



MINUTE SUMMARY
Wednesday, April 29, 2009, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street, Edina, MN

MEMBERS PRESENT:

Chair Michael Fischer, Jeff Carpenter, Julie Risser, Kevin Stauton, Michael Schroeder, Steve Brown, Floyd Grabel, Arlene Forrest and Patrick Schnettler

MEMBERS ABSENT:

Nancy Scherer

STAFF PRESENT:

Cary Teague, Kris Aaker and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the April 8, 2009, Planning Commission meeting were filed as submitted.

II. INTERGOVERNMENTAL BUSINESS:

Chair Fischer acknowledged receipt of the Council Connection and asked if Commission liaisons have any updates they would like to share.

Commissioner Risser told the Commission that on Saturday, May 4th, a Sustainable Roundtable discussion will be held at St. Patrick's church.

Chair Fischer announced that Michael Schroeder has expressed interest in serving as the new liaison to the Transportation Commission and asked if any other Commissioners would care to serve. Being none; Chair Fischer appointed Commissioner Schroeder as liaison to the Transportation Commission. Chair Fischer thanked Commissioner Brown for his excellent service as PC liaison to the Transportation Commission.

III. OTHER BUSINESS:

- **Discussion on zoning code update process**
- **The ‘update’ on updating the Council on the zoning code process**
- **Discussion on Joint Cities Meeting, Edina, Bloomington and Richfield**

Chair Fischer addressed the Commission and explained in the upcoming months the Commission will undertake the updating of the Zoning Ordinance. Chair Fischer said during this update the Commission will focus on bringing the zoning ordinance into conformance with the comprehensive plan and review other areas of the ordinance that need a revision or update.

Planner Teague noted that the Commission may also want to look at folding the Sign Code into the Zoning Ordinance. Planner Teague explained that at this time the Sign Code isn't considered part of the Zoning Ordinance.

Commissioner Brown said in his opinion with regard to “getting the word out” on the code update that no matter what the City does it still might not be “enough”. Chair Fischer acknowledged that the Commission could get criticized on the process.

Chair Fischer reported that on April 21, 2009, he informed the City Council that the Commission will begin the process of amending and updating the Zoning Ordinance. Continuing, Chair Fischer said comments from the Council that evening included questions on; PUD process/outcome, would the Commission update the Council throughout the process or only at the end of their “revisions”; will written comments be permitted and lastly how will the word “get out”. Chair Fischer said he believes the Council is comfortable with the direction the Commission is going.

Continuing, Chair Fischer told Commissioners he also brought up the attendance policy and the Council indicated to him that work sessions wouldn't be “considered” a scheduled meeting; therefore, a Commissioners standing wouldn't be jeopardized if a work session meeting was missed.

Chair Fischer directed the discussion toward the Joint Cities Meeting (April 26) and asked Commissioners for their feedback, especially what they learned from other cities. Commissioner Staunton said to him the whole ex parte communication discussion was eye-opening, adding it was interesting to hear how other cities address this, especially Bloomington's ex parte policy in its bylaws. Commissioner Staunton said adopting a Commission code of conduct would be appropriate.

Commissioner Grabiell stated he agrees with Commissioner Staunton, adding he supports drafting bylaws that include ex parte rules. Commissioner Grabiell suggested forming a subcommittee to draft bylaws, adding he would be willing to serve on this subcommittee and bring back a draft to the Commission for their review. Commissioner Risser commented that she assumed the Planning Commission operated under bylaws. Planner Teague responded to the best of his knowledge the Commission has no bylaws. Chair Fischer said before the Commission proceeds on forming a subcommittee and drafting bylaws he would like Planner Teague to speak with Gordon Hughes to see if Mr. Hughes knows if the Commission has bylaws. Commissioner Carpenter added he would be willing to serve on the bylaw subcommittee when it is formed.

Commissioner Grabiell said another interesting topic that was discussed last evening was the notification process, adding he found it encouraging that the City of Edina exceeds all mandated requirements. Chair Fischer concluded that he felt the Joint Cities meeting was very beneficial.

Chair Fischer stated at this time he would like to direct the discussion back to the Zoning Ordinance update. Chair Fischer said during the updating process he would be calling on individual Commissioners for their expertise. Chair Fischer said Commissioners Staunton and Schroeder and Planner Teague have already provided assistance, adding recently he asked Commissioner Schroeder to look at the process and create some form of "road map" guiding the Commission during these next 18 + months.

Commissioner Schroeder with the aid of his graphic explained that he sees the review and recommendation process as four primary tasks: Assessment and Information Gathering, Formulation of Potential Revisions, Evaluation of Potential Revisions and Confirmation.

Commissioner Schroeder pointed out as outlined in #2 that he encourages the Commission to engage representatives from the development community to find out their insights into the city's review process and zoning code requirements. Commissioner Schroeder said he also sees future meetings with other city boards and commissions and a workshop with the city council. Commissioner Schroeder suggested that at the next work session the Commission meet with the development community. A work session would also be scheduled focusing on input from the public. Chair Fischer thanked Commissioner Schroeder for his work.

Chair Fischer reiterated that an important goal of the Commission is to create an open process for the code update. Chair Fischer reported that work sessions have been scheduled for the second Wednesday of each month throughout

2009. These sessions are open to the public and will be held at 7:00 PM at Edina City Hall in the Council Chambers.

A discussion ensued between Commissioners on topics of discussion for each work session. It was previously suggested that the focus of the next work session (May 13) would be the development community with developers invited to share their experiences good or bad on how the Zoning Ordinance and the development process “works” for them. Commissioners suggested that the following “developers” be invited to the work session: Tom Lund, Eric Anderson, Allan Hill, Tom Miller, Jim Nelson, Gene Haugland, Scott Busyn and Ed Noonan. Chair Fischer said this session could be conducted like a forum with short introductions from each developer, and a give and take period. Planner Teague informed the Commission that he believes Allan Hill is presently involved in a development process in the city, adding he should be removed from the list of invites. Commissioners agreed. There was also some discussion that an impression could be made that the Commission was cherry-picking invitees; however, it was pointed out by Planner Teague that the developers suggested are developers who have had an application before the Commission and Council in the last two years. This is especially important since the language and requirements in some zoning districts have recently been amended.

Chair Fischer reiterated that it is important at every session that everyone feels comfortable with expressing their opinion, ideas and experiences. Chair Fischer said his goal would be to have the interchange between the Commission and developers first, a 15 minute comment section from the public at the end and a brief summary of what occurred at the meeting.

Commissioner Staunton moved to adopt the Review and Recommendations Process dated May 10, 2009 as the framework for updating the Zoning Ordinance recognizing that this process is fluid. Commissioner Brown seconded the motion. All voted aye; motion carried.

Commissioners continued their discussion on the process of updating the code and suggested that the following methods be implemented to ensure that the residents of Edina are aware of the process:

- Use the local newspaper (Sun Current) – a suggestion was made to have the Chair write an open letter to residents briefly explaining the process on updating the Zoning Ordinance.
- Work with the Communication Department to implement a website containing information on the process
- Use the “City Extra” to notify interested residents of upcoming meetings or cancellations
- Use the City cable network channel (16) to “get the word out”.

- When the Commission proceeds to rewriting sections of the code all changes need to be red-lined.
- Find a way to allow written comments during this process – recognizing many residents may not be able to attend the work sessions.

Marty Doll, Edina Communications told Commissioners it would be beneficial if a joint meeting with Jennifer Bennerotte, Communications Director was scheduled. Chair Fischer thanked Mr. Doll and directed Planner Teague to set up a meeting with Ms. Bennerotte. Chair Fischer added he would also attend the meeting.

Chair Fischer stated to clarify the “topics” for the next two work session meetings: the meeting of May 13th is scheduled with developers and the meeting of June 10th with the Emergency and Environment Committee. Chair Fischer directed Planner Teague to contact the developers.

IV. PUBLIC COMMENT:

No public comment.

V. ADJOURNMENT:

Commissioner Carpenter moved adjournment at 9:00 PM. Member Risser seconded the motion. All voted aye. Motion carried.

Submitted by