

City of Medina Planning Commission Minutes – June 13, 2006

PRESENT: Marilyn Fortin, Sharon Johnson, Steve Jacobson, Tom Crosby, Mary Verbick, Jeff Pederson and Doug Dickerson. Also present City Planner, Rose Lorsung, Planning Consultant, Sarah Schield and Administrative Assistant, Janet Olson.

1. Call to Order: Chair Tom Crosby called the meeting to order at 7:00PM.
2. Public Comments: There were no comments from the public.
3. Update from City Council proceedings: In the absence of Liz Weir, Rose Lorsung provided a brief update on City Council proceedings.
4. Approval of May 9, 2006 Minutes: Tom Crosby questioned the need for such detailed minutes and suggested that minutes be a summary style of the meeting. Consensus from Planning Commissioners was that summary minutes are appropriate and acceptable and that recorded minutes could be available if needed. It was suggested to review the May 9 minutes at the end of the meeting due to the length of the minutes and in consideration of the public attending the meeting.
5. Planner's Report: Rose Lorsung provided a tentative list of items that may be on the July Planning Commission Meeting.
6. Evanson Conditional Use Permit 87-59 Amendment – Rose Lorsung presented information on the Conditional Use Permit Amendment application explaining that Jeffery and Kristen Evanson 3072 Willow Drive are requesting to amend their conditional use permit to build a 160X70 (11,200 square feet riding arena.) The property is zoned Rural Residential and is on a 14.08 acre parcel. The zoning district lists indoor riding arenas as permitted accessory use. The need for a Conditional Use Permit is due to the number of accessory structures in existence. Currently more than three acres are allowed 3,000 square feet of structure and up to two in number before needing a Conditional Use Permit. The current Conditional Use Permit was granted in 1987 to construct a 2,623 square foot building. The building is still at the property and is in very good condition. All conditions of the current Conditional Permit are being met. The application meets all the setback requirements and meets all ordinance requirements. The city has received no complaints from neighboring properties. Staff recommends approval of the Conditional Use Permit with the outlined conditions being met.

Tom Crosby opened the public hearing at 7:23PM being no comments from the public the public hearing was closed at 7:23PM.

Sharon Johnson questioned the conditions of CUP 87-59 for clarification.

Rose Lorsung stated that historically Conditional Use Permits were used as site plan review and many of the items on the Conditional Use Permit is now covered under ordinance and so do not need to be included in the Conditional Use Permit as such items are reviewed at time of building permit.

Tom Crosby asked if it would be appropriate to change the language of Condition #2 to read " The applicants warrant that the accessory structure which they will be permitted to construct is for their private use and that no commercial and or/fee based horse boarding, training or other activities shall occur. With the change being the addition of "and/or fee based."

General consensus agreed with the addition to condition #2.

Marilyn Fortin stated that she visited the property and the plan looks good but wondered if there is a time limit as to when the applicants would need to build the indoor riding arena.

Rose Lorsung replied that there is not a time limit but one could be added to the conditions. She also added that if they do not build and ordinance changes the applicant will have to follow all new ordinances if the ordinances apply to the project.

MOTION/SECOND (Verbick/Fortin) to recommend to City Council approval of Conditional Use Permit 87-59 amendment with the addition to condition #2. MOTION PASSES BY UNANIMOUS VOTE.

7. Willow Hill Preserve: Sarah Schield provided a background of the Preliminary Plat for properties located at 2492 and 2520 Willow Drive requesting approval of a preliminary plat to subdivide two existing lots for the purpose of creating two additional lots for a total of four properties. The application was originally submitted on September 19, 2005, but was subject to moratorium in the Rural Residential zoning district. A power point presentation was provided that outlined the project.

7:50 Pubic Hearing was opened

George Stickney representing Bruce Paddock stated that he is excited about this project and is willing and eager to work to maintain the integrity of the woodlands.

Tom Crosby asked what will happen to the two current houses
George Stickney replied that lot two will be a tear down and the other home will most likely stay.

Tom Crosby asked of the 17 conditions does the applicant have any problems with any of them?

George Stickney said no.

Discussion occurred on the road width in relation to 24 feet or 20 feet wide and the location of the road.

Jeff Pederson asked what will happen to the ravine to the south of the driveway?

Mark Gronberg stated that it will be somewhat filled in with a proper engineered design.

Sarah Schield stated that Jim Dillman, former Public Works Director was very supportive of the project and the proposed driveway.

Rose Lorsung stated that she and Jim Dillman met with the applicant and stated they need to be careful widening and relocating a driveway for the creation of two new lots, especially when someone could purchase them both and build only one more home there.

Tom Crosby stated that the language should be crafted to address this.

Steve Jacobson asked when the wetland delineation and percolation tests were done.

Sarah Schield stated they were done in 2005.

Sarah Schield stated that the plat defines the layout of the lots and the house and driveways are proposed and are reviewed at the building permit time.

Sharon Johnson asked about the difference between public versus private road- what is the best benefit to the city?

Rose Lorsung stated that the private designation helps keep rural character and that it also limits curb cuts on Willow Drive.

Mark Donahoe, 2475 Bantle Farm Road, stated that his property is adjacent to this project and that he is comfortable with the project.

Betty Goodman, 2495 Willow Drive, stated that she appreciates the effort of tree preservation and questioned why would the private road 24 feet for the first 100 feet of the entrance?

Sarah Schield stated for safety reasons.

Betty Goodman stated that she requests that construction vehicles do not drive on her property or to use the area outside of the right-of-way as a staging area.

Betty Goodman asked for clarification of the 45 foot right-of-way for a trail on the west side of Willow.

Sarah Schield replied that the City of Medina does not have a plan for a trail on Willow, but the Park Commission recommends a trail on Willow. The additional right-of-way is so if the roadway is shifted to accommodate the future possibility of a trail.

Public Hearing closed at 8:30PM

Marilyn Fortin asked how many property owners are a part of the application.

Sarah Schield responded that Bruce Paddock owns the entire property.

Jeff Pederson asked when the primary and secondary septic sites are fenced?

Rose Lorsung stated that they are fenced at time of building permit.

Steve Jacobson asked if this plan goes through will they be subject to the tree ordinance?

Rose Lorsung stated yes they will and they will also have private covenants that are stricter than the tree ordinance.

Discussion occurred on the 17 conditions that are subject to the approval of the preliminary plat. General consensus is that the following changes be made.

Best Management Practices (BMP's) for erosion control shall be employed according to construction site ordinance.

The plat shall dedicate up to 45 feet of right-of-way for Willow Drive

The applicant shall comply with all City requirements as noting in the comments from the City Engineer, dated September 19, 2005 and special consideration should be given to the location, grade, width and safety of curb cut in consultation with City Staff.

The applicant must conduct a tree survey for potential impacted areas.

MOTION/SECOND (Johnson/Fortin) TO RECOMMEND TO CITY COUNCIL APPROVAL OF PRELIMINARY PLAT WITH THE MENTIONED CHANGES. MOTION CARRIES BY UNANIMOUS VOTE

9:00PM a 5-minute break was called by Tom Crosby.
Meeting resumed at 9:07PM

8. Public Hearing was opened at 9:07PM for the Sign Ordinance. Public Hearing closed at 9:07PM.
9. Rose Lorsung stated the goal of the sign ordinance was to clean up the ordinance to put the references to signs in one area and to bring the ordinance up to speed in relation to legal issues. There have been no substantial policy changes, such as changing the allowed amount of signage. The new sign ordinance now focuses on regulating signs based on their physical characteristics and not their content.

Tom Crosby questioned the regulation of the size of signs in relation to the size of the property.

Steve Jacobson asked if this would put any business into a non-conforming use.

Rose Lorsung stated yes, the businesses will be grandfathered in, but if the sign is redesigned or destroyed, it will have to come into compliance per the ordinance requirements.

Doug Dickerson questioned what category a political yard sign would fall under and how long the sign stay up before removal.

Rose Lorsung stated that political signs were temporary signs and fall under that category, and were regulated the same way as other temporary signs.

There was discussion on vehicle signs.

Consensus is to change the wording on "Vehicle Signs" to change the word incidental to vehicle that is licensed and operable.

Doug Dickerson suggested including the wording regarding luminary requirements from Section 829 instead of referencing it when speaking of illumination of monument signs.

Jeff Pederson questioned portable signs being prohibited.

Rose Lorsung stated that portable signs have never been allowed but it was never enforced and with the new ordinance, the use of portable signs will be prohibited and enforced.

Jeff Pederson asked why not allow portable signs as temporary signs that would generate money for the city. By not allowing portable signs is the city discriminating against businesses advertising their business?

Tom Crosby stated that this would force merchants to find a new way to look at advertising.

MOTION/SECOND (Johnson/Verbick) to recommend to the council approval of sign ordinance with the clarification of time that political signs can be up; reword the language regarding vehicle signs. MOTION PASSES BY MAJORITY VOTE with Jeff Pederson voting no because of the portable signs and vehicle signs.

10. MOTION/SECOND (Johnson/Dickerson) to accept the minutes from the May 9, 2006 Planning Commission meeting as corrected. MOTION PASSES BY UNANIMOUS VOTE.

11. MOTION/SECOND to adjourn. MOTION PASSES BY UNANIMOUS VOTE. Meeting adjourned at 10:08 PM.

Janet Olson

Date