



MINUTE SUMMARY
Regular Meeting of the Edina Planning Commission
August 29, 2008, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

Members Present:

Chair Lonsbury, Grabiell, Brown, Forrest, Schroeder, Scherer, Risser, Staunton, Fischer

Staff Present:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF MINUTE SUMMARY:

The minutes of the July 30, 2008, meeting were filed as submitted.

II. OLD BUSINESS:

P-08-8

**Rink Properties LLC/Minnesota Made
7300 Bush Lake Road, Edina, MN**

Staff Presentation:

Planner Teague addressed the Commission and reminded them at their last meeting this item was continued to allow the applicant time to address the Commission concerns on landscaping, re-stripping of the lot, internal traffic circulation, and pedestrian safety to include the suggestion that the applicant make the secondary doors more easily identified. Planner Teague noted the applicant has addressed those concerns in their revised plan.

Planner Teague concluded staff recommends approval of the revised Final Development Plan to build a third rink for Minnesota Made Ice Center with spectator seating at 7300 Bush Lake Road based on the following findings:

- 1) With the exception of the variance for spectator seating, the proposal would meet the required standards and ordinances for a Final Development Plan.

- 2) The proposal meets the required standards for a variance, because:
 - a. The proposed use is reasonable, given the existing two rinks on the site contain spectator seating. The proposed new rink would have a similar capacity to the first two rinks.
 - b. There would be adequate parking to support the new rink and seating.
 - c. Existing roadways would support the project.
- 3) The proposed building would match the existing structures.
- 4) On-site circulation proposed would be an improvement over existing conditions.

Approval of the Final Development Plan is also subject to the following conditions:

- 1) The site must be developed and maintained in conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped August 8, 2008.
 - Building elevations date stamped July 2, 2008.
 - Grading plan date stamped August 8, 2008.
 - Landscape plan date stamped August 11, 2008.
- 2) Submit a copy of the Nine Mile Creek Watershed District Permit. The city may require revisions to the approved plans to meet the District's requirements.
- 3) A Class I standpipe hose connection must be installed at the doors on the south end of the new building, as required by the fire marshal.
- 4) Per Section 850.10. Subd. 3.B of the City's Zoning Ordinance, a letter of credit, performance bond or cash deposit must be submitted in the amount equal to 150% of the proposed landscaping prior to issuance of a certificate of occupancy for the building.
- 5) The secondary entrances must be signed, and remain open when the parking lots on the north and west side of the building are in use.

Appearing for the Applicant:

Peter Hilger, Architect and Mike Palm, Rink Properties

Applicant Presentation:

Mr. Hilger addressed the Commission and stated signage will be added above the west door to clearly identify it as an entrance. Mr. Hilger stated secondary entrances would remain open during special events and tournaments.

Commission Comments:

Commissioners acknowledged positive revisions have been made to the plans, including the addition of more trees and vegetation, the one-way change in on-site circulation and the removal of parking spaces to provide a drop-off area; however, concern continued to be expressed with regard to the secondary entrances. It was pointed out approval of the Final Development Plan allows construction of a third ice sheet which increases traffic, noting that the need for clearly identified secondary entrances is very important. Commissioners said in their opinion more could still be done to identify and clarify the secondary entrance on the west side of the building near the dumpster.

Commissioner Brown stated he is very familiar with this site, adding his concern continues to be safety.

Commission Action:

Commissioner Fischer moved to recommend Final Development Plan approval including Variance based on staff findings and subject to staff conditions. Commissioner Schroeder seconded the motion. Ayes: Fischer, Schroeder, Risser, Scherer, Staunton, Grabel, Forrest, Lonsbury, Nay, Brown. Motion carried.

**C-08-2 Conditional Use Permit
Edina Public Schools
5701 Normandale Road**

Staff Presentation:

Planner Teague reminded the Commission they tabled the request at last month's meeting. The Commission asked the applicant to provide additional information regarding why this site was selected for the building, were alternatives examined, and to provide a rendering of what the building would look like on the site.

Planner Teague concluded staff recommends that the City Council approve the Conditional Use Permit to build a metal accessory building at 5701 Normandale Road for Edina Public Schools based on the following findings:

1. The proposal meets the Conditional Use Permit conditions per Section 850.04 Subd. 4. E, of the Edina Zoning Ordinance.
2. The proposal meets all applicable Zoning Ordinance requirements.

Approval is also subject to the following conditions:

1. Record the approving resolution with the county.
2. The building must meet all applicable building permit requirements.
3. Planting of additional pine trees on the north and east side of the building, to help break up the mass of the structure.

Appearing for the Applicant:

Ms. Southerland, Mr. Payton and Mr. Jay Wilkinson were present representing the Edina School District.

Applicant Presentation:

Mr. Wilkinson at the request of Chair Lonsbury told the Commission the construction of maintenance buildings on school properties was included as part of the overall district school referendum and Conditional Use Permit approval; however, not all maintenance buildings were constructed during the initial construction phase, funding ran out. Continuing, Mr. Wilkinson explained this facility has been “in the works” for five years, noting it replaces the “huts”. Mr. Wilkinson said their original plan was to put it underground, but that wasn’t permitted by the Fire Marshal. Mr. Wilkinson said he believes the proposed location is best because it provides access off an existing driveway. Mr. Wilkinson acknowledged it will be seen from Concord Avenue, reiterating he believes this building looks better than the huts.

Mr. Payton addressed the Commission and told them the storage huts needed to go, adding the subject site was carefully walked and they believe the proposed building location is best. Mr. Payton reiterated their initial solution was to have the vehicles stored underground, but that wasn’t allowed by Fire Code, adding another alternative was to have the storage area under the existing bleachers, but that also wasn’t permitted by Fire Code.

Chair Lonsbury asked if anyone in the audience would like to speak to this issue. No one was present.

Commission Comments:

A discussion ensued with Commissioners listing the following concerns:

- Location – Commissioners said in their opinion the location as proposed isn’t the best.
- Safety – the height of the roof of the maintenance shed (because it will be recessed into the hill) could be a problem with kids trying to scale it for

roof access. The location of the shed so near the tennis courts could create a place for youths to “hang-out” and get into mischief.

- Aesthetic – the Commission acknowledged a “shed is a shed”; however, they believe the maintenance shed could be more attractive. Commissioners also acknowledged the planting of additional vegetation around the shed, but in their opinion the revised plan as presented is the same plan with a “tree or two” added.

Commissioner Fischer told the Commission over the weekend he visited the subject site and also visited other school and park sites, taking a number of pictures of what he found. Commissioner Fischer delivered a power point presentation depicting his findings.

Further discussion focused on the building itself and its impact on the neighborhood noting that even though there are a number of these buildings on school campuses throughout Edina sensitivity to the neighborhood is important.

Discussion continued on building location with Mr. Payton reiterating a number of different locations were considered; however, they were either not allowed because of Fire Code or not pursued because of encroachment onto City property.

Mr. Wilkinson told the Commission their first choice was to build this building on the Creek Valley school site abutting the Crosstown, but in that location the building would encroach on City property, adding after reviewing other sites they settled on the site and plan presented this evening.

Chair Lonsbury suggested that the school district approach the City seeking cooperation between the School District and City in relocating this building to a less intrusive site.

Mr. Wilkinson withdrew the School Districts request for a Conditional Use Permit to locate a maintenance building at 5701 Normandale Road.

III. OTHER BUSINESS:

Proposed Ordinance Amendment – Access to Golf Courses

Staff Presentation:

Planner Teague reminded the Commission at the June 25 meeting; the Planning Commission requested that staff bring back information regarding a potential Ordinance amendment, requested by residents on Belmore Lane, which would eliminate the potential for secondary accesses to golf courses.

Continuing, Planner Teague said staff has consulted with the City Attorney regarding the proposed amendment, and offers the following information:

- The goal of the proposed ordinance is to prevent access to the golf course from Belmore Lane. The City Attorney has advised that through the Conditional Use Permit Process and the Vacation of right-of-way, the City of Edina has the ability to deny a secondary access. A condition of approval could be made that access has to be taken from the primary access off Interlachen Boulevard. Interlachen has indicated to staff that they do not intend to propose a secondary access off Belmore. They may have an emergency access for police and fire etc. Applications for the Conditional Use Permit or Vacation have not yet been made.
- The City Attorney further advised that it could be argued that to single out golf courses from similar and other uses that are conditionally permitted in the R-1 district is arbitrary. He advises that if the City of Edina wished to pursue an ordinance amendment it should include all similar and conditionally permitted uses. These uses would include schools and churches. Further, the ordinance revision should take place in Section 1205 of the City Code, which deals with public streets.
- The proposed ordinance which would prohibit secondary access points off local streets could have unintended consequences for existing uses. An in depth study would have to be done to determine the number of nonconforming uses that would be created.

Planner Teague concluded staff has done a preliminary review of schools and churches and found the following have existing secondary access points on a local street:

- Chapel Hills Congregational Church
- Good Samaritan Methodist Church
- St. Patrick's Catholic Church
- Edina Covenant Church
- St. Peter's Lutheran Church
- Shepherd of the Hills Lutheran Church
- Christ Presbyterian Church
- Colonial Church
- Normandale Lutheran
- Highlands School
- Concord Elementary School
- Cornelia Elementary School
- Countryside School
- Calvin Christian School

These uses would all become non-conforming.

Based on the above information, staff would not recommend that the City of Edina amend the Zoning Ordinance as requested.

Chair Lonsbury asked if anyone in the audience would like to speak on this topic.

Public Comment:

Stuart Lind, 301 Grove Street, told the Commission if Interlachen is permitted access from Belmore it would have a negative impact on families in the area. It would only increase traffic on quiet residential streets.

Ted Volk, 6301 Belmore, said he continues to worry about construction traffic that would use Belmore to access the site.

Commissioner Grabile moved to close the public hearing. Commissioner Brown seconded the motion. All voted aye; motion carried.

Commission Comment:

Commissioners acknowledged they understand the reason for the request to amend the Code; however, singling out golf courses really isn't needed because the Commission and Council have the authority to deny Conditional Use Permit requests if warranted.

Commissioners also noted Interlachen Country Club is part of this neighborhood with rights. Commissioners also acknowledged the neighbors' unease; however, since Interlachen is not seeking access off Belmore the point becomes mute.

Further discussion focused on process. Commissioners stated they believe the process that is in place responds well to both the needs of the applicant and residents. Commissioners said at this time it is difficult to act on an ordinance amendment that would impact other conditional uses, especially in light of the fact that the Interlachen Country Club hasn't applied for a Conditional Use Permit.

Chair Lonsbury clarified the proposed amendment seeks to eliminate secondary access to golf courses only, adding the direction of the Commission this evening is to either recommend this change or not.

Commission Action:

Commissioner Brown moved that the Commission not address the request for a Code Amendment eliminating secondary access to golf courses only. Commissioner Grabel seconded the motion. All voted aye; motion carried.

IV. INTERGOVERNMENTAL BUSINESS:

Commissioner Forrest told the Commission reconstruction of the Browndale Bridge is taking place, adding it's a very interesting process Commissioners may want to view.

Commissioner Brown told the Commission the Engineering Department on behalf of the Transportation Commission has mailed out 1400 traffic study surveys to residents of the 70th Street neighborhood. The Transportation Commission is hoping for response from at least 1000 residents.

Commissioner Risser told the Commission the Fall message of the Energy and Environment Commission is that Energy: As Easy as 1, 2, 3, adding basic steps can help cut down on energy consumption, like adding more insulation and caulking.

V. ADJOURNMENT:

Commissioner Scherer moved for adjournment at 8:20 PM

Submitted by

