

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** IX. A.

**From:** Debra Mangen  
City Clerk

**Date:** October 1, 2013

**Subject:** CORRESPONDENCE RECEIVED AFTER PACKETS

**Action**   
**Discussion**   
**Information**

**Action Requested:**

Attached is correspondence received after the packets were delivered to you.

No action is necessary.

...a whole bunch!



Edina Fire crew -

Thanks so much for

taking time to show

Henry around the fire

station for his 2nd birthday.

It meant a lot! Special thanks

to Pat for the tour!

Henry & Marnie Davis



CRB

September 11, 2013

\$100  
donation

Ruth -

We had another wonderful Scotia/Tupa Block Party on Sunday, September 8.

Thanks to the participation by the Eden Fire Department it was a special thrill for the 25+ kids in the neighborhood.

On behalf of all the residents "Thank You" to you and the department !!!

Alex Dodam  
6117 Scotia Drive

Date: Sept 26, 2013  
To: Mayor James Hovland  
From: John Lundquist  
Subject: Fred Richards Golf Course

I am writing this to encourage you to keep Fred Richards as a golf course. It is a great course for the medium skilled golfers. There are 8 leagues that play at Fred Richards and if the course closes a number of them will end. While they might be able to transfer their league to another location it is very doubtful they could maintain their current tee times and would result in losing members. Included in this is the youth golfers. It represents quality of life to a great number of men and women. Further, the Edina Senior League pays in advance rather than each time we play. The City has use of the money whether an individual plays every week or not.

A while ago Sue Weigle brought me over to a Park Board meeting to offer suggestions to grow use of Fred Richards. I offered a number of suggestions that would help this. I noticed a number of heads nodding in agreement as I was talking. Unfortunately nothing was implemented. None of the suggestions were big cost items.

I don't feel offering Braemar is a realistic answer. A lot of Fred Richards golfers would not be comfortable playing there.

Finally, this is part of the quality of life that Edina is known for. It is exercise, fellowship, and being active. Keep it as a golf course and let's take steps to improve it visibility and use.

Thank you



John W. Lundquist  
7220 York Ave South #309  
Edina, MN 55435

[jwlsrfhk@comcast.net](mailto:jwlsrfhk@comcast.net)

Deb Mangen

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**From:** SheriMotz@aol.com  
**Sent:** Saturday, September 28, 2013 11:35 AM  
**To:** Edina Mail  
**Subject:** Eminent Domain re: Hooten Cleaners

Dear Mayor Hovland,

Thank you! I am pleased with your vote NOT to impose Eminent Domain on the property of the Parks. This action voted by the city council by a 3/2 margin just feels wrong. In addition to the following questions and the vote's unfairness to the Parks, I do not think Edina needs another liquor store.

**Here are some questions left to be answered:**

- Why move forward now on the Parks' property, just after a purchase of the Edina Realty building next door where a parking ramp will be built?
- Was there **ever** a written offer made to the Parks by the City staff?
- Doesn't this aggressive action expose the City and taxpayers to expensive legal fees and a process more costly than other parking options for 50th & France?
- Why should businesses in Edina not be afraid that their business could be taken by the city in the future?

Sincerely,  
Sheri Peterson  
6121 Arctic Way  
Edina, MN 55436

Deb Mangen

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From: Skip Thomas <skiphomasremax@gmail.com>  
Sent: Saturday, September 28, 2013 11:55 AM  
To: Edina Mail  
Subject: You did the right thng for Hooten (Parks) at 50th

Sprague, Swenson & Bennett need to voted out

--  
Skip Thomas-----ReMax Hall of Fame---Edina Business Person of the Year---Edina W.I.S.E. Person of the  
Year-----Edina Chamber Volunteer of the Year-----Edina Athletic Hall of Fame-----University of  
Minnesota M Man (Hockey)-----ReMax Results-----Edina Minnesota 55436-----612-701-5023-----  
----- [www.SkipThomas.com](http://www.SkipThomas.com) -----

Deb Mangen

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From: Claudette <4502@comcast.net>  
Sent: Saturday, September 28, 2013 1:51 PM  
To: Edina Mail  
Subject: Fw: Eminent Domain

Same message, with correct name spelling. Sorry.  
Please disregard the previous email sent.

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

From: Claudette  
To: mail@edinamn.gov  
Sent: Saturday, September 28, 2013 12:45 PM  
Subject: Eminent Domain

Dear Mayor Hovland,

Thank you so much for voting against the right of Eminent Domain in the case of the Hooton's owners. I find it hard to believe that this takeover by our Edina City Council of this privately owned land could happen in my hometown of Edina. We are to treat others as we would like to be treated. This is no longer the case in our own community.

Regards,  
Claudette De brey  
4502 Browndale Avenue  
Edina, MN 55424

Deb Mangen

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**From:** Johnson, Seth H <sjohnson@cbburnet.com>  
**Sent:** Sunday, September 29, 2013 2:11 PM  
**To:** Edina Mail; Mary Brindle (Comcast); jonibennet@comcast.net; joshsprague@edinarealty.com; swensonann1@gmail.com  
**Subject:** Eminent Domain

Edina Council Members,

This is an egregious use of power by a governing body. Eminent domain should ONLY be used under **extreme limited** circumstances. Convenience to the shoppers for certain establishments does not qualify. I am ashamed of the Edina Council members voting yes to this abuse of power. Government at all levels is becoming tyrannical.

Seth H. Johnson

Edina, MN

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The sender believes that this E-mail and any attachments were free of any virus, worm, Trojan horse, and/or malicious code when sent. This message and its attachments could have been infected during transmission. By reading the message and opening any attachments, the recipient accepts full responsibility for taking protective and remedial action about viruses and other defects. The sender's company is not liable for any loss or damage arising in any way from this message or its attachments.

Nothing in this email shall be deemed to create a binding contract to purchase/sell real estate. The sender of this email does not have the authority to bind a buyer or seller to a contract via written or verbal communications including, but not limited to, email communications.

Deb Mangen

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**From:** Steven J. Timmer <stimmer@planetlawyers.com>  
**Sent:** Sunday, September 29, 2013 8:24 PM  
**To:** Edina Mail  
**Cc:** jeancolwell13@gmail.com; Dennis La France; mark epple; John Crabtree  
**Subject:** 54th Street redesign  
**Attachments:** bridge-130928.jpg; eastside-130928.jpg; westside-130928.jpg

Mayor Hovland, members of the Council and city administration,

On behalf of my neighbors, I want to thank the Mayor and each member of the Council for walking along 54<sup>th</sup> Street with us to listen to our concerns about the consequences to our neighborhood of some of the ideas advanced for the redesign of the street. As the people who actually live along 54<sup>th</sup> Street, we've frankly been alarmed at the unresponsiveness of the Public Works Department and its consultants to our concerns.

There is a meeting scheduled, of course, for the evening of September 30th to discuss "design concepts" based on "input from neighbors." As the neighbors, we've come up with a plan that we think accomplishes the goals of the city without some of the attendant disruption and urbanization proposed by the Public Works Department in its earlier "design concepts." We call it "The Neighborhood Plan." Attached are three preliminary renderings of the plan, which is described as follows:

Several of the neighbors along 54<sup>th</sup> Street have had a chance to examine the requirements for our street, and the city's comprehensive plan as well, and we have conceived a plan that that we believe meets these requirements – actually exceeds them for a secondary route – and provides safety for pedestrians, bicyclists, and motorists.

The scale of it is smaller than the plans produced by the Public Works Department and persons consulting with it. It provides less disruption to the homeowners on the street, does not destroy some mature trees and some very old oak trees, and results in less thermal and sediment load to the Minnehaha Creek watershed. Here are its principal elements:

- 1) On the part of the street *west* of the creek, limit hard surface development, including all the elements, curbs, sidewalks, drive lanes, and bike accommodations to a maximum of 34 feet.
- 2) This width consists of 2 ten-foot drive lanes, 2 four-foot bike lanes, shared or dedicated, 1 five-foot sidewalk, and 2 six-inch curbs, with no boulevard between the curb and the sidewalk, just as is the case on Wooddale and other streets in the immediate vicinity, or on 44<sup>th</sup>, west of Browndale, for that matter.
- 3) The hard surface area, curb back to far edge of the sidewalk, is centered in the road right of way.
- 4) No on-street parking on this portion of 54<sup>th</sup> Street.

5) The bike lane consists of a gutter strip for the entire width of the bike lane. The contrasting material will identify it as a bike lane without the need for an excessively wide stripe like the one that currently exists on the street. Moreover it is safer for bicyclists than having a seam running down the bike lane; if the caulking protrudes from the seam, it can cause bikes to lose control, and if the caulk does not cover the seam, the seam can catch a narrow-tired bike, and cause an over-the-top of the handlebars accident, one of the most dangerous types for head injuries and broken bones. This is why many veteran riders prefer to avoid bike lanes in the first place. (An accident like this happened to the author of this note on 50<sup>th</sup> Street/Grandview near Eden Avenue several years ago, causing a bike helmet cracked in two and a broken collarbone. ST)

6) On the part of the street *east* of the creek, narrow the street as much as possible to include parking and bike accommodation, 10-foot drive lanes and a sidewalk. Bump *outs* to the street to be included to protect parking and visually narrow the street.

7) The existing stop sign remains at its location, and crosswalks are marked/painted on the street at crossings. There are, however, no flashing lights or overhead signage.

8) The bridge and approaches are designed with the quaint character of the neighborhood in mind, with curving approaches to the bridge and the bridge moved somewhat to the south, which will show off the "rapids" to better effect.

9) The current excessive and over-large signage is reduced, both in amount and in size, again, more in keeping with the character of the neighborhood.

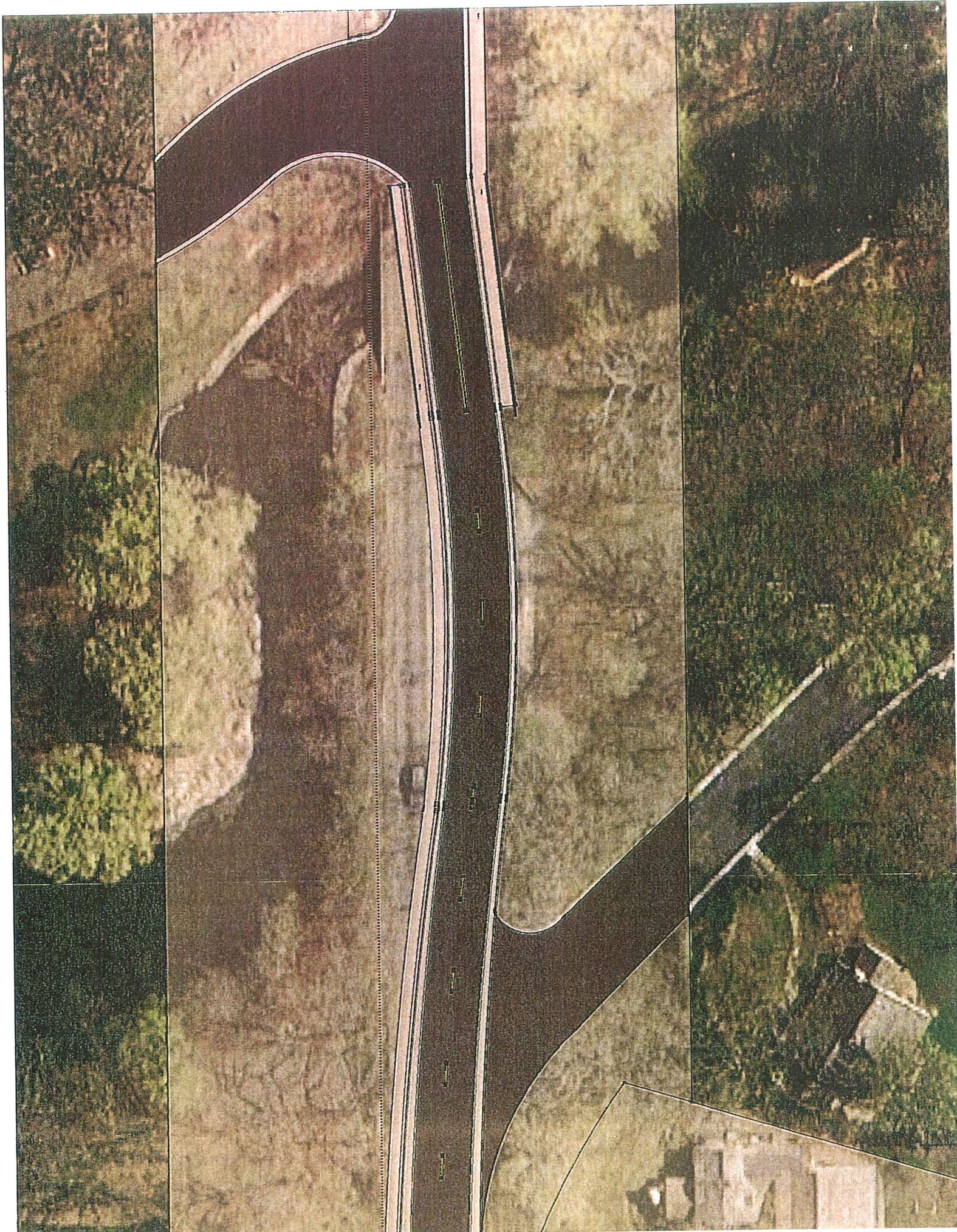
10) The speed limit on the street is reduced to 25 mph and enforced.

Some of us took a look at west 44<sup>th</sup> Street west of Browndale; it is actually a little narrower than that proposed above, but we think it is a pretty good template for the street west of the creek.

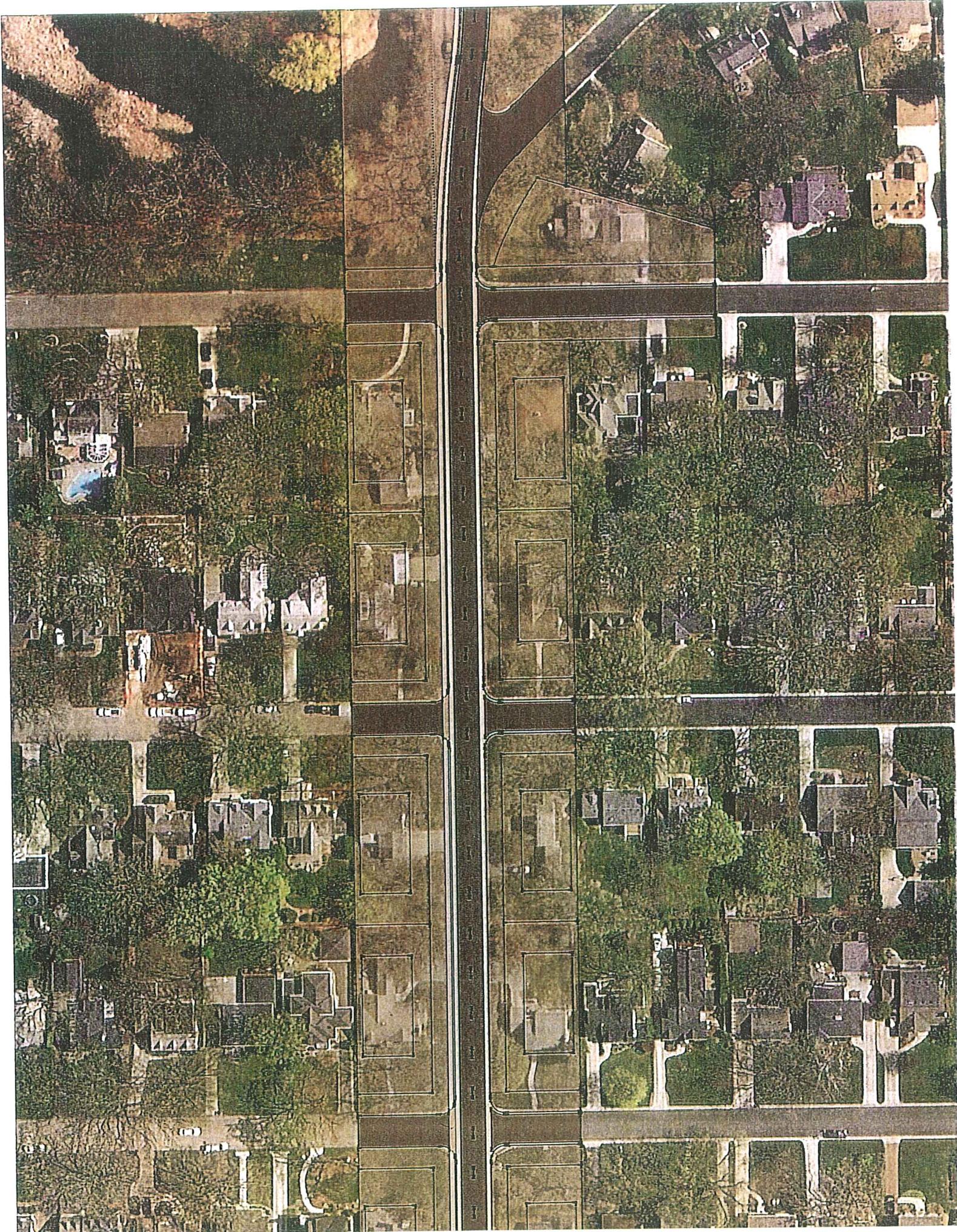
We urge everyone to look seriously at this proposal.

Thank you on behalf of my neighbors and me, Steve Timmer

Steve Timmer  
[stimmer@planetlawyers.com](mailto:stimmer@planetlawyers.com)







Deb Mangen

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**From:** Kathy Frey <kathy.r.frey@gmail.com>  
**Sent:** Sunday, September 29, 2013 10:00 PM  
**To:** James Hovland  
**Subject:** Re: Hooten Dry Cleaners

Dear City Council and mayor,

This family had tenants ready to lease their property to. This would have generated revenue for them for their retirement. It isn't a matter of disagreeing with eminent domain, you guys have no right to take their property! You are bullies and there is not other word for it.

I noted that you chose not to respond to the fact that their son is serving our country and this is how you say thank-you? What kind of a city council are you? You are acting like a bunch of thugs. This is despicable.

Kathy Frey

On Thu, Sep 26, 2013 at 9:02 AM, James Hovland <[JHovland@edinamn.gov](mailto:JHovland@edinamn.gov)> wrote:

Kathy, The city did offer over fair market value for the Hooten property. The tax value is under \$800,000. Our offer was way over that. We bought the Edina Realty Building in June and the Hooten building in land is much smaller so we have a current comparison for pricing. As a city we waited until they had shut down their business before we proceeded. We have spent a year talking to the Parks. This is not something we did on the spur of the moment. I understand that you may not agree with the process of eminent domain.

Sincerely, Ann Swenson, council

**From:** Kathy Frey [mailto:[kathy.r.frey@gmail.com](mailto:kathy.r.frey@gmail.com)]

**Sent:** Wednesday, September 25, 2013 3:58 PM  
**To:** Edina Mail; James Hovland  
**Subject:** Hooten Dry Cleaners

Dear Mayor and city council,

I attended a Senate district meeting last night where I learned about your attempted take over of the Park's property on 49 1/2 Street. I think this behavior is reprehensible. I understand that the vote to do this was not unanimous.

This is underhanded, mean-spirited, and unethical. It is NOT what I expect from a city council from Edina. If we need this property as a city, then offer the family fair market value for it. Do you really want the negative exposure of stealing what is not yours?

I heard that there was a ridiculous offer followed by a better one. If you cannot match what they could do with their property by leasing it, then don't force it away from them via eminent domain. That is being a bully and would be bullyish behavior. See definition of a bully below. Your behavior fits right in.

I understand that the Parks have a son who is currently serving in the United States Air Force as a Lieutenant Colonel. Is this how you show your appreciation of his fine service to our country by attempting to deprive his parents of their hard earned retirement income?

You should be ashamed of yourselves as a council.

Justice Brandeis once said that the greatest disinfectant is sunshine. There are a ton of people who are disgusted with this who are more than willing to shine a light on it for the world to see. Do you really want that for our city?

Undo this mess you created and remember, "Thou shalt not steal".

Katherine Frey

6021 Killarney Lane,

Edina, MN 55436

cell: 952-412-3515

Definition of a bully:

bul·ly<sup>1</sup> (b  | )

*n. pl. bul·lies*

1. A person who is habitually cruel or overbearing, especially to smaller or weaker people.
2. A hired ruffian; a thug.
3. A pimp.

*v. bul·lied, bul·ly·ing, bul·lies*

*v. tr.*

1. To treat in an overbearing or intimidating manner. See Synonyms at intimidate.
2. To make (one's way) aggressively.

*v. intr.*

Deb Mangan

**From:** Steven J. Timmer <stimmer@planetlawyers.com>  
**Sent:** Monday, September 30, 2013 8:11 AM  
**To:** Edina Mail  
**Cc:** jeancolwell13@gmail.com; Dennis La France; mark epple; John Crabtree  
**Subject:** 54th Street redesign II

The plan described in this email, and some photos of the street, and our gatherings with Mayor Hovland and the members of the Council, as well, can be found on the tumblr website:  
<http://occupy54thstreet.tumblr.com/>.

Mayor Hovland, members of the Council and city administration,

On behalf of my neighbors, I want to thank the Mayor and each member of the Council for walking along 54<sup>th</sup> Street with us to listen to our concerns about the consequences to our neighborhood of some of the ideas advanced for the redesign of the street. As the people who actually live along 54<sup>th</sup> Street, we've frankly been alarmed at the unresponsiveness of the Public Works Department and its consultants to our concerns.

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9) The current excessive and over-large signage is reduced, both in amount and in size, again, more in keeping with the character of the neighborhood.

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Some of us took a look at west 44<sup>th</sup> Street west of Browndale; it is actually a little narrower than that proposed above, but we think it is a pretty good template for the street west of the creek.

We urge everyone to look seriously at this proposal.

Thank you on behalf of my neighbors and me, Steve Timmer

Steve Timmer  
[stimmer@planetlawyers.com](mailto:stimmer@planetlawyers.com)

Deb Mangen

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**From:** Sunnyslope Neighborhood <sunnyslopedirectory@gmail.com>  
**Sent:** Monday, September 30, 2013 9:05 AM  
**To:** Scott Neal; Karen M. Kurt  
**Cc:** James Hovland; jhovland@krausehovland.com  
**Subject:** Thank you for Saturday Neighborhood Association Training Session

Dear Scott,

Thank you for your prompt reply.

I decided to bring our neighborhood's questions to Saturday's Neighborhood Association Training Session. You should be pleased to know that Karen and Jennifer did an excellent job of presenting the program in a thorough yet concise manner. By the end of the 3 hours all of my questions were answered and I left the meeting feeling equipped to summarize and endorse the program to my neighborhood.

Karen, thank you for your patience with all my questions on Saturday. I thought you might be interested in reading the summary I sent out to my neighbors yesterday (attached). I look forward to working with you on this very worthwhile program.

Best wishes,

*Kathy Sandy*  
4800 E. Sunnyslope Road  
c (952) 237-6938  
h (952) 942-6122  
[sunnyslopedirectory@gmail.com](mailto:sunnyslopedirectory@gmail.com)  
[kathysandy@yahoo.com](mailto:kathysandy@yahoo.com)

Hi Kathy -

My assistant city manager, Ms. Karen Kurt, is the City's point person on neighborhood association development. She is best equipped to respond to your questions on the subject. I will ask her to contact you directly.

Scott

Sent from my iPhone

On Sep 29, 2013, at 2:36 PM, "Griff Wigley"  
<[griff@wigleyandassociates.com](mailto:griff@wigleyandassociates.com)<mailto:[griff@wigleyandassociates.com](mailto:griff@wigleyandassociates.com)>> wrote:

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

From: Sunnyslope Neighborhood

<[sunnyslopedirectory@gmail.com](mailto:sunnyslopedirectory@gmail.com)<mailto:[sunnyslopedirectory@gmail.com](mailto:sunnyslopedirectory@gmail.com)>>  
To: scott.neal <[scott.neal@edinacitizenengagement.org](mailto:scott.neal@edinacitizenengagement.org)<mailto:[scott.neal@edinacitizenengagement.org](mailto:scott.neal@edinacitizenengagement.org)>>  
Cc: Amy Kelly <[alkelly84@gmail.com](mailto:alkelly84@gmail.com)<mailto:[alkelly84@gmail.com](mailto:alkelly84@gmail.com)>>; Andy Faris  
<[andy.faris@hardware.com](mailto:andy.faris@hardware.com)<mailto:[andy.faris@hardware.com](mailto:andy.faris@hardware.com)>>; Anne Whitsitt  
<[Anne\\_Whitsitt@yahoo.com](mailto:Anne_Whitsitt@yahoo.com)<mailto:[Anne\\_Whitsitt@yahoo.com](mailto:Anne_Whitsitt@yahoo.com)>>; Axel and Loreli Steuer  
<[asteuer@ic.edu](mailto:asteuer@ic.edu)<mailto:[asteuer@ic.edu](mailto:asteuer@ic.edu)>>; Barb Hegenes  
<[barbhegenes@comcast.net](mailto:barbhegenes@comcast.net)<mailto:[barbhegenes@comcast.net](mailto:barbhegenes@comcast.net)>>; Becky O'Grady  
<[becky.ogrady@genmills.com](mailto:becky.ogrady@genmills.com)<mailto:[becky.ogrady@genmills.com](mailto:becky.ogrady@genmills.com)>>; Bill Bailey  
<[bails@prodigy.net](mailto:bails@prodigy.net)<mailto:[bails@prodigy.net](mailto:bails@prodigy.net)>>; Bill Messer  
<[bill.messer@yahoo.com](mailto:bill.messer@yahoo.com)<mailto:[bill.messer@yahoo.com](mailto:bill.messer@yahoo.com)>>; Bill Whitsitt  
<[Bill\\_Whitsitt@yahoo.com](mailto:Bill_Whitsitt@yahoo.com)<mailto:[Bill\\_Whitsitt@yahoo.com](mailto:Bill_Whitsitt@yahoo.com)>>; Brant Pallazza  
<[bpallazza@hotmail.com](mailto:bpallazza@hotmail.com)<mailto:[bpallazza@hotmail.com](mailto:bpallazza@hotmail.com)>>; Brock and Lisa Maiser  
<[lisakanderson@hotmail.com](mailto:lisakanderson@hotmail.com)<mailto:[lisakanderson@hotmail.com](mailto:lisakanderson@hotmail.com)>>; Bryan and Jessica Wilkinson  
<[bwilkinson@esc.com](mailto:bwilkinson@esc.com)<mailto:[bwilkinson@esc.com](mailto:bwilkinson@esc.com)>>; Chandra Fels  
<[chandra.fels@outlook.com](mailto:chandra.fels@outlook.com)<mailto:[chandra.fels@outlook.com](mailto:chandra.fels@outlook.com)>>; Chris and Sheilah Pesek  
<[Sheilah\\_Pesek@yahoo.com](mailto:Sheilah_Pesek@yahoo.com)<mailto:[Sheilah\\_Pesek@yahoo.com](mailto:Sheilah_Pesek@yahoo.com)>>; Dan and Roxane Lehmann  
<[rlehmann@umn.edu](mailto:rlehmann@umn.edu)<mailto:[rlehmann@umn.edu](mailto:rlehmann@umn.edu)>>; Dan Dokman  
<[Dan@ctiresources.com](mailto:Dan@ctiresources.com)<mailto:[Dan@ctiresources.com](mailto:Dan@ctiresources.com)>>; Dan Dokman  
<[dan@ctlresources.com](mailto:dan@ctlresources.com)<mailto:[dan@ctlresources.com](mailto:dan@ctlresources.com)>>; Dana Dokman  
<[danadokman@aol.com](mailto:danadokman@aol.com)<mailto:[danadokman@aol.com](mailto:danadokman@aol.com)>>; Dave and Shelley Shirley  
<[shelley@shirleyhouse.com](mailto:shelley@shirleyhouse.com)<mailto:[shelley@shirleyhouse.com](mailto:shelley@shirleyhouse.com)>>; David and Marie Goblirsch  
<[gobli006@comcast.net](mailto:gobli006@comcast.net)<mailto:[gobli006@comcast.net](mailto:gobli006@comcast.net)>>; Delia Dall'Arancio  
<[delia001@comcast.net](mailto:delia001@comcast.net)<mailto:[delia001@comcast.net](mailto:delia001@comcast.net)>>; Demos Iskos and Amy Durtschi  
<[amydurtschi001@comcast.net](mailto:amydurtschi001@comcast.net)<mailto:[amydurtschi001@comcast.net](mailto:amydurtschi001@comcast.net)>>; Douglas and Helene Haugland  
<[hauglandhp@aol.com](mailto:hauglandhp@aol.com)<mailto:[hauglandhp@aol.com](mailto:hauglandhp@aol.com)>>; Erin Buss  
<[erin.buss@gmail.com](mailto:erin.buss@gmail.com)<mailto:[erin.buss@gmail.com](mailto:erin.buss@gmail.com)>>; Gaylen and Maggie Knack  
<[maggie.knack@comcast.net](mailto:maggie.knack@comcast.net)<mailto:[maggie.knack@comcast.net](mailto:maggie.knack@comcast.net)>>; Gig Ginkel  
<[gigginkel@gmail.com](mailto:gigginkel@gmail.com)<mailto:[gigginkel@gmail.com](mailto:gigginkel@gmail.com)>>; Greg McGrane  
<[gregm@projectconsultinggroup.com](mailto:gregm@projectconsultinggroup.com)<mailto:[gregm@projectconsultinggroup.com](mailto:gregm@projectconsultinggroup.com)>>; Hans and Siri  
Quitmeyer <[sirijquit@aol.com](mailto:sirijquit@aol.com)<mailto:[sirijquit@aol.com](mailto:sirijquit@aol.com)>>; Heidi Faris  
<[hfaris@comcast.net](mailto:hfaris@comcast.net)<mailto:[hfaris@comcast.net](mailto:hfaris@comcast.net)>>; Janet Dietrich  
<[jgrangaard@msn.com](mailto:jgrangaard@msn.com)<mailto:[jgrangaard@msn.com](mailto:jgrangaard@msn.com)>>; Jayne M. Clairmont  
<[jclairmont@englishrosesuites.com](mailto:jclairmont@englishrosesuites.com)<mailto:[jclairmont@englishrosesuites.com](mailto:jclairmont@englishrosesuites.com)>>; Jeannine Currie  
<[jeanninecurrie@gmail.com](mailto:jeanninecurrie@gmail.com)<mailto:[jeanninecurrie@gmail.com](mailto:jeanninecurrie@gmail.com)>>; Jessica Wilkinson  
<[jessica.wilkinson@hotmail.com](mailto:jessica.wilkinson@hotmail.com)<mailto:[jessica.wilkinson@hotmail.com](mailto:jessica.wilkinson@hotmail.com)>>; Jim and Lori Vogl  
<[vogllaw@aol.com](mailto:vogllaw@aol.com)<mailto:[vogllaw@aol.com](mailto:vogllaw@aol.com)>>; Jim Friction  
<[frict001@umn.edu](mailto:frict001@umn.edu)<mailto:[frict001@umn.edu](mailto:frict001@umn.edu)>>; Jim Schell  
<[jimschell@sheltercorp.com](mailto:jimschell@sheltercorp.com)<mailto:[jimschell@sheltercorp.com](mailto:jimschell@sheltercorp.com)>>; Jodi Zgutowicz  
<[jzgutowicz@gmail.com](mailto:jzgutowicz@gmail.com)<mailto:[jzgutowicz@gmail.com](mailto:jzgutowicz@gmail.com)>>; Joe and Barry Eilers  
<[barryeilers@mac.com](mailto:barryeilers@mac.com)<mailto:[barryeilers@mac.com](mailto:barryeilers@mac.com)>>; Joe Jasper  
<[kellyjasper@visi.com](mailto:kellyjasper@visi.com)<mailto:[kellyjasper@visi.com](mailto:kellyjasper@visi.com)>>; John Currie  
<[curriewrks@aol.com](mailto:curriewrks@aol.com)<mailto:[curriewrks@aol.com](mailto:curriewrks@aol.com)>>; John Duffey  
<[jpduffey@msn.com](mailto:jpduffey@msn.com)<mailto:[jpduffey@msn.com](mailto:jpduffey@msn.com)>>; Julie Vessel  
<[julievessel@yahoo.com](mailto:julievessel@yahoo.com)<mailto:[julievessel@yahoo.com](mailto:julievessel@yahoo.com)>>; Karine Watne  
<[karine.watne@toro.com](mailto:karine.watne@toro.com)<mailto:[karine.watne@toro.com](mailto:karine.watne@toro.com)>>; Kathy Bailey  
<[kbailey924@comcast.net](mailto:kbailey924@comcast.net)<mailto:[kbailey924@comcast.net](mailto:kbailey924@comcast.net)>>; Kathy Sandy  
<[kathymsandy@yahoo.com](mailto:kathymsandy@yahoo.com)<mailto:[kathymsandy@yahoo.com](mailto:kathymsandy@yahoo.com)>>; Katie Boylan and Steve Peckham  
<[Katie.m.boylan@gmail.com](mailto:Katie.m.boylan@gmail.com)<mailto:[Katie.m.boylan@gmail.com](mailto:Katie.m.boylan@gmail.com)>>; Katy LeBarron

<katy.lebarron@comcast.net<mailto:katy.lebarron@comcast.net>>; Kevin Carlson  
<kevin\_carlson@uhc.com<mailto:kevin\_carlson@uhc.com>>; Krisanne Hogan  
<kahogan@comcast.net<mailto:kahogan@comcast.net>>; Kristen Conner  
<Kristenkrush@hotmail.com<mailto:Kristenkrush@hotmail.com>>; Kurt and Robin Hansen  
<sprmm4@aol.com<mailto:sprmm4@aol.com>>; Laura Carlson  
<lakecarlson@msn.com<mailto:lakecarlson@msn.com>>; Lew Sandy  
<Lewis\_G\_Sandy@uhg.com<mailto:Lewis\_G\_Sandy@uhg.com>>; Lisa Sporcich  
<lisa.sporcich@oracle.com<mailto:lisa.sporcich@oracle.com>>; Lynn Schell  
<lcarlsonschell@sheltercorp.com<mailto:lcarlsonschell@sheltercorp.com>>; Mark and Jackie Hegman  
<hegmanmark@aol.com<mailto:hegmanmark@aol.com>>; Mark and Vicki Brunsvold  
<vjbrunsvold@aol.com<mailto:vjbrunsvold@aol.com>>; Mark Sparano  
<msparano@gmail.com<mailto:msparano@gmail.com>>; Mark Zgutowicz  
<mzgutowicz@yahoo.com<mailto:mzgutowicz@yahoo.com>>; Melody Baron and Mark Peterson  
<melodybaron@yahoo.com<mailto:melodybaron@yahoo.com>>; Mick and Donna McCormick  
<donnakmcc@gmail.com<mailto:donnakmcc@gmail.com>>; Nancy Sparano  
<nancy.sparano@gmail.com<mailto:nancy.sparano@gmail.com>>; Paul Vessel  
<paul\_vessel@yahoo.com<mailto:paul\_vessel@yahoo.com>>; Randy and Jenn Lewis  
<rlewismn@comcast.net<mailto:rlewismn@comcast.net>>; Ray Kelly  
<raykelly84@gmail.com<mailto:raykelly84@gmail.com>>; Robert and Marilyn Marshall  
<marshall9432@msn.com<mailto:marshall9432@msn.com>>; Rogier and Karin Vandendool  
<karinvandendool@gmail.com<mailto:karinvandendool@gmail.com>>; Sara McGrane  
<saramcgrane@hotmail.com<mailto:saramcgrane@hotmail.com>>; Scarlett Branton  
<scarlettbranton@yahoo.com<mailto:scarlettbranton@yahoo.com>>; Scott Sporcich  
<scott.sporcich@thecreativepartnersgroup.com<mailto:scott.sporcich@thecreativepartnersgroup.com>>;  
Shawn O'Grady <shawn.ogrady@genmills.com<mailto:shawn.ogrady@genmills.com>>; Steve and Ann  
Makredes <amakr@msn.com<mailto:amakr@msn.com>>; Steve and Cindy Snyder  
<stephen.snyder@snyderattorneys.com<mailto:stephen.snyder@snyderattorneys.com>>; Steve Buss  
<buss.steven@gmail.com<mailto:buss.steven@gmail.com>>; Steve Dietrich  
<stevedietrich@live.com<mailto:stevedietrich@live.com>>; Steve Watne  
<scwatne@gmail.com<mailto:scwatne@gmail.com>>; Ted Hogan  
<tedmhogan@gmail.com<mailto:tedmhogan@gmail.com>>; Tom Conner  
<Tomnconner@yahoo.com<mailto:Tomnconner@yahoo.com>>; Wendy Doster  
<wendy.doster@yahoo.com<mailto:wendy.doster@yahoo.com>>; Wickberg, Lana  
<lanawickberg@gmail.com<mailto:lanawickberg@gmail.com>>; Woody Ginkel  
<woody@ginkelproperties.com<mailto:woody@ginkelproperties.com>>

Sent: Fri, Sep 27, 2013 9:57 pm

Subject: Neighborhood Association Questions

Dear Scott,

I live in the Sunnyslope neighborhood, which has an active yet informal neighborhood association. We put out a mailing requesting dues each year, while making it very clear they are strictly voluntary. We use the funds to help pay for two neighborhood parties, printing of a Directory, holiday greenery at the entrances to the neighborhood, and things like daffodil plantings, etc. We also have established a website on Nextdoor, which I am hoping we will use more actively as more people see the benefits. <https://nextdoor.com/find-neighborhood/mn/edina/>

One of my neighbors sent around a notice last evening about tomorrow's Neighborhood Association training session. So far the email is eliciting mixed reactions: some negative, some neutral, but all have the common feature of being very perplexed about the city's objectives and the strict guidelines it mandates.

What is the purpose of this program? If it is not a substitute for traditional communication and advocacy mechanisms, then what value added will it bring? If is purely voluntary, why are there so many specific requirements?

What if our neighborhood decides not to formally become "recognized" due to the formalization required (bylaws, officers, meeting notices etc). Can we just provide a few contact names to the city to facilitate communication and information exchange?

I personally feel It would be shortsighted of the City to only work with formally recognized Associations; I would guess some other local neighborhoods might feel the same, while others might choose to be recognized.

I am just speaking for myself, and there may be others in our Sunnyslope neighborhood who would like to pursue formal recognition, but my sense is that many just don't see the point in it.

Thank you for any information you can provide on this.

Kindest regards,

Kathy Sandy  
4800 E. Sunnyslope Road  
c (952) 237-6938<tel:%28952%29%20237-6938>  
h (952) 942-6122<tel:%28952%29%20942-6122>  
[sunnyslopedirectory@gmail.com](mailto:sunnyslopedirectory@gmail.com)<mailto:sunnyslopedirectory@gmail.com>  
[kathymsandy@yahoo.com](mailto:kathymsandy@yahoo.com)<mailto:kathymsandy@yahoo.com>

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*Kathy Sandy*  
4800 E. Sunnyslope Road  
c (952) 237-6938  
h (952) 942-6122  
[sunnyslopedirectory@gmail.com](mailto:sunnyslopedirectory@gmail.com)  
[kathymsandy@yahoo.com](mailto:kathymsandy@yahoo.com)

Deb Mangen

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**From:** Sunnyslope Neighborhood <sunnyslopedirectory@gmail.com>  
**Sent:** Monday, September 30, 2013 9:17 AM  
**To:** Scott Neal; Karen M. Kurt  
**Cc:** James Hovland; jhovland@krausehovland.com; Annie Johnson  
**Subject:** Corrections!  
**Attachments:** Neighborhood Association Meeting Recap-1.docx

Dear Scott and Karen,

I made two errors in the email I just sent you. That will teach me to write emails in the middle of the night again!

First of all, when I mentioned that Karen and "Jennifer" had done a good job, I meant to say Annie Coyle.

Second, I believe the attached word doc was left off my first mailing to you.

Thank you!

--

*Kathy Sandy*

4800 E. Sunnyslope Road

c (952) 237-6938

h (952) 942-6122

[sunnyslopedirectory@gmail.com](mailto:sunnyslopedirectory@gmail.com)

[kathysandy@yahoo.com](mailto:kathysandy@yahoo.com)

Dear Neighbor,

I went to yesterday's Neighborhood Association Training Workshop. It went from 9 to 12:00, and about 40 people were in attendance. Here's what I learned:

The City wants to promote Neighborhood Associations for several reasons:

- Neighborhood Associations improve the quality of life in cities (something we already enjoy).  
[Neighborhood Blog Entry - Benefit of Neighborhoods](#)
- It would give the City a single point of contact for each neighborhood
- The City would be able to reach out to residents with neighborhood-specific communications -  
Examples: street reconstruction projects, redevelopment (allowing review of sketches), land use planning, park development, local crime notification, power outages, etc.
- Adopting the Neighborhood Association model of city management follows the national trend  
[Neighborhood Associations - Best Local Govt Practice](#)

The City made it clear it will only offer the communications to "officially" recognized neighborhoods. Participation in the program is voluntary (we can stay as we are if we like), but any neighborhood that opts out, will not be able to receive the targeted outreach. The City said it will continue to inform all Edina residents about goings on in the City as it always has (via Patch, Edina website, "Extra" push emails) but it will only 'work with' and offer neighborhood-specific communications to "officially" recognized neighborhoods.

As I understand it, the reason for requiring that Neighborhood Associations become formalized is because if the City is going to be communicating with one individual from each neighborhood, it needs to know that the Neighborhood Representative was chosen in a Democratic process and that the Representative is disseminating information in a nondiscriminatory manner. At the same time, the City does not presume that "official" Associations speak for all residents, and Associations are not a formal administrative body. Further, the City allows only one officially recognized Association for each neighborhood.

The City will support officially recognized Associations by offering each Association: a landing page on the City website; listing in the About Town magazine; modest copying services; meeting space; City staff as guest speakers; assistance in setting up the Association; assistance with technology, (setting up email lists, Directories, Nextdoor websites, etc.)

The City will communicate with Associations in two ways: through email to the Association Representative(s) and via the online social media program Nextdoor. We have a head start on Nextdoor, as we have been members since 2010. It is important to know that while the City will be able to post information and notices on our Sunnyslope Nextdoor website, However, it will not be able to see our personal information, profiles or posts.

In conclusion, if we want to take advantage of what the City is offering, we have to go through the procedures and formality of becoming "recognized". However, questions and answers yesterday indicated that the process does not have to be a big deal. The City seems realistic about several key things: not everyone participates; we are all very busy and have no interest in a lot of 'process'; how

involved we become as an Association is up to each neighborhood. We can keep it simple if that is the way we want to roll.

What do you think?

Thanks,

Kathy Sandy

Deb Mangen

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**From:** John Hatzung <johnhatzung@usfamily.net>  
**Sent:** Monday, September 30, 2013 9:08 AM  
**To:** Edina Mail  
**Subject:** Sports dome

Dear Mayor Hovland:

I'm writing you this email in support of building the sports dome. Our daughter Greta, a sophomore at EHS plays lacrosse. Our son Jack at Southview may turn his focus to soccer.

For me, the most compelling reason Edina should have a sports dome is that it will be another draw for families moving into the area and a reason for growing families to stay. A sports dome would be an asset where kids develop skills, relationships and loyalty to our community.

Edina is a great place to live, but no city remains great without investment in the infrastructure and opportunities for its citizens. A sports dome would make Edina a better place.

John Hatzung

6024 York Ave. S  
952 270 8321

Deb Mangen

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From: Doug deGrood <DdeGrood@always-thinking.com>  
Sent: Monday, September 30, 2013 12:14 PM  
To: Edina Mail  
Subject: Complaint

Mayor Hovland,

I'm writing to register a complaint about what I perceive to be the over-zealous policing of hwy 62 in Edina between hwy 100 and hwy 169.

Last night, I was driving my son to Braemar Arena. On my way there, the highway looked like it was lit up for Christmas with all the patrol carlights flashing. Same thing on my way back. I think I counted six cars stopped by the side of the road. I remarked to myself it was like the police were 'shooting fish in a barrel'. It was then, just west of 100, that I became one of the fish. I was driving the speed limit, so you can imagine my curiosity as to why I was being pulled over. According to the officer (who shall remain nameless unless you want to know), I was driving with my high beams on. I told the officer I was totally unaware of this. (In fact, I'm still not 100% convinced they were on.) I further explained that I was driving a loaner vehicle, and--not being fully accustomed to the instrument panel--it's possible they could have become jostled on and I just didn't know it.

I, or anyone I know, would have expected the officer to show some understanding of my situation and issue me a warning. Boy, was I wrong. Not only did he write me a citation, but his manner was flat out rude and confrontational. And he wasn't content to leave it there. He then asked for the car's rental agreement. Not being totally familiar with the car, I couldn't find it. So I was issued a citation for that as well. (I would later learn from mywife that the rental company told her specifically not to leave it in the glove box because it contained our credit card number.)

I understand that what I did is a violation of the law, if strictly interpreted. So is driving 56 in a 55 zone, but people don't get tickets for that. That area of Edina is already notorious for being over-policed. This particular officer's behavior just rubbed salt in the wound.

I have to wonder what the objective of the Edina police is in this over-the-top policing of this stretch of road. Is it one of the state's most dangerous roadways, on par with Shephard Road in St. Paul? Is Edina so lacking in crime that there's nothing else for the police to do? Or is it just an easy way to fatten county or state coffers, you know, since those Edina motorists can afford it?

I have since learned that according to a WCCO study conducted last year, Edina issues five times more tickets than St. Paul and 12 times more tickets than Minneapolis, the state's two largest cities. The chief of Edina police stated in

the report that they're just doing their job and that these aren't frivolous tickets. Based on my experience, I disagree.

All I'm saying is this: how 'bout a little less zeal and a little more common-sense restraint? It's not like I was knowingly driving recklessly. It's bad enough I'm out a couple hundred dollars for the citation plus whatever I'll end up paying in increased insurance premiums. Did the officer have to 'charge me interest' in the form of his rude, combative behavior?

I lost a lot of respect for Edina's men and women in blue last night. And I know that isn't what you want.

Respectfully,

Doug deGrood



**Doug deGrood**

Creative Director

[ddegrood@always-thinking.com](mailto:ddegrood@always-thinking.com)

P: 612-547-5001

608 2nd Avenue South, Suite 129  
Minneapolis, Minnesota 55402  
<http://www.always-thinking.com/>

MAYOR HOVLAND,

I SUGGEST WE BUILD THE PARKING RAMP OVER  
THE HOOTEN CLEANERS OLD BUILDING. WE NEED  
AS MANY OF THE STORES AS POSSIBLE.

YOURS TRULY

Ross T. Dunlop

Item # VI. B.



TO: EDINA CITY COUNCIL  
FROM: RESIDENTS OF ROLLING GREEN  
DATE: September 27, 2013  
RE: SUBDIVISION OF 5 MERILANE INTO THREE LOTS

COUNCIL MEMBERS:

As residents of the Rolling Green neighborhood, we are opposed to the subdivision of 5 Merilane into three lots.

ISSUE BEFORE THE COUNCIL

The only issue pending before the Council is whether 5 Merilane can be subdivided into three lots. At this stage, the owners/developers of 5 Merilane do not request any variance. Any variance request with respect to 5 Merilane will generate a broader and different discussion.

PROCEDURAL BACKGROUND AND SCOPE OF REVIEW

At the recent Planning Commission hearing regarding the subdivision of 5 Merilane, the Commission did not vote to recommend subdividing 5 Merilane into three lots. Some Commission members, along with the Development Director, suggested that the Commission did not have discretion to oppose because the subdivision meets the minimum requirements relating to the median lot size, width, and depth of other lots within 500 feet of 5 Merilane. In determining whether a particular lot can be subdivided, the median lot size, width, and depth within 500 feet of other property are only the first elements to consider. If the minimum criteria are not met, the Planning Commission and the Council will not subdivide a lot unless a variance is applied for and granted. Even if the minimum criteria are met, then the Planning Commission and the Council must consider all other relevant Edina ordinances and the 2008 Edina Comprehensive Plan.

The Edina Land Use, Planning and Zoning ordinances apply here, and particularly Section 810-Plat and Subdivisions. As articulated in Subsection 810.01, a purpose and objective of this Section is to support and further the City's Comprehensive Plan and to protect the character and symmetry of neighborhoods in the City.

Later in this same subsection, under the heading "Future Land Use Plan," it states:

A basic theme of the land use plan is that Edina's low density residential neighborhoods, which make up over 50% of this City's land area, are expected to remain largely unchanged.

It would be wrong for the Council to blindly apply the median 500 foot criteria for lot size, width, and depth measurements in determining whether to subdivide 5 Merilane into three lots. The Council must consider the broader picture outlined here, and consider the impact on Rolling Green and its other residents.

### THE IMPACT OF SUBDIVIDING 5 MERILANE IS TOO GREAT

5 Merilane is a wooded and pie-shaped lot located at the north end of Merilane where the street turns 90 degrees and continues to the east. The curved portion of the lot line of 5 Merilane would create an almost perfect circle if extended all the way around. The straight portions of the lot lines of 5 Merilane (the side next to 6 Merilane and the side next to 7 Merilane) create a wide angle of about 150 degrees. The proposed subdivision of 5 Merilane cuts this large piece of pie into three smaller slices. The proposed subdivision creates lot lines with sharp angles of about 40 to 50 degrees. There are some odd shaped lots in Rolling Green, and some that are pie-shaped. But there is no collection of lots in all of Rolling Green with such severely restricted lot angles. The proposed shape of these subdivided lots is unique and not matched anywhere in the neighborhood.

Though the sizes of the proposed subdivided lots are larger than many lots within 500 feet on the left side of Merilane (west side of the north/south axis, and north side of east/west axis), the sharp angled shapes of the proposed lots are totally out of character. And six of the smaller lots on the left side of Merilane adjoin the Meadowbrook Golf Course providing a high level of open space. This is not true for the proposed subdivided lots. Significantly, the proposed subdivided lots are smaller than all lots located on the same side of Merilane within 500 feet, and even farther.

The proposal locates three structures at the pointed end of each lot. If this proposal is allowed, three homes on the subdivided lots will crowd up against the homes now located at 6 and 7 Merilane. Nowhere in Rolling Green are five homes located so close to one another. The location, arrangement, and proposed density of the structures on these subdivided lots will be unprecedented in Rolling Green. If this subdivision is allowed, five significant homes will be clumped together at the top of the hill. If allowed, this newly created subdivision of five homes in Rolling Green will be known as the "Village on the Hill."

## CONCLUSION

Dividing 5 Merilane into three sharp-angled pie-shaped lots will change Merilane. It will create a configuration of lots that does not exist anywhere else in Rolling Green. Squeezing three new homes at the back of each subdivided lot will cram five homes together. To everyone who drives by, it will be viewed as the "Village on the Hill." The character of Rolling Green will change and the property values will suffer. If two more driveways are added to this already dangerous curve on Merilane, someone will get hurt—or worse. We urge the Council to vote against subdividing 5 Merilane into three pointed, pie-shaped lots.

Mary Ingebrand - Ahead  
Name

Address: 7 Merilane

William C. Baum  
Name

Address: 6 Merilane

Pat Mah  
Name

Address: 5804 Mt

Laura J. Meyer  
Name

Address: 4600 Merilane

Sandi - Mike Brown  
Name

Address: 6 Merilane

Item\* VI. B.



TO: Edina City Council  
FROM: James and Kathryn Ganley, Owners 4704 Merilane Avenue  
Date: September 27, 2013  
RE: SUBDIVISION OF 5 MERLIANE INTO THREE LOTS

COUNCIL MEMBERS:

As a direct neighbor facing #5 Merilane, I am opposed to the subdivision of 5 Merilane into three lots.

ISSUE BEFORE THE COUNCIL

The only issue pending before the Council is whether 5 Merilane can be subdivided into three lots. At this stage the owners/developers of 5 Merilane do not request any variance. Any variance request with respect to 5 Merilane will generate a broader and different discussion.

ADDITIONAL ISSUES FOR CONSIDERATION

As a signor of the letter dated September 27, 2013 from RESIDENTS OF ROLLING GREEN I am offering this letter to focus on additional issues that I believe are relevant to the issue before the council.

**Proximity and House Size Together**

Houses in Rolling Green were originally planned balancing home size, lot size and proximity - collectively to help define the character of the neighborhood. By jamming large homes together into odd shaped lots, the developer's plans are entirely contrary to the character of the neighborhood and ignore the detrimental impact on the character of Rolling Green.

The various restrictions that arise due to the unusual shape of the owner's lot, combined with the set-back restrictions dictated by ordinance and location of the existing house, create an odd result for a three lot subdivision. To be clear, I am not objecting to a subdivision of a 3+ acre lot, but this application is not a good option as it was designed to avoid a variance request and not to respect the character of the neighborhood. Any rational plans for dividing a lot of this size and shape would not result in crowding three large homes into such a tight position while leaving no room for back yards or consideration of the odd position of the existing home. It certainly ignores the impact on the neighbors.

It's also important to note that as these houses are set far back from the road and situated far up a hill, and therefore will appear even closer together than houses built closer to the road. Depending on the size, shape and use of the buildable plot, it might be very difficult to see any distance at all between the homes and as a

It should be clearly noted that this request for subdivision is from a developer and NOT a resident. I suspect this is a common issue before the council. At the recent Planning Commission Advisory meeting on September 11, 2013 the developer could not even bother to attend the meeting to help inform the Planning Commission. At that meeting, current residents were asked to "trust" the developer because of their perceived strong reputation for building large homes. That is not a risk we can afford to take and given the lack of engagement from the developer would be an entirely foolish leap of faith.

The developer does not reside in Rolling Green and the current owners are not committing to staying in the neighborhood, so why should they care. The owners who are selling and the developer are entirely driven by profit, which is their right, but it is not their right to profit at the expense of rest of the neighborhood and the material impact to the houses closest to #5. The current owners of #5 have their rights but so too do the remaining residents who will continue to reside in the neighborhood after the new homes are built and the current owners and developers are long gone. For the current residents, this Council is our last line of defense against the intentions of those that only consider profit and ignore the impact on the surrounding community.

As residents, we rightly wish to protect the value of our homes as they are substantial investments, and in the Rolling Green area we pay substantial taxes based on the perceived value of these homes. But we also value living in the neighborhood and enjoying its unique character of wooded streets, and generous spacing between homes on larger lots. It's this council's job to protect us from profit motivated development at the expense of current residents.

Finally, please consider the impact that a decision to allow this subdivision will have on the neighborhood in years to come. Each planning decision creates potential knock on effects. The residents of Rolling Green wish to protect the character of the neighborhood today and for years to come.

Please also see the attached Powerpoint presentation that attempts to inform the council on the issue of character and some of the points raised in this letter through pictures of the neighborhood and the property under consideration. Finally, I strongly urge council members to walk the property before making a decision as the true impact of the developer and owner's plans can only be truly appreciated with one's own eyes. Thank you for your consideration.

Respectfully,



James P. Ganley  
4704 Merilane Avenue

- The current plans to subdivide #5 Merilane are inconsistent with the character of the Rolling Green neighborhood and should be denied in its current form.
- This short presentation is to assist the Council in better evaluating the subdivision plans by the developers by reviewing
  - The “character” of Rolling Green
  - Property in question
- The council should seriously consider walking this lot to get a true perspective of the
  - tightness of the proposed lots
  - the lack of any back yard space (not being considered/addressed)
  - Odd position of adjacent houses due to unusual position of #5 which was afforded by large wooded lot – would no longer be true
  - Collection of large houses jammed together would create an imposing physical presence with distance from the road making them look on top of one another
- Finally it should be noted that currently we have no indications of the sizes and styles of the houses that could be built on the lots which could have an even greater impact given the likely home size and buildable lot given the large plot.
- Current setback limitations squeeze all the houses together

# #9 Merilane Avenue



# #8 Merilane



# #7 Merilane

Wooded lot, set back no houses in close proximity



# #5 Merilane view from street

Wooded lot, set back no houses in close proximity



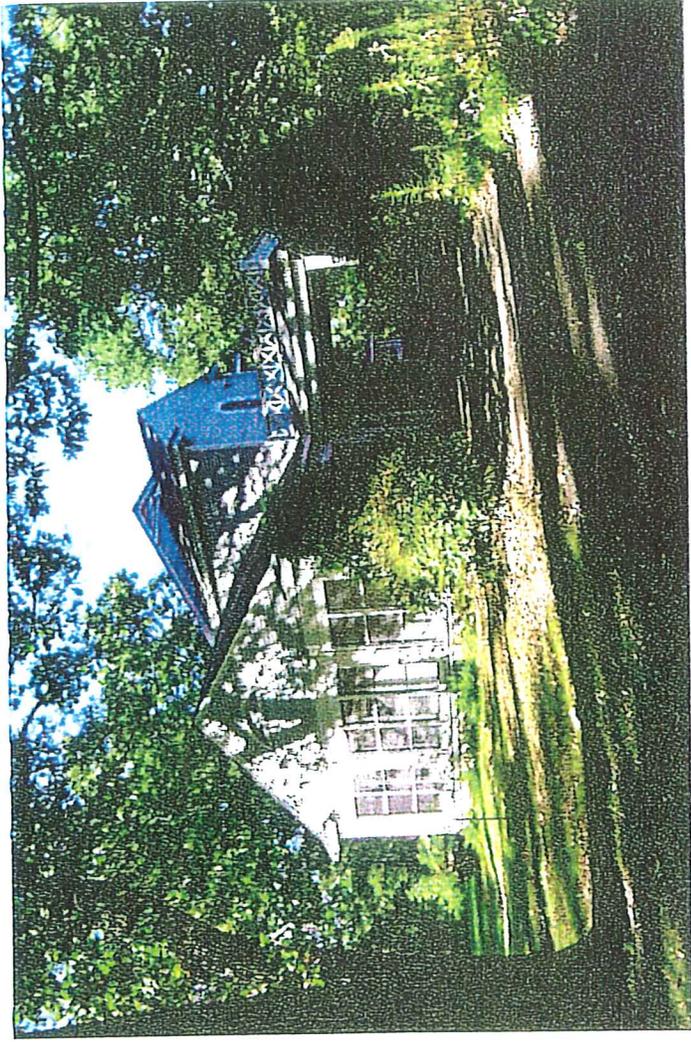
# Proposed building site lot 3

Notice size of house next door, proximity of large house directly behind.  
Refer to previous picture to with reference to spot of driveway



# View from side of new proposed house lot 3

Note existing house faces sideways or backwards to new house. Was OK on big lot but not crowded by other houses

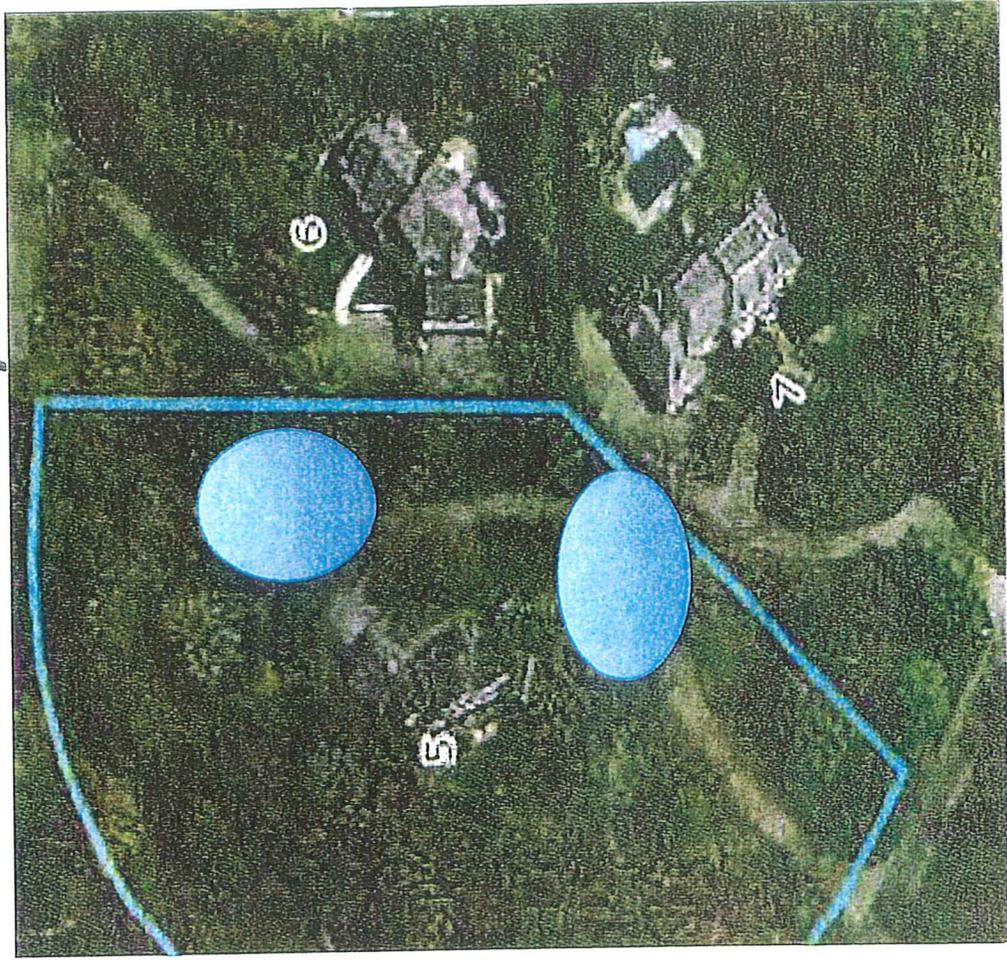


# View of #7 Merilane

Note how close property marker is to adjacent large home



# Two additional large houses with no backyards?



With large houses in such tight proximity set back so far from the street it will be difficult to perceive any space between them – and there will not be much.

Adjacent neighbors highly impacted. Will have material financial impact

Deb Mangan

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From: Sandi Genau <sgenau79@gmail.com>  
Sent: Tuesday, October 01, 2013 1:43 PM  
To: Edina Mail  
Subject: 5 Merilane Avenue, Edina, MN  
Attachments: City Council Letter.docx

Dear City Council Members,

We are submitting this letter to you for consideration prior to the discussion about the above property at tonight's meeting.

Thank you,

Sandi & Mike Genau  
6 Merilane Ave.  
Edina, MN 55436

Item VI. B.

September 28, 2013

Mike and Sandi Genau  
6 Merilane Avenue  
Edina, MN 55436

Edina City Council Members  
Edina City Council  
4801 W. 50<sup>th</sup> Street  
Edina, Minnesota 55424

Dear City Council Members,

As each of you knows, the proposed subdivision of 5 Merilane is on the agenda for tonight's meeting. We appreciate your consideration and the time that several of you have taken to come by and speak with us.

We are immediate neighbors of 5 Merilane Avenue. We purchased our home at 6 Merilane last December 2012, after being especially drawn to Rolling Green's large lots, rolling lawns and mature trees. We have deep concerns about the possibility of 5 Merilane being divided into three lots resulting in five homes being closely packed into a very small area. This is not the Rolling Green that we invested in and not what we would expect our City Council to approve based on what is published the Edina Comprehensive Plan.

We understand that the Warner's feel entitled to subdivide this property and are determined to divide into three lots at all costs. While it might be technically possible to squeeze three homes onto the smallest part of this property, it doesn't make the best use of this land and it changes the eastern side of Merilane substantially. Having five homes on top of each other is unprecedented in Rolling Green and will significantly affect the property values of those of us who live in the immediate vicinity. The unfortunate fact is that 5 Merilane is a large reverse pie shaped lot. It is not well suited to hold 3 large homes at its apex due to the irregular shaped lots and difficult building pads that would be created. The *Edina Comprehensive Plan* states that the council should consider suitability when deciding such matters. Planner Teaque has written in his new staff report that in his opinion, "considerations regarding anything other than the minimum size restrictions are subjective". Is he saying that these other criteria are irrelevant? What is the point of having these other considerations if they are not valued in any way? Why are they published in the *Edina Comprehensive Plan* if they really have no impact? What protects the integrity of each neighborhood if these criteria are removed from consideration? They should be as equally important as the lot size and minimum setbacks as they define the very essence of our neighborhood.

Late Friday afternoon we were made aware of an alternative proposal that the Warners expect to discuss at this meeting. We are referring to the change of the

front setback lines to 130' and the addition of conservation easements along the sides of lots 1 and 3 and at the rear of all three lots. It is important to note that this new plan moves the building pad on Lot 1 even more directly into our view. Unfortunately, we have not had any time to consult with experts to see how we can work with this plan. If this becomes a serious discussion at the meeting, then we would minimally ask the council to consider the use of an arborist, possibly setting up an escrow account to replace mature trees if they die in a year or two, tagging significant trees to be saved and extending the proposed conservation easements to the street. We would expect the Warners to be required to go through the usual steps to procure a variance for the new front setbacks and not be allowed to slide this through in a hurry. This short notice does not afford the rest of the neighbors any opportunity to give consideration to these changes to the original proposal.

We would also like you to consider house height. The new home going up across the street from us is significantly tall. We are very concerned by what could become a giant monstrosity in our view. There will be no escaping it regardless of how many new trees are planted. Planning Commissioner Floyd Grabel, even commented in the last planning meeting that he was surprised by the height of this new house and cautioned everyone that this should be a consideration and could be a problem going forward.

While there may be a handful of instances of homes somewhat closer together in Rolling Green, the east side of Merilane (and the neighborhood in general) is characterized by large lots with much space between homes. Dividing the Warner property into two larger lots would leave much more room between the homes and keep the same feeling along this side of Merilane. The homes would no longer have to be on top of each other and also would not obstruct our views. Damage to mature trees along the property lines and in the above mentioned conservation easements could be minimized. We believe this really captures the feeling of the neighborhood and in particular the east side of Merilane. We ask each of you to consider this option instead. We do believe there would be much community support for this scenario.

Finally, we are aware of many concerns regarding traffic on this narrow end of Merilane. It has been made even more dangerous due to the constant stream of construction vehicles in the area. For this reason, we ask that the city not make a decision on this without input from a traffic engineer.

As our City Council we know that you are considering the impact to the residents involved. Those of us who do reside in Rolling Green are simply interested in protecting our investment in our homes, quality of life and the quiet enjoyment of our properties.

Thank you for your time and consideration,

Mike and Sandi Genau

To: Edina City Council Members  
[via e-mail to Jackie Hoogenakker]



September 30<sup>th</sup>, 2013

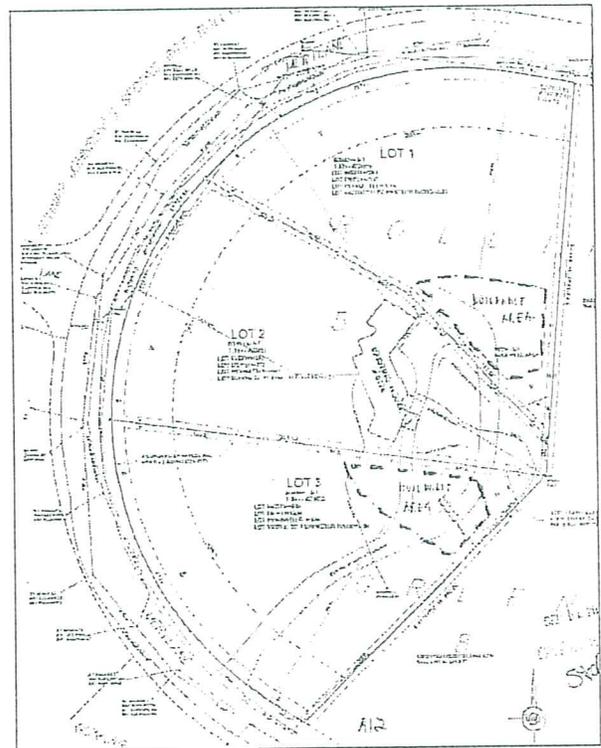
Dear Council Members:

I am writing to submit feedback on the proposed subdivision of 5 Merilane under review during the October 1, 2013 public hearing. Our family lives a short distance away from the site.

While it may appear that the subdivision complies with current city ordinances, I believe it is important for the City Council to take into account the very first element of land use in the Edina comprehensive plan: "Protect and preserve the essential character of existing residential neighborhoods."

In reality, this subdivision proposal is a request to build three 6,000+ sq.ft. (or likely much larger) homes on roughly an acre of property - right at the "center of the pizza," if you will, that is defined by the setback on the current lot - so about 1/3 acre per home (see figure to the right, from the actual subdivision proposal).

While the total lot sizes may meet the mean requirements, the actual housing density in the proposal is much higher than anywhere else in the neighborhood. I believe this implied density needs to be considered as part of the subdivision application. I would encourage any Planning Commission or City Council members that have not done so to visit the lot to really understand what the illustration to the right will look like in practice versus the surrounding area.



It seems that a reasonable outcome for all parties would be a subdivision into two lots, allowing the owner to reap the substantial value increase of the land and reflecting the changing lot size dynamics within the neighborhood - while staying aligned with the comprehensive plan for Edinā.

Regards,

Scott Gill  
4725 Annaway Drive

TO: EDINA CITY COUNCIL  
FROM: RESIDENTS OF ROLLING GREEN  
DATE: September 27, 2013  
RE: SUBDIVISION OF 5 MERILANE INTO THREE LOTS



COUNCIL MEMBERS:

As residents of the Rolling Green neighborhood, we are opposed to the subdivision of 5 Merilane into three lots.

**ISSUE BEFORE THE COUNCIL**

The only issue pending before the Council is whether 5 Merilane can be subdivided into three lots. At this stage, the owners/developers of 5 Merilane do not request any variance. Any variance request with respect to 5 Merilane will generate a broader and different discussion.

**PROCEDURAL BACKGROUND AND SCOPE OF REVIEW**

At the recent Planning Commission hearing regarding the subdivision of 5 Merilane, the Commission did not vote to recommend subdividing 5 Merilane into three lots. Some Commission members, along with the Development Director, suggested that the Commission did not have discretion to oppose because the subdivision meets the minimum requirements relating to the median lot size, width, and depth of other lots within 500 feet of 5 Merilane. In determining whether a particular lot can be subdivided, the median lot size, width, and depth within 500 feet of other property are only the first elements to consider. If the minimum criteria are not met, the Planning Commission and the Council will not subdivide a lot unless a variance is applied for and granted. Even if the minimum criteria are met, then the Planning Commission and the Council must consider all other relevant Edina ordinances and the 2008 Edina Comprehensive Plan.

The Edina Land Use, Planning and Zoning ordinances apply here, and particularly Section 810-Plat and Subdivisions. As articulated in Subsection 810.01, a purpose and objective of this Section is to support and further the City's Comprehensive Plan and to protect the character and symmetry of neighborhoods in the City.

Subsection 810.11 provides the guidelines and criteria to use in evaluating the situation here. This subsection, in part, states as follows:

**810.11 Guidelines and Criteria for Evaluating Plats and Subdivisions.**

Subd.1 **Considerations.** The Commission in reviewing proposed plats and subdivisions and in determining its recommendation to the Council, and the Council in determining whether to approve or disapprove of any plat or subdivision, may consider among other matters, the following:

A. The impact of the proposed plat or subdivision, and proposed development, on the character and symmetry of the neighborhood as evidenced and indicated by, but not limited to, the following matters:

1. The suitability of the size and shape of the lots in the proposed plat or subdivision relative to the size and shape of lots in the neighborhood and
2. The compatibility of the size and shape, location and arrangement of the lots in the proposed plat or subdivision with the proposed density and intended use of the site and the density and use of lots in the neighborhood.

B. The impact of the proposed plat or subdivision, and proposed development, on the environment, including but not limited to, topography, steep slopes, vegetation, naturally occurring lakes, ponds and streams, susceptibility of the site to erosion and sedimentation, susceptibility of the site to flooding and water storage needs on and from the site.

C. The consistency of the proposed plat or subdivision, and proposed development, and compliance by the proposed plat or subdivision, and the proposed development, with the policies, objectives, and goals of the Comprehensive Plan.

The 2008 Edina Comprehensive Plan provides additional guidance and direction. As stated in Section 4.1 of Chapter 4, “It is widely recognized that the appearance and compatibility of a particular land use with its surroundings are as important as the use itself.” In Section 4.4 of Chapter 4, the very first item listed for land use goals in Edina is to:

1. Protect and preserve the essential character of existing residential neighborhoods.

Later in this same subsection, under the heading “Future Land Use Plan,” it states:

A basic theme of the land use plan is that Edina’s low density residential neighborhoods, which make up over 50% of this City’s land area, are expected to remain largely unchanged.

It would be wrong for the Council to blindly apply the median 500 foot criteria for lot size, width, and depth measurements in determining whether to subdivide 5 Merilane into three lots. The Council must consider the broader picture outlined here, and consider the impact on Rolling Green and its other residents.

### **THE IMPACT OF SUBDIVIDING 5 MERILANE IS TOO GREAT**

5 Merilane is a wooded and pie-shaped lot located at the north end of Merilane where the street turns 90 degrees and continues to the east. The curved portion of the lot line of 5 Merilane would create an almost perfect circle if extended all the way around. The straight portions of the lot lines of 5 Merilane (the side next to 6 Merilane and the side next to 7 Merilane) create a wide angle of about 150 degrees. The proposed subdivision of 5 Merilane cuts this large piece of pie into three smaller slices. The proposed subdivision creates lot lines with sharp angles of about 40 to 50 degrees. There are some odd shaped lots in Rolling Green, and some that are pie-shaped. But there is no collection of lots in all of Rolling Green with such severely restricted lot angles. The proposed shape of these subdivided lots is unique and not matched anywhere in the neighborhood.

Though the sizes of the proposed subdivided lots are larger than many lots within 500 feet on the left side of Merilane (west side of the north/south axis, and north side of east/west axis), the sharp angled shapes of the proposed lots are totally out of character. And six of the smaller lots on the left side of Merilane adjoin the Meadowbrook Golf Course providing a high level of open space. This is not true for the proposed subdivided lots. Significantly, the proposed subdivided lots are smaller than all lots located on the same side of Merilane within 500 feet, and even farther.

The proposal locates three structures at the pointed end of each lot. If this proposal is allowed, three homes on the subdivided lots will crowd up against the homes now located at 6 and 7 Merilane. Nowhere in Rolling Green are five homes located so close to one another. The location, arrangement, and proposed density of the structures on these subdivided lots will be unprecedented in Rolling Green. If this subdivision is allowed, five significant homes will be clumped together at the top of the hill. If allowed, this newly created subdivision of five homes in Rolling Green will be known as the “Village on the Hill.”

The curve of Merilane where number 5 is located is already a dangerous stretch of road. It is dangerous for drivers, but it is more dangerous for children, pedestrians and bicyclists. The subdivision of 5 Merilane will add two additional driveways at the most dangerous spot along the street. The subdivision of 5 Merilane into three lots will change the character of Rolling Green, and it will adversely affect those who live in the immediate vicinity.

### **A BROADER VIEW**

There are many large lots in Rolling Green, and the 2008 Edina Comprehensive Plan specifically acknowledges that Rolling Green is special for that reason. How the Council addresses the issue of 5 Merilane will clearly bear on what may ultimately happen with numbers 8, 9, and 7 Merilane, and other lots throughout Rolling Green. If the Council blindly applies the 500 foot criteria involving size, width, and depth in determining whether to allow subdivision of lots in Rolling Green, the character of Rolling Green will be destroyed. Each time a subdivision is made, it will reduce the denominator for the next subdivision.

There are three streets that go into Rolling Green from Interlachen Blvd. These are Merilane, Rolling Green Parkway, and Bywood West. On these three streets a number of the lots are well within 500 feet of Interlachen Blvd., and streets that run from Interlachen Blvd. to the south. If the Council blindly applies the 500 foot subdivision criteria, many lots in Rolling Green can be subdivided based upon lot size, width, and depth of lots located on Interlachen Blvd., Mirror Lakes Drive, Interlachen Circle, and possibly Interlachen Bluff. If the Council blindly applies the 500 foot formula to 5 Merilane, precedent is set for Rolling Green lots that are located near Interlachen Blvd.

Subdividing lots in Rolling Green is a significant and long term issue. It needs to be addressed carefully and with complete understanding of the scope and impact throughout the Rolling Green neighborhood. Before making any decision to subdivide 5 Merilane, the City should calculate the theoretical maximum number of lots that could be created in Rolling Green. Are we looking at 10, 20 or 30 additional lots? The City and the residents of Rolling Green need to address these issues together. Many people made significant investments in Rolling Green. The tax assessment values in Rolling Green are some of the highest in Edina. Subdividing Rolling Green into smaller and smaller lots will hurt everyone's property values. Living in the constant construction zones that follow the subdivision of lots in Rolling Green also adversely affects property values.

## CONCLUSION

Dividing 5 Merilane into three sharp-angled pie-shaped lots will change Merilane. It will create a configuration of lots that does not exist anywhere else in Rolling Green. Squeezing three new homes at the back of each subdivided lot will cram five homes together. To everyone who drives by, it will be viewed as the “Village on the Hill.” The character of Rolling Green will change and the property values will suffer. If two more driveways are added to this already dangerous curve on Merilane, someone will get hurt –or worse. We urge the Council to vote against subdividing 5 Merilane into three pointed, pie-shaped lots.

Patrick B. Walsh

Name

Address: 715 ANNWAY DR

Sheila Walsh

Name

Address: 4715 ANNWAY DR

Name

Address:

Name

Address:

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Address:

Merilane petition

Patricia Broad

Philip H. Broad

Name

Address: 4820 Rolling Green Pkway

Anna Robich

Name

Address: 18 Merilane

Bill & Donna Ramsay

Name

Address: 33 Crescent Terrace

Muhammad

Name

MUMTAZ KAZIM / MOHSEIN ALIABADI

Address: 12 MERILANE

Ann & David Lutz

Name

Address: 16 Padlock RD.

*[Handwritten Signature]*  
Name

Address: 10 Merilane

*Karen W. Callan*  
Name

Address: 10 Merilane

*Caterina Lobesio*  
Name

Address: 1708 Merilane

*Katie O'Connell*  
Name

Address: 4801 Rolling Green Parkway

*Suzanne & Kip Kuhl*  
Name

Address: 4812 Rolling Green Park

Scott & Jennifer Gill

SCOTT + JENNIFER GILL

Name

Address: 4725 ANNAPUR DR.

Jenny Fehrenbach

Fehrenbach, Jenny

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Address: 4805 Bywood

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Barbara Bachman  
Name

Address: 4817 Bywood W

Wally Engelsma  
Name

Address: 4904 Bywood West

AMT WEBER  
Name

Address: 4020 Bywood West

Jody + Octavio Portu  
Name

Address: 4705 Anaway Dr

Clare Keaple  
Name

Address: 4800 Rolling Green Parkway

Robert Smith  
Name

Address: 4905 Rolling Green Parkway, Edina, MN 55436

Shirley Bentdahl  
Name

Address: 4812 Bywood West, Edina, MN 55436

Robert Pasenka Lynn  
Name

Address: 4909 Rolling Green Edina MN 55436

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Address: \_\_\_\_\_



Patty & David Murphy

Name

Address: 4701 Annawakey Dr.  
Edina MN 55436

Patty + Kevin McGuire

Name

Address: 5804 Crescent Trl.  
Edina, MN 55436

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Merilane petition

Patricia Broot

Philip H. Broot

Name

Address: 4820 Rolling Green Parkway

Anna Robich

Name

Address: 18 Merilane

Donna Ramsay

Name

Address: 313 Crescent Terrace

Glenn & Carole Ball

Glenn Ball, Carole Ball

Name

Address: 4708 Annaway Drive

Name

Address:



Alvin Janda and Bui Riley  
Name

Address: 4603 Merilane

Jane Hulbert and Jerry Hulbert  
Name

Address: 4616 Merilane

Jill + Elizabeth Lupient  
Name

Address: 4700 ANNAWAY DRIVE

David and Lynn Eringer  
Name

Address: 4 Merilane

Alicy Holmberg & Mark Holmberg  
Name

Address: 4604 Merilane



Mary Ingebrand - Arkhead

Name

Address: 7 Merilane

Medford C. Baum

Name

Address: 6 Merilane

Dot Mah

Name

Address: 5804 Mt

Laura J. Meyer

Name

Address: 4600 Merilane

Sandi - Mike Aron

Name

Address: 6 Merilane

Merilane petition

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Name

Address:

*[Handwritten signature]*  
4700 MEDICANE

Name

Address:

*[Handwritten signature]*  
New Merlane Ave

Name

Address:

*[Handwritten signature]* Jennifer Miller

SCOTT & JENNIFER GILL

4725 ANNANAY DR.

Name

Address:

*[Handwritten signature]*  
20 Merlane

Name

Address:

Name

Address: