



MINUTE SUMMARY
Regular Meeting of the Edina Planning Commission
Wednesday, April 8, 2009, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

MEMBERS PRESENT:

Chair Mike Fischer, Julie Risser, Nancy Scherer, Kevin Staunton, Michael Schroeder, Floyd Grabiell, Arlene Forrest, Jeff Carpenter and Patrick Schnettler

MEMBERS ABSENT:

Steve Brown

STAFF PRESENT:

Cary Teague, Jackie Hoogenakker and Kris Aaker

I. APPROVAL OF MINUTE SUMMARY:

The minutes of the January 28, 2009, Planning Commission meeting were filed as submitted.

II. NEW BUSINESS:

2009.0001.	Lot Division
	A. James Bailey Jr.
	7340 Cornelia Drive, Edina

Presentatin by Planner

Planner Teague addressed the Commission and explained the applicant is proposing to split the existing lot into two lots to create a lot line separation of the existing double-dwelling at 7338 and 7340 Cornelia Drive. There are several duplexes in this neighborhood that have been divided in a similar manner. Most of these duplexes were constructed with a fire-rated wall separating the two units. It is assumed that this structure was similarly constructed. However, if it was not, the applicant has agreed to construct the necessary fire-wall between the two units. This would provide protection for each unit, should there be a fire on the other side.

Planner Teague concluded that staff recommends that the city council approve the lot division as requested, subject to the following condition:

1. The two units must be separated by a fire-wall as approved by the building official. The approving resolution dividing the two lots will not be filed at Hennepin County prior to the building official's review and approval of a wall separating the two units.

Comments and Questions from the Commission

Commissioner Risser asked Planner Teague if it's found that there isn't a firewall between the two units would a firewall need to be retro fitted. Planner Teague responded in the affirmative, adding the lot division resolution would not be filed unless/until the firewall is in place.

Chair Fischer asked who determines compliance. Planner Teague responded the building official determines compliance. The property owner is required to provide the building official with documentation verifying the structure was constructed with a firewall, or if it wasn't that a firewall would be "fitted" and verified. Planner Teague explained the building official will inform him when the building code requirement is met and the city attorney will file the resolution.

Commission Action

Commissioner Staunton moved to recommend lot division approval based on staff findings and subject to staff conditions. Commissioner Grabel seconded the motion. All voted aye; motion carried.

Commissioner Risser suggested that having or not having a firewall should be known before a lot division application is made.

**2009. Conditional Use Permit
 Edina Public Schools
 5701 Benton Avenue, Edina**

Planner Presentation

Planner Teague told the Commission Edina Public Schools are proposing to expand their parking lot and reconfigure their bus pick-up and drop-off area at Countryside School located at 5701 Benton Avenue.

Specifically the number of parking spaces would increase from 77 to 90 stalls by expanding and restriping the lot on the east side of the building. The bus pick-up and drop-off area would be reconfigured on the north side of the building by eliminating the drive-aisland, and creating diagonal spaces for the buses. The

Edina Planning Commission Minute Summary

April 8, 2009

Page 3 of 8

east lot improvements would be done in 2009, and the north lot reconfiguration would be done in 2010.

The request requires a conditional use permit for the expansion of parking spaces on the east side of the building.

Planner Teague concluded that staff recommends that the City Council approve the Conditional Use Permit to expand the parking area for Countryside School at 5701 Benton Avenue.

Approval is 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. The site must be developed and maintained in conformance with the following plans:
 - Site plan date stamped February 27, 2009.
 - Grading plan date stamped February 27, 2009.
 - Landscaping plan date stamped February 27, 2009.
 - Finishing plans date stamped February 27, 2009.
2. A grading permit is required for the improvements.
3. A lighting plan must be submitted with the grading plan, and must meet all minimum zoning ordinance requirements.
4. All conditions required by the City Engineer in his review memo dated April 2, 2009.

Appearing for the Applicant:

Jonathan Duesman, Anderson-Johnson Associates

Commission Comments and Questions

Commissioner Grabiell asked why this request requires a CUP. Planner Teague responded that increasing the parking by 13 stalls triggers a CUP.

Commissioner Schroeder asked if a landscaping plan is required for the CUP. Planner Teague responded that current landscaping meets code, no further landscaping is required; however, the school district is proposing additional plantings around the maintenance building and rain garden.

Commissioners also asked for clarification on the following:

- Redesign of bus area
- Rain Garden
- Phasing

Applicant Presentation:

Mr. Duesman addressed the Commission and explained the intent of the school district is to improve traffic flow, circulation and parking for Countryside School.

Mr. Duesman clarified the following points previously raised by Commissioners:

- The bus area has been redesigned to allow the buses to stop four feet shy of the curb. This creates the exact turning radius to allow buses to drive straight out, eliminating the need for a bus to back up.
- Originally the rain garden was proposed at 18” inches; however, in working with the Watershed District that depth was increased to between 24 and 26 inches. Excavating will also be implemented to increase infiltration rates.
- Budgetary restraints created the need to do the improvements in phases.

Commissioner Carpenter asked Mr. Duesman if he knows the “drainage time” for the rain garden. Mr. Duesman said it is his understanding that the rain garden has a 48 hour drainage period. Commissioner Carpenter asked Mr. Duesman if the “rain garden” could pose a safety concern for the children. Mr. Duesman responded that is a good question, adding children should be watched and monitored when they are outdoors. Commissioner Carpenter suggested fencing. Mr. Duesman responded that could be discussed.

Commissioner Risser asked Mr. Duesman if a bike path was ever considered. Mr. Duesman said that was not addressed.

Chair Fischer opened the public hearing for comment.

Public Comment

Molly Urbanski, 5800 Stuart Avenue, told the Commission that in her opinion Countryside doesn't have enough parking. She informed the Commission there are times the teachers' park in the Good Samaritan parking lot and walk to school. Ms. Urbanski said she is also worried about the safety of the school children informing Commissioners that times have changed, more and more children are dropped off by a parent. Ms. Urbanski pointed out that a number of Countryside students live in Edina; but their homes are located in the Hopkins

Edina Planning Commission Minute Summary

April 8, 2009

Page 5 of 8

School District, adding Edina doesn't provide those students bus service. This creates more traffic and children "running" from their vehicles into school. Ms. Urbanski stated in her opinion the school district is only putting a Band-Aid on the problem, reiterating the school district needs to develop a long term parking, circulation and drop-off plan to safely control and funnel traffic, adding a traffic study would be a good place to start. Ms. Urbanski submitted photos depicting the traffic and parking in the area.

Concluding, Ms. Urbanski referred to an area of asphalt to the west that is slated to be seeded and suggested that the asphalt remain as is. Ms. Urbanski said during elections the teachers' park on that asphalt and it appears to work well.

Robert Bredt, 5704 Benton Avenue stated that in his opinion parking has become a nuisance. Mr. Bredt asked if there is a city code requiring dumpsters to be screened, and if there is, something needs to be done to screen the schools dumpsters from the nearby residential homes. Continuing, Mr. Bredt told the Commission during heavy rains a large water puddle already forms in the area marked for a water-garden questioning if the water-garden is even needed. Concluding, Mr. Bredt reiterated parking and drop off is a problem, adding he requested no-parking signs on his street, but was voted down.

Mary Bredt, 5704 Benton Avenue told the Commission parking occurs in front of her house on a daily basis. Mrs. Bredt stated in her opinion this is a safety issue, pointing out children are continually darting across Benton Avenue to get to school, adding it's hard to believe no one has been hurt. Mrs. Bredt asked that no parking signs be erected.

Commissioner Risser moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Commission Questions and Comments:

Commissioner Scherer asked Planner Teague if a traffic study was done. Planner Teague responded this request did not require a traffic study, pointing out this request does not generate additional traffic. Planner Teague reiterated the school district is requesting the CUP to increase parking and aid in circulation. The expansion of the parking lot to 90 spaces brings the parking lot into compliance with Code. Code requires 83 stalls and presently 77 stalls are provided. Concluding, Planner Teague noted the requested CUP, albeit completed in two phases is an improvement.

Chair Fischer asked Planner Teague if a traffic study was done who would do it. Planner Teague responded the School District could volunteer to do a traffic study or the Commission could direct the Traffic Safety Board to review the traffic

patterns at the school. Planner Teague reported the City of Edina has a part-time Traffic Safety Coordinator (Boyd Tate) who responds to traffic issues.

Commissioner Schroeder asked Mr. Duesman if he ever considered putting the rain garden where the island is in the parking lot where the storm water is being generated. Mr. Duesman responded that was considered; however, because of the size of the rain garden it would need to be shifted to the south which would create some difficulties due to the hill.

Commissioner Risser referred to the asphalt area that's proposed to be seeded. She noted Ms. Urbanski indicated that this area is used for parking during elections, adding maybe it should remain that way. Mr. Duesman explained that the school district has indicated this area isn't used and the district made the decision to seed it.

A discussion ensued with Commissioners acknowledging that congestion does occur at this school and that there clearly is a drop off issue; however, when focusing on the plan presented Commissioners acknowledged it would be an improvement. Continuing the discussion it was noted that the requirements for granting a CUP have been met and there is no reason not to support the proposal as presented. Concluding Commissioners suggested if the CUP is granted that two conditions of approval should be added to the motion that address the dumpsters and direct the Traffic Safety Coordinator to review the traffic patterns, circulation and parking at Countryside to ensure the safety of Edina's children.

Commissioner Scherer stated she can't support the CUP, adding in her opinion there is a "bigger" picture that needs to be addressed.

Commission Action

Commissioner Staunton moved to recommend Conditional Use Permit approval based on staff findings; and subject to staff conditions; including the following further conditions:

- 1. The dumpster area is to be screened from view by the residential properties;**
- 2. The Traffic Safety Coordinator is to review the traffic patterns and parking around the school**

Commissioner Schroeder seconded the motion. Ayes; Risser, Staunton, Schroeder, Grabel, Forrest, Carpenter, Fischer. Nay, Scherer. Motion carried.

III. PUBLIC COMMENT:

No additional public comment.

IV. OTHER BUSINESS:

Attendance Requirements – Cary Teague

Planner Presentation

With graphics Planner Teague explained to Commissioners the attendance requirements for Edina's Boards and Commissions.

Commissioner Grabiell posed a question to Planner Teague – How do you know you have a meeting? Clarifying Commissioner Grabiell pointed out the Planning Commission expects to hold several additional meetings in 2009 to discuss changes to the Zoning Ordinance, adding it's possible some of those meetings would occur during summer months when people are on vacation. Continuing, Commissioner Grabiell said if a work session (of the whole) was called to order and the meeting wasn't adjourned, but continued, would a member be in good standing if (s)he attended the first meeting but not the second. Planner Teague responded that he would consider that scenario two separate meetings.

Chair Fischer said the comments from Commissioner Grabiell should be considered. Chair Fischer stated he is concerned with attendance policies. He noted changes made to Edina's Comprehensive Plan are required to be reflected in the Zoning Ordinance. Amending the ordinance will require "extra" monthly work sessions for Commissioners. "Special" meetings could also be called which require Commission attendance. All these "regular/special" meetings could place a Commissioner in jeopardy.

Continuing, Chair Fischer asked Ms. Hoogenakker to send Commissioners a 2009 calendar indicating Planning Commission and work session meeting dates, adding if any Commissioner has a conflict in attending a work session that session could be rescheduled. Chair Fischer stated his intent is to prevent dismissal if a Commissioner misses three meetings in a row, adding a balance needs to be established. Concluding, Chair Fischer told the Commission he will address the Council on attendance concerns.

Zoning-Ordinance Re-write

Edina Planning Commission Minute Summary

April 8, 2009

Page 8 of 8

Chair Fischer referred to the “outline/Table of Contents” contained in the packet and told the Commission on April 21, 2009, he will address the Council on developing a work plan to re-write/amend Edina’s zoning ordinance.

Planner Teague presented to the Commission the outline/Table of Contents.

V. INTERGOVERNMENTAL BUSINESS:

Chair Fischer reminded the Commission that on April 28, 2009, at 6:00 PM at the Edina Senior Center (Sherwood Room) the Edina Planning Commission will host a joint meeting between Edina, Bloomington and Richfield. Chair Fischer said this event will coincide with Minnesota hosting the annual Planning Conference. Chair Fischer said the guest speaker will be Gregory Dale.

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

Commissioner Forrest said the Heritage Preservation Board is still taking nominations for the Heritage Award.

Commissioner Risser informed the Commission the Environment and Energy Commission is forming a water-quality work group.

Commissioner Scherer noted that it appears that the City of Edina has been removed from any “rail talk”, adding the Commission may want to discuss this sometime in the future.

VI. ADJOURNMENT:

Commissioner Carpenter moved meeting adjournment at 9:00 PM. Commissioner Staunton seconded the motion. All voted aye; motion carried.

Submitted by