



MINUTE SUMMARY
Regular Meeting of the Edina Planning Commission
Wednesday, May 27, 2009, 7:30 PM
Edina City Hall Council Chambers
4801 West 50th Street

MEMBERS PRESENT:

Chair Mike Fischer, Jeff Carpenter, Steve Brown , Floyd Grabel, Julie Risser, Nancy Scherer, Arlene Forrest, Kevin Staunton and Michael Schroeder

MEMBERS ABSENT:

Patrick Schnettler

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the April 29, 2009, meeting were filed as submitted

II. NEW BUSINESS:

2009.0003.09a Lot Division
Greg McCullough
4306 Grimes Avenue
4201 Morningside Road

Planner Presentation

Planner Teague informed the Commission Mr. Greg McCullough, is proposing to shift the existing lot line that divides 4306 Grimes and 4201 Morningside Drive for the purpose of providing a 20-foot strip of land to 4201 Morningside Drive, the Morningside Church.

Planner Teague explained that the previous property owner of 4306 Grimes had promised to give 20 feet of his property to the church upon his selling of the property. The property has been sold to Mr. McCullough, who is now following

through with the agreement. The church would use the 20-foot strip as green space for a picnic and garden area, and the existing day care.

Planner Teague noted that the two properties are 36,842 square feet in size. The previous home located at 4306 Grimes has been torn down, and several large trees removed. A new home is planned on the site. This lot is currently 21,842 square feet in size. The property at 4201 Morningside contains the Morningside Church and has a scattering of mature trees. The church site is 15,000 square feet in size.

Planner Teague recommended that the city council approve the lot division as requested.

Appearing for the Applicant

Greg McCullough

Commissioner Carpenter disclosed that one of his partners is affiliated with Morningside Church and recused himself from the discussion and vote. Commissioner Carpenter left the chambers.

Applicant Presentation

Mr. McCullough addressed the Commission and explained he worked closely with the church throughout this process, including the re-grading of both properties. Mr. McCullough asked the Commission for their support.

Commission Action

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

**2008.0017.09a Final Rezoning, Final Development Plan
Ebenezer Society on behalf of 7500 York
7500 York Avenue, Edina, MN**

Planner Presentation

Planner Teague informed the Commission the Ebenezer Society, on behalf of the 7500 York Cooperative is proposing to build a 76-unit, 4-story addition to the northwest side of the existing 337-unit, 9-story senior housing development at 7500 York Avenue.

Planner Teague explained of the 76 units, 47 units would be for assisted living, 16 would be of memory care and 13 elder care suites. Access to the site would be off Edinborough Way and Parklawn Avenue. Parking would be provided underground, and within a small surface lot off Parklawn Avenue. (See the applicant narrative and plans on pages A5–A39, and within the attached development books.) Also see the results of the vote of residents authorizing Ebenezer to move forward with the final plans on pages A7–A12.

Planner Teague reminded the Commission this proposed project has received Preliminary Approval by the City Council, per Planning Commission recommendation and the proposal required the following:

1. Final Rezoning from PRD-4, Planned Residential District to PSR-4, Planned Senior Development District.
2. Final Development Plan.
3. Variances. (To be reviewed by the Zoning Board of Appeals.):
 - a. A maximum square footage variance for 17 dwelling units.
 - b. A 3-foot setback variance from Edinborough Way.
4. Lot Division/Final Plat. The site exists as two lots today. The lot lines would be shifted to accommodate the new building.

Planner Teague stated the site is currently zoned PRD-4, but exists with senior housing. As such, the site is non-conforming in regard to parking requirements. Senior housing does not require the same number of parking stalls that an all-age residential development would. The rezoning would bring the parking requirements into conformance with the City Code.

The proposed use and rezoning for this site is reasonable and consistent with the approved Preliminary Development Plan and Preliminary Rezoning for the following reasons:

1. The proposed plans are consistent with the approved Preliminary Development Plans. The number of rooms, building material, building footprint, and circulation patterns are all the same as the previously approved plans.
2. The proposed additional multiple-family senior housing would be compatible within the area as there are multiple family residential facilities to the north, south, east and west.
3. The proposed density of 36 units per acre meets the City's Code requirement for density in the Planned Senior Housing District; and is generally consistent with densities of existing apartment buildings in the area.
4. The sites close proximity to amenities that seniors would take advantage of, such as the YMCA, Centennial Lakes Park, and the Promenade.

5. Sustainable Design. The applicant is proposing sustainable design principles, consistent with those proposed as part of the Preliminary Development Plan.
6. As mentioned above, the existing roadways would support the project. Wenck Associates conducted a traffic impact study based on the proposed development, and WSB & Associates reviewed the document to determine if it was accurate. Both Wenck and WSB concluded that the existing roadway system could support the proposed project. The Edina Transportation Commission met on November 20, 2008, and recommended that the traffic generated would not adversely affect the adjacent transportation systems.
7. The project would provide an additional opportunity for senior housing within the City of Edina. Based on the demographic data from the Comprehensive Plan, and the fact that there is a lengthy waiting list to get into the existing facility, the proposed new senior housing would fill a need in the City. It may also allow existing residents in single-family homes within the city who want to remain in Edina, and opportunity to stay. The result may provide opportunity for a new family with kids to move to the city into the single-family home that was made available by a new resident to this facility.

Planner Teague stated staff believes that the PSR-4 district is appropriate for the site. The rezoning would bring the existing site more into compliance with the Zoning Ordinance. The site exists today with senior housing, however, is zoned for "all-age" multiple-family residential. The site is parked for seniors; however, the current zoning requires parking for "all-age" multiple-family residential. If the addition were proposed under the existing zoning designation, additional variances would be required. A density variance and a parking stall variance would be required. The density requirement under the current zoning would allow only 27 additional units on the site. The parking stalls required under the current zoning would be 832 total spaces; and 395 are proposed. By rezoning the site to match the existing and proposed use of the site, the density and parking would be code compliant.

Staff also believes the proposed variances are reasonable for this site. The majority of existing units within the existing building do not conform to the maximum standard of 850 square feet for two-bedroom units and 700 square feet for one-bedroom units. It would be reasonable to allow housing units within the addition to be consistent with the existing units.

The maximum standards were developed to ensure affordable housing for the Planned Senior Residential districts. The existing and proposed units within the 7500 development were and are not intended to be entirely for affordable housing. Of the total 76 units, 59 proposed units conform to the maximum requirement (78%). Ten two-bedroom units and seven one-bedroom units would exceed the maximum requirement.

In regard to the setback variance, the hardship is caused by the existing location of the underground parking garage. This structure was not built to support the weight of a four-story addition above it. Therefore, the applicant developed a site plan working around this structure. They also do not wish to disturb the open space and garden area along York Avenue. The proposed four-story addition is reasonably sized given the height of the existing building, and the height of buildings in the area. The requested variance would be a minor 3-foot intrusion into the required setback.

Planner Teague concluded that staff recommends that the City Council approve the Final Rezoning from PRD-4 to PSR-4, Final Development Plan and Preliminary & Final Plat to build a 76-unit four-story addition to the existing building at 7500 York Avenue for the Ebenezer Society, on behalf of the 7500 York Cooperative.

Approval is subject to the following findings:

1. The proposed plans are consistent with the approved Preliminary Development Plan and Preliminary Rezoning.
2. The proposed addition is consistent with the multiple family housing developments to the north, south, east and west.
3. The proposed density is compatible with densities in the area.
4. Given the City of Edina's aging population, senior housing is a need in the City.
5. The existing roadways would support the proposed project.

Approval is also subject to the following Conditions:

1. The site must be developed and maintained in conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped April 24, 2009.
 - Grading plan date stamped April 24, 2009.
 - Landscaping plan date stamped April 24, 2009..
 - Building elevations date stamped April 24, 2009.
 - Building materials board as presented at the Planning Commission and City Council meeting.
2. The following must be submitted to the City before a building permit it is issued:
 - a. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
 - b. Per Section 850.10. Subd. 3.B of the City's Zoning Ordinance, a letter of credit, performance bond or cash deposit must be

- submitted in the amount equal to 150% of the proposed landscaping.
- 3 The design and construction of the project must be done with the Sustainable Initiatives as outlined in the applicant's narrative within the staff report.
 - 4.. All buildings must be built with sprinkler systems, subject to review and approval of the Fire Marshal.

Appearing for the Applicant

Mark Thomas and Susan Farr, Ebenezer Society, Ward Issacson, Pope Associates, Inc. and Russ Helgesen, resident of 7500 York.

Applicant Presentation

Mr. Thomas addressed the Commission and informed them Ebenezer has worked very hard not only with city staff but with residents of the 7500 building to present the project in its completed form. Mr. Thomas said in his opinion the proposed building will serve not only the area well, but the entire community. Mr. Thomas reported the latest technologies will be implemented to enhance the quality of life of the residents. Concluding, the building will also serve as a base of employment.

Russ Helgesen, 7500 York Avenue #208, told the Commission he is a 12-year resident of 7500 York and the chair of the assisted living ad hoc committee. Mr. Helgesen told Commissioners that 7500 York was the first co-op of its kind, and has been very successful. Mr. Helgesen reported that 7500 York has been a leader in the field of senior housing and the proposal before the Commission this evening continues that leadership role. Mr. Helgesen concluded in his opinion the construction of the assisted living building is the most important issue that has come before the residents at 7500 York since their door opened 30 + years ago.

Mr. Helgesen reported that recently the residents of 7500 York voted on the project and the official vote was that 75% of the residents were in favor of the project. Mr. Helgesen pointed out that was a very decisive vote, adding the residents are now eager for the construction phase to begin. Concluding, Mr. Helgesen asked the Commission for their support.

Ward Issacson addressed the Commission and with the aid of graphics gave a brief overview of the project. Mr. Issacson pointed out the plans haven't changed much since preliminary approval. Continuing, Mr. Issacson said the major goal of the project was to retain as much green space as possible and minimize the impact of parking areas. Mr. Issacson explained the exterior building materials will consist of cultured stone, stucco siding with stone trim, hardi board, and

rockface block. The building will also have a mansard roof that keeps the building height down and adds a residential touch to the building. Mr. Issacson added the building also steps down with a decorative band incorporated to help break up building mass. Concluding, Mr. Issacson noted a memory care courtyard and dining plaza area are also included in the development.

Questions and comments from the Commission

Commissioner Staunton questioned the 3-foot encroachment that requires a variance. Mr. Issacson explained that the reason for the 3-foot intrusion into the setback was to provide the best possible living conditions for the memory care residents while “staying off” the existing underground garage. Mr. Issacson stressed the importance of a secured entry and the inclusion of lounge elements positioned at the ends of the hallway, adding it is very important for those with memory disabilities that there are no dead ends. Chair Fischer explained that the 3-foot encroachment triggered the need for a variance which will be heard by the Zoning Board of Appeals.

Commissioner Carpenter questioned Mr. Thomas if room(s) could be removed from the memory care facility to eliminate the need for the 3-foot variance. Mr. Thomas directed J. Kaiser to respond to that question. Ms. Kaiser told the Commission memory care requires a staffing model, adding it has been found that the model that works best is between 14 and 15 units, removing 3-feet would be difficult and would compromise the interior needs of a memory floor.

Commissioner Carpenter questioned if there will be a continuum of care between 7500 York residents and Ebenezer. Mr. Thomas explained that 7500 York residents will have priority plus they will be able to “hire” services from the assisted living building/Ebenezer. Mr. Thomas added he believes there will be cross-over care especially for physical therapy.

A discussion ensued with Commissioners questioning the hardship to support the 3-foot variance but acknowledging that the Zoning Board of Appeals will review and act on the variance. Commissioners also expressed their support for the project, adding it will be a good addition to the City.

Chair Fischer opened the public hearing.

Public Comment

Donna Sundt, 7500 York Avenue, #621 informed the Commission she resides on the north side of the building and after the assisted living building is constructed she will be looking into a building and not the green space she enjoys today. Ms. Sundt suggested that the building be re-located to the northeast side of the building, not the present site. Ms. Sundt asked the Commission to have the new building relocated.

Russ Helgesen, 7500 York Avenue acknowledged that the proposed building will impact some of the residents; however he pointed out a new building would always impact someone. Mr. Helgesen noted the majority of the residents at 7500 York voted for this location, pointing out it was very important to the majority of residents to retain the garden area on the northeast side of the site.

Judy Smith, 7420 Edinborough Way asked to have the access clarified. Ms. Smith was informed access remains the same. Ms. Smith added it also appeared to her that a well was being drilled before final approval was granted. Mr. Thomas explained a well was not being drilled they were drilling to find out if the buildings heat source could be geo thermal.

Bob Grueman, Fairview Southdale Hospital Administration told the Commission Fairview Southdale lends their support to the project, adding he believes the proposed assisted living facility not only benefits the residents of 7500 York but all of Edina. Mr. Grueman urged the Commission to support the request as proposed.

Pat Thompson, 7420 Edinborough Way, stated she believes the proposal will ruin her view and will add more traffic to an already congested area.

John Bohan, 800 Coventry Place commented that his mind was also on traffic. Mr. Bohan pointed out that presently it is difficult to navigate York and Parklawn Avenues, especially during rush hour.

Commissioner Schroeder moved to close the public hearing.
Commissioner Forrest seconded the motion. All voted aye; motion carried.

Chair Fischer asked the applicant to comment on traffic. Mr. Ed Tehar informed the Commission that basically this type of facility generates very low traffic volumes. The increase in traffic was calculated and found to be acceptable at all intersections with no rating change.

Commissioner Forrest questioned traffic at the delivery entrance. Ms. Kaiser responded that there will be two food deliveries per week, and the delivery entrance will also be used as the source to move in and out of the facility. Concluding, Ms. Kaiser said smaller deliveries could also occur at this entrance or the front entrance.

Commission Action

Commissioner Staunton stated he supports the Final Development Plan and Final Rezoning, adding it's a good project.

Commissioner Staunton moved Final Rezoning and Final Development Plan approval based on staff findings and subject to staff conditions. Commissioner Brown seconded the motion.

Commissioner Grabel pointed out this project received preliminary approval from both the Commission and the Council. At the time of preliminary approval the only "unknown" was if the residents supported the project. Since that time the residents of 7500 have voted in favor of the project which speaks a great deal toward the proposal and why it should be approved. Commissioner Grabel stated he has no problem supporting the project as presented - it's a great project and good for the City of Edina, concluding it should be approved.

Chair Fischer called for the vote. All voted aye; motion for approval carried.

Chair Fischer asked the Commission if they have any thoughts on the variances.

Commissioner Grabel said with respect to the variances there is a point in fact that should be remembered; there is a variance process, and that in itself means something. Commissioner Grabel stated he supports the variances; pointing out testimony was given by those with experience that the number of memory care units meets a model that works. The design of a memory care floor is different because it has to take into account the special needs of those with Alzheimer's. The need for a secure entrance is extremely important and can't be negotiated. Concluding, Commissioner Grabel said the impact of the 3-foot variance is minor and the square footage variance is the result of the zoning. Commissioner Grabel reiterated that he supports the project - there is a hardship because the existing garage dictates placement of the new building.

Commissioner Brown commented that he struggles a bit with hardship; however, he pointed out he isn't familiar with the staffing needs of an assisted living/memory care facility and doesn't want to dictate to the professionals how they run their business.

Commissioner Scherer said in her opinion there must be ways to eliminate the three feet without much change to the floor plan.

Commissioner Forrest said in her opinion there is a concern with the 3-foot variance because it's at the buildings full height.

Commissioner Staunton encouraged the applicant to build their case to better explain their hardship to the Zoning Board of Appeals. Commissioner Staunton said there is a story to tell, especially about not being able to slide the building east or west. The other half of the variance deals with unit size and that requirement was stipulated by code. Reiterating, Commissioner Staunton encouraged the applicant to build their case to support the requested variances.

2009.0004.09a Amend Zoning Ordinance 850.11. Subd 6. A.

Planner Presentation

Planner Teague informed the Commission it has come to staff's attention, as part of the review of the proposal by Interlachen Golf Course to build a new maintenance facility, that there are inconsistencies in the zoning ordinance in regard to regulation of accessory buildings in the R-1 Zoning District. The following summarizes the inconsistencies:

1. Lots 9,000 square feet and larger **are limited** to 1,000 square feet of accessory buildings.
2. Lots less than 9,000 square feet have **no limit** on the size of accessory buildings.
3. Lots with single-dwelling unit buildings are limited to no more than 1,000 square feet.
4. Maintenance buildings are a permitted accessory use to a golf course, with no size limitation mentioned in the regulation.

Planner Teague explained the intent of the ordinance is to limit single-dwelling unit buildings to no more than 1,000 square feet of accessory structures. However, provision #1 technically prohibits all R-1 property, including schools and golf courses to no more than 1,000 square feet of accessory structures.

The proposal before the Planning Commission is a Zoning Ordinance amendment to eliminate the 1,000 square foot limitation for lots over 9,000 square feet, which would lift the 1,000 square foot accessory building limitation on conditionally permitted uses.

Planner Teague explained that the 1,000 square foot limit was added to the Zoning Ordinance back in the early 1990's. The intent of the ordinance was to address the issue the city was dealing with at the time regarding large accessory structures being built on property with single-family homes to store boats, RV's, lawn equipment etc. However, it appears that the ordinance was not codified correctly. The provision listed in Subdivision 6.A.3. was intended to address the issue.

Planner Teague stated that over the years, Edina Schools, Braemar and Fred Richards Golf Course, Edina Country Club, and the Interlachen Country Club have constructed a number of accessory buildings that far exceed 1,000 square feet. With the aid of graphics Planner Teague depicted the square footage of accessory structures throughout the City. They are as follows:

Braemar:

- 17,200 square feet of maintenance buildings.
- 30,000 square foot golf dome.
- 40,000 square foot ice rink.
- 25,000 square foot ice rink.
- 28,750 square foot ice rink (93,000 square foot total ice rink facility.)
- 35,760 square foot police/fire training facilities
- 1,600 square foot concession stand.

Fred Richards Golf Course:

- 3,600 square feet of maintenance buildings.

Edina Country Club:

- 2,500 square foot tennis court building.
- 2,800 square foot pool building.
- 8,000 square feet of maintenance buildings.

Edina Community Center Site:

- 4,000 square foot maintenance/storage buildings

Cornelia:

- 2,440 square feet of maintenance/storage buildings.

Interlachen:

- 13,000 square feet of maintenance buildings.
- 6,500 square feet of other accessory buildings.

Planner Teague pointed out the following accessory buildings have been built after 1992 without a variance:

Braemar:

- In 1996 a cart storage building was constructed.
- In 2001, an antenna building was constructed.
- In 2007 the public safety training facility and storage building were built.
- Accessory buildings and concession stands were also built at Courtney fields.

Fred Richards Golf Course:

- In 2003 the two maintenance buildings totaling 3,600 square feet were constructed.

Edina CC:

- In 2000, a large addition was built on an existing maintenance building.

Interlachen:

- In 1993-94, the existing 4,000 square foot storage & fertilizer building on the site where the new maintenance facility is proposed by Interlachen was built.
- In 1998, the pool house was reconstructed.

At the time of the ordinance amendment, there was no discussion of existing buildings becoming nonconforming. Since 1992, no variances have been granted for accessory buildings that have been built on these sites.

Concluding Planner Teague stated to address this issue, staff recommends that the City Council approve an ordinance amendment that would eliminate the 1,000 square foot provision for lots over 9,000 square feet.

Comments and Questions from the Commission

Commissioners agreed that this section of 850 needs revision; however, the general consensus was that a “cap” should be placed on the size of accessory buildings/ structures. This would prevent the construction of overly large buildings. Commissioners acknowledged that current lot coverage requirements limit the size of accessory building/structures on the majority of R-1 lots; however, if a size “cap” isn’t introduced the overly large “ R-1 lots”, that include golf courses, churches, and schools, etc. could have large or an excessive number of accessory buildings constructed that would impact neighboring properties.

Planner Teague agreed adding that clearly the intent of the ordinance was to limit the size of accessory structures to a combined total of 1,000 square feet for single family home lots, not golf courses, schools, churches which are also zoned R-1 and designated as principal or conditional uses.

The discussion continued with Commissioners expressing frustration with the situation they now find themselves in, and fairness. Commissioners pointed out this ordinance “inconsistency” puts everyone in an awkward position, especially in light of the next agenda item. Commissioners reiterated their agreement that the ordinance in question needs revising; however, the timing is difficult at best. Commissioners also noted besides the difficulty with the request from ICC the Commission is also in the process of revising the entire zoning ordinance. The goal of the Commission during the revision process is to make sure all revisions are properly researched and addressed to prevent confusion and oversight.

Chair Fischer asked Mr. Knutson if the proper procedure was met regarding this agenda item. Mr. Knutson responded procedure was met. The City Council is the body that holds the public hearing on amendments to the City Code. The Commission is to comment and recommend.

Continuing, City Attorney, Roger Knuston told Commissioners he understands their frustration; however, at this time the Planning Commission needs to act on what is before them and not "get lost" in all the possibilities. Continuing, Mr. Knutson explained the proposed ordinance revision requires a recommendation from the Commission before the public hearing is conducted by the City Council. Regarding the request for a Conditional Use Permit from Interlachen Country Club for additional parking that also requires Commission action. Mr. Knutson said the Commission can either deny the request from ICC for a Conditional Use Permit for parking or approve it. The proposed maintenance buildings on Club grounds would either require a variance; a CUP or the Council can amend the Ordinance allowing structures in excess of 1,000 square feet. If a variance is required the Zoning Board of Appeals will hear the request for the maintenance buildings, not Commission. If the Code is amended by Council requiring maintenance buildings over 1,000 square feet to require a CUP, the Commission will hear the CUP request on maintenance buildings and forward their recommendation to the City Council. Lastly, if the Council initiates a Code change allowing maintenance buildings in excess of 1,000 square feet on lots greater than 9,000 square feet (or such number) ICC can obtain a building permit. Concluding, Mr. Knutson clarified that the next agenda item is a CUP for parking spaces.

Commission Action

Commissioner Staunton moved to recommend amending Ordinance 850 as follows: Building coverage shall be not more than 25 percent for all buildings and structures; provided, however, that on lots without single family structures accessory structures greater than 1,000 square feet require a Conditional Use Permit. Commissioner Brown seconded the motion.

Chair Fischer invited the public to comment, noting the City Council will hold the public hearing.

Public Comment

Melissa Franzen, 6216 Maloney Avenue told the Commission she is opposed to the proposed text change. She pointed out not all parties were notified of the change, adding in her opinion the proposed change is a major code amendment. Concluding, Ms. Franzen asked the Commission to table the requested code amendment.

Ronald Diker, 6309 Maloney, agreed with Ms. Franzen that the proposed code change was not given proper notification. Mr. Diker said he believes the

proposed change would have a tremendous impact on neighbors and asked the Commission not to “rush” this change forward.

Commissioner Staunton asked Mr. Knutson and Mr. Teague to “sand-paper” the recommendation and at their discretion place the proposed amendment language in the section of 850 they see fit.

Ayes; Scherer, Schroeder, Staunton, Grabiell, Forrest, Fischer. Nays, Risser, Carpenter. Motion carried.

**2008-0013.09b Conditional Use Permit
Interlachen Country Club
6200 Interlachen Boulevard, Edina**

Planner Presentation

Planner Teague informed the Commission Interlachen Country Club is requesting a Conditional Use Permit to expand a parking lot. The expanded parking lot is for a new maintenance building for the Interlachen Country Club at 6200 Interlachen Boulevard. Maintenance buildings are a permitted accessory use not a conditional use. Because the need for the parking lot is intertwined with the maintenance building, the maintenance building will also be addressed.

Planner Teague explained the applicant originally proposed a similar parking lot with a maintenance facility at the end of Belmore Lane. Those plans were reviewed by the Planning Commission on October 1, 2008 and January 28, 2009. Based on the direction from the Planning Commission on January 28th, the applicant has revised the plans to locate the building on what was referred to as the “chicken farm site” south of the originally proposed site. The size of the main building has been reduced from 20,000 square feet, and the building redesigned to match the existing club house. The applicant is no longer requesting a Vacation of a portion of Belmore Lane, or a lot division.

Planner Teague pointed out the new parking lot would be located on the east side of a new 16,440 square foot maintenance facility, and on the west side of a 1,840 square foot “caddy lounge” addition to the existing cart storage building. This existing building would be remodeled to match the proposed new building. To accommodate the request, two existing single-family homes and the existing maintenance building would be removed. The proposed site is currently used as a staging area and storage of materials by the maintenance crew.

Continuing, Planner Teague explained that access to the new maintenance building would be from an existing interior road off Interlachen Boulevard and

Waterman Avenue. There would be no access off Maloney Avenue or Belmore Lane. A future "short course" would be located to the north of the proposed building. Practice facilities accessory to a golf course are a permitted accessory use, and would not be subject to a conditional use permit.

Also, there are inconsistencies in the zoning ordinance in regard to regulation of accessory buildings in the R-1 Zoning District. The following summarizes the inconsistencies:

1. Lots 9,000 square feet and larger are limited to 1,000 square feet of accessory buildings.
2. Lots less than 9,000 square feet have **no** limit on the size of accessory buildings.
3. Lots with single-dwelling unit buildings are limited to no more than 1,000 square feet.
4. Maintenance buildings are a permitted accessory use to a golf course with no size limitation mentioned in the regulation.

The intent of the ordinance is to limit single-dwelling unit buildings to no more than 1,000 square feet of accessory structures. However, provision #1 technically prohibits all R-1 property, including schools and golf courses to no more than 1,000 square feet of accessory structures. This provision has not been enforced on conditionally permitted uses such as golf courses and schools.

Over the years, Edina Schools, Braemar and the Edina Country Club have constructed a number of accessory buildings that far exceed 1,000 square feet on their sites. The following list demonstrates the number of accessory buildings on R-1 sites that exceed 1,000 square feet:

Planner Teague stated staff believes the proposal is reasonable for five reasons:

1. The proposal meets the Conditional Use Permit findings.
2. The proposal meets all minimum Zoning Ordinance standards. The use is considered a permitted accessory use in the R-1 Zoning District; expansions of parking lots are a conditionally permitted uses. All setback requirements would be met. The intent of the R-1 Zoning District is to limit the size of accessory buildings on lots with single-family homes, and not on lots with conditionally permitted uses. As demonstrated on pages 2-3 of this report, the City has not enforced 1,000 square foot accessory building limit on golf courses or schools.
3. The maintenance buildings would be well screened from adjacent properties, by a six-foot tall wood fence and existing and proposed trees. The nearest home on Kresse Circle is 114 feet. Other nearby homes would be 174 and 132 feet away. Most of the parking for the facility would be within the existing parking lot for Interlachen, therefore, car lights would not be an issue. The nearest home on the south side of Belmore Lane

- would be 310 feet from the maintenance building. A large wetland and existing and proposed trees adjacent to the wetland that would remain would separate this home.
4. Improved quality of the wetlands. A series of four filtration basins would be created to filter out sediment before draining into the wetlands. This would be an improvement over the current condition of drainage from the site going directly to the wetlands. Also, the existing maintenance building located south of the south pond would be removed and replaced with natural vegetation. The maintenance building is setback just 15 feet from the wetland. These changes would also have a positive impact to the wetland.
 5. Emergency vehicles can access the site without any additional access. As previously mentioned, emergency vehicles can access the new building through the existing parking lot, and would not require an additional access, as was previously required with the site off Belmore Lane.

Planner Teague concluded that staff recommends that the City Council approve the Conditional Use Permit to build a new parking lot 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.
3. The maintenance facility is a permitted accessory use. Associated uses proposed for these facilities are typical of a state-of-the art golf course country club.
4. The parking area and maintenance building would be well screened from adjacent properties by a six-foot tall wood fence and existing and proposed trees.
5. There would be an improvement to the quality of the existing wetlands, by removing the existing maintenance building that is located 15 feet from a wetland and by the construction of stormwater retention ponds that would filter out sediment before draining into the wetlands.
6. The buildings would be constructed to match the existing clubhouse.

Planner Teague added 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 April 24, 2009.
 - Building elevations date stamped April 24, 2009.
 - Grading & drainage plans date stamped April 24, 2009.
 - Utility plan date stamped April 24, 2009.
 - Landscape plan date stamped May 14, 2009.

- Lighting plan date stamped April 24, 2009.
2. 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.
 3. These lots must be combined with the golf course lot prior to issuance of a building permit
 4. Access to the buildings shall be from the internal access points from Waterman Avenue and Interlachen Boulevard, and not Maloney Avenue or Belmore Lane.
 5. Maloney Avenue and Belmore Lane may not be used by construction vehicles accessing the site, or for parking.
 6. The buildings must meet all applicable building permit requirements.
 7. All conditions required by the city engineer in his memo dated May 22, 2009.

Appearing for the Applicant

Lyle Ward, Craig Christensen and Matt Rostel, Interlachen Country Club (ICC)

Applicant Presentation

Mr. Ward addressed the Commission and explained he would like to re-visit some of the facts he presented previously on ICC. Mr. Ward said ICC was founded in 1909 and at that time the area was farmland. Mr. Ward said ICC consists of 700 families with 400 of those families Edina residents. Mr. Ward reminded the Commission ICC has appeared before them twice and was given development suggestions by both the Commission and neighbors on where to locate the maintenance facilities. Mr. Ward stressed how critical it is for the Club to update their current maintenance facilities for the care and safety of their employees. Continuing, Mr. Ward pointed out many factors must be considered when designing maintenance buildings, adding all maintenance buildings must be designed to meet OSHA standards. Mr. Ward said the subject site was once a chicken processing facility and in the late 1960's the Club purchased it. Mr. Ward stated it is important to note that this area was never used as residential property. It was always industrial. Mr. Ward stated he believes the Club should have the ability to build a modern, safe and appropriate maintenance facility.

Concluding, Mr. Ward stated in his opinion to suggest that the requested Conditional Use Permit only benefits ICC is not true. Mr. Ward said ICC has always been a good citizen. Golf Championships have been held at the Club bringing money into the community. Continuing, Mr. Ward pointed out neighborhoods developed around the Club and fairways, not the other way around, which makes it very difficult to add buildings to the course. Mr. Ward said he feels very strongly that Interlachen Country Club is one of the finest golf

courses in the country which benefits not only Edina but the immediate neighbors.

Mr. Christensen addressed the Commission and with pictures indicated the revised location of the proposed maintenance buildings. Mr. Christensen noted that neighbors have expressed concern over noise levels, however, he believes that the buildings design with the doors facing the Club would reduce noise impact. Mr. Christensen said he also believes the noise coming from lawn machinery would not exceed noise limit standards. Concluding, Mr. Christensen said if a fence is added the fence would also reduce noise and visibility.

Commissioner Brown said if he understands correctly this proposal eliminates access to the neighborhood, relocates the doors on the maintenance buildings to face the club house, reduces the size of the building(s), and modifies the exterior building materials to match the existing club house. Mr. Christensen responded that is correct.

Public Testimony

Melissa Franzen, 6216 Maloney Avenue, told the Commission she is present in opposition to ICC's request for a CUP. Ms. Franzen stated she resides 141 feet from the ICC property and first heard of the change in building location when a CUP sign was posted in her neighborhood. Ms. Franzen said in her opinion this request shouldn't even be heard this evening. The proposed maintenance buildings exceed 1,000 square feet, therefore, require a variance hearing, not CUP. Continuing, Ms. Franzen said only yesterday did the Kresse/Maloney neighbors meet with representatives from ICC to discuss the change in location for the proposed maintenance buildings.

Jane Clifford, 421 Kresse Circle, told the Commission Interlachen Country Club has been a good neighbor, adding ICC invited her to a number of meetings on the proposed maintenance facilities, but at that time those meetings concerned the Belmore Lane location. Continuing, Ms. Clifford commented when the Belmore location was found to be "unpopular" it appears this location was chosen. Concluding, Ms. Clifford said she believes residents of the Maloney/Kresse neighborhood would be compromised as a result of this change.

Mr. Tinkman, 417 Kresse, referred to previous Planning Commission minutes and read comments from Commissioners.

Melanie Tinkman, 417 Kressee Circle, told the Commission her neighborhood was expecting the development of a short game course in the area commonly referred to as the "chicken farm", not maintenance buildings. Ms. Tinkman asked the Commission to take the same care of the Maloney/Kresse residents as they did the Belmore residents.

Susan Simonton, 6229 Maloney Avenue stated in her opinion the proposed maintenance building is too large and something must be done to reduce its size.

John King, 413 Kresse Circle, explained he has owned three homes in Edina and he chose this home because of its seclusion. Mr. King acknowledged he is a member of Interlachen Country Club but feels the proposed location of the larger maintenance building will “lock out” Kresse Circle. Mr. King stated the neighborhood has always enjoyed a wonderful relationship with ICC and would like to keep it that way.

A realtor commented that in her opinion no matter where the maintenance buildings are located (either the Belmore or Kresse sites) property values would be negatively impacted.

Frank Thomas, 505 John Street, informed Commissioners he worries about the potential for noise spillover that could occur as a result of the proposed location of the new maintenance facilities. Mr. Thomas stated he does agree with Club representatives that a new maintenance facility is needed ; however, he would like to work more closely with the Club and try to find a way to minimize the buildings impact (move it over a bit more).

Nathan Franzen, 6216 Maloney Avenue, addressed the Commission and informed them the neighbors met with members of ICC and suggested the following:

- Rebuild the existing maintenance building exactly where it is and provide underground cart storage – the new building would be between 6,000-9,000 square feet; and
- Rebuild the existing maintenance building along the first fairway (east of the chicken farm) and develop the short course as previously planned.

Commissioner Brown moved to close public testimony. Commissioner Scherer seconded the motion. Public hearing closed.

Comments and Questions from the Commission

Commissioner Scherer asked the applicants to describe the exterior building materials. Mr. Howell explained (displaying the materials board) that the materials will consist of a metal roof, stucco siding with brown accent trim (to match Club House) window trim and an exterior brown metal base along the wall.

Commissioner Carpenter said he struggles with the Conditional Use Permit in relationship to the discussion on the proposed maintenance buildings when the CUP is only for the parking spaces. Commissioner Carpenter questioned if the Commission was exceeding their bonds. Mr. Knutson agreed, adding it is hard to ignore the fact that the two are connected.

Commissioner Forrest asked for clarification on the size of the proposed maintenance buildings. Mr. Howell responded the maintenance building is proposed at 16,000 square feet and the caddy shack is roughly 1,840 square feet.

Commission Action

Commissioner Grabiell moved to recommend Conditional Use Permit approval based on staff findings 1 through 6 and subject to staff conditions. Commissioner Brown seconded the motion.

Commissioner Grabiell said ICC has responded to recommendations from both the Commission and Belmore neighbors and it is unfortunate that it appears one block is pitted against another. Continuing, Commissioner Grabiell stated he supports the revised Conditional Use Permit based on the following:

- The removal of buckthorn and the clearing of the area is good for the Club and neighborhood.
- The Club has demonstrated the necessity for new maintenance facilities
- The Conditional Use Permit request is consistent with Code
- Maintenance buildings have consistently been supported by parking spaces
- The proposal as presented enhances the site
- There is a benefit to the community to have Interlachen Country Club in Edina
- The job of the Planning Commission is to look at the community as a whole

Commissioner Brown said he concurs with Commissioner Grabiell adding Interlachen Country Club has demonstrated over the past months that they studied other locations and limited their options to two locations (Belmore and the subject site). Commissioner Brown said it also should be noted that employee safety is important and it needed to be addressed. Commissioner Brown concluded in his opinion the Club has done a good job responding to concerns of neighbors and Commissioners, adding he supports their effort.

Chair Fischer said in looking back over the last months the Club has responded favorably to suggestions from both the Commission and neighbors. Chair Fischer noted the maintenance buildings have been relocated, the exterior materials were changed to match the Club House, doors were relocated to minimize noise impact, and the buildings were reduced in size. Chair Fischer acknowledged the process has been long and it hasn't been easy.

Commissioner Staunton said he agrees with much of what has been said, pointing out there really weren't many viable options available to the Club to build the maintenance buildings. Commissioner Staunton said in his opinion screening

needs further attention and the timing of this request did seem a bit fast, questioning if there would be any value in continuing this to the next meeting of the Commission.

Commissioner Schroeder said he agrees that more could be done to adequately screen the buildings.

Commissioner Schroeder offer an amendment to the motion: ICC is to demonstrate landscaping strategies to more fully screen the proposed maintenance buildings prior to review by the City Council.

A discussion ensued on the prospect of tabling the request to allow more time for the applicant to revise the landscaping, and for neighbors to meet with the Club. Commissioners did acknowledge that this has been very long process; however, some Commissioners felt there was a lack of communication between the Club and the Kresse neighborhood. Others felt that neighborhoods respond when they are immediately impacted and the proper process was followed.

Chair Fischer asked Commissioner Grabel and Brown if they would accept Commissioner Schroeder's amendment. Commissioners Grabel and Brown accepted the amendment. Chair Fischer called for the vote.

Ayes; Carpenter, Staunton, Schroeder, Brown, Grabel, Forrest, Risser, Fischer. Nay, Scherer. Motion carried.

III. PUBLIC COMMENT:

No further public comment.

IV. OTHER BUSINESS:

Commissioners expressed the opinion that the May 13, 2009, Planning Commission Work Session with area developers went very well and the developers that were present shared valuable information with the Commission.

V. INTERGOVERNMENTAL BUSINESS:

Chair Fischer acknowledged receipt of the Council Connection.

Commissioner Risser informed the Commission that on May 19th the Energy and Environment Commission will have a joint meeting with the Edina City Council.

Chair Fischer noted that the Planning Commission Ordinance Re-Write Work Session will be held on June 10th. Members of The Energy and Environment Commission are the guests.

Commissioner Carpenter said he is still working on by-laws for the Commission and will let Commissioners know when he has a draft ready for their review.

VI. ADJOURNMENT:

Commissioner Carpenter moved for adjournment at 11:30 pm. Commissioner Grabiell seconded the motion. All voted aye; motion carried.

Submitted by