

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MARCH 17, 1997 - 7:00 P.M.**

ROLLCALL Answering rollcall were Members Faust, Hovland, Kelly, Maetzold and Mayor Smith.

CONSENT AGENDA Motion made by Member Maetzold and seconded by Member Hovland to approve the Consent Agenda items as presented.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***MINUTES OF THE REGULAR MEETING OF MARCH 3, 1997, APPROVED** Motion made by Member Maetzold and seconded by Member Hovland approving the Minutes of the Regular Meeting of March 3, 1997.

Motion carried on rollcall vote - five ayes.

PUBLIC HEARING HELD: FINAL SITE PLAN APPROVED FOR PHASE II - SOUTH EDINA DEVELOPMENT THIRD ADDITION - CENTENNIAL LAKES LIMITED PARTNERSHIP Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Planner

Planner Larsen noted on September 5, 1995 the City Council approved a revised Master Plan for the undeveloped portions of the Centennial Lake mixed use development. The revised plan called for five office buildings containing approximately 1,160,000 square feet. The total site contains approximately 25 acres and is located east of France Avenue and north of Minnesota Drive. The site will include a storm water pond surrounded by a public park.

Planner Larsen said on May 20, 1996, the Council approved Final Site Plan for Phase One of the development. Phase One includes a six story office building of 130,000 square feet located in the southwesterly portion of the site. Phase One also includes a 10,000 square foot restaurant attached to the north end of the building.

The proponents are requesting Final Site Plan for Phase Two of the development for a six story office building of approximately 130,000 square feet. The Phase Two building will be located near the intersection of West 76th St. and France Avenue and will be connected to the restaurant attached to the Phase One building already under construction. The proposed Phase Two building will be a twin in height, scale, design and finish materials of the first building. After construction of the Phase II building the City will commence construction of the storm water pond and park improvement to the edges of the phased development. Planner Larsen added the proposed Phase II building is consistent with the approved Master Plan, parking is provided slightly above Edina's code requirement, and landscaping is consistent with the overall plan for the Centennial Lakes Development.

Planner Larsen stated the Planning Commission recommended approval of the Final Site Plan and Final Plat approval of Phase Two.

Mayor Smith asked if the site improvements on the north will include the parking ramp and accouterments as under construction on the south.

Member Maetzold asked if the plan before Council was completely consistent with the approved Master Plan. Planner Larsen responded that this was true. He added that with the completion of Building Two the City will proceed with acquisition of the property and development of the storm water ponding area.

Member Faust asked if the pond will be completed when the two buildings are completed, and would a walking path be part of the finished project. Planner Larsen replied the pond property

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would be acquired and the storm water pond developed with the side of the pond adjacent to the completed buildings being completely finished and the opposite side of the pond left with an "unfinished edge" as on the north pond. The public park will include a walking path.

Public Comment

Dennis Siemers, 7631 Edinborough Way expressed concern with the traffic pattern and people exiting the new building onto 76th St.. Mr. Siemers pointed out the curve in 76th St. and believes some type of traffic control measures need to be put in place. Mr. Siemers asked when future buildings are proposed if a buffer would be included for the Edinborough building blocking the view of the parking lot.

Member Hovland introduced the following resolution and moved its approval granting Final Site Plan approval:

RESOLUTION

BE IT RESOLVED by the City Council at the City of Edina, Minnesota, that the Final Site Plan for Phase Two, South Edina Development Third Addition, as presented at the regular meeting of the City Council on March 17, 1997, be and is hereby approved. Maetzold seconded the motion.

Rollcall was taken.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

PUBLIC HEARING HELD: FORMAL ACTION DELAYED UNTIL APRIL 7, 1997 DIVERSIFIED PHARMACEUTICAL SYSTEMS (DPS) FACILITY (W. 78TH STREET) Affidavits of Notice were presented, approved and ordered placed on file.

Staff Presentations

Planner Larsen explained DPS's proposed site is approximately 11 acres on the north side of I-494 off of W. 78th St.. The entire site is located within the City of Bloomington. The site would have access to both W. 78th St., (referred to as the ceremonial access) and a primary access/egress off of Cecilia Circle. Cecilia Circle would serve the new development's parking structure. The proposal would construct a single six story office building of approximately 350,000 sq. ft. supported by approximately 1,400 parking spaces on the site. Planner Larsen explained the City of Edina is holding a public hearing to review the results of a traffic study commissioned from SRF Consulting Group, Inc. by the Cities of Edina and Bloomington and to consider the reports recommendations for potential roadway improvements. The land use and other decisions relative to the proposed DPS development are in the jurisdiction of the City of Bloomington. Planner Larsen reviewed their proposed schedule: March 20, 1997, Bloomington Planning Commission to consider final site plan; March 31, 1997, Bloomington City Council to consider proposed roadway improvements and the Environmental Assessment Worksheet. Following these meetings on April 7, 1997, Bloomington City Council will consider the proposed development. Planner Larsen introduced John Gattuso, representing Liberty Trust, Inc. the developer of the DPS site.

John Gattuso stated he is a senior vice president with Liberty Property Trust, the developer of the project. Mr. Gattuso informed the Council that Liberty would construct the project, retain ownership and lease the property to DPS for an extended period of time. He acknowledged the concerns of the City of Edina and its residents over the proposed DPS project. Mr. Gattuso explained that Liberty Trust is committed to developing a long term relationship with its neighbors. He outlined the components of the project: a six story office building, the building will be organized around a six story winter garden serving as the main access entrance point, a 1,400 car four level parking ramp and a surface parking lot separated by a pond from the building. Mr. Gattuso explained the because of the slope of the site, the view from W. 78th St. will show only two levels of the parking structure and the heavily landscaped pond area. The pond will be maintained and a fountain added. Liberty intends to build a class "A" office structure of pleasing architecture. He explained the site density decreases as it approaches W. 78th St. with a landscaping buffer to the residential property. The site is a transition from a highway to a residential area. Mr. Gattuso stated Liberty wants W. 78th St. to operate at peak efficiency to the benefit of the residential neighborhoods. He explained the proposed traffic cycle for both the ceremonial drive and the parking structure.

Mayor Smith asked if the proposed landscaping would actually be as depicted with mature trees and shrubs. Mr. Gatusso replied that it is Liberty's policy to put mature landscaping into a project of this scope.

Dennis Eyer, principal traffic engineer with SRF Consulting Group, Inc. explained his firm was retained by the Cities of Bloomington and Edina to prepare a traffic study on the W. 78th St. corridor, and also to comment on the proposed DPS development. Mr. Eyer explained the formal study area began just west of Gleason Avenue where the roadway turns into Bloomington and extended east to East Bush Lake Road. As the study developed they also began taking a look at operational issues on both West and East Bush Lake Road and all the way out to TH169.

Mr. Eyer reviewed the study's goals:

1. Determine the extent of existing traffic problems,
2. Identify other projects going on including agencies other than Edina and Bloomington,
3. Look at the existing problems on W. 78th St. and make recommendations to reduce them,
4. Look at forecasted volumes for next twenty years,
5. Evaluate recommendations for solving current problems in light of twenty year forecast,
6. Identify additional needs to handle twenty forecast,
7. Assess impact of proposed DPS development.

Mr. Eyer explained W. 78th St. serves as a minor arterial frontage road. He noted that although technically Edina shows W. 78th to be a major collector street within approximately three miles it is the only St. serving as a minor arterial road. Mr. Eyer's offered the following definitions: a major collector street handles volumes and access between 2,000 - 9,000 daily, but a minor arterial handles volumes over 10,000.

W. 78th has a volume of over 13,000 daily trips with traffic peaks slightly higher than elsewhere in the metro area. As a result of the higher peaks and volume, left turns are very difficult both for the driveways and minor roadways. Delays for traffic waiting to turn left are approaching over a minute. Roadway delays for traffic are graded in a scale equivalent to school letter grades. W. 78th St. is graded an "F" which means traffic has over sixty seconds of delay. W. 78th St. has no left turn lanes so car must turn from the through lane holding back traffic behind them. Traffic then concentrates in the right turn lanes and frequent lane changes happen. No physical barrier exists to separate opposing traffic. Some intersections need improved traffic control and some need improved geometrics.

Mr. Eyer's noted some improvements are scheduled of various agencies in the area:

1. Edina has planned to signalize and install left turn lanes at W. 78th & Cahill for 1997,
2. East Bush Lake Road at the north ramp of I-494 had traffic signals scheduled for 1997,
3. In conjunction with #2 at the south ramp an additional southbound lane would be constructed,
4. At 494 & 169 MnDOT is planning a major interchange revision,
5. In 1998-99 I-494 will have a lane added in each direction between 169 & 100.

He added there are additional projects as noted on page 39 of SRF's traffic study that do not have formal scheduled dates and may or may not be constructed:

1. Frontage Road around the west and south of Braemar Park to connect 169 at the Valley View interchange with W. 78th St.,
2. Bloomington has talked about making some improvements at West Bush Lake Road on the north frontage road,
3. Bloomington is talking to MnDOT about improvement to the West Bush Lake Road Bridge in conjunction with the proposed I-494 lane additions,
4. Bloomington is discussing improving the East Bush Lake Road Bridge with Hennepin County.

Mr. Eyer's stated SRF looked at options for W. 78th St. in addition to the signal at W 78th St. and Cahill Road

1. Widening W. 78th and adding striped left turn lanes either in a series or a two way left turn lane. This helped W. 78th but did nothing for the adjacent side streets.
2. Adding left turn lanes and a median. This reduced left turns to a manageable number. The installation of the median would create a refuge area allowing auto traffic to cross one part of

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the roadway and rest in the median if necessary to get a gap in the remaining direction. This would improve the operation of the left turns from the side Streets and driveways.

3. Identified operation problems at the W. 78th and East Bush Lake Road. Lane usage could be revised and some signal revisions could improve capacity at this intersection.
4. 78th and Gleason Road's volumes are at the threshold for justifying a signal. City staff noted this could be a double edged sword. While a signal could improve the intersection it also might attract additional cut through traffic from the Crosstown Highway. Therefore recommend installation of conduits when roadwork is completed. This would allow close monitoring and installation of a signal quickly when need is determined.

Mr. Eylers explained SRF reviewed traffic flows in the area back to 1962 before the construction of I-494 the volume was 11,400. Ten years later when I-494 opened it carried 40,000 cars a day and W. 78th carried 4,000 until today's volume of 13,800 at a point just west of Cahill. He continued explaining the growth has stabilized so the twenty year projection is around 20,000 if the proposed improvements in the area happen as planned. Mr. Eylers noted the previously discussed improvements must be constructed in order to handle volumes of 20,000 on W. 78th by 2017.

Finally SRF reviewed the effect of the DPS development on the traffic on W. 78th St. SRF found DPS would generate 758 trips in the morning peak hour (675 in, 83 out) and 737 trips in the evening peak hour (118 in, 619 out). The parking facility could handle 1,300 vehicle which falls in line with the projected peak hour trips. Typically parking facility must handle 60% of its capacity during the peak hour traffic SRF also reviewed the volumes on surrounding roadways, the Metro Council's modeling information on directions of approach and came up with demands to go east of 55%, west of 40% and north (via Cahill) of 5%.

Mayor Smith asked how many trips might be expected from the hours on either side of the peak hours. Mr. Eylers replied the hours on each side of a "peak hour" will most likely general 50% of the peak hour trips.

Mr. Eylers concluded by specific improvements would be needed to serve the DPS development. He noted that if the rest of W. 78th St. were not improved the following would be needed to serve DPS:

1. Left turn lanes on W. 78th at the DPS ceremonial entrance,
2. On site traffic circulation plan focusing traffic Cecilia Circle,
3. Left turn lanes on W. 78th at Cecilia Circle,
4. Traffic signal at Cecilia Circle and W. 78th St.

Mr. Eylers noted the above improvements could be engineered to discourage cut through traffic if necessary because no other improvements occurred in the area.

Attorney Gilligan outlined the City's role in the project. He noted that the property is in Bloomington so the land use and zoning decisions are Bloomington's responsibility. However, the proposed ceremonial driveway is in the City of Edina and would require a "curb cut permit" under Edina's Code of Ordinances in order to access W. 78th St. Edina has an agreement with Bloomington to provide sewer and water service to properties on the north side of I-494 therefore it must sewer and water service to the site. Any roadway improvement on W. 78th St. would require the City of Edina's approval. The development because of its size requires indirect source permit from the Minnesota Pollution Control Agency. (PCA) This deals with air quality issues. Mr. Gilligan noted the PCA has issued a draft permit containing a condition that a signal be constructed at 78th and Cecilia.

Member Faust expressed her concern with Bloomington receiving all the tax benefits of the DPS project while Edina must pay for the improvements. She added in residential area when Streets are improved the abutting properties pay for the improvements. Attorney Gilligan explained that a contribution could be made by Bloomington and/or the developer.

Engineer Hoffman noted the Edina staff had already developed a construction plan for the signalization of W. 78th and Cahill intersection. They were also developing a plan to add a fifth center lane from Cahill to Cecilia to enhance ingress/egress from Edina properties on the south

side of W. 78th St.. After Edina became aware of the DPS development proposal in Bloomington Edina requested Bloomington delay action until the proposed development could be reviewed for its potential impacts in Edina. At this point Edina and Bloomington commissioned a joint traffic review of W. 78th to determine future needs and traffic projections. Engineer Hoffman stated Edina and Bloomington staff's have reviewed the SRF report and find it acceptable. He continued that Edina staff has also reviewed Edina's public infrastructure as its relates to utility service to the DPS property.

Engineer Hoffman noted the following fourteen items need to be completed in the next twenty years with or without DPS and staff recommends adopting them as the W. 78th Street Corridor Concept Plan:

	<u>Description of Work</u>	<u>Responsible Agency</u>	
1.	I-494 TH169 to TH 100	Add lane each direction	MnDOT
2.	I-494 at TH 169	Interchange Revision	MnDOT
3.	Around Braemar Park	Frontage Road	Edina
4.	W. Bush Lake Rd. N. Fr. Rd(W 78 th)	Traffic Signal & Turn Lanes	Bloomington
5.	W. Bush Lake Rd. over I-494	Bridge widening	Bloomington
6.	W Bush Lake Rd S. Fr. Rd	Signal & Turn Lanes	Bloomington
7.	W. 78 th Gleason to Cecilia	Left turn lanes & median	Edina & Bloomington
8.	W. 78 th St. at Gleason	Traffic Signal	Edina & Bloomington
9.	W. 78 th at Cecilia	Traffic Signal	Edina
10.	W. 78 th Cecilia to Cahill	Left turn lanes	Edina
11.	W. 78 th at Cahill	Traffic Signal	Edina
12.	W. 78 th at East Bush Lake Rd.	Signal Revision	Edina & Hennepin County
13.	E. Bush Lake Rd. at N ramp I-494	Traffic signal	MnDOT
14.	E. Bush Lake Rd over I-494	Bridge widening	Hennepin Co./Bloomington

Engineer Hoffman noted all the projects Edina is responsible for must come back to the City Council for plan approval. Staff is suggesting the following projects:

- Project 10 - W. 78th St. left turn lanes from Cahill Road to Cecilia Circle;
- Project 11 - W. 78th St. and Cahill signalization;
- Review plans to implement Projects 7, 8 & 9 subject to joint powers agreement between Bloomington & Edina with DPS participation.

Engineer Hoffman noted if the City were to proceed with Project 7, 8 & 9 staff has discussed with Bloomington splitting the project costs in half for Cecilia Circle west to the end of the project. DPS would contribute approximately \$250,000 towards the project. He noted these are preliminary discussions, but that Edina's share for a \$1.5 project could be around \$375,000. Engineer Hoffman stated Edina's share could be paid out of the annual gas tax funds.

Engineer Hoffman added the other projects noted are not under Edina's control and he would recommend that Edina:

- Request Hennepin County to adopt revisions at W. 78th and East Bush Lake Signal, Project 12,
- Request MnDOT constructs signal at E. Bush Lake and I-494 north off-ramp, Project 13
- Request Bloomington to initiate signalization of W 78th & W Bush Lake unless bridge widening over I-494 would happen concurrently with addition of third lanes on I-494.

Mayor Smith asked what level of commitment the City could expect from Bloomington for Projects 4, 5, 6 and 14? He expressed his concern that unless the West Bush Lake Road Traffic Signals and Turn Lanes are constructed there will be six lanes of traffic going down to one lane. Engineer Hoffman replied the improvements are currently not on Bloomington's Capital Improvement Plan.

Mayor Smith noted that Project 13 the E. Bush Lake Road traffic signal at the N ramp of I-494 is scheduled by MnDOT for 1997 and the bridge widening of E. Bush Lake Road over I-494 is outside Edina's scope. Engineer Hoffman replied that while the projects appear to be scheduled until the bids are let no project is a certainty.

Manager Rosland stated staff approached the DPS proposal to see how to make it work to everyone's advantage. Staff is recommending the Council:

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1. Adopt recommendations of SRF traffic study for fourteen improvements to W. 78th as previously stated,
2. Authorize staff to negotiate Joint Construction Agreement with Bloomington to fund the recommended roadway improvements,
3. Request a re-evaluation of the appropriateness of the densities west of East Bush Lake Road and north of I-494 within the City of Bloomington; and
4. Acknowledge that all regulatory decisions relative to the proposed development are the responsibility of the City of Bloomington.

Manager Rosland suggested the joint powers agreement be negotiated and brought back for Council review and consideration at a future meeting.

Mayor Smith summarized the four issues to be addressed if DPS gets a curb cut from Edina for W. 78th St., a list of fourteen potential improvements have been identified and are necessary over the next few years. Edina's and Bloomington's projects are near term. Secondly, the Cities will be discussing joint funding of the improvements minimizing the impact on Edina, while still acknowledging Edina's responsibility to minimize cut through traffic in residential neighborhoods. In addition, there is a need to request Bloomington review densities in the area. Mayor Smith noted in his opinion this density review is very important and should be stressed. Lastly, Mayor Smith noted that all land use regulatory decisions are not Edina's responsibility, but the City of Bloomington.

Member Maetzold noted he had several questions and concerns. He understood from Mr. Gattuso's presentation that the ceremonial entrance with Cecilia Circle being the exit in the evening,. However, SRF's report indicates that Cecilia Circle will be the main employee ingress/egress. Member Maetzold also asked how traffic signals would create gaps in traffic allowing the turning movements. Lastly what is the vision of traffic during rush hour in 2000 if the DPS project is constructed and the proposed fourteen improvements are in place.

Mr. Eylers replied that those person east bound to the site would use the ceremonial entrance, but west bound traffic would use Cecilia Circle. In order to aid in this traffic flow the developer has agreed to allow only ingress to the parking structure from the ceremonial drive.

Mr. Eylers explained that traffic signals create gaps each time a yellow an/or red light occurs. Additionally start up time for vehicles that were stopped also help to create gaps in traffic to allow turning movements for opposing traffic. He continued informing Council the technology exists to install detectors that would detect delays on side Streets. When delays are detected then light cycles would be triggered to create needed gaps in traffic. These controllers can be of the ISTM type and could coordinate a number of signals concurrently. This ability would be another favorable factor for installing a signal at the Gleason intersection.

Mr. Eylers noted the SRF report included a projection of traffic one after the opening of DPS. He stated DPS will add about 2,000 cars each side of its site to current volumes on W. 78th St. on a daily basis. This would bring volumes to approximately 15,000 to the west and 17,000 to the east. He cited a similar location being 50th St. and Wooddale Avenue where the volume is currently 25,000 each direction. Additional locations are France Avenue north of the Crosstown and also 70th St..

Member Maetzold asked the City Engineer what is proposed for the Braemar frontage road. Engineer Hoffman answered he envisions a frontage road similar to either the West or East Highway 100 frontage roads. These have 24-26 foot wide roadway, one lane each direction with no parking along either road.

Member Hovland asked if it was true that there was only one entrance into the parking ramp from DPS's ceremonial entrance and whether this entrance could also be used by ramp traffic for exiting the ramp onto the ceremonial drive. Mr. Gattuso responded there is only one ramp access on the ceremonial drive and it is planned to be an entrance only not an exit. The other side of the ramp toward Cecilia will have the major ingress/egress for the ramp. It is DPS's intent to design the geometrics of the ramp and signage to manage the traffic directing it to Cecilia and away from the ceremonial drive.

Member Hovland asked about the length of the left turn lane at W. 78thSt. and the ceremonial entrance and the distance between the ceremonial drive and Cecilia Circle. He also wanted to know if the 1998/99 I-494 improvements are not completed how are the SRF reports traffic forecasts affected. Mr. Eylers responded the left turn lane is about 175 feet long meaning it could store between seven and eight vehicles and according to his calculations should be adequate to handle traffic loads during peak hours. He stated if the I-494 improvements are not completed the 1999 traffic forecasts are not affected, but the 2017 may change. Mr. Eylers noted an Environmental Impact Statement has been completed that recommends four lanes in each direction for I-494. He stated the distance between Cecilia Circle and the ceremonial drive is about two blocks. Engineer Hoffman added it is 1,000 feet from the center of Cecilia Circle to the west property line of DPS

Member Hovland asked about the funding of the improvement of W. 78thSt. from Cecilia Circle west. According to the SRF report this entire project is within the City of Edina. Engineer Hoffman replied that while the physical location of the St. is within the City of Edina the need for the improvement is driven by a proposed development in the City of Bloomington. In addition, he views the combined projects 7, 8 & 9 as one improvement though construction may be phased over two or more years. Therefore, staff believes both the developer and City of Bloomington should share in funding the improvement.

Member Hovland asked if Edina has reviewed the location of the proposed curb cut. Engineer Hoffman stated the design has been reviewed and staff now believe the proposed design is what will best control traffic movement in the area.

Member Faust asked about whether the proposed surface parking lot will be built now. If the surface parking is not built now, what will be in its place. Mr. Gattuso replied the surface parking would be constructed when and if a second phase is constructed on the site. He added that while Liberty believes the site is adequate to support the second phase they are also very sensitive to their Edina neighbors. Therefore, Mr. Gattuso stated Liberty would not proceed with a second phase unless the City of Edina would grant approval.

Member Faust asked why no right turn lanes planned for the site. Engineer Hoffman explained it was decided that the site did not warrant right turn lanes. He added it was also a matter of obtaining right-of-way. The determination was made that the left turn lanes and signals were of greater importance. Member Faust suggested that right-of-way be requested on the DPS site for future right turn lanes when needed.

Member Faust voiced concern that the adjacent neighborhoods be protected if possible. She asked if "No Right Turn 4-6 p.m." signs could be posted to control traffic in the neighborhoods. Engineer Hoffman replied that this could be installed, however, these operational issues have not yet been reviewed in great detail. In some areas installing signs keeps neighborhood people out. Manager Rosland added the Traffic Safety Committee has been directed to survey the area, checking licenses for cut through traffic. This monitoring will be continued after the DPS is open to see if there is a need for signs to eliminate cut through traffic.

Member Kelly asked Mr. Gattuso exactly what Liberty's plans are for future development. Mr. Gattuso responded that today's proposed development consists of a 325,000 square foot office building. The square footage becomes 350,000 when the winter garden, however the square feet that may be occupied is still 325,000. In analyzing the site Liberty created a proposed development to maximize the site to determine ultimate traffic generation. Therefore, they have shown a future development site to occur on the surface parking area. This future expansion would range from either a single story 25,000 sq. ft. building to a three story 75,000 sq. ft. building. It is not contemplated that DPS needs the additional space today. The expansion is not something Liberty would build without DPS's requirement. Mr. Gattuso repeated the expansion was established on the plan to identify what the maximum case could be. He added the concerns regarding density and thinks the proposal addresses this issue by concentrating the site density towards I-494 and stepping it down towards W. 78th St. Mr. Gattuso committed to the Edina City Council that Liberty

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would not do any further development on the site without coming back before the Edina City Council.

Member Kelly acknowledged Liberty's willingness to have Edina review future expansion, but added at that point Edina would have little control over the expansion, therefore he would like to know if Liberty has any building designed specifically for this site. Mr. Gattuso stated the only thing Liberty has developed for the expansion site is a potential building envelope. He continued that he was committing on behalf of Liberty that they would not proceed with any expansion of the DPS site without coming back before the Edina City Council and getting their blessing even though they realize it is outside of the normal jurisdiction. Mr. Gattuso stated Liberty feels the community relationships must be long term. Liberty still owns 98% of what they have built for the last twenty-two years and they have a long term commitment to this community. Liberty certainly wants to make sure that whatever they bring before Edina has the support and blessing. He is therefore offering an override to the Edina City Council that if Liberty ever proposes future expansion on the DPS site they would not proceed unless approved by Edina.

Member Kelly asked Mr. Gattuso to confirm that what he had said was if Liberty comes forward with a plan which the Edina City Council feels has too much density for the site he was giving his word that Liberty will listen to the Edina City Council and not go ahead with the proposed development. Mr. Gattuso replied that is absolutely correct, Liberty sees their obligation to the greater community and they would even be open to incorporating this commitment into their developers agreement.

Member Kelly asked what if any relationship does Liberty Property Trust have with Liberty Mutual Insurance Companies. Mr. Gattuso replied there is no relationship between the two companies.

Member Kelly asked Mr. Eylers to explain how traffic on Glasgow, Lochmere, Shaugnessy, Marth and Gleason are going to be able to turn left(east) on W. 78th to get to I-494. This seems to be a big issue and also please comment on visibility. Mr. Eylers answered SRF used a nationally recognized software with federal standards to analyze traffic. A number of factors were reviewed and based on SRF's analysis after the proposed improvements of signals, medians and turn lanes are installed the needed gaps in opposing traffic will be available for traffic to make left turns onto W. 78th. Engineer Hoffman added that detectors can be installed in the side Streets to detect delays and increase the gaps. This is an operational control issue that can be monitored and adjusted as necessary.

Public Comment

Mary Jo Kingston, 7774 Lochmere Terrace, expressed concern regarding traffic. Ms. Kingston explained she has a 27 year old son pickup and dropped off daily by van. The additional traffic generated by the DPS development will interfere with the van exiting Lochmere and moving east on W. 78thSt.. Mr. Eylers replied that perhaps a smaller bus could wait at the median for gaps in traffic moving east.

Robert Bennet, 7600 Delaney Boulevard, said he opposed both the scope and size of the proposed development. The first phase is too large for the surrounding residential property in Edina. If a second phase is built and other potential commercial properties develop the entire nature of south Edina will be affected negatively. Mr. Bennet stated his concern over traffic and public safety. The DPS development will add to cut through traffic in his neighborhood. He offered as a solution turning Delaney into a cul de sac. Mr. Bennet urged the Council to protect southwest Edina.

Mark Shull, 7712 Glasgow Drive, agreed with his neighbors previously stated concerns. He added the proposed building is too large until I-494 is upgraded. In addition, Mr. Shull noted his concern with traffic speeds on W. 78thSt.. In his opinion the traffic study does not address personal safety issues. For example a bus stop exists at W. 78th St. and Glasgow and adding to traffic on W. 78th St. will certainly add to dangers of children waiting for a bus. Mr. Shull submitted that all fourteen points outlined by Mr. Eylers need to be completed before the DPS development is allowed.

Bob Clark, 7701 Glasgow Drive, stated the traffic study did not show the amount of trips going to East Bush Lake Road and onto I-494E which backs up traffic on W. 78th St. Mr. Clark added W.

78th St. needs to be improved and the bridges over I-494 need to be improved before the DPS development is constructed.

Leanne Docherty, 7713 Glasgow Drive informed the Council the bus stop situation is a vital concern to her family. She added the Edina School Bus Company could not get out of Lochmere Lane onto W. 78th St. as it exists today.

Eric Pitcher, 7404 Coventry Way, expressed his concern about safety and also the impact of the proposed development on property values. Mr. Pitcher believes the project should be scaled back. He also agreed with his neighbor Bob Clark, about the impact of traffic from East Bush Lake Road on W. 78th St..

Kathy Shull, 7712 Glasgow Drive, offered an alternative for consideration. She suggested a frontage road be built instead of the DPS building connecting to Cahill and Cecelia. Ms. Shull added the need for protection of the residential property in the area.

Charles Benson, 5808 W. 78thSt. stated his driveway back up to W. 78th St. and speed is an issue. Mr. Benson added any frontage road would go over his front steps and he would not look on that as a solution.

Philip Wichern, 412 Harrison Avenue South added his concern over safety, especially persons using public transportation such as buses.

Michael Docherty, 7713 Glasgow Drive, expressed concern over the installation of a stop light at Cecelia. Mr. Docherty believes traffic will block Glasgow Drive. He sees a need for additional enforcement of speed laws on W. 78th because in his opinion speeding is rampant in the area.

Council Discussion

Mayor Smith complimented the neighbors on their input. He reminded that Edina does not make the decision to approve or disapprove the DPS development. However, Edina intends to discuss the issues and attempt to move forward recognizing this is not an easy situation.

Mayor Smith noted DPS could go ahead with their proposed development by moving their requested curb cut onto the Bloomington portion of W. 78th St. He noted he would like Liberty Mutual's assurance the development will not be any bigger and added Bloomington's assurance would also be appreciated. The proposed development seems to allow too much opportunity for stacking traffic on W. 78th St. Mayor Smith suggested the parking ramp entrance be moved so traffic stacks on DPS property and not on W. 78th St. In addition, the developer needs to achieve a consensus with the neighbors over the landscaping buffer.

Mayor Smith stated he would like those items involving Bloomington, Edina and Hennepin County, of the 14 improvements noted in Mr. Eyler's traffic study, firmed up. Mayor Smith directed staff to look into a proper bus stop area, to explore the possibility of installing sidewalk, to review the suggestions received for a perimeter road and making Delaney into a cul de sac. In conclusion, he declared the need to get Bloomington's firm commitment before Edina agrees to the W. 78th St. improvements.

Member Kelly acknowledged the critical issues connected with the DPS proposed development. He agreed with Mayor Smith on the need to have firm commitments on all joint venture improvements. Member Kelly asked for an assurance from John Gattuso that Liberty would not proceed with a second phase unless approved by the City of Edina.

Member Maetzold repeated the land use approvals involved with DPS are under the jurisdiction of the City of Bloomington. Therefore, he urged that Council focus on items that Edina can control. Member Maetzold expressed concern with the public safety issues especially speed control and the bus stop issue. He noted many interesting ideas were presented and believes further research is needed in some areas.

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Member Faust suggested the potential for creating a cul de sac on Delaney be studied. She requested staff review and address the speed issue and stated in her opinion the development of the Braemar frontage road should be a high priority.

Member Hovland thanked the developer and citizens for the input offered at the meeting. He added he also is sensitive to the public safety issues. Of special concern is the school bus stop issue. Member Hovland indicated a willingness to explore the feasibility of making Delaney into a cul de sac. He suggested to the developer a realignment of the parking lot entrance on the ceremonial entrance to the property to help limit traffic stacking on W. 78th St..

Mayor Smith requested the City Manager have appropriate staff research the issues discussed this evening and report findings to the City Council at their April 7, 1997 meeting. Mr. Gattuso agreed to this time frame and thanked the Council for allowing him to speak on behalf of Liberty.

***AWARD OF BID FOR REPLACEMENT PUMP FOR WEST 77TH AND FRANCE SEWAGE LIFT STATION** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for replacement pump for West 77th and France sewage lift station to recommended low bidder, Waldor Pump and Equipment at \$5,135.43.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR REPAIR AND REINSTALLATION OF WATER WELL #12** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for the repair and reinstallation of water well #12 to recommended low bidder, Alberg Water Services at \$10,930.00.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR ONE TRAIERED AIR CONVEYANCE UNIT FOR SEWER CLEANING/VACUUMING** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for one trailered air conveyance unit for sewer cleaning/vacuumping to recommended low bidder, ABM Equipment Co., at \$32,656.00.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR BROOM STOCK FOR SELF-PROPELLED STREET SWEEPERS** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for broom stock for self-propelled street sweepers to recommended low bidder, MacQueen Equipment, Inc., at \$8,466.75.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR THREE WHEEL TURF TRUCKSTER** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for 3 wheel turf truckster for park maintenance department to recommended low bidder, Cushman Motor Company at \$9,891.72.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR REPLACEMENT TANKS FOR TRAFFIC STRIPING UNIT** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for replacement tanks for traffic striping unit to recommended low bidder, Linear Dynamics at \$9,318.75.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR ONE FULL-SIZE 4 DOOR SEDAN** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for one full-size 4-door sedan for the Police Department (1997 Dodge Intrepid) to Brookdale Dodge, Inc., at \$16,211.00 through Minnesota Cooperative Purchasing Agreement Contract #414105, Cooperative Purchasing Permit #501523.

Motion carried on rollcall vote - five ayes.

***APPROVAL OF TRAFFIC SAFETY STAFF REPORT OF MARCH 4, 1997** Motion of Member Maetzold and seconded by Member Hovland to approve the following actions as recommended in Section A of the March 4, 1997, Traffic Safety Staff Review as follows:

- 1) Approval of limited two hour parking on York Avenue due to parking problems at the Heritage Drive location as generated by the employees of the nursing home and bus commuters to the downtown Minneapolis area;
- 2) Approval of "NO PARKING" signs posted for the west side of the 7100 block of Lynmar Lane;
- 3) Posing of "30 MPH" signs on Washington Avenue between Maloney and 3rd St. South advising drivers of the speed limit; and
- 4) to acknowledge Sections B and C.

Motion carried on rollcall vote - five ayes.

***RENEWAL OF ON-SALE WINE LICENSES APPROVED** Motion made by Member Maetzold and seconded by Member Hovland approving the renewal of On-Sale Wine Licenses for Rossini's, Tejas, and Two Guys From Italy.

Motion carried on rollcall vote - five ayes.

***3.2 BEER LICENSE RENEWALS APPROVED** Motion made by Member Maetzold and seconded by Member Hovland approving 3.2 beer licenses as follows: **ON SALE 3.2 BEER LICENSES:** Ciatti's Inc., Chico's Tacos, Daytons Boundary Waters Restaurant, The Good Earth Restaurant, The Lotus III, Q Cumbers, Ruby Tuesday, Inc., Hawthorn Suites of Edina, Sidney's of Edina, Inc., Tejas Restaurant, Two Guys From Italy, TJ's Family Restaurant, Locanda, Inc., and Rossini's; and **OFF SALE 3.2 BEER LICENSES:** Kenny's Market Deli, SuperAmerica and Jerry's Foods.

Motion carried on rollcall vote - five ayes.

VARIOUS VACANCIES FILLED ON BOARDS AND COMMISSIONS Mayor Smith noted names of persons willing to serve on various boards and commissions and continued that members are still needed for the Recycling and Solid Waste Commission and the Art Center Committee. **Motion made by Member Kelly for consent of the Mayor's appointment of individuals to the:**

Community Health Advisory Committee:

Homer Evans (Consumer) (Term to 2/1/99)

Kathy Frey (Consumer) (Term to 2/1/99)

Dr. John Fennig (Provider) (Term to 2/1/99)

Human Relations Commission:

Richard Hechter (Term to 2/1/99)

Zoning Board of Appeals:

Rodney D. Hardy (Term to 2/1/00)

Motion carried on rollcall vote - five ayes.

***CONTRACT APPROVED FOR 1997 IAFF #1275 FIREFIGHTERS** Motion of Member Maetzold seconded by Member Hovland approving the 1997 contract for IAFF #1275 Firefighters.

Motion carried on rollcall vote - five ayes.

***ACCEPTANCE OF PRE-SALE REPORT FOR TAX INCREMENT BONDS, SERIES 1997B ACKNOWLEDGED** Motion of Member Maetzold seconded by Member Hovland accepting the Pre-Sale Report for Tax Increment Bonds, Series 1997B.

Motion carried on rollcall vote - five ayes.

CLAIMS PAID Member Maetzold made a motion to approve payment of the following claims as shown in detail on the Check Register dated March 12, 1997, and consisting of 33 pages: General Fund \$267,266.90; C.D.B.G. \$6,463.72; Communications \$5,247.42; Working Capital \$21,535.86; Art Center \$5,182.85; Swimming Pool Fund \$748.10; Golf Course Fund \$69,751.71; Ice Arena Fund \$7,256.99; Gun Range Fund \$166.84; Edinborough/Centennial Lakes \$19,932.48; Utility Fund \$50,813.77; Storm Sewer Utility Fund \$508.75; Recycling Program \$42,082.89; Liquor Dispensary Fund \$178,734.56; Construction Fund \$1,129.50; Park Bond Fund \$157,222.00; TOTAL \$834,044.34; and for confirmation of the following claims as shown in detail on the Check Register dated March 7, 1997, and consisting of two pages: General Fund \$121,842.55; Golf Course Fund \$775.35; Liquor Dispensary Fund \$53,658.80; I-494 Commission \$6,455.68; TOTAL \$182,732.38. Member Hovland seconded the motion.

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Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

There being no further business on the Council Agenda, Mayor Smith declared the meeting adjourned at 11:02 P.M.

City Clerk