



## MEMORANDUM

TO: Medina Mayor and City Council  
Medina Planning Commission

FROM: Stephen Grittman / Laurie Smith

DATE: October 7, 2009

RE: Medina – Mixed Use Zoning District

FILE: 306.04

## BACKGROUND

Attached is a proposed Mixed Use Zoning District ordinance. This district is designed to implement the Mixed Use future land use category identified in the Comprehensive Plan. The Comprehensive Plan describes the Mixed Use land use classification as one that would provide opportunities for multiple, compatible uses on a single site including a residential component as well as general business, commercial, office and public semi public uses. In each case, however, the primary use of the site must be residential. The Comprehensive Plan has established that the required residential density in mixed use developments is 3.5 units per acre up to 7 units per acre.

## ANALYSIS

**Purpose.** The first section of the proposed ordinance outlines the objectives or “purpose statement” of the Mixed Use District. These purpose statements incorporate the objectives for the Mixed Use land use designation as outlined in the Comprehensive Plan as well as guidelines for establishing thoughtful and creative mixed use developments that do not negatively impact surrounding land uses and the community.

**Uses.** In order to meet required densities, permitted residential uses would include small lot single family, two family, townhomes and multiple family units with 16 or fewer units per building. The uses allowed in the City’s existing R-2 District (Two Family Residential) and R-3 District (Residential-Mid Density) would fit within the required density range for the Mixed Use District and, as such, we have simply incorporated all

of these permitted, conditional and accessory uses as those for the residential component in mixed use developments.

For the general business, commercial, office and public semi public component of the Mixed Use District, we have proposed to use the same permitted, conditional and accessory uses as those currently allowed within the City's CG District (Commercial-General). The CG District offers a range of commercial, office and public semi public uses while not being too intensive.

**Lot Standards.** Similar to the way the uses have been established in the proposed Mixed Use District, the lot standards for the various residential and commercial uses are the same as those in the R-2, R-3 and CG Districts. We have compartmentalized the setback, lot width, lot depth and impervious surface requirements into a table so that these standards can be easily accessible to property owners and prospective developers.

**Design and Development Standards.** Design and development standards have also been incorporated into the proposed Mixed Use District by using existing standards for uses in the R-2, R-3 and CG Districts. We have included the full text of these standards in the Mixed Use District, however, an option that the Planning Commission and City Council may want to consider is simply referencing the existing sections of the Zoning Ordinance which contain these standards rather than listing them out completely in the Mixed Use District.

We have proposed new buffer yard standards for mixed use developments. These proposed new standards are a modification from the buffer yard standards that were recently adopted by the City. Rather than describing what type of buffer yard is necessary based on the proposed and adjacent zoning districts, we have proposed that the type of buffer yard necessary is based on the proposed and surrounding land uses. This is more applicable to developments within the Mixed Use District as many types of uses are allowed within one type of zoning district and internal (in-district) buffering may be necessary in some cases.

**Process.** The draft Mixed Use District includes a process section that describes the required steps that property owners will need to follow to bring a mixed use development from initial concept to construction. The application process consists of a three stage review process that begins with an overview of the site and the land uses planned for the mixed use project. At Stage I, the focus will be on establishing the parameters for the project, setting the public improvement requirements and identifying the development goals. The Stage I Plan is intended to be a recordable description of the development on all of the land subject to the proposal, even though the project construction may be phased over time.

Stage II consists of a more detailed development plan, similar to what the developer would be expected to prepare for a complex Conditional Use Permit request. Coupled with the development descriptions given in the Conditional Use documents would be a Preliminary Plat submission that defines the ultimate subdivision changes to be made. As with many phased projects, the applicant may final plat only a portion of the development for immediate construction, while creating outlots for future development phases – the Stage I Plan will serve as the guiding document when future phases are ready for review and construction. Both Stage I and Stage II Plan reviews follow the process laid out for Conditional Use Permits, thus requiring a public hearing at each stage of review. The proposed Mixed Use District language also grants the Zoning Administrator authority to waive certain procedural regularities to allow the coordinated review of the zoning and subdivision portions of the project.

Stage III is essentially a staff-level review to ensure that final development documents reflect the requirements made at the previous levels of approval, and to get all documents, including the development contract, signed and recorded prior to the issuance of construction permits. The Stage III section contemplates that the City may have some flexibility in issuing certain permits, such as grading or utility permits, prior to final recording. This is most often done when the City is certain that it has adequate securities in place to ensure proper work and recovery of costs.

This process is a modified Planned Unit Development (PUD) review process. The elements that set it apart from typical PUD requirements are the specificity of the standards that apply to development in the Mixed Use District. Generally, in PUD developments, the applicant and the City need to negotiate from relative unknown positions. The Mixed Use District structure should be able to firmly establish the baseline development requirements and avoid the difficulty that the PUD process often can cause.

## **CONCLUSION**

The Medina Planning Commission will be conducting a public hearing on the proposed Mixed Use District ordinance at their meeting on October 13, 2009. A copy of the City's Draft Future Land Use Plan showing the parcels guided for Mixed Use development is attached to this report for reference. Also attached is a summary of the City Planner's comments on the initial draft district for consideration by the Planning Commission as a part of its review.

- c. Chad Adams  
Dusty Finke

Debra Peterson-Dufresne