



MINUTE SUMMARY
Regular Meeting of the Edina Planning Commission
Wednesday, October 1, 2008, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

MEMBERS PRESENT:

Chair John Lonsbury Julie Risser, Kevin Staunton, Michael Schroeder, Mike Fischer, Steve Brown, Arlene Forrest and Patrick Schnettler

MEMBERS ABSENT:

Floyd Grabel and Nancy Scherer

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

August 27, 2008, Planning Commission meeting.

II. NEW BUSINESS:

**2008.0012 Preliminary Rezoning, Preliminary Development Plan with Variances YMCA of Metropolitan Minneapolis
7355 York Avenue South, Edina, MN**

Staff Presentation:

Planner Teague informed the Commission the applicant is proposing to tear down the existing 70,000 square foot YMCA and build a new 73,000 square foot YMCA, a two-level parking ramp, and a four-story, 130 unit, 136,000 square foot apartment building. The development would occur in two phases. The first phase would be the construction of a new YMCA building in the front parking lot, while the existing YMCA remained open. Existing parking behind the existing YMCA would be used, and temporary parking is proposed on the City park site to the north. Once the new structure is completed, the existing building would be

demolished, and the parking ramp constructed. The second phase would be the construction of the apartment building.

Planner Teague explained that half of the proposed housing units would be allocated for people with physical disabilities including multiple sclerosis. The units would be primarily affordable housing units.

Planner Teague stated the proposal before the Planning Commission is a Preliminary Development Plan and Preliminary Rezoning and Comprehensive Plan Amendment and ultimately, would require all of the following:

1. A Comprehensive Guide Plan Amendment from Quasi-Public to Mixed Use. The mixed-use designation would allow the residential use.
2. A Rezoning from R-1, Single-Dwelling Unit District to Mixed Development District 5. (MDD-5.)
3. Variances. (To be reviewed by the Zoning Board of Appeals, if the Council approves the Preliminary Development Plan, Preliminary Rezoning and Comprehensive Plan Amendment.):
 - a. A 5-foot front yard building setback variance from 50 to 45 for the YMCA.
 - b. Building setback variances of 15, 27, and 30 feet from the required 50-foot setback to 35, 23, and 20 feet.
(See variances on page A27a.)
4. A Conditional Use Permit for a private recreational facility.
5. An Overall/Final Development Plan.

Planner Teague further explained that in order to obtain the above-mentioned approvals, the applicant must go through a two-step process. That process is as follows:

1. Comprehensive Guide Plan Amendment, Preliminary Development Plan and Preliminary Rezoning. Because of the Comprehensive Plan approval necessary, this application requires a four-fifths vote of the City Council.
2. Conditional Use Permit, Overall & Final Development Plan, Variances and Final Rezoning. The Overall & Final Development Plan process is generally the same as the Preliminary Development Plan. However, a three-fifths favorable vote of the City Council is required.

Planner Teague concluded that staff recommends that the City Council approve the Comprehensive Guide Plan Amendment from Quasi-Public to Mixed Use, and Preliminary Rezoning from R-1, Single-Dwelling Unit District to Mixed Development District 5. (MDD-5.) Approval would authorize the applicant to apply for an Overall/Final Development Plan, Conditional Use Permit & Variances based on the following findings:

1. The guide plan change is consistent with the adjacent land uses.
2. The apartments are consistent with the multiple family housing developments to the south and west.
3. The guide plan change would be consistent with the public health, safety, and welfare.
4. The City would benefit from a new and improved YMCA facility, and the site would continue with a use consistent with the current Comprehensive Plan designation of Quasi-Public.
5. The affordable housing component would assist in meeting the City's goal of 212 affordable housing units by 2030.
6. The existing roadways would support the proposed project.

Approval is also subject to the following Conditions:

1. The Final Development Plan must be generally consistent with approved Preliminary Development Plan dated August 29, 2008.
2. Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative on pages A11 of the staff report.
3. Trail and sidewalk connections must be included as demonstrated on the preliminary plans. The streetscape plan along York Avenue should be revised to create a more pedestrian friendly atmosphere.
4. All traffic mitigation measures as required by the Transportation Commission and traffic study must be followed.
5. All buildings must be built with sprinkler systems, subject to review and approval of the fire marshal.
6. Eliminate the 8 parallel parking spaces facing Xerxes Avenue to meet the 20-foot green space requirement.
7. Compliance with all of the conditions outlined in the city engineer's memo dated September 24, 2008.
8. The temporary parking lot on the park property must be paved and meet all minimum requirements of the city engineer.

Appearing for the Applicant:

Harold Mezile, YMCA, Elizabeth Flannery, Common Bond, and Steve Dorgan, Cresa Partners.

Applicant Presentation:

Harold Mezile, 5421 Malibu Drive, addressed the Commission and gave a brief overview of the history of the YMCA. Mr. Mezile reported that the Southdale YMCA is one of the largest and is extremely successful, serving both Edina and surrounding communities. Continuing, Mr. Mezile stated the existing layout of the YMCA building doesn't meet the needs of the 21st century with many areas operating inefficiently. The proposed new building would be designed to function

better to meet today's needs. Mr. Mezile explained the YMCA is in partnership with Common Bond on the housing element of this proposal. The major goal of the housing element would be to provide housing to people with Multiple Sclerosis. Living in close proximity to a recreational facility with pool is a huge benefit for those with MS. Mr. Mezile told the Commission in the past the YMCA has partnered with a number of different organizations to provide housing opportunities for those with special needs and the general public. Concluding Mr. Mezile introduced Ms. Elizabeth Flannery with Common Bond to speak to the housing portion of this redevelopment.

Ms. Elizabeth Flannery, Common Bond addressed the Commission and explained Common Bond is the largest non-profit developer in the area. Ms. Flannery said on this proposal Common Bond will partner with the MS Society to provide a percentage of the housing units to people with MS. Ms. Flannery said that the location of the YMCA is excellent because it has great access to public transit and there are many amenities in close proximity.

Comments/questions from the Commission

Chair Lonsbury questioned how ownership of the of the "apartment lot" would be handled. Mr. Dorgan responded that at this time it is believed there would be a ground lease with Common Bond. Usually those leases run 30+ years. The proposed YMCA building and all land is and would continue to be owned by the Y.

Chair Lonsbury noted the proposed new building is only 3,000 square feet larger than the existing building and asked Mr. Dorgan the reason for the slight increase. Mr. Dorgan explained the size of the existing building is adequate; however, the interior layout of the existing building doesn't function efficiently. The layout of the new building will provide the right spacing to meet the needs of all members, seniors, adults, children, and those with physical disabilities.

Chair Lonsbury asked if any Common Bond facilities are located in Edina. Ms. Flannery responded there are three Common Bond locations in Edina, Yorkdale Townhomes, Summit Place and South Haven. Chair Lonsbury asked Ms. Flannery if Common Bond has a good relationship with neighbors. Ms. Flannery responded that she believes they have a good relationship with their neighbors. Chair Lonsbury referred to a letter from a neighbor who owns property near Yorkdale Townhomes that included Edina Police reports from incidents occurring at Yorkdale Townhomes including the mention of a shooting and drug deals. Continuing, Chair Lonsbury asked if there is a property manager on site at the Yorkdale Townhomes. Ms. Flannery responded with regard to the police reports that she will have to follow up on those complaints, adding the site does have a full time property manager plus a service center that runs a teen program and helps the residents of the project. Chair Lonsbury asked Ms. Flannery how

Common Bond selects its residents. Ms. Flannery responded Common Bond does credit and felony checks on all potential residents.

Public Comment

Cindy Leffler, 7401 York Terrace, addressed the Commission and informed them she has been a victim of crime, adding her home has been burglarized twice, and is afraid at times to go out of her house in the evening. Ms. Leffler added at one time police and/or security officers actually patrolled the area, reiterating at times she is afraid in her own home. Ms. Leffler stated the City seems to forget the small pocket of Edina she lives in. Ms. Leffler told the Commission she has a concern that if this proposal is approved as presented more multi-housing will be added to an already congested area. Ms. Leffler said she is also concerned that if approved her house may be damaged during the construction process. Continuing, Ms. Leffler said Common Bond previously hosted a neighborhood meeting depicting plans to increase the density of Yorkdale Townhomes, adding if that is still their plan, along with this proposal, the area will be oversaturated. Concluding, Ms. Leffler provided the Commission with photo's taken of the area before the YMCA was constructed.

Patty Cagle, 7350 York Avenue, told the Commission she regularly uses the YMCA, adding it is difficult for a pedestrian to get across York Avenue. Ms. Cagle said one concern she has is with the design of the building, pointing out if the door to the new facility is located on the rear (as proposed) the walking distance for a pedestrian is increased. Ms. Cagle said putting a door on the front of the building would make more sense to her. Ms Cagle concluded that the area is already very busy and with the addition of more housing, congestion will only increase.

Jerry Leffler, 7401 York Terrace, questioned if Common Bond still has plans to redevelop their Yorkdale site, and if so, adding another 130 units will just add to the traffic congestion. Mr. Leffler also questioned the reasoning behind taking down a 35 year old building, and who's going to pay for its removal. Mr. Leffler also noted traffic has greatly increased in this area, pointing out 76th Street has become very congested because of the problems with bridge closures in Richfield. Concluding, Mr. Leffler said it appears to him that this area may become overdeveloped and if it does a "prison like feel" will happen to his neighborhood.

Mr. John Bohan, 800 Coventry Place, said he would like more information on the housing portion of the project, the layout of the apartment units, lease terms, subsidy ratio, etc. Mr. Bohan also stated in his opinion the site isn't laid out correctly; there is too much "building" on too small of a site. Concluding, Mr. Bohan said he also believes with regard to the variances requested that the hardship test has not been met.

Mary Melberg, 3019 74th Street, Richfield, told the Commission she didn't receive a public hearing notification from Edina. Ms. Melberg stated that presently on a windy day the refuse from the YMCA blows into her yard, which is a nuisance, and questioned how that will be controlled, especially during the construction phase. Ms. Melberg pointed out if the apartment building is approved as presented the view from her bedroom will be a four story apartment tower. Ms. Melberg also questioned the impact this development would have on Richfield.

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

Commission Comments

Commissioner Fischer asked Planner Teague if the City of Richfield was notified. Planner Teague responded the City of Edina notified the City of Richfield. Edina does not have the names and addresses of Richfield residents at our disposal.

Commissioner Forrest questioned the parking for the apartment building. Mr. Dorgan explained parking for the residential portion of the project is one space per unit. Mr. Dorgan added there are 80 underground parking stalls and additional parking provided under the deck. There also is dedicated parking for the YMCA. Continuing, Mr. Dorgan said the Y will also provide the City with a Proof of Parking agreement if in the future the City deems more parking is needed.

Commissioner Forrest asked if Common Bond is still considering redevelopment of the Yorktown Townhomes. Ms. Flannery responded that last year Common Bond was considering a redevelopment of the townhomes and did host a neighborhood meeting; however, since that time those plans have changed. Commissioner Forrest asked how the financing will occur for the housing element. Mr. Dorgan explained the YMCA owns the land and will own the new Y building. Common Bond will own the apartment complex but will lease the land from the YMCA.

Commissioner Risser asked Ms. Flannery the square footage of the proposed apartment units and the proposed bedroom mix. Ms. Flannery said the building will be constructed with one, two and three bedroom units with an average square footage of 850 square feet. All units will be fully accessible. There will be underground parking and an elevator. Units would have a one year lease.

Commissioner Risser asked how the apartment units would be allocated to those with MS. Ms. Flannery responded Common Bond will work closely with the Multiple Sclerosis Society to find the right ratio and help with the leasing of the apartment units.

Commissioner Fischer asked Ms. Flannery what the “magic formula” is for this building. Ms. Flannery said at this time that is still under consideration. Ms. Flannery told the Commission not all apartment units will be available to those with MS. The proposed building will also contain a mixture of income and market based units. Concluding, Ms. Flannery said at this time they believe 50% of those occupying the building will have MS. Commissioner Fischer said he has a bit of a concern mixing populations, and questioned how that would work. Ms. Flannery acknowledged Common Bond hasn’t developed a mixed project of this size before, but believes it is possible. Commissioner Fischer stated he believes mixing incomes is successful, but reiterated he does have a concern mixing vulnerable adults with the general population.

Commissioner Risser asked Mr. Dorgan why the site was laid out as presented. Mr. Dorgan said different design scenarios were looked at, adding it was believed the layout as presented works best for access.

Commissioner Brown commented that he also struggles with the layout of the site, adding he has some reservations with parking and if the parking provided is adequate for the apartment component of the project.

A discussion ensued with Commissioners indicating they have some concerns with the overall placement of the buildings and their relationship to the street and neighborhood. Commissioners acknowledged there is a grade change, but with the building “pulled up” to the street there will be a disconnect between street level and the buildings façade. Another thing to consider is that while the Commission has expressed the opinion that buildings should positively address the street this building has no entrance on York Avenue, which isn’t pedestrian friendly. Commissioners also stated they believe more could be done to mitigate the variances, suggesting a reduction in apartment units.

Further discussion focused on existing and potential nuisance aspects of the proposal, noise, litter, construction debris, etc. Planner Teague informed neighbors and the Commission that the Edina Health and Building Departments will respond to complaints from neighbors if they have any. Noise, refuse, construction activity, etc. are controlled and enforced by the Health and Building Departments.

Continuing their discussion Commissioners also noted from the letters received (which included a police report) and neighbor comments that neighbors aren’t happy with the “activities” that occur at the Common Bond managed townhomes and questioned how Common Bond would address those concerns. Ms. Flannery addressed the Commission and stated with regard to the letters received that she hasn’t read them or the police reports, but would be willing to look into the matter and address those issues. Ms. Flannery said she would also supply the Commission with letters of support, reiterating she can’t respond at this time to the police reports because she hasn’t seen them. Continuing, Ms.

Flannery stated she would be willing to meet with all neighbors, and has met with neighbors in the past including the Leffler's. Chair Lonsbury asked Ms. Flannery if the townhomes have on-site security. Ms. Flannery responded in the affirmative.

Mr. Dorgan addressed the Commission and asked them to defer action on their request to allow them time to meet and review the concerns and suggestions expressed by the neighbors and the Commission.

Commission Action

Commissioner Brown moved to table 2008.0012. Commissioner Fischer seconded the motion. All voted aye; motion carried.

**2008.0013 Conditional Use Permit
 Interlachen Country Club
 6200 Interlachen Boulevard**

Planner Presentation

Planner Teague informed the Commission Interlachen Country Club is proposing to build two new maintenance buildings on property adjacent to and owned by the Country Club, and in the current Belmore Lane right-of-way. The site exists today with two single-family homes and the cul-de-sac for Belmore Lane. The two homes would be removed, and Belmore Lane would be shortened, and reconstructed. The main building would be 20,000 square feet in size, and the second building would be 2,600 square feet in size.

Planner Teague explained access to the maintenance building would be from an existing interior road off Interlachen Boulevard and Waterman Avenue. An emergency vehicle access and gate is proposed at the end of Belmore Lane. The applicant originally was proposing a public access to the new facilities off of Belmore Lane. However, revised the plans after concern was raised by the neighbors who did not want additional traffic brought through their neighborhood.

Planner Teague noted the request requires a Conditional Use Permit and a Vacation of a portion of Belmore Lane. The roadway Vacation would be considered when the City Council considers the Conditional Use Permit.

Planner Teague concluded staff recommends that the City Council approve the Conditional Use Permit to build new maintenance facilities at 6200 Interlachen Boulevard for the Interlachen Country Club 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 substantial compliance with the following plans, unless modified by the conditions below:
 - Site plan date stamped September 2, 2008.
 - Building elevations date stamped September 2, 2008.
 - Grading plan date stamped September 2, 2008.
 - Landscape plan date stamped September 2, 2008.
 - Cul-de-sac reconstruction plan date stamped September 19, 2008.
2. The City Council must approve the Vacation of the end of Belmore Lane.
3. Submit a copy of the Minnehaha Creek Watershed District Permit. The City will require revisions to the approved plans to meet the District's requirements.
4. The Belmore Lane cul-de-sac must be re-designed and reconstructed by the applicant per city standards. Final re-construction plans shall be subject to review and approval of the city engineer.
5. Access from Belmore Lane shall be used by emergency vehicles only. The gate located at the entrance to the site shall remain locked, and not be used by members or employees of the club.
6. Belmore Lane may not be used by construction vehicles accessing the site, or for parking.
7. The buildings must meet all applicable building permit requirements.
8. All conditions required by the city engineer in his memo dated September 25, 2008.
9. Record the approving resolution with the county.

Appearing for the Applicant

Truman Howell, Lyle Ward, George Carroll, Peter Boosalis, Mark Kretchman

Applicant Presentation

Mr. Howell introduced members of Interlachen Country Club development team.

Mr. Boosalis, 7718 Lochmere Terrace, addressed the Commission and informed them the Country Club held neighborhood meetings to inform neighbors of the their plans to construct two new maintenance buildings. Mr. Boosalis said their goal is to be a good neighbor, adding after further study and input from neighbors the Club revised their original plan to eliminate vehicle access to the course from Belmore Lane. Mr. Boosalis concluded the Interlachen team is available to answer questions from the Commission.

Chair Losnbury invited the public to speak.

Public Comment

Dennis Hogan, 6204 Belmore Lane, asked the Commission to deny the Conditional Use Permit. Mr. Hogan said this type of facility is industrial, not residential, and our immediate neighborhood will change as a result of this proposal. Mr. Hogan also noted that he believes the new buildings will generate more noise because of the number of employees that will use these facilities and the industrial use of equipment stored in the maintenance building. Concluding, Mr. Hogan stated he also believes neighborhood property values will be negatively impacted if the CUP is approved.

Richard Windham, 6333 Belmore Lane, told the Commission his major concern was with traffic. Mr. Windham added he does have a concern with the emergency vehicle gate at the end of the cul de sac and what could happen if the gate is accidently left open. Mr. Windham said he is also concerned with the number of caddies that work at the golf course, adding he believes Interlachen has at least 75 caddies and a number of them walk down Belmore Lane or are dropped off at the end of the street to access the club house. Concluding, Mr. Windham acknowledged Interlachen Country Club is a good neighbor. He noted the Country Club has indicated to neighbors that they will leave an access open to the course to view the fireworks and cross country ski in the winter months.

Mary McDonald, 6216 Belmore Lane, told the Commission there are 39 residential properties that make up this neighborhood. Ms. McDonald acknowledged that the Country Club has held a number of meetings with regard to this project. Ms. McDonald said she has a concern with the proposed building materials adding structures with metal siding have a more warehouse appearance and will be noisier. Ms. McDonald stated she also is concerned with caddy drop off or caddies walking or riding their bikes down Belmore to gain access to the golf course. Continuing, Ms. McDonald stressed that the neighborhood wants assurances that caddies, deliveries, employees, patrons and visitors do not use Belmore Lane to access the golf course. Ms. McDonald presented a graphic that indicated golf courses that do not have their maintenance buildings as close to residential properties as the proposed maintenance buildings; the courses are Bear Path, Braemar, Edina Country Club, Fred Richards, Minikahda and North Oaks. Ms. McDonald also told the Commission that recently a crime was committed in this neighborhood, adding this is a quiet neighborhood and more traffic is a concern. Ms. McDonald concluded that noise is also a concern.

Mr. Ted Volk, 6301 Belmore Lane, told the Commission his concern is with preserving as many trees as possible and planting additional landscaping to minimize impact of the maintenance building. Mr. Volk said he also wants

assurances that the proposed gate at the end of Belmore Lane is used only by emergency vehicles period. He stated he doesn't want to see this access used as an entry or exit to the course by employees. Concluding, Mr. Volk stated overall he can support the project; however, he reiterated he wants the landscaping planted as presented this evening.

Kevin Shaw, 6220 Belmore Lane, told the Commission the vast majority of neighbors support the project as presented. Mr. Shaw reported the neighbors and the Club have worked closely over the last few months to get to this point. Plans have been revised and the revised plan presented this evening is the outcome of the neighbors and Club working together. Mr. Shaw acknowledged that change is always difficult, adding that Mr. Hogan on behalf of his parents has not "signed off" on the plan presented by Interlachen.

Mary McDonald, 6216 Belmore Lane, told the Board with regard to the neighborhood there are five or six families that have no opinion on what the Country Club does; however, the majority of neighbors do have concerns. Ms. McDonald acknowledged Interlachen has been a good neighbor.

Mr. Hogan, representing his parents at 6204 Belmore Lane, requested that the Planning Commission table this issue to allow him time to meet with representatives from the Country Club to go over concerns he still has with this project.

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

Commission Comments

Chair Lonsbury noted that Interlachen and neighborhood residents have met on numerous occasions and at this time the Commission will address the concerns that were expressed by residents and concerns that the Commission may have. Chair Lonsbury said he believes the initial concern of the neighborhood was traffic and access off Belmore Lane into the golf course. Chair Lonsbury noted the revised plan indicates that only emergency vehicles can access the golf course from Belmore Lane. Continuing, Chair Lonsbury reported that Interlachen Country Club has petitioned the City Council to vacate the right-of-way portion at the end of Belmore Lane. That action will be a public hearing before the City Council sometime in November. Chair Lonsbury noted another concern expressed by residents is that caddies for Interlachen Country Club would access the caddy shack via Belmore Lane. Chair Lonsbury said he doesn't know how this would be guaranteed not to occur.

Chair Lonsbury asked Planner Teague if the City required that Interlachen provide an emergency access point at this location. Planner Teague responded in the affirmative. Chair Lonsbury commented that since the City in a sense is

dictating emergency access at this point the City should retain control over the right-of-way. Planner Teague interjected and explained if the right-of-way isn't vacated there would be no project, at least not as presented. The request includes removal of the two single family homes owned by Interlachen at the end of Belmore Lane and vacating the right-of-way.

Commissioners acknowledged that the neighbors and Country Club have made great strides, The increased landscaping, and revised cul de sac; however the proposal will be a change.

Applicant Response

Lyle Ward told the Commission they will do their best, do whatever it takes, to discourage traffic on Belmore Lane. Mr. Ward stressed the only reason for the gate at the end of Belmore Lane is for emergency vehicle access. Mr. Ward said the Club will instruct their caddies to use the main entrance when walking, riding their bikes or being dropped off. Mr. Ward said if so desired the Club will put up a fence to prevent any access to the golf course from Belmore. Mr. Ward also pointed out Interlachen Country Club was constructed in 1910 and there are difficulties in updating the course, noting the course is virtually land locked. Continuing, Mr. Ward pointed out the current location of the maintenance building is in the parking lot and this can be dangerous for everyone. Concluding, Mr. Ward said there are other golf courses within the metropolitan area with maintenance buildings in close proximity to residential properties.

Commission Action

Commissioner Fischer moved to recommend Conditional Use Permit approval based on staff findings and subject to staff conditions excluding the vacation of the right-of-way. Approval is also based on the agreements between the Club and neighbors dated September 25, 2008. Commissioner Brown seconded the motion.

A discussion ensued between Commissioners with regard to right-of-way. A number of Commissioners felt a revised vacation of the right-of-way would allow the project to proceed while leaving the City in "charge of the gate". It was reiterated during this discussion that the City of Edina Police and Fire are the bodies dictating emergency access off Belmore Lane. Commissioner Brown pointed out if anyone visits the Club during events they would realize how congested the parking lot and circulation element is, adding he would think the Commission would also be concerned with maintaining the safety of visitors and employees of the Club. Concluding, Commissioner Brown said in his opinion emergency vehicles should be provided with the safest and best access possible and Police and Fire have indicated a gate at the end of Belmore Lane is needed to service the Club if an emergency should arise.

Commissioner Schroeder stated he can't support the motion as presented because he believes there is no reason for not vacating the right-of-way as requested. Commissioner Schroeder pointed out public right-of-ways are just that, public. If the right-of-way isn't vacated as proposed that means there is a public use and the neighborhood has indicated they do not want the public to have access to, or to park in this area. Commissioner Schroeder pointed out the City can't prevent people from driving, biking or walking down Belmore Lane – so why not vacate the right-of-way. Chair Lonsbury noted the City dictated emergency access at this point, so maybe the City should control it.

Commissioner Forrest stated she cannot support the Conditional Use Permit as presented because in her opinion it fails to meet the criteria in granting a CUP. Continuing, Commissioner Forrest said the noise from employees and smells from machinery will give this area a more industrial feel. Commissioner Forrest said the City is also very careful with “losing” public land and if the vacation is allowed, the City can't get it back.

Ayes, Fischer, Brown, Lonsbury. Nay; Risser, Staunton, Schroeder, Forrest. Motion for approval failed.

Commissioner Forrest moved to recommend denial of the Conditional Use Permit noting the criteria for approval of a Conditional Use Permit has failed. Commissioner Risser seconded the motion.

Commissioner Brown commented that he believes a disservice is being done to the Country Club, he pointed out at previous meetings the major focus of the neighborhood was to prevent access to the course from Belmore Lane by maintenance vehicles, etc. Commissioner Brown said it now appears there are a number of different issues, building materials, landscaping, etc.

Ayes; Risser, Staunton, Forrest. Nays; Schroeder, Fischer, Brown, Lonsbury. Motion to deny failed.

Commissioner Schroeder moved to recommend Conditional Use Permit approval based on staff findings, and subject to staff conditions. Approval is also subject to neighbor and Interlachen Country Club conditions dated September 25, 2008. Commissioner Brown seconded the motion. Ayes; Staunton, Schroeder, Fischer, Brown. Nays; Risser, Forrest, Lonsbury. Motion Carried.

Chair Lonsbury explained his negative vote was because he believes the City should control as much of the right-of-way as possible.

III. PUBLIC COMMENT:

No additional public comment.

IV. INTERGOVERNMENTAL BUSINESS:

Update on Utility Shed for Edina Public Schools:

Planner Teague informed Commissioners the School District and City staff met to discuss the possibility of locating their utility shed in the area of the Creek Valley Elementary School Park. Planner Teague said this site is a city park site; however, it's mainly used by the District. The School District will apply for a Conditional Use Permit for this location sometime in the future.

Chair Lonsbury acknowledged the back of the packet materials.

V. ADJOURNMENT:

The meeting was adjourned at 11:00 PM

Submitted by