th St. Planning commissioners and city council members commented that more specific details are needed on the plans going forward.



Takenoff responded that the project is a "unique redevelopment opportunity" and they don't know what the architectural details of the project are yet, but they will be brought to the Planning Commission and city council for approval prior to construction.

The site is expected to be rezoned from MDD-6, or Mixed Development District, to PUD, or Planned Unit Development. Takenoff said the PUD would give him more flexibility with the project, and council members agreed that PUD is more appropriate for the site.



The project is expected to return to the Planning Commission in February for preliminary approval of rezoning, which would put it on a council agenda in March. It would then go through the final rezoning approval process through the Planning Commission and city council.

In addition, Takenoff said he's committed to returning to the Planning Commission and city council with a sketch plan that includes the architecture of each phase of the project.

"We're going to be back here and we're going to be back here many, many times and in the community," he told the council.

Takenoff previously held community meetings at Pentagon Park in the fall to gather input from the neighborhood north of the office park.

He told the council that 2014 is expected to be a planning year on the project, and on-site action isn't expected to begin until 2015.

Takenoff purchased Pentagon Park in two parts in September 2012 and January 2013. The office park was built from the late 1960s to early 1970s, and consists of 11 office buildings, many of which went into foreclosure in 2009.

Takenoff touched on the site falling into disrepair during the council meeting and why they're coming forward for rezoning approval at this point.

"There are a number of reasons why we are bringing the project forward at this time and one of them is that it has been a monumental effort over the 15, 16 months to get the dysfunctional pieces of Pentagon Park together, to actually take these fractured pieces that have been put into a dysfunctional position over the last probably 25 years of dysfunctional ownership and poor choices, and we've got those pieces together and we now have all the pieces that are necessary to actually move this project forward and start looking at actual demolition of structures that are far past their useful life and candidly, just blighted beyond belief," he said.

The proposal for the site includes office and retail spaces, along with a hotel on the western edge of the site overlooking Highway 100. The city has asked that the potential for housing on the site be retained in the rezoning. Although housing isn't proposed for the site, Takenoff has agreed to keep it on the table for possible future inclusion on the site, Planning Director Cary Teague said.

The conceptual design of the site envisions office buildings around ponds with parking out of sight, and areas where people could sit and relax like they can do currently at Centennial Lakes.

The site's future design is being guided by six principles: green streets, integrated stormwater management, a pedestrian-friendly West 77th Street, connection between the eastern and western sides of the site, multi-modal connections and shared parking.

They've committed to stormwater management that provides the city with an amenity and an area where recreation activities are at or above the city's standard, Takenoff said.

They're also committed to encouraging bike and pedestrian traffic, including providing a facility to lock bikes and provide shower facilities in the buildings to get away from single-occupant vehicles, he said.

"We need to do more than hang a bike rack outside the door," he said.

They also need to upgrade the existing bus stops along the site to "signature" transit stations, he said.

Councilmember Mary Brindle said she hopes they succeed at encouraging multi-modal traffic on the street.

West 77th Street also needs to be upgraded and the street currently only has a sidewalk on one side, he said. The site's concept plan calls for a center median with trees, adding left turn lanes and street lights, and widening the sidewalks to encourage walking to the bus stops.

Parklawn Avenue also needs upgrades because they want people who bike to use it, Takenoff said.

The buildings need to be built to LEED green standards and solar energy is being considered, especially for the buildings facing West 77th Street, he said.

In terms of building heights, the plan is to have four-story buildings facing Fred Richards and five-story buildings facing West 77th Street. The proposed hotel could be 12 stories. The council was split on whether it would allow the hotel to rise higher than 12 stories, the maximum height allowed in the city's Comprehensive Plan.

A possible restaurant on the site would be something that has a "hometown feel" to it and isn't a chain, Takenoff said.

Brindle said she hopes that the potential businesses and restaurants provide some nightlife for the area so that the entire site doesn't go dark at 5 p.m.

Councilmember Joni Bennett pointed to the Excelsior and Grand development in St. Louis Park, saying it's been a success at revitalizing the area and is an amenity to the homes around it. She said she appreciates the opportunity for a similar private-public partnership on the Pentagon Park site.

Hillcrest Development is working on two different concepts for the site based on the future of the Fred Richards Golf Course, which sits directly to the north of the office park. One concept provides synergy with Fred Richards if the city were to re-purpose it and one doesn't provide that connection, said Tom Whitlock of Damon Farber Associates, which is working on Pentagon Park's land design.

If Fred Richards becomes something else, like a park, they envision connecting Pentagon Park via a bridge similar to the bridges at Centennial Lakes Park, he said.

A parkway that circles the site and returns traffic to West 77th Street is also planned. No thorough streets are planned that connect the office park to the neighborhood to the north of Pentagon Park.

The Nine Mile Creek Regional Trail is also expected to travel along the edge of the site and they want to provide an amenity that brings people from the bike trail onto the Pentagon Park site and vice-versa, Whitlock said.

Takenoff concluded by saying their "minds are open, options are open." They have two different preliminary ideas, and knowing the future of the Fred Richards Golf Course is "critical," he said.

Hovland said following the presentation on the project that it has "ignited the imagination" of city staff and made the city realize what the area west of France Avenue could become. He pointed out the aerial photo shown during the presentation that shows the neighborhood and Fred Richards to the north of Pentagon Park, "and all of a sudden you hit a wall of gray and its all concrete all the way to 494."

Contact Lisa Kaczke at lisa.kaczke@ecm-inc.com

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2

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Edina receives grant
for Pentagon Park



NEWS

Pentagon Park
developer considering



TIF District considered
for Pentagon Park



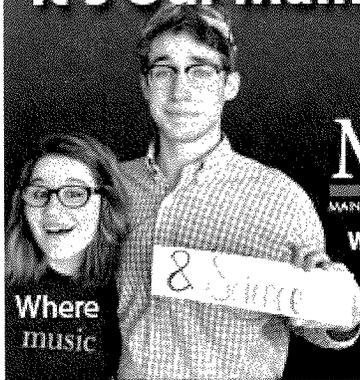
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1 comment • 4 months ago

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WELCOME & THANK YOU FOR COMING

Tonight's Open House is an important step in the potential redevelopment of Pentagon Park. Your comments will inform the planning process and help us to unlock the full potential of this tremendous site!

Tonight's Schedule:

6:30pm – 7:00pm, Open House
7:00pm – 7:30pm, Presentation
7:30pm – 8:00pm, Open House

There are five key stations around the room to orient you to the site and the effort that has been accomplished to-date.

Station 1

Monitor displaying interior and exterior images of the existing buildings within the Pentagon Park property.

Station 2

Existing Conditions & Context – Aerial images of site and views of Pentagon Park from the neighborhood to the North of the site.

Station 3

Redevelopment Issues and Opportunities – Key Project Goals.

Station 4

Models of alternative redevelopment concepts.

Station 5

Comment Station.

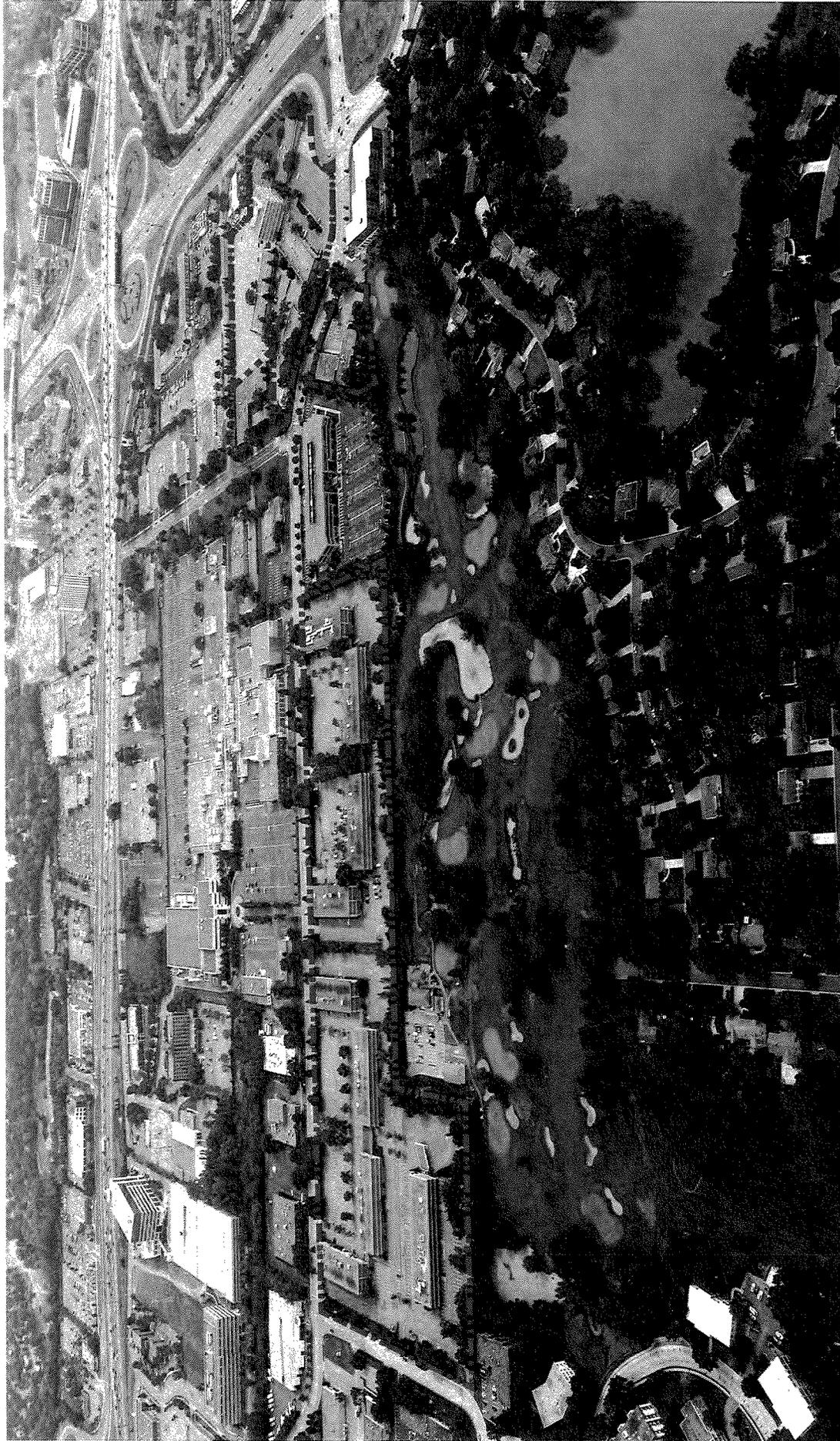


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AREA CONTEXT PENTAGON PARK

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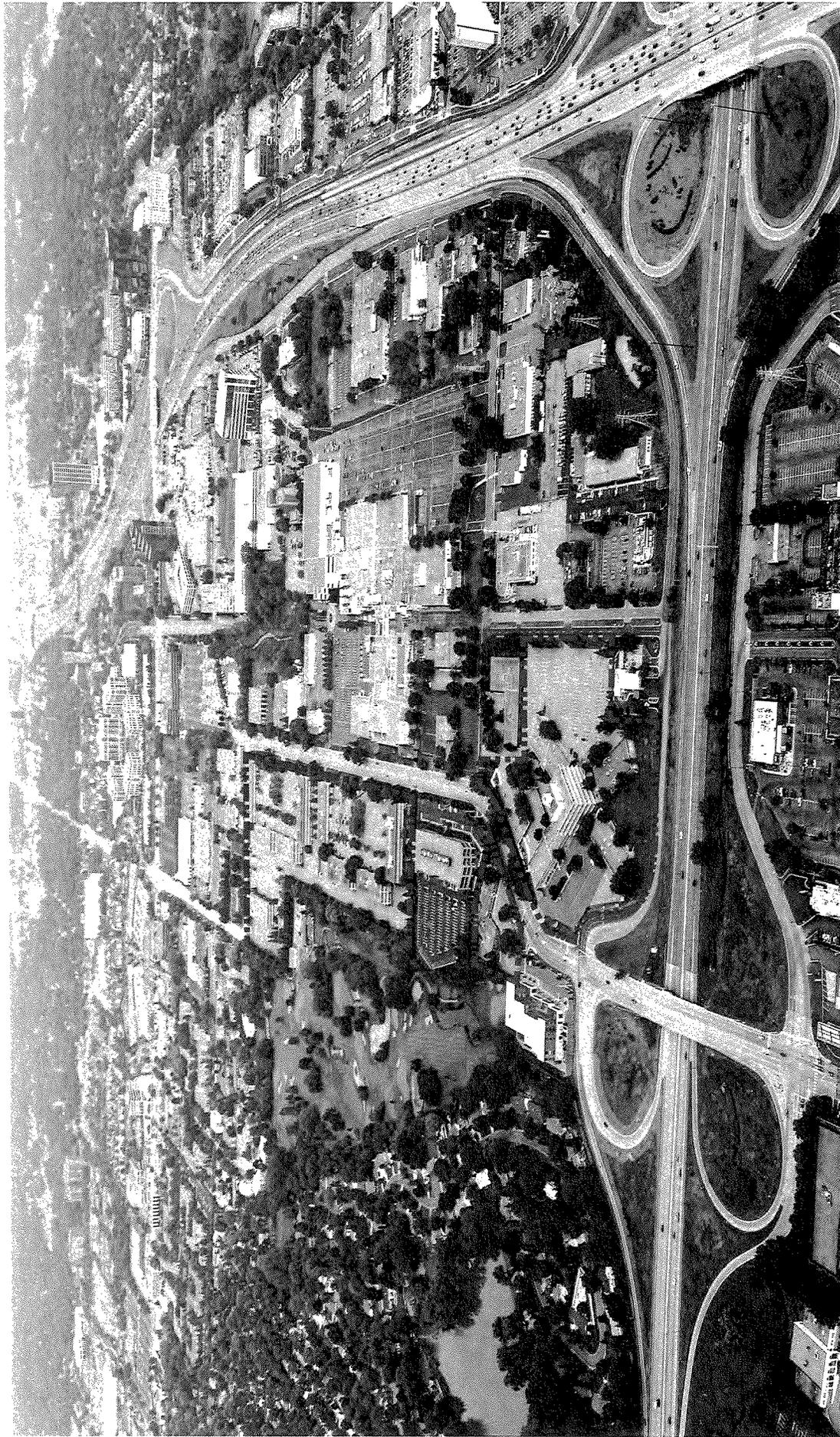
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1 LOOKING SE TOWARDS PENTAGON PARK FROM FRED RICHARDS GOLF COURSE



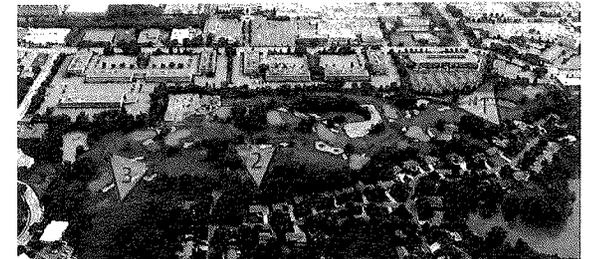
2 LOOKING SOUTH TOWARDS PENTAGON PARK FROM FRED RICHARDS GOLF COURSE



3 LOOKING SW TOWARDS PENTAGON PARK FROM FRED RICHARDS GOLF COURSE, FAR EAST SIDE OF PROPERTY



IMAGE LOCATIONS



WEST PROPERTY BOUNDARY



EXISTING PEDESTRIAN SPACE



EXISTING SEAM - NE CORNER OF PROPERTY



77TH STREET LOOKING EAST TOWARD PENTAGON PARK

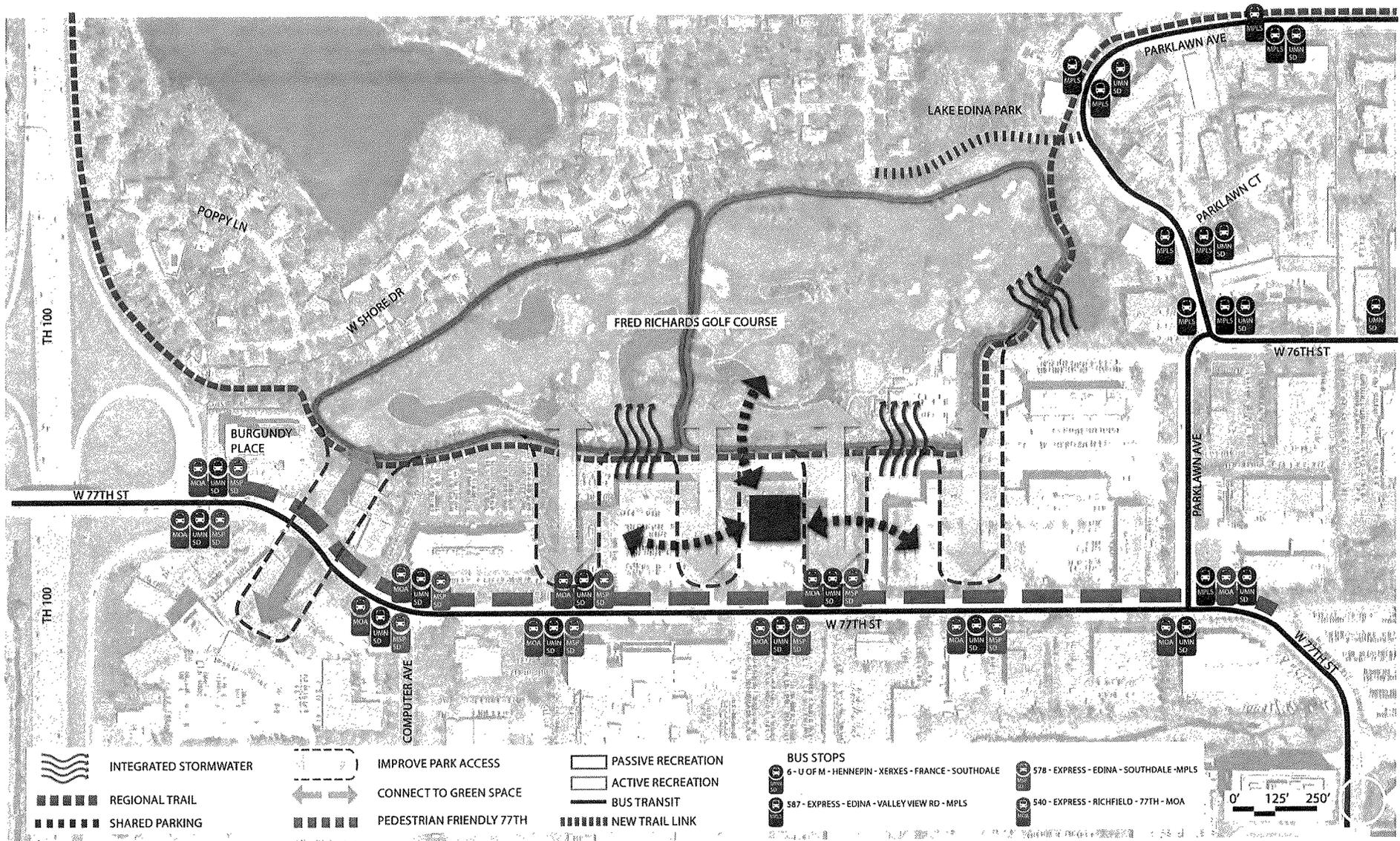


EXISTING PARKING LOT



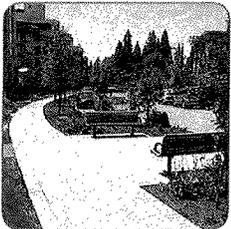
EXISTING SEAM - NORTH SIDE OF PROPERTY



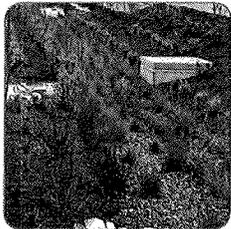
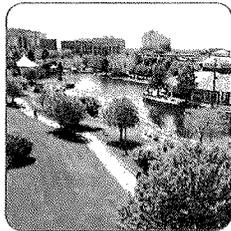


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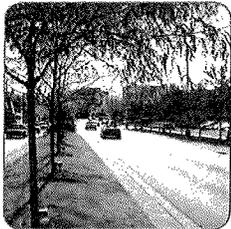
GREEN
STREETS



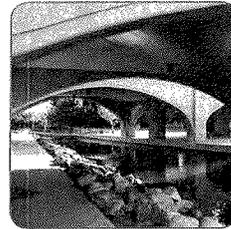
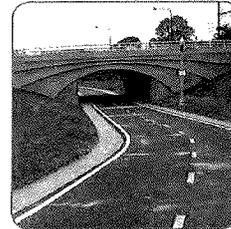
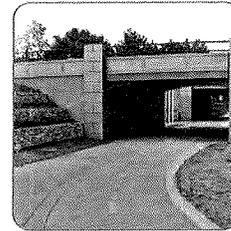
INTEGRATED
STORMWATER



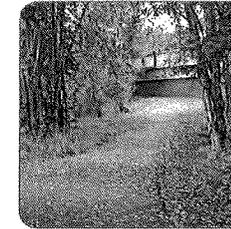
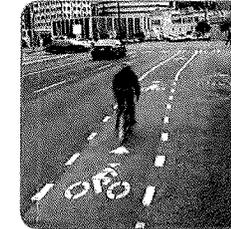
PEDESTRIAN
FRIENDLY 77TH



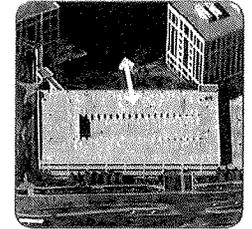
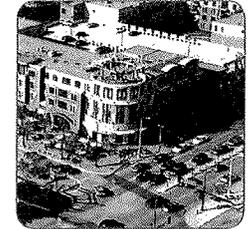
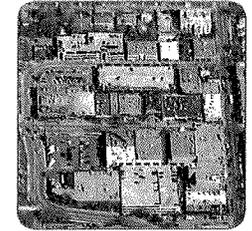
CONNECT
WEST TO EAST



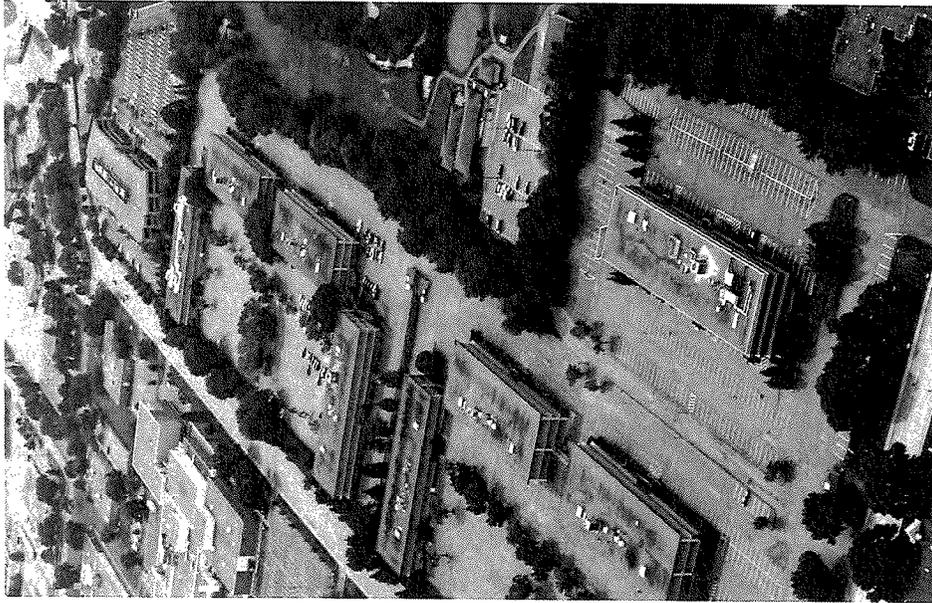
MULTIMODAL
CONNECTIONS



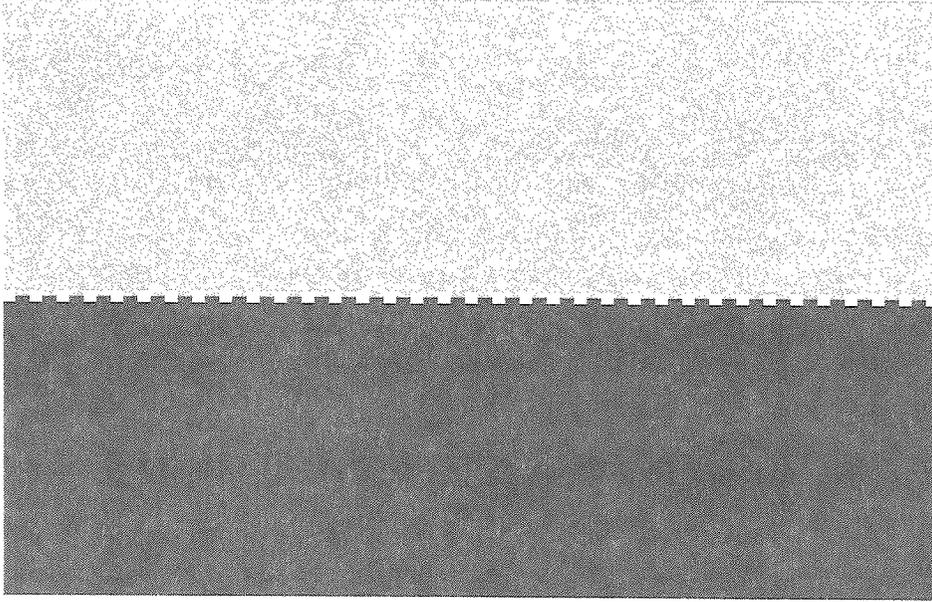
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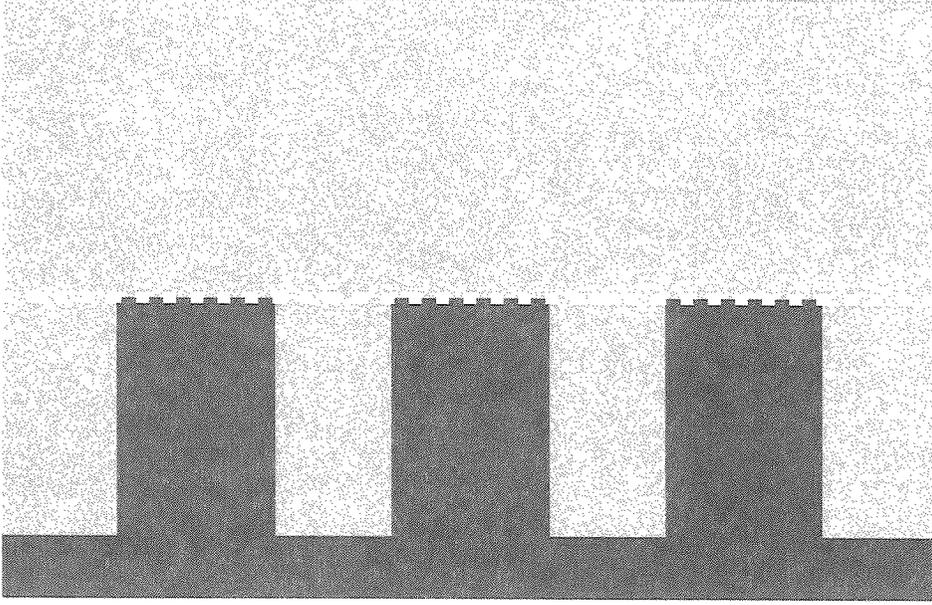
EXISTING



EXISTING RELATIONSHIP



GOAL

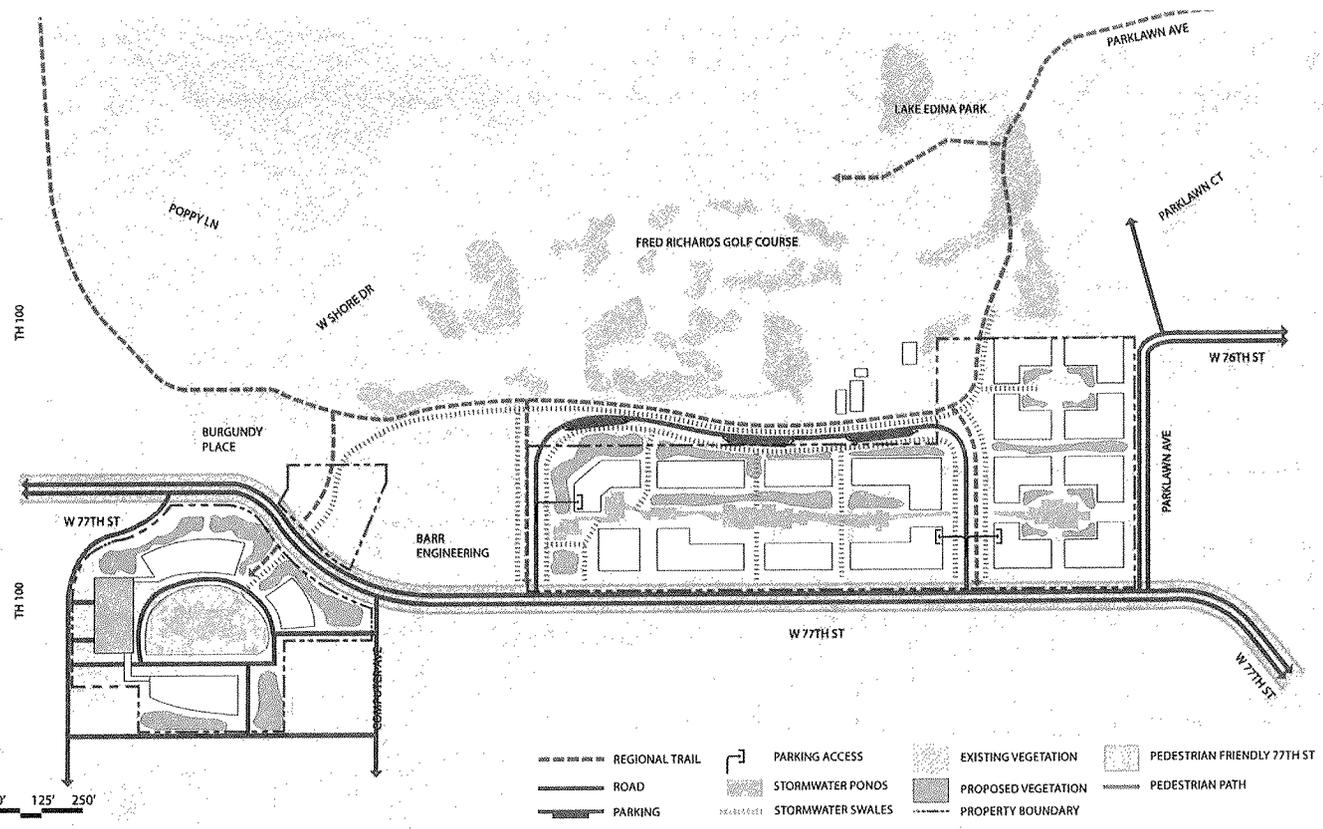


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UNLOCKING THE POTENTIAL
EDINA, MN - SEPTEMBER 2013

PENTAGON PARK



DOCKSIDE GREEN CONCEPT

- A continuous linear stormwater amenity connects the development parcels
- A two-way parkway with parking bays provides a loop around the development, connecting from W 77th St
- 'Natural vegetation' is planted adjacent to stormwater ponds and buildings
- A regional trail is located north of the site, with three connections from trail to W 77th St
- W 77th St to be pedestrian friendly with trees, stormwater management, and improved sidewalks
- Multiple parking strategies - below-grade, on-street and architecturally integrated with buildings

BIRDSEYE OF DOCKSIDE GREEN LOCATED IN VICTORIA, BRITISH COLUMBIA



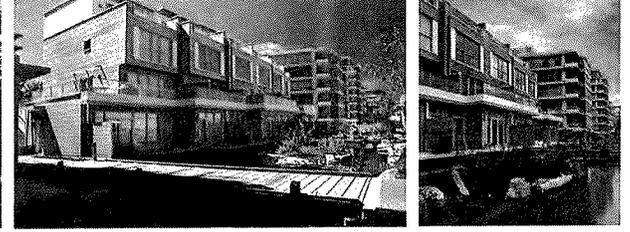
DOCKSIDE GREEN STORMWATER & PEDESTRIAN BRIDGE



LUSH VEGETATION AT DOCKSIDE GREEN

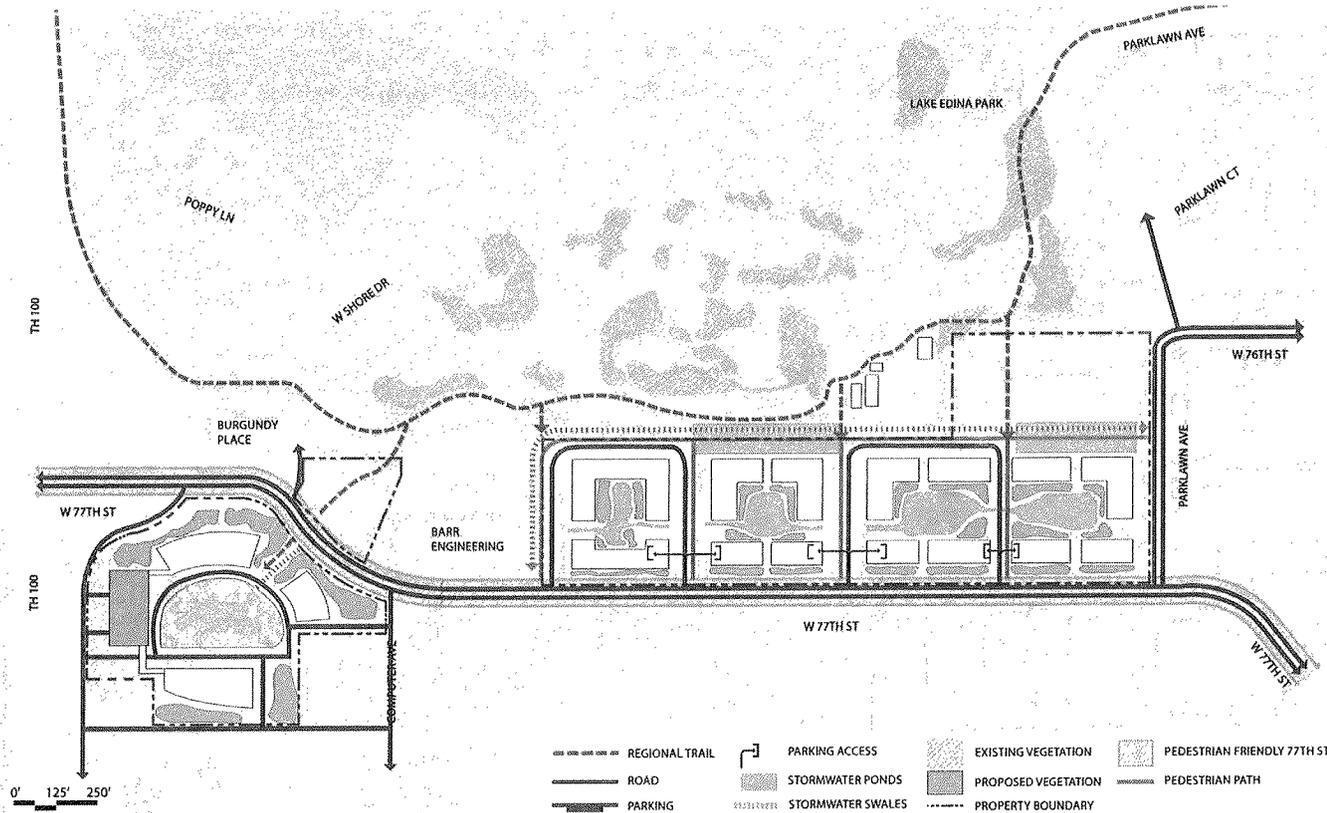


STORMWATER AMENITY INTEGRATES BUILDINGS AND CIRCULATION

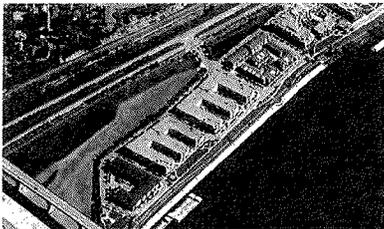


THE UPPER LANDING CONCEPT

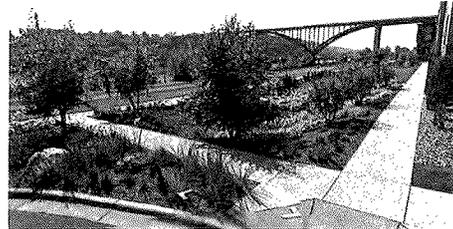
- Two road loops off of W 77th St - providing connectivity without through traffic
- Small stormwater ponds are located on the interior of the development buildings
- Public parking is located between the trail and development
- Flexibility in block size (market-driven)
- A regional trail is located north of the site between the park and development
- W 77th St to be pedestrian friendly with trees, stormwater management, and improved sidewalks
- Multiple parking strategies - below-grade, on-street and architecturally integrated with buildings



AERIAL OF THE UPPER LANDING IN ST PAUL, MN



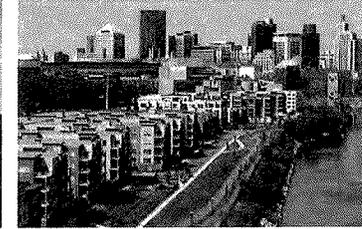
STORMWATER SWALE BETWEEN THE UPPER LANDING AND TRAILS



ROADWAY ADJACENT TO THE UPPER LANDING



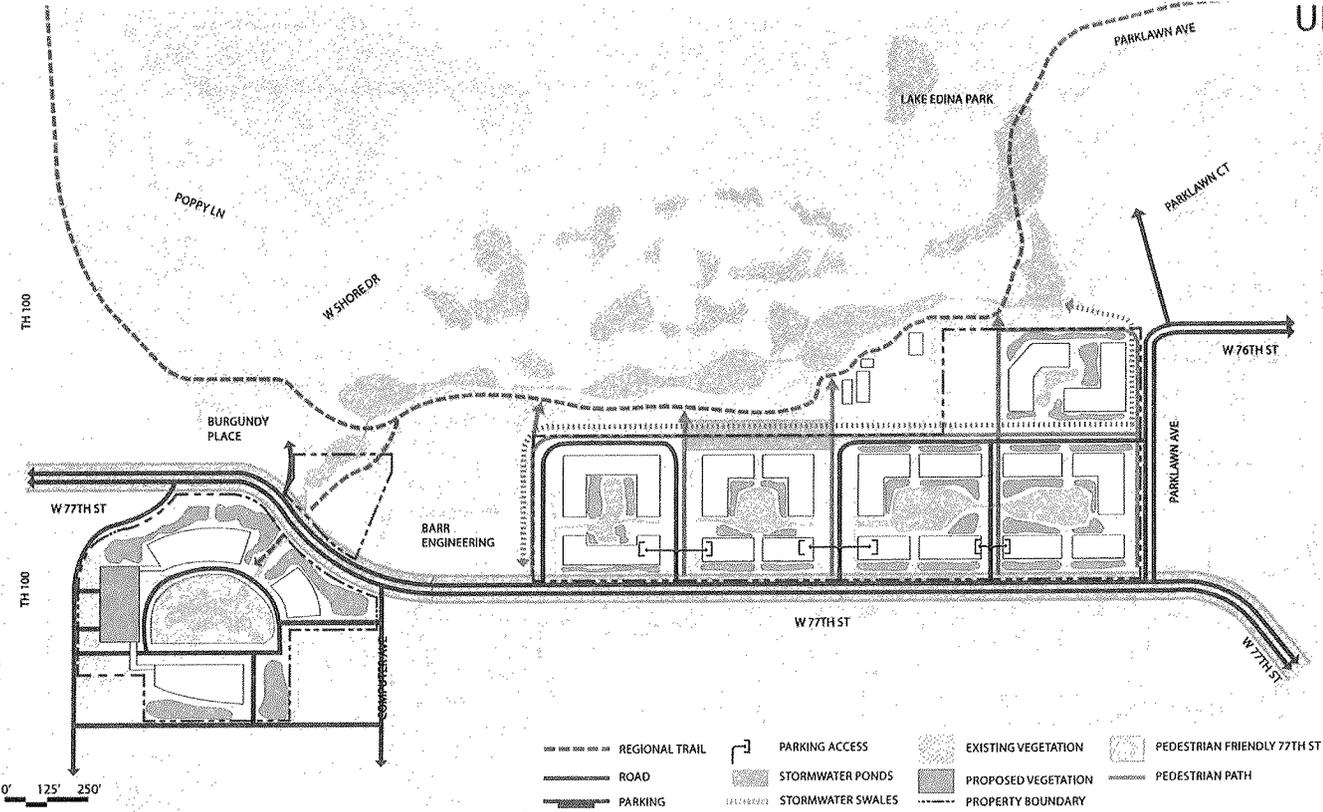
LOOP STREETS ALTERNATE WITH STORMWATER FEATURES



PATHWAY BETWEEN BUILDINGS

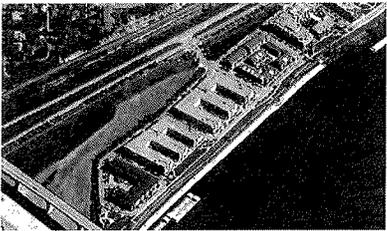


UPPER LANDING HYBRID CONCEPT

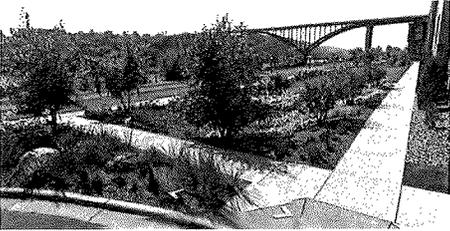


- Two road loops off of W 77th St - providing connectivity without through traffic
- Small stormwater ponds are located on the interior of the development buildings
- Public parking is located between the trail and development
- Flexibility in block size (market-driven)
- A regional trail is located north of the site between the park and development
- W 77th St to be pedestrian friendly with trees, stormwater management, and improved sidewalks
- Multiple parking strategies - below-grade, on-street parking bays on loop roads and architecturally integrated with buildings

AERIAL OF THE UPPER LANDING IN ST PAUL, MN



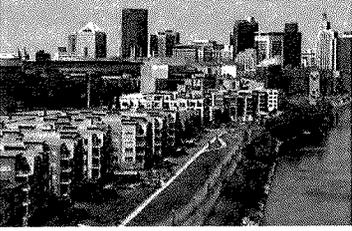
STORMWATER SWALE BETWEEN THE UPPER LANDING AND TRAILS



ROADWAY ADJACENT TO THE UPPER LANDING



LOOP STREETS ALTERNATE WITH STORMWATER FEATURES



PATHWAY BETWEEN BUILDINGS



DAMON **FARBER** ASSOCIATES

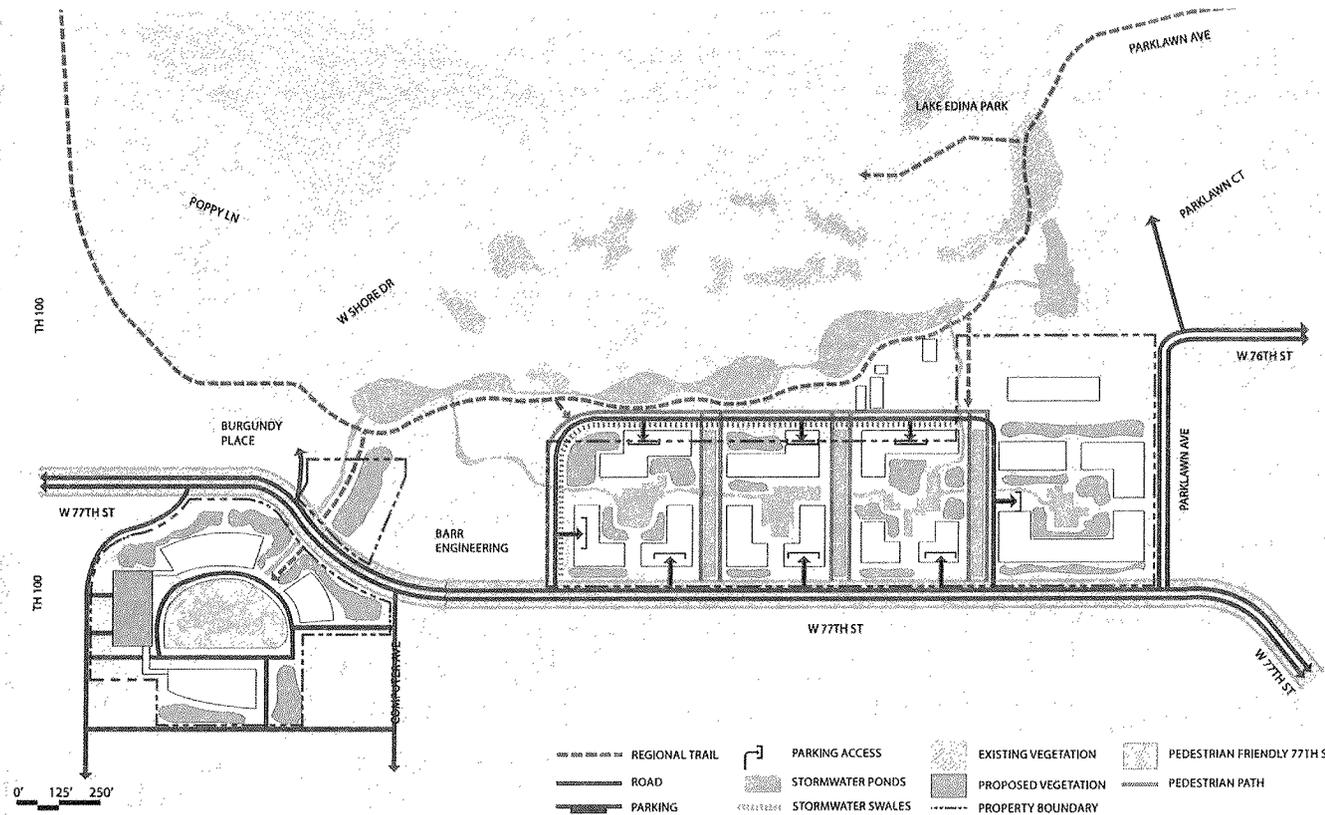
ADG CONSULTING, LLC
 2000 W. WASHINGTON AVE.
 SUITE 200
 EDINA, MN 55425
 TEL: 763.835.1111
 WWW.ADGCONSULTING.COM

CONCEPT DIAGRAMS
 EDINA, MN - SEPTEMBER 2013

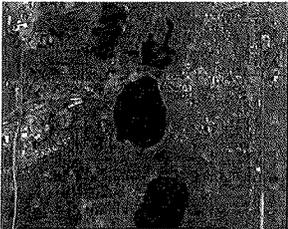
PENTAGON PARK

CHAIN OF LAKES CONCEPT

- Multiple shared amenities
- A parkway is located north of site, increasing connectivity
- Multiple water bodies are located north of the site, separating the neighborhood from the development
- Small stormwater ponds are located on the interior of the development and manage water in concert with larger ponds to the north
- Flexibility in block size (market-driven)
- A regional trail is located north of the site between the park and development
- W 77th St to be pedestrian friendly with trees, stormwater management, and improved sidewalks
- Multiple parking strategies - below-grade, on-street and architecturally integrated with buildings



AERIAL OF THE CHAIN OF LAKES



WETLAND AREA ADJACENT TO LAKE CALHOUN



TWO-WAY PARKWAY WITH PARKING BAYS ADJACENT OF LAKE CALHOUN

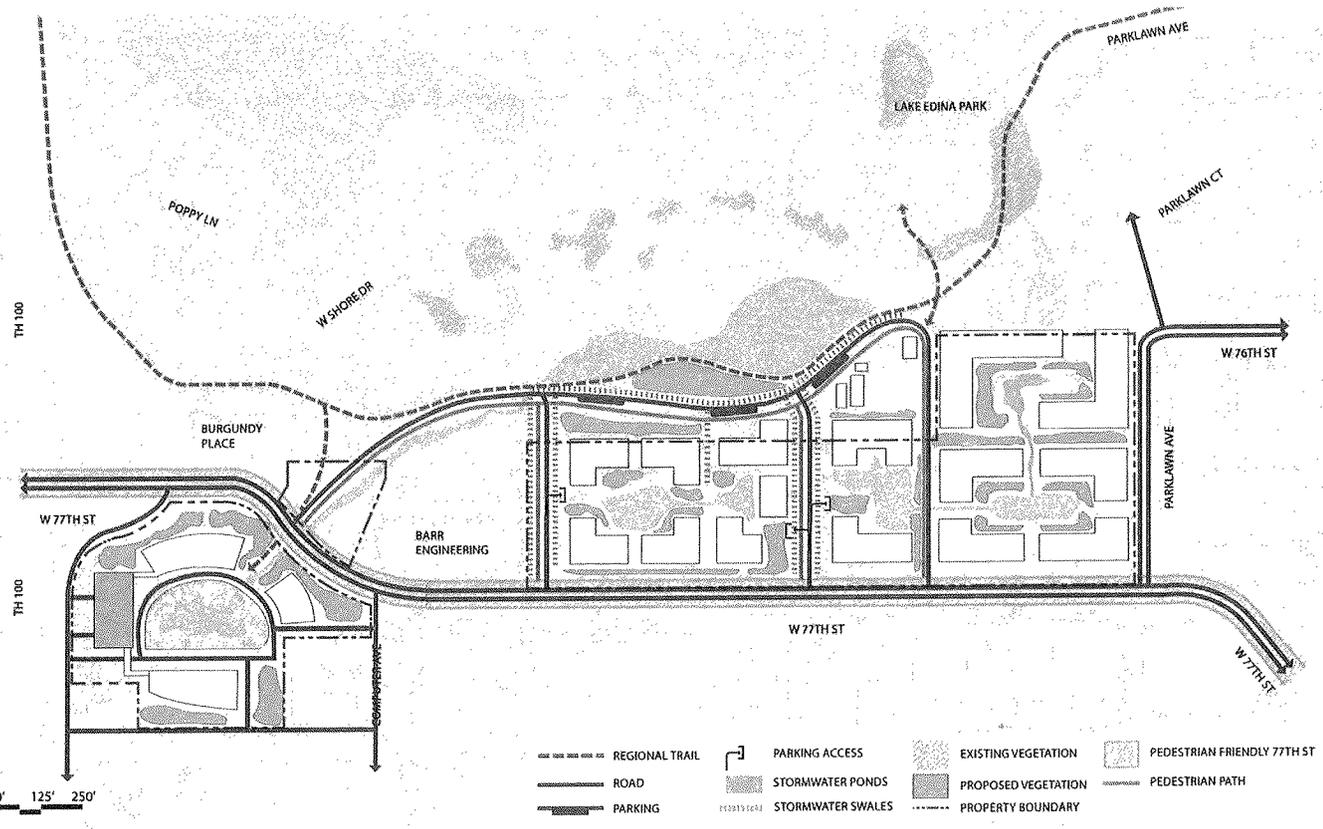


STORMWATER SWALE ADJACENT TO PATH



STORMWATER SWALE BETWEEN PATHS

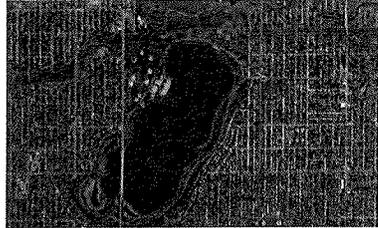




CENTENNIAL LAKES CONCEPT

- A central water feature is located north of the site separating the neighborhood from the development
- Stormwater ponds are natural amenities within the development
- A parkway provides public access and bay parking to the park
- A flexible grid of streets (market driven) with parallel parking connects W 77th St to the parkway north of the site
- A regional trail is located north of the site, with two connections from trail to W 77th St
- W 77th St to be pedestrian friendly with trees, stormwater management, and improved sidewalks
- Multiple parking strategies - below-grade, on-street and architecturally integrated with buildings

AERIAL OF LAKE NOKOMIS



ONE-WAY LOOP WITH PARKING BAYS



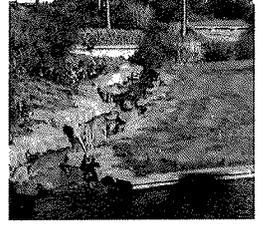
NATURAL VEGETATION



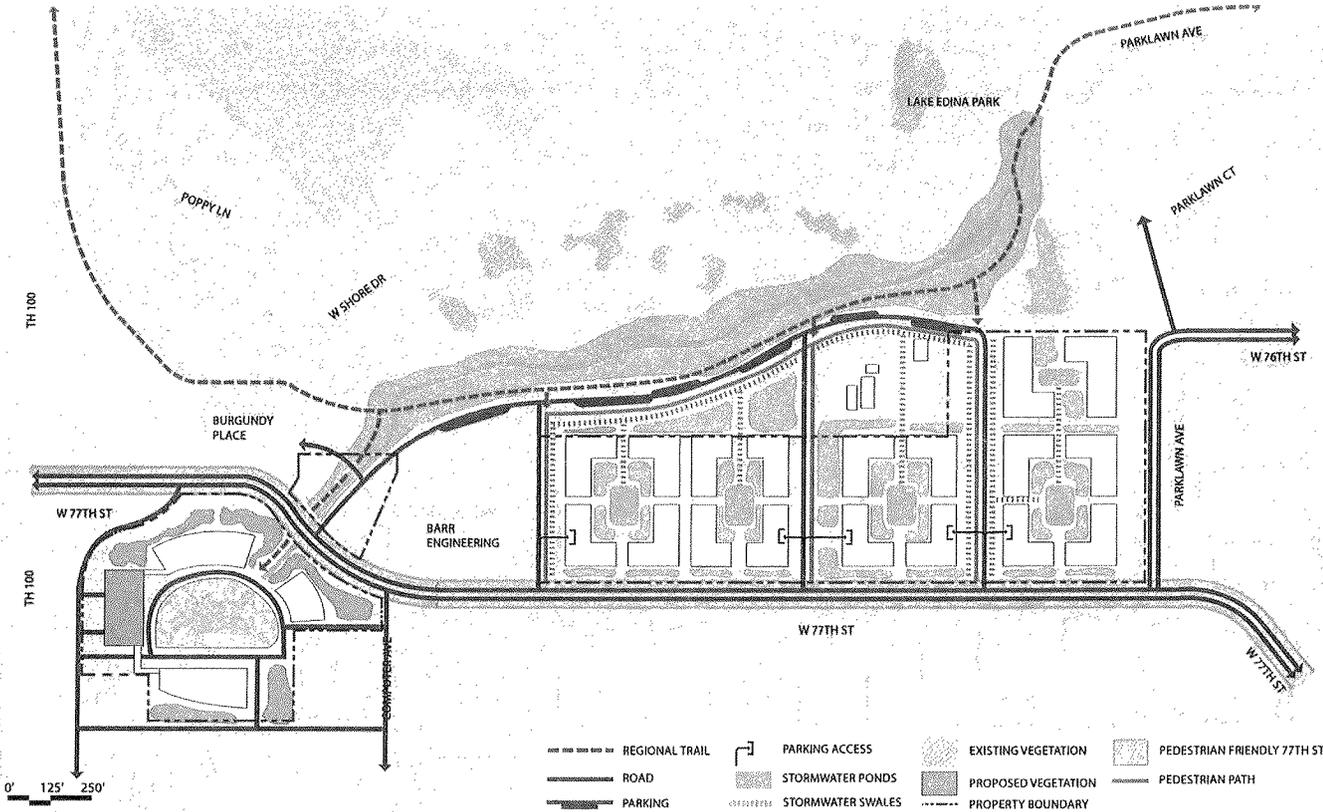
CENTENNIAL LAKES



STORMWATER LINKS TO DEVELOPMENT



MINNEHAHA CREEK CONCEPT

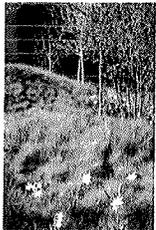


- A naturalized corridor with vegetation and a spine of water is located north of the site separating the neighborhood from the development
- Small stormwater ponds are located on the interior of the development buildings
- A parkway with parking bays is located between the naturalized corridor and new development
- A flexible grid of streets (market driven) with parallel parking connects W 77th St to the parkway north of the site
- A regional trail is located north of the site, with two connections from trail to W 77th St
- W 77th St to be pedestrian friendly with trees, stormwater management, and improved sidewalks
- Multiple parking strategies - below-grade, on-street and architecturally integrated with buildings

MINNEHAHA CREEK THROUGH EDINA COUNTRY CLUB DISTRICT



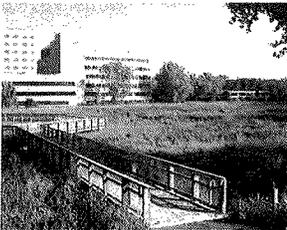
COLORPLAST US HEADQUARTERS IN MINNEAPOLIS



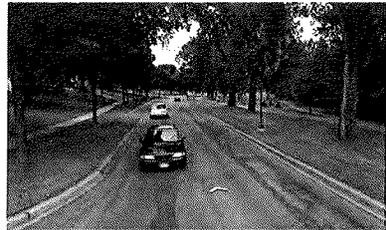
PEDESTRIAN PATH OVER MINNEHAHA CREEK



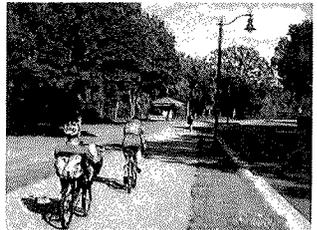
PARKWAY ALONG MINNEHAHA CREEK

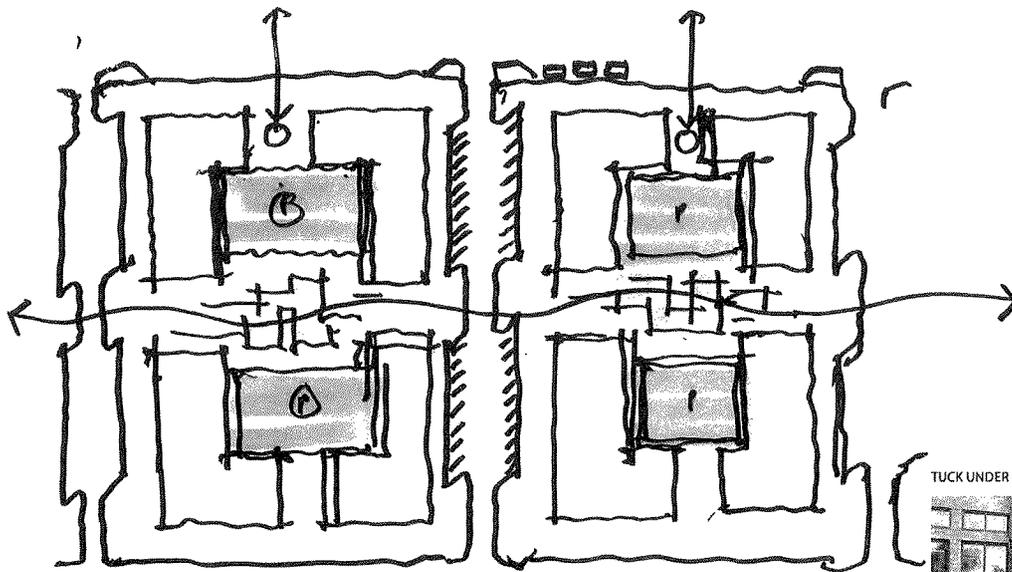


PATH ADJACENT TO PARKWAY



PATH ADJACENT TO PARKWAY

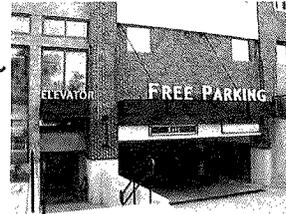




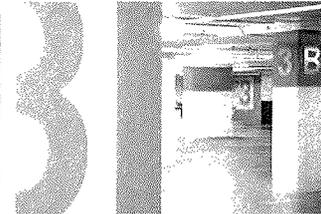
THREE PRONGED APPROACH TO PARKING:

1. Below-grade (1 level)
2. "Embedded" deck (maintain great addresses at perimeter)
3. Street Parking
 - Parallel
 - Diagonal
 - Parking Bays

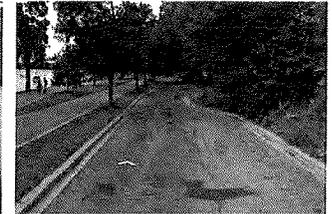
TUCK UNDER PARKING



TUCK UNDER PARKING



STREET PARKING - PARKING BAYS AT FRED RICHARDS



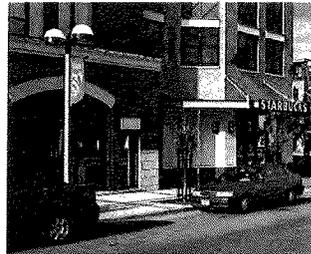
STREET PARKING - DIAGONAL



STREET PARKING - DIAGONAL



STREET PARKING - PARALLEL



STREET PARKING - PARALLEL



STREET PARKING - PARALLEL

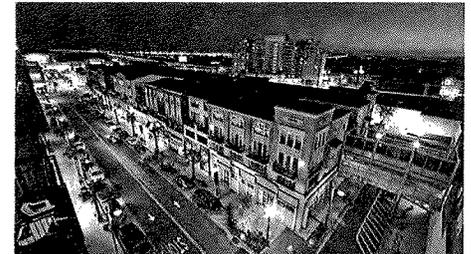


Exhibit H



Three Rivers
PARK DISTRICT



Nine Mile Creek Regional Trail
master plan

Draft - September 17, 2013

Edina Segment

Location and Status

The 7.38-mile segment of Nine Mile Creek Regional Trail is generally unbuilt through Edina. The Edina segment may be implemented in two phases and as such, the Edina segment is broken into West (Figure 13) and East (Figure 14) segment efforts.

West Segment

From TH 169, the trail continues east along the southern bank of Nine Mile Creek through a wetland complex owned by Edina. The trail follows a small sliver of upland through the wetland complex to the Lincoln Drive cul-de-sac. At Lincoln Drive, the trail extends south between the road and Nine Mile Creek. The trail will be located partially on right-of-way and partially on parkland associated with Nine Mile Creek.

The trail crosses Bren Road/Londonderry Road before extending east along the southern bank of Nine Mile Creek through a large wetland complex to Londonderry Drive. The trail will cross Nine Mile Creek within the wetland complex in an effort to utilize available upland and make its way to Londonderry Drive. At Londonderry Drive, the trail follows the south and east right-of-way to Walnut Ridge Park.

At Walnut Ridge Park, the trail parallels the Nine Mile Creek and stays along the southern limits of the park's developed area continuing east to Vernon Avenue via a third wetland complex. The regional trail will replace the existing trail along the park's southern boundary. The trail crosses Vernon Avenue at an existing controlled crossing and then follows the eastern right-of-way of Gleason Road to the existing trail access point of Bredesen Park. The trail utilizes the existing Bredesen Park trails to TH 62.

The main trails through Bredesen Park separate walking (pedestrian) and biking activities. Since the regional trail will utilize these trails, the regional trail is planned to also separate uses. This will be further evaluated in conjunction with Edina during the design phase.

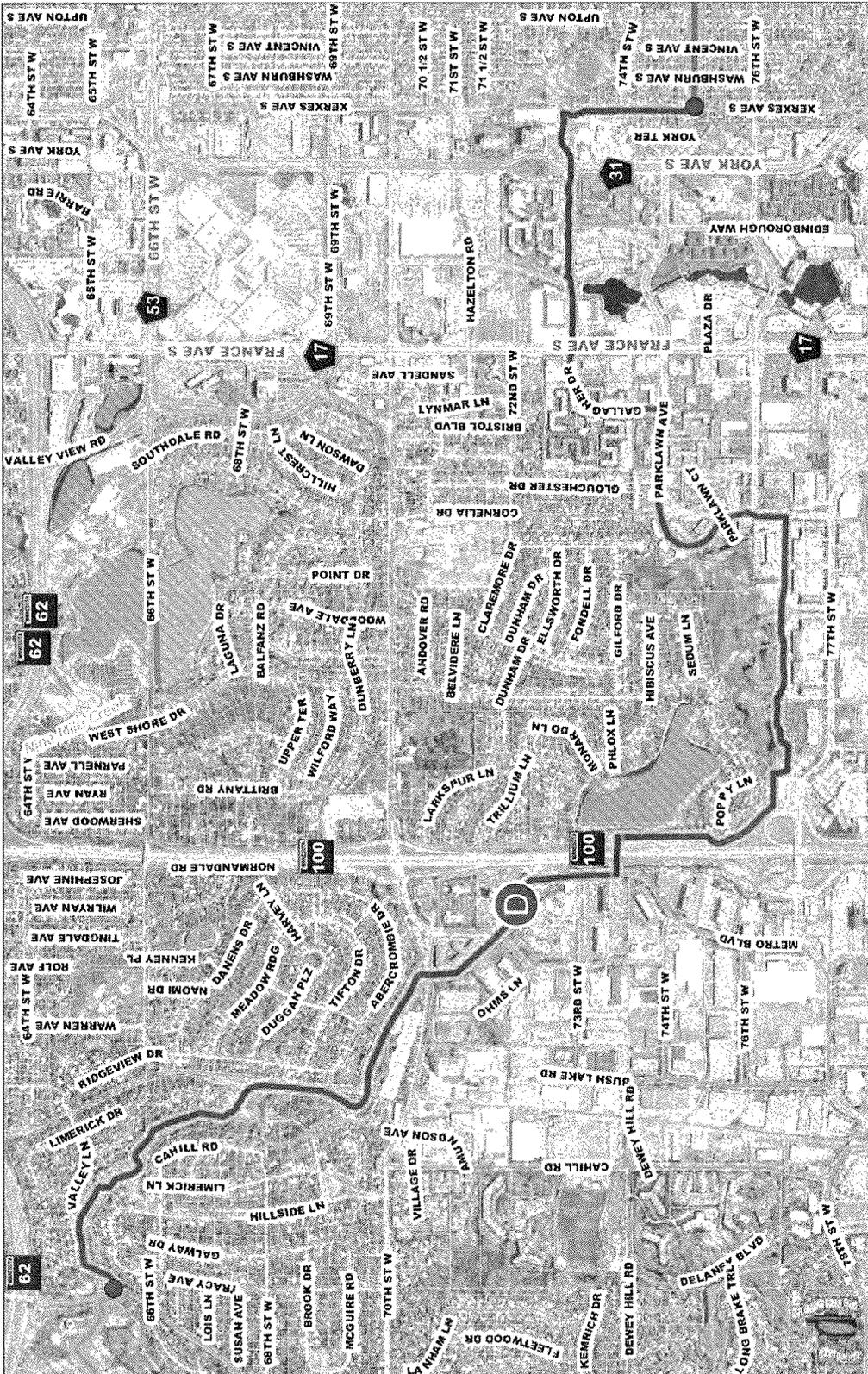
At TH 62, the trail continues to follow the Nine Mile Creek across TH 62 to Creek Valley Elementary School via a new pedestrian/bicycle bridge located between Gleason Road and Tracy Avenue.

At Creek Valley Elementary School, the trail extends east, still paralleling the southern creek bank, across parkland and property owned by the Edina School District. The trail passes the Valley View Middle School and Edina High School and continues east to Tracy Avenue.

East Segment

The trail crosses Tracy Avenue at Valley View Road and follows existing parkland along the Nine Mile Creek corridor to the intersection of 70th Street West and Metro Boulevard. There is one segment near Brook Drive along the creek in which parkland does not exist. For this short segment, the trail is located east of the Nine Mile Creek corridor on parkland associated with existing utility lines and immediately west of the Canadian Pacific Railroad (CP Rail). This trail segment, as originally envisioned, passes through or is adjacent to, Heights and Abercrombie Parks, likely incorporates at least two creek crossings, and requires a new crossing of CP Rail. As part of the design phase, the crossing of CP Rail will be further studied and an alternative route would be determined in conjunction with Edina, if necessary.

The exact location of the trail along Nine Mile Creek will be determined in the design phase and will take into consideration the challenges associated with amount of available parkland, wetlands, flood plains,



Nine Mile Creek Regional Trail | Edina East

Map prepared by Three Rivers Park District
 Planning Department - AR September 31, 2013
 This GIS Data is provided "as is" without warranty
 of any representation of accuracy, timeliness, or
 completeness. The user acknowledges and accepts
 the limitations of the Data, including the fact that the
 Data is dynamic and is in a constant state of maintenance,
 correction, and update.

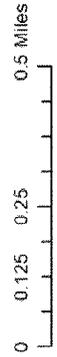


Figure 14
 Edina East Segment of the Nine Mile Creek Regional Trail
 Source: Three Rivers Park District

and Nine Mile Creek as well as the opportunities of providing public access to public land.

At the intersection of 70th Street West and Metro Boulevard, the trail will continue south along the west right-of-way of Metro Boulevard to a new grade-separated pedestrian/bicycle bridge over TH 100. The bridge will occur somewhere between 72nd and 74th Streets, and will connect to existing parkland located on the western shore of Lake Edina.

From Lake Edina, the trail continues south and east to and along the southern border of Fred Richards Golf Course. A small portion of this trail segment is located within MnDOT right-of-way and Burgundy Condos property. Similar to other trail segments within Edina, the exact location along/across the Fred Richards Golf Course will be determined during the design phase and in conjunction with redevelopment efforts of the Pentagon Park area, located immediately south of Fred Richard's Golf Course. It is possible that an alternative to avoid the golf course entrance will be established.

From Fred Richards Golf Course, the trail continues east along the western and northern right-of-way of Parklawn Avenue to Gallagher Drive. The trail is located within the eastern and southern right-of-way of Gallagher Drive and continues east over France Avenue. The regional trail segment along Gallagher Drive was designed and constructed in 2012 as part of a road reconstruction project. This segment was designed to meet regional trail standards to the greatest extent feasible within the road right-of-way; therefore, no immediate improvements are proposed at this time. From France Avenue the trail utilizes an existing trail connection to Edina Promenade between the Macy's Home Furniture Store on the north and a retail complex and Centennial Lakes Park on the south.

The trail continues east through the Edina Promenade and Yorktown Park trail system between Centennial Lakes and Adam Hill Park (Xerxes Avenue). This segment of trail is designed as a linear park with separate walking and biking trails. The existing trails will serve as part of the regional trail corridor but remain under the jurisdictional control of Edina. The existing trails do not meet regional trail standards and incorporate roundabout features which help reduce speed through a potentially congested area. When and if this area is reconstructed, the Park District will work with Edina to design and upgrade this trail segment to meet regional trail standards without significantly changing the character and intent of the Edina Promenade and Yorktown Park.

At Yorktown and Adam Hill Parks, the trail extends south along the western right-of-way of Xerxes Avenue for two blocks to 75th Street where it connects with the existing trail segment in Richfield.



An existing Edina West trail segment along Vernon Avenue.



The Edina East trail segment incorporates existing parkland in which the trail is planned along Valley View Road.

Context and Destinations

The Edina trail segment is located through and adjacent to a wide variety of land uses. The trail segment between TH 169 and TH 100 is primarily located on parkland surrounded by low density residential uses with a few pockets of medium residential density and commercial/office/industrial land uses. East of TH 100 the trail is located adjacent to and through office, residential (low, medium, and high density), and mixed uses.

To the greatest extent feasible, the trail is located within parkland adjacent to Nine Mile Creek. In addition, the trail corridor passes three schools (Creek Valley Elementary School, Valley View Middle School, and Edina High School), several parks (Walnut Ridge, Bredesen, Creek Valley, Heights, Abercrombie, Centennial Lakes, and Yorktown Parks, Edina Promenade, Fred Richards Golf Course), France Avenue Business District (Southdale Hospital, Southdale Mall, and many other office/retail employment centers), and

several churches. The parks located adjacent to the regional trail provide an impressive diversity of recreational offerings including, but not limited to; ice rinks, walking, biking, and cross country ski trails, soccer fields, baseball diamonds, play areas, bathrooms, nature areas, tennis courts, gardens, fishing, concessions, picnicking, golf, a band stand, and a skate park. Many of the adjacent parks offer public bathroom facilities, water, and parking and by the nature of their location, support the regional trail corridor.

Natural Resources

The Nine Mile Creek corridor through Edina is a hidden gem. Prior to development, Edina took steps to preserve public land along the creek corridor and associated wetlands and floodplain. With the development of the Nine Mile Creek Regional Trail, this land will be available for public use and enjoyment.

The Nine Mile Creek Regional Trail corridor is a mix of both wooded and open areas, upland and lowland, and developed and undeveloped areas. The area immediately adjacent to the regional trail and Nine Mile Creek are classified as forests, wetlands, open water, shrub lands, and herbaceous landcovers by the MLCCS (Appendix C). The greater surrounding landscape and adjacent areas of the Edina segment are predominantly artificial surfaces and cultural vegetation. It provides a little bit of everything creating diverse and desirable opportunities for regional trail users. The location next to the Nine Mile Creek and its associated wetlands and floodplains provide a wonderful opportunity to provide access to engage with nature while fully immersed within a first-tier community.

While the corridor is a pleasant contrast to the heavily urbanized and populated area of Edina, it has been impacted by adjacent development and urban land uses. The quality of the natural resources of the regional trail corridor is the direct result of urbanization.

The Park District will maintain the 16-20' wide corridor to account for both trail user safety and the



Nine Mile Creek Regional Trail corridor through Edina will provide opportunities to interact with Nine Mile Creek.

adjacent natural resources. While the Park District will not be responsible to manage or otherwise improve the adjacent natural resources, the Park District recognizes that the health of the greater landscape plays an important role in the value of the corridor and enjoyment of trail users; therefore, the Park District will promote environmental stewardship through its own operation and maintenance practices.

Species of Special Concern

Most wildlife species found within the regional trail corridor have already been introduced to human activities (e.g., existing trails and sidewalks, adjacent land uses, etc.) and are not anticipated to be negatively affected by the regional trail. However, there are a few species within a one-mile radius of the Edina segment that are classified as Threatened or Special Concern Species within Minnesota and warrant special consideration.

- Two Blanding's Turtles (*Emydoidea blandingii*) - Threatened Species
- One Peregrine Falcon (*Falco peregrines*) - Threatened Species
- One Common Moorhen (*Gallinula chloropus*) - Special Concern Species
- One Forester's Tern (*Sterna forsteri*) - Special Concern Species

The Peregrine Falcon, Common Moorhead, and Forester's Tern are not anticipated to be impacted by the project. The Blanding's turtle is also not anticipated to be impacted by the project as the Park District will construct the regional trail in accordance with Minnesota Department of Natural Resources best management practices and recommendations for this species.



The Park District will construct the regional trail in accordance with Minnesota Department of Natural Resources best management practices and recommendations for all Threatened or Special Concern Species present.

Acquisition Needs

The Nine Mile Creek Regional Trail master planning process identified the need for several new trail easements.

The potential new easements are located through:

- Former United Health Complex (southeast corner of Lincoln Avenue and Londonderry Road)
- Edina middle/high school
- Creek Baptist Church (southwest corner of Tracy Avenue and TH 62)
- Burgundy Condos
- Fred Richards Golf Course area

An existing easements along Macy's Furniture Store property may be amended to allow for regional trails uses and/or increase the easement width. It is possible that additional regional trail easements may be identified during the design phase. If this occurs, the Park District and Edina will work together to obtain the required easement while minimizing any potential impacts to private property to the greatest extent possible. In addition, limited use permits are required from MnDOT for the crossings of TH 169, TH 62, and TH 100.

Exhibit J

TMDL: Nine Mile Creek Watershed Chloride TMDL, Hennepin County, MN
Date: November 29, 2010

DECISION DOCUMENT FOR THE NINE MILE CREEK WATERSHED CHLORIDE TMDL, HENNEPIN COUNTY, MINNESOTA

Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations at 40 C.F.R. Part 130 describe the statutory and regulatory requirements for approvable TMDLs. Additional information is generally necessary for EPA to determine if a submitted TMDL fulfills the legal requirements for approval under Section 303(d) and EPA regulations, and should be included in the submittal package. Use of the verb "must" below denotes information that is required to be submitted because it relates to elements of the TMDL required by the CWA and by regulation. Use of the term "should" below denotes information that is generally necessary for EPA to determine if a submitted TMDL is approvable. These TMDL review guidelines are not themselves regulations. They are an attempt to summarize and provide guidance regarding currently effective statutory and regulatory requirements relating to TMDLs. Any differences between these guidelines and EPA's TMDL regulations should be resolved in favor of the regulations themselves.

1. Identification of Waterbody, Pollutant of Concern, Pollutant Sources, and Priority Ranking

The TMDL submittal should identify the waterbody as it appears on the State's/Tribe's 303(d) list. The waterbody should be identified/georeferenced using the National Hydrography Dataset (NHD), and the TMDL should clearly identify the pollutant for which the TMDL is being established. In addition, the TMDL should identify the priority ranking of the waterbody and specify the link between the pollutant of concern and the water quality standard (see section 2 below).

The TMDL submittal should include an identification of the point and nonpoint sources of the pollutant of concern, including location of the source(s) and the quantity of the loading, e.g., lbs/per day. The TMDL should provide the identification numbers of the NPDES permits within the waterbody. Where it is possible to separate natural background from nonpoint sources, the TMDL should include a description of the natural background. This information is necessary for EPA's review of the load and wasteload allocations, which are required by regulation.

The TMDL submittal should also contain a description of any important assumptions made in developing the TMDL, such as:

- (1) the spatial extent of the watershed in which the impaired waterbody is located;
- (2) the assumed distribution of land use in the watershed (e.g., urban, forested, agriculture);
- (3) population characteristics, wildlife resources, and other relevant information affecting the characterization of the pollutant of concern and its allocation to sources;

- (4) present and future growth trends, if taken into consideration in preparing the TMDL (e.g., the TMDL could include the design capacity of a wastewater treatment facility); and
- (5) an explanation and analytical basis for expressing the TMDL through *surrogate measures*, if applicable. *Surrogate measures* are parameters such as percent fines and turbidity for sediment impairments; chlorophyll *a* and phosphorus loadings for excess algae; length of riparian buffer; or number of acres of best management practices.

Comment:

Location Description/Spatial Extent:

The Nine Mile Creek Watershed (NMCW) (AUID 07020012-518) is located in southwestern Hennepin County, Minnesota (MN). The watershed is southwest of downtown Minneapolis, and directly west of the Minneapolis-Saint Paul (MSP) Airport. The NMCW is 44.5 square miles in area and lies within the Minnesota River basin. The NMCW is divided into three reaches, the North Fork of Nine Mile Creek, the South Fork of Nine Mile Creek, and the Main Stem of Nine Mile Creek. The North Fork and South Fork converge north of Normandale Lake in the central portion of the watershed (Figure 1, page 2 of the final TMDL document). The Main Stem of Nine Mile Creek flows in a southeasterly direction from Normandale Lake toward the watershed outlet in Bloomington, MN.

Land Use:

The NMCW is an urbanized watershed with a mix of residential, commercial/office/industrial, parkland, open water (lakes), and wetland space. Figure 1 of the final TMDL document displays the land use delineations within the NMCW. Table 2 of the final TMDL document contains land use calculations, by percentage, of each land use within the NMCW. The NMCW lies in suburban Minneapolis southwest of downtown Minneapolis and directly west from the MSP Airport. Due to its location in suburban Minneapolis, the NMCW has two interstate highways (I-494 & I-35), state and county highways, county roads, and suburban access roads all within its bounds. These roads do not comprise a significant portion of the actual land area, but are a source of chloride inputs to the NMCW.

Problem Identification:

Nine Mile Creek was originally listed on the 2004 Minnesota 303(d) list for chloride. The NMCW TMDL had a target start date of 2005 and is projected to be completed by 2010. Nine Mile Creek is currently on the draft 2010 303(d) list for impaired aquatic life use.

Priority Ranking:

The NMCW was given a priority ranking by Minnesota for TMDL development due to the impairment impacts on public health and aquatic life, the public value of the impaired water resource, the likelihood of completing the TMDL in an expedient manner, the inclusion of a strong base of existing data and the restorability of the water body, the technical capability and the willingness of local partners to assist with the TMDL, and the appropriate sequencing of TMDLs within a watershed or basin (Section 1.0, page 1 of the final TMDL document).

The NMCW is located within the lower portion of the Minnesota River Basin and may contribute high chloride loads under critical conditions to the Minnesota River. Surface waters

within the NMCW are also popular for recreational use, such as fishing, canoeing/kayaking, and swimming. The water quality degradation has led to efforts to improve the water quality conditions of this watershed, and to TMDL development for chloride impairments.

Pollutant of Concern:

The pollutant of concern is chloride.

Source Identification (point and nonpoint sources):

Point Source Identification: Road salt usage by municipal operators and road salt applied by commercial and private applicators (e.g. private citizens and commercial contractors salting parking lots, sidewalks and other pedestrian/automobile usage areas) are the two main sources of chloride in the NMCW. Road salt from these sources is carried into the surface waters draining the NMCW by impervious surfaces (ex. highways, roads, and other paved areas) via municipal storm drains during snowmelt or rainfall runoff events.

The potential point sources to the NMCW are:

- Minnesota Department of Transportation (MNDOT) Metro District Municipal Separate Storm Sewer Systems (MS4) (MS400170)
- Hennepin County MS4 community (MS400138)
- City of Bloomington MS4 community (MS400005)
- City of Eden Prairie MS4 community (MS400015)
- City of Edina MS4 community (MS400016)
- City of Hopkins MS4 community (MS400024)
- City of Minnetonka MS4 community (MS400035)
- City of Richfield MS4 community (MS400045)
- Commercial and private applicators (combined into a Wasteload Allocation (WLA))
- Industrial stormwater (combined into a Categorical WLA)
- Permitted Construction activities (combined into a Categorical WLA, determined to be a minor source of chloride because the NMCW is nearly fully developed and construction work typically occurs in the warmer months when salting is not necessary)
- Stormwater from Normandale Community College (combined into a Categorical WLA)

Nonpoint Source Identification: The potential nonpoint sources to the NMCW are:

- Background chloride or irreducible chloride load
- Runoff from non-regulated salt storage facilities (all of the municipal storage areas are covered in the NMCW)

Future Growth:

Future Growth/Reserve Capacity information can be found in Section 3.3.4 (pages 22-23 of the final TMDL document). Significant development is not expected in the NMCW and therefore existing conditions can be considered as the “ultimate” land use condition for setting the allocations of the NMCW TMDL. The allocations set for point (WLA) and nonpoint sources (Load Allocations, LA) are for all current and future sources. Any expansion of either point or nonpoint sources will need to comply with the respective WLA and LA in the NMCW TMDL.

The U.S. EPA finds that the TMDL document submitted by the MPCA satisfies the requirements of the first criterion.

2. Description of the Applicable Water Quality Standards and Numeric Water Quality Target

The TMDL submittal must include a description of the applicable State/Tribal water quality standard, including the designated use(s) of the waterbody, the applicable numeric or narrative water quality criterion, and the antidegradation policy. (40 C.F.R. §130.7(c)(1)). EPA needs this information to review the loading capacity determination, and load and wasteload allocations, which are required by regulation.

The TMDL submittal must identify a numeric water quality target(s) – a quantitative value used to measure whether or not the applicable water quality standard is attained. Generally, the pollutant of concern and the numeric water quality target are, respectively, the chemical causing the impairment and the numeric criteria for that chemical (e.g., chromium) contained in the water quality standard. The TMDL expresses the relationship between any necessary reduction of the pollutant of concern and the attainment of the numeric water quality target. Occasionally, the pollutant of concern is different from the pollutant that is the subject of the numeric water quality target (e.g., when the pollutant of concern is phosphorus and the numeric water quality target is expressed as Dissolved Oxygen (DO) criteria). In such cases, the TMDL submittal should explain the linkage between the pollutant of concern and the chosen numeric water quality target.

Comment:

Designated Uses:

The designated use for the NMCW can be found in Section 2.1 (pages 4-5 of the final TMDL document). The Nine Mile Creek waters are designated as Class 2B or 2C, 3B, 3C, 4A, 4B, 5, and 6 (according to Minnesota Rules Ch. 7050.0470). The quality of Class 2B waters, relative to aquatic life and recreation, *“shall be as to permit the propagation and maintenance of a healthy community of cool or warm water sport or commercial fish and associated aquatic life, and their habitats. These waters shall be suitable for aquatic recreation of all kinds, including bathing, for which the waters may be usable.”*

Standards:

The assessment of aquatic life impairments by chloride requires the use of the numeric water quality standard in Minnesota Rules 7050.0222. The numeric chloride standard is represented as a “chronic standard” (230 mg/L) and a “maximum standard” (860 mg/L). The chronic standard is based on a four-day average while the maximum standard is based on an individual sample. Minnesota Pollution Control Agency (MPCA) determined that violations of the chronic standard occur when two or more exceedances of 230 mg/L are recorded in consecutive three year periods during the most recent ten year period. MPCA determined that violations of the maximum standard occur when there is one exceedance of 860 mg/L in a three year period of recorded data.

Table1 : MPCA Chloride Water Quality Standard and Basis for Determining Impairment

Standard Description	Standard Limit (mg / L)	Based on	Violation Resulting in Impairment
Chronic Standard	230	4-day average	2 or more exceedances in a 3 year sampling period
Maximum Standard	860	Individual sample	1 exceedance in a 3 year sampling period

MPCA set the target for this TMDL to the chronic standard of 230mg/L based on the reductions needed to meet the standards. A 60% reduction is needed to meet the chronic standard and a 47% reduction is needed to meet the maximum standard. Further discussion of the loadings required to meet the chronic standard are discussed in the following sections of this document.

The U.S. EPA finds that the TMDL document submitted by the MPCA satisfies the requirements of the second criterion.

3. Loading Capacity - Linking Water Quality and Pollutant Sources

A TMDL must identify the loading capacity of a waterbody for the applicable pollutant. EPA regulations define loading capacity as the greatest amount of a pollutant that a water can receive without violating water quality standards (40 C.F.R. §130.2(f)).

The pollutant loadings may be expressed as either mass-per-time, toxicity or other appropriate measure (40 C.F.R. §130.2(i)). If the TMDL is expressed in terms other than a daily load, e.g., an annual load, the submittal should explain why it is appropriate to express the TMDL in the unit of measurement chosen. The TMDL submittal should describe the method used to establish the cause-and-effect relationship between the numeric target and the identified pollutant sources. In many instances, this method will be a water quality model.

The TMDL submittal should contain documentation supporting the TMDL analysis, including the basis for any assumptions; a discussion of strengths and weaknesses in the analytical process; and results from any water quality modeling. EPA needs this information to review the loading capacity determination, and load and wasteload allocations, which are required by regulation.

TMDLs must take into account *critical conditions* for stream flow, loading, and water quality parameters as part of the analysis of loading capacity (40 C.F.R. §130.7(c)(1)). TMDLs should define applicable *critical conditions* and describe their approach to estimating both point and nonpoint source loadings under such *critical conditions*. In particular, the TMDL should discuss the approach used to compute and allocate nonpoint source loadings, e.g., meteorological conditions and land use distribution.

Comment:

The determination of the loading reductions necessary to meet the chloride standards in the NMCW were completed by utilizing a mass-balance approach for the chloride sources in the

watershed. The watershed loading capacity is based on the loads estimated by a long-term relationship between the chloride concentrations and a mass balance. There is a long term relationship between field measured conductivity and chloride concentrations at all four Watershed Outlet Monitoring Program (WOMP) stations (see page 10 of final TMDL document). Using this information, the existing chloride levels measured in Nine Mile Creek were compared against the Minnesota chloride standards to calculate loading reduction percentages necessary to meet the chloride standards. The reductions in the concentration were equivalent to the load reductions needed. The necessary loading reductions were then applied to the loading capacity for the NMCW TMDL.

In 2003, the Nine Mile Creek Watershed District (NMCWD) began a more intensive water quality monitoring program within the NMCW. The NMCWD aimed to supplement the data already collected in the NMCW by the Metropolitan Council Environmental Services (MCES) at the WOMP stations. The combined data collection efforts of the NMCWD and the MCES resulted in continuous water quality measurements at several WOMP stations within the NMCW. For this TMDL, historical water quality monitoring data were used, as well as conductivity measurements (conductivity was used as a translator to chloride), from the 106th Street WOMP station to better understand the chloride loadings in the watershed. The 106th Street WOMP station was chosen because: it is representative of the entire assessed reach, it integrates all of the upstream sources of chloride, it has the longest period of recorded water quality data, it maintains open water (i.e. does not ice over) through the winter months, and it exhibits the highest 4-day average chloride concentrations.

The NMCWD and MCES monitoring efforts showed that chloride levels typically peaked in the winter months (between January and March). Certain runoff events, during the winter months, exceeded the chloride standards during “critical conditions” (Section 3.1.1 on page 9 of the final TMDL document). The critical conditions corresponded with large snowmelt or precipitation events within the NMCW. Flow conditions in the surface waters of the NMCW during critical conditions can influence chloride concentrations as well. The surface water levels in Nine Mile Creek are also lowest during the winter months, resulting in decreased dilutive capacity throughout the water column.

The MPCA completed regression analyses linking snowfall (days) in the NMCW and chloride concentrations (from conductance measurements). The chloride concentrations were based on the maximum 4-day average and 15-minute values collected at the 106th Street WOMP station. The snowfall measurements were collected at the MSP airport, which is approximately three miles east of the NMCW. Snowfall was measured as any day where 0.01-inches of snow or greater fell at the MSP airport.

The average annual snowfall value from the MSP airport, based on climate records from 1950-2008, was 31 days of snowfall. This resulted in a maximum 4-day average chloride concentration value of 572 mg/L and a maximum 15-minute chloride concentration value of 1625 mg/L. Chloride reductions were calculated based on the chronic (230 mg/L) and maximum (860 mg/L) chloride values. The 4-day average (chronic standard) reduction was set at $(1 - (230/572)) = 60\%$ reduction in chloride. The 15-minute (maximum standard) was set at $(1 - (860/1625)) = 47\%$ reduction in chloride.

The chloride loads for each MS4 community were estimated based on road miles within the MS4 community, the application rate of salt per road mile, and the mass fraction of chloride in road salt. Chloride loads (tons/year) were calculated for each MS4 community, for Hennepin County, and for the MNDOT (Table 2 below). An example calculation explaining the calculation of chloride loads for each MS4 community was shown in Section 3.2 (page 19 of the final TMDL document). The chloride load for the City of Bloomington was shown in Section 3.2 (page 19 of the final TMDL document) and is presented below.

Table 2: Nine Mile Creek Watershed Existing Road Salt Chloride Source Loads (modified)

Source	Estimated Existing Chloride Load		TMDL Designation
	(tons/year)	Percentage	
MNDOT	413	6%	Individual WLA
Hennepin County	761	12%	Individual WLA
Commercial/Private Applicators	2,339	37%	Categorical WLA
Bloomington	692	11%	Categorical WLA
Eden Prairie	128	2%	Categorical WLA
Edina	1,085	17%	Categorical WLA
Hopkins	421	7%	Categorical WLA
Minnetonka	278	4%	Categorical WLA
Richfield	42	1%	Categorical WLA
Background (LA)	198	3%	LA
Total	6,357	100%	

City of Bloomington:

Chloride Load (tons/year) = $5.94 \text{ tons per 2-lane road mile per year (Road Salt Application Rate)} \times 384 \text{ miles (road miles in Bloomington)} \times 0.607 \text{ (chloride mass fraction of road salt)} / 2 \text{ lane miles per road mile (assumption of 2 lane miles per road mile in Bloomington)} = 692 \text{ tons of chloride per year used by the City of Bloomington.}$

Chloride loading from commercial applicators was estimated based on literature values. The literature values estimated that 19% of the total salt used in the Twin City Metropolitan Area (TCMA) was contributed by commercial applicators and 5% from private applicators. The commercial and private applicator values were combined $19\% + 5\% = 24\%$. The TCMA value of 24% was adjusted based on the unique characteristics of the NMCW. The adjusted loading values for commercial applicators was 34.6% and the private applicators was 3.1% ($34.6\% + 3.1\% = 37.7\%$). These percentages were used in the formulation of the estimated existing WLA for commercial/private applicators (Table 2 above). The percentage attributed to commercial and private applicators in Table 2, (37%) is approximately 1% less than the adjusted loading value (37.7%) because in the calculations for Table 2, the commercial and private applicator percentage (37%) includes the background load in its calculation. This issue was clarified by the MPCA in an email to the USEPA dated 11/7/2010 (Exhibit #10 in the Administrative Record).

Individual WLA were assigned to the MNDOT and Hennepin County. The remaining point sources were combined as a categorical WLA. The categorical WLA included the MS4 communities identified in Table 2 above.

Average annual MS4 road salt application rates (tons/mile/year) were calculated based on total road miles (miles) within each MS4 community and road salt application rates (tons/year). The proposed salt application rate reductions were shared with municipal and private applicators (i.e. public works employees) and MNDOT supervisors. These groups shared their technical expertise on the application rate adjustments and expressed their concern that reducing road salting activities could impact public safety. The MNDOT calculated that they could reduce their road salt application rate by 30% without compromising public safety. The MNDOT application rate was reduced by 30% and set at 5.05 tons/mile/year. Hennepin County was also adjusted to the MNDOT application rate of 5.05 tons/mile/year. WLAs for each MS4 community were then calculated from the “adjusted” road salt application rates (tons/mile/year).

The WLA for MNDOT and Hennepin County, based on their salt application rate, did not account for any salt usage from commercial or private applicators. A WLA was assigned to a lumped, or “categorical”, allocation for: the remaining MS4 communities in the NMCW, the commercial and private applicators, the Normandale Community College, and construction and industrial stormwater chloride inputs (See Tables 2 & 3 of this Decision Document).

Table 3: Nine Mile Creek Chloride Budget and Wasteload and Load Allocations

Watershed Chloride Sources	Existing Chloride Loads (tons/year)	TMDL Wasteload Allocation	Daily TMDL Wasteload Allocation	Percent Reduction of Existing Chloride Load (Percent)
		(WLA) (tons/year)	(WLA) (tons/day)	
Hennepin County MS4	761	169	0.463	78
Categorical MS4s	4,985	1,885	5.164	62
MNDOT MS4	413	291	0.797	30
Total WLA Sources	6,159	2,345	6.425	62
Natural and Background Sources	Existing Chloride Loads (tons/year)	TMDL Load Allocation	Daily TMDL Load Allocation	Percent Reduction of Existing Chloride Load (Percent)
		(LA) (tons/year)	(LA) (tons/day)	
Natural and Background Sources	198	198	0.542	0
Total LA Sources	198	198	0.542	0
Overall Source Total	6,357	2,543	6.967	60

The U.S. EPA finds that the TMDL document submitted by the MPCA satisfies the requirements of the third criterion.

4. Load Allocations (LAs)

EPA regulations require that a TMDL include LAs, which identify the portion of the loading capacity attributed to existing and future nonpoint sources and to natural background. Load allocations may range from reasonably accurate estimates to gross allotments (40 C.F.R. §130.2(g)). Where possible, load allocations should be described separately for natural background and nonpoint sources.

Comment:

The LA section is found on page 21 of the final TMDL document. The LA for the NMCW TMDL was based on background chloride measurements from the Mississippi River and from literature values in a chloride identified in the final TMDL document. The empirical measurements from the Mississippi River demonstrated that background chloride was approximately 8.0% (18.4 mg/L) of the chronic chloride standard (230 mg/L). MPCA estimated the background chloride in the TCMA at 18.7 mg/L (8.1% of the chronic chloride standard of 230 mg/L).

The MPCA set the LA for the NMCW TMDL at 8.0% of the loading capacity. The LA was calculated after the WLA had been determined for the NMCW TMDL. The LA was determined to be 0.542 tons/day (see Table 3 of this Decision Document). The LA is not expected to be reduced because the LA is considered as an irreducible/background chloride load.

The U.S. EPA finds that the TMDL document submitted by the MPCA satisfies the requirements of the fourth criterion.

5. Wasteload Allocations (WLAs)

EPA regulations require that a TMDL include WLAs, which identify the portion of the loading capacity allocated to individual existing and future point source(s) (40 C.F.R. §130.2(h), 40 C.F.R. §130.2(i)). In some cases, WLAs may cover more than one discharger, e.g., if the source is contained within a general permit.

The individual WLAs may take the form of uniform percentage reductions or individual mass based limitations for dischargers where it can be shown that this solution meets WQSs and does not result in localized impairments. These individual WLAs may be adjusted during the NPDES permitting process. If the WLAs are adjusted, the individual effluent limits for each permit issued to a discharger on the impaired water must be consistent with the assumptions and requirements of the adjusted WLAs in the TMDL. If the WLAs are not adjusted, effluent limits contained in the permit must be consistent with the individual WLAs specified in the TMDL. If a draft permit provides for a higher load for a discharger than the corresponding individual WLA in the TMDL, the State/Tribe must demonstrate that the total WLA in the TMDL will be achieved through reductions in the remaining individual WLAs and that localized impairments will not result. All permittees should be notified of any deviations from the initial individual WLAs contained in the TMDL. EPA does not require the establishment of a new TMDL to reflect these revised allocations as long as the total WLA, as expressed in the TMDL, remains the same or decreases, and there is no reallocation between the total WLA and the total LA.

Comment:

The WLA section is found on pages 20-21 of the final TMDL document. The WLAs were calculated in order to reduce the chloride inputs into the NMCW from the two main chloride sources: road salts applied by municipal operators (i.e. town or city public works departments) and salt applied by commercial and private applicators. The MPCA determined that a 62 percent reduction in chloride load would meet WLA requirements to meet water quality standards in the NMCW (see Table 3 of this Decision Document). The WLA reductions were applied to the Hennepin County MS4 community (78% reduction in chloride load), a Categorical MS4 (62% reduction in chloride load) and the MNDOT MS4 (30% reduction in chloride load). The NMCW TMDL recommends decreasing chloride usage by municipalities and commercial and private applicators.

The U.S. EPA finds that the TMDL document submitted by the MPCA satisfies the requirements of the fifth criterion.

6. Margin of Safety (MOS)

The statute and regulations require that a TMDL include a margin of safety (MOS) to account for any lack of knowledge concerning the relationship between load and wasteload allocations and water quality (CWA §303(d)(1)(C), 40 C.F.R. §130.7(c)(1)). EPA's 1991 TMDL Guidance explains that the MOS may be implicit, i.e., incorporated into the TMDL through conservative assumptions in the analysis, or explicit, i.e., expressed in the TMDL as loadings set aside for the MOS. If the MOS is implicit, the conservative assumptions in the analysis that account for the MOS must be described. If the MOS is explicit, the loading set aside for the MOS must be identified.

Comment:

The Margin of Safety (MOS) section (Section 3.3.3 on pages 21-22 of the final TMDL document) outlines how the MOS was determined by MPCA. The Nine Mile Creek watershed TMDL utilizes an implicit MOS that utilized several conservative assumptions during the TMDL development process.

The MOS was determined based on a conservatively high number (31 events) of deicing events which were used to calculate loading reductions for the LA and WLA. The 31 deicing events were significantly greater than the number of deicing events observed in any of the other years which were monitored. Water quality measurements, used in the development of the loading capacity, also employed conservative qualities. Water quality measurements were taken at the most downstream monitoring station. This station reduces the level of uncertainty because: it is located the furthest downstream and integrates all of the upstream sources of chloride, it has the longest period of recorded water quality data, it maintains open water throughout the winter, and has the highest chloride concentrations relative to the rest of the monitoring stations.

The U.S. EPA finds that the TMDL document submitted by the MPCA contains an appropriate MOS satisfying the requirements of the sixth criterion.

7. Seasonal Variation

The statute and regulations require that a TMDL be established with consideration of seasonal variations. The TMDL must describe the method chosen for including seasonal variations. (CWA §303(d)(1)(C), 40 C.F.R. §130.7(c)(1)).

Comment:

Seasonal variation was considered in this TMDL as described in Section 3.5 “Critical Conditions and Seasonal Variation” (pages 24-25 of the final TMDL document). Water quality monitoring suggested that chloride concentrations in the watershed vary significantly throughout the year. Chloride concentrations typically exceed the water quality standard between January and March (Section 3.1 on pages 8-15 of the final TMDL document). Elevated chloride concentrations during these “critical conditions” exceed the MPCA’s state water quality chronic standard of 230 mg/L. The critical conditions are those instances where large snowmelt or precipitation events liberate chloride through surface runoff processes, and wash the chloride into the surface waters of the Nine Mile Creek watershed.

Seasonal variations of chloride concentrations were accounted for in the TMDL development process by calculations that estimated daily loading capacities of chloride under critical conditions. The daily loading capacity calculations were based on the relationship between total load and peak streamflow concentrations (large snowmelt or precipitation events). Daily loading capacity values were averaged into 4-day average chloride values over the entire year, and then used to calculate maximum stream concentrations relative to the MPCA water quality standards.

The U.S. EPA finds that the TMDL document submitted by the MPCA satisfies the requirements of the seventh criterion.

8. Reasonable Assurances

When a TMDL is developed for waters impaired by point sources only, the issuance of a National Pollutant Discharge Elimination System (NPDES) permit(s) provides the reasonable assurance that the wasteload allocations contained in the TMDL will be achieved. This is because 40 C.F.R. 122.44(d)(1)(vii)(B) requires that effluent limits in permits be consistent with “the assumptions and requirements of any available wasteload allocation” in an approved TMDL.

When a TMDL is developed for waters impaired by both point and nonpoint sources, and the WLA is based on an assumption that nonpoint source load reductions will occur, EPA’s 1991 TMDL Guidance states that the TMDL should provide reasonable assurances that nonpoint source control measures will achieve expected load reductions in order for the TMDL to be approvable. This information is necessary for EPA to determine that the TMDL, including the load and wasteload allocations, has been established at a level necessary to implement water quality standards.

EPA’s August 1997 TMDL Guidance also directs Regions to work with States to achieve TMDL load allocations in waters impaired only by nonpoint sources. However, EPA cannot

disapprove a TMDL for nonpoint source-only impaired waters, which do not have a demonstration of reasonable assurance that LAs will be achieved, because such a showing is not required by current regulations.

Comment:

The Nine Mile Creek watershed TMDL outlines reasonable assurance activities in Section 6.0 (page 29 of the final TMDL document). The reasonable assurance practices will be implemented over the next several years. Methods for reducing chloride inputs to the Nine Mile Creek watershed include:

- Best Management Practice (BMPs) installation and chloride reduction educational programs have been effective in reducing pollutant inputs to surface waters in other watersheds. The MPCA is confident that these practices will be useful in decreasing chloride loadings in the Nine Mile Creek watershed.
- A technical advisory committee (composed of commercial, local government, state government technical experts) provided input on the proposed implementation efforts. This committee will provide feedback through the duration of the implementation efforts in the Nine Mile Creek watershed.
- Water quality monitoring will be completed by the NMCWD and MCES to track the progress of BMP efforts. Depending on the progress made toward reducing chloride inputs into the watershed, implementation strategies or BMP placement could be altered to best reduce chloride loads into Nine Mile Creek.
- The review of Storm Water Pollution Prevention Plans (SWPPP) for construction and industrial sites within the basin. Permittees who have SWPPP for their sites must demonstrate that stormwater generated from their site meets the WLAs targets set by the TMDL. If the SWPPP does not meet the WLA requirements of the TMDL, the SWPPP must be modified to meet these requirements.

The U.S. EPA finds that this criterion has been adequately addressed.

9. Monitoring Plan to Track TMDL Effectiveness

EPA's 1991 document, *Guidance for Water Quality-Based Decisions: The TMDL Process* (EPA 440/4-91-001), recommends a monitoring plan to track the effectiveness of a TMDL, particularly when a TMDL involves both point and nonpoint sources, and the WLA is based on an assumption that nonpoint source load reductions will occur. Such a TMDL should provide assurances that nonpoint source controls will achieve expected load reductions and, such TMDL should include a monitoring plan that describes the additional data to be collected to determine if the load reductions provided for in the TMDL are occurring and leading to attainment of water quality standards.

Comment:

Section 4.0 (page 26 of the final TMDL document) outlines the planned water quality monitoring efforts by the NMCWD and the MCES in the Nine Mile Creek watershed. Water quality monitoring efforts will continue at the three Watershed Outlet Monitoring Program (WOMP) stations within the watershed. Post TMDL data will be used to assess chloride improvements in the Nine Mile Creek watershed and test the efficiency of BMP phosphorus removal strategies.

Habitat and fish surveys will monitor aquatic health in the stream environment during the installation and tracking of chloride mitigation efforts. These surveys will aid watershed managers in their understanding how BMP chloride removal efforts are impacting the ecological community in the watershed.

Additionally, the MPCA outlines other efforts in the watershed designed to collect specialized data through a series of small projects in the Nine Mile Creek watershed. These projects will generate data toward a better understanding of: water quality and quantity (flow) data under storm and baseflow conditions, surface water chloride concentration and lake bottom chloride concentration measurements, chloride source identification information, and linkages between weather/road conditions to salt usage by each MS4 community.

The U.S. EPA finds that this criterion has been adequately addressed.

10. Implementation

EPA policy encourages Regions to work in partnership with States/Tribes to achieve nonpoint source load allocations established for 303(d)-listed waters impaired by nonpoint sources. Regions may assist States/Tribes in developing implementation plans that include reasonable assurances that nonpoint source LAs established in TMDLs for waters impaired solely or primarily by nonpoint sources will in fact be achieved. In addition, EPA policy recognizes that other relevant watershed management processes may be used in the TMDL process. EPA is not required to and does not approve TMDL implementation plans.

Comment:

Implementation strategies are outlined in Section 5.0 (pages 27-28 of the final TMDL document). The Nine Mile Creek Watershed District and various MS4 communities within the Nine Mile Creek watershed were identified as partner groups which would take responsibility in providing guidance/information to local citizens and organizations on BMP installation. BMPs would include: cost-sharing programs to retrofit and upgrade salt application equipment, greater oversight of local SWPPPs to reduce chloride inputs, and improvements in public works maintenance practices.

Other implementation efforts include strategies to: reduce salt applied to roadways in the basin, decrease the use of packaged salts and other chloride based deicers by commercial/private entities, and encourage communication and coordination between municipal public works officials and private citizens with the goal of lowering salt usage. Information exchange, between commercial chloride applicators and MS4 staff, and public education efforts emphasizing chloride reduction strategies would also be included in the implementation plan from MPCA.

The U.S. EPA finds that this criterion has been adequately addressed. The U.S. EPA reviews but does not approve implementation plans.

11. Public Participation

EPA policy is that there should be full and meaningful public participation in the TMDL development process. The TMDL regulations require that each State/Tribe must subject calculations to establish TMDLs to public review consistent with its own continuing planning process (40 C.F.R. §130.7(c)(1)(ii)). In guidance, EPA has explained that final TMDLs submitted to EPA for review and approval should describe the State's/Tribe's public participation process, including a summary of significant comments and the State's/Tribe's responses to those comments. When EPA establishes a TMDL, EPA regulations require EPA to publish a notice seeking public comment (40 C.F.R. §130.7(d)(2)).

Provision of inadequate public participation may be a basis for disapproving a TMDL. If EPA determines that a State/Tribe has not provided adequate public participation, EPA may defer its approval action until adequate public participation has been provided for, either by the State/Tribe or by EPA.

Comment:

The public participation section of the TMDL submittal is found in Section 7.0 (page 30 of the final TMDL document). Various efforts were made to engage public interests during the development of the Nine Mile Creek TMDL. The MPCA organized a Nine Mile Creek "advisory group" which was composed of members from: commercial groups, local and state government officials, and technical experts. This advisory group periodically held meetings, throughout the development of the TMDL, within Hennepin County to discuss the status of the project. The advisory group also solicited input from the Nine Mile Creek Watershed District Managers group and the Nine Mile Creek Citizen Advisory Committee.

The U.S. EPA, the Nine Mile Creek advisory group, the Nine Mile Creek Watershed District Managers group, and the Nine Mile Creek Citizen Advisory Committee provided comments to the MPCA throughout the development of the TMDL and during the public comment period. The draft TMDL was posted online by the MPCA at <http://www.pca.state.mn.us/water/tmdl>. The 30-day public comment period was started on July 26, 2010 and ended on August 25, 2010. The MPCA received 2 public comments and adequately addressed these comments. The MPCA submitted all of the public comments and responses in the final TMDL submittal packet received by the U.S. EPA on October 27, 2010.

The U.S. EPA finds that the TMDL document submitted for the Nine Mile Creek watershed by the MPCA satisfies the requirements of this eleventh element.

12. Submittal Letter

A submittal letter should be included with the TMDL submittal, and should specify whether the TMDL is being submitted for a *technical review* or *final review and approval*. Each final TMDL submitted to EPA should be accompanied by a submittal letter that explicitly states that the submittal is a final TMDL submitted under Section 303(d) of the Clean Water Act for EPA review and approval. This clearly establishes the State's/Tribe's intent to submit, and EPA's duty to review, the TMDL under the statute. The submittal letter, whether for technical

review or final review and approval, should contain such identifying information as the name and location of the waterbody, and the pollutant(s) of concern.

Comment:

The U.S. EPA received the final Nine Mile Creek Watershed chloride TMDL document, submittal letter and accompanying documentation from the MPCA on October 27, 2010. The transmittal letter explicitly stated that the final Nine Mile Creek Watershed TMDL for chloride was being submitted to U.S. EPA pursuant to Section 303(d) of the Clean Water Act for U.S. EPA review and approval. The letter clearly stated that this was a final TMDL submittal under Section 303(d) of CWA. The letter also contained the name of the watershed as it appears on the Minnesota's 303(d) list, and the causes/pollutants of concern. This TMDL was submitted per the requirements under Section 303(d) of the Clean Water Act and 40 CFR 130.

The U.S. EPA finds that the TMDL document submitted for the Nine Mile Creek Watershed District by the MPCA satisfies the requirements of this twelfth element.

13. Conclusion

After and full and complete review, the U.S. EPA finds that the chloride TMDL for the Nine Mile Creek Watershed satisfies all of the elements of an approvable TMDL. This approval is for one TMDL, addressing one waterbody for aquatic life use impairments, for the Nine Mile Creek Watershed (AUID 07020012-518).

The U.S. EPA's approval of this TMDL extends to the water bodies which are identified as Nine Mile Creek Watershed (AUID 07020012-518), with the exception of any portions of the water bodies that are within Indian Country, as defined in 18 U.S.C. Section 1151. The U.S. EPA is taking no action to approve or disapprove TMDLs for those waters at this time. The U.S. EPA, or eligible Indian Tribes, as appropriate, will retain responsibilities under the CWA Section 303(d) for those waters.