

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, February 13, 2007

1. Call to Order: Chair Verbick called the meeting to order at 7:04 p.m.

Present: Planning Commissioners Mary Verbick, Jeff Pederson, Mark Bryant, Doug Dickerson, Sharon Johnson, Charles Nolan, and Robin Reid.

Absent: None

Also Present: City Administrator Chad Adams; City Planning Consultant Jennifer Haskamp; Assistant to Planning Dusty Finke.

2. Public Comments: None

3. Update from City Council Proceedings:

Haskamp read a written report from City Councilmember Weir.

4. City Planner Report:

Haskamp discussed the Comp Plan Advisory Committee's first meeting and stated another meeting will be held on Thursday (Feb. 15).

5. Approval of the January 9, 2007 Planning Commission Minutes:

Motion by Pederson, seconded by Reid to approve the January 9, 2007 minutes with two noted changes. **Motion passes unanimously.**

6. RJ Ryan Company, Peter Hasselquist – Conditional Use Permit for an accessory structure over 3000 sq. ft. in the Rural Residential (RR) zoning district – 2705 Willow Drive. Previously Postponed Public Hearing

Finke delivered the staff report. He noted that the applicant had updated the plans since the January Planning Commission meeting to reduce both the size of the footprint as well as the height. The structure has a proposed footprint of 7,400 S.F. and a height of 22.5 feet. He described the 17 acre parcel, the other hardcover on the site, and the proposed location of the structure. Finke noted that the applicant is requesting a second access onto Willow Drive to serve the barn, and that although City ordinances would allow for this access, the City Engineer recommended just one access for each property. He also noted that staff recommended that the City discuss the possibility of establishing right-of-way easement along Willow Drive.

Finke stated that staff recommended approval of the conditional use permit with the conditions set forth in the staff report.

Public Hearing continued from January 9, 2007, reopened at 7:13 p.m.

Peter Hasselquist (2705 Willow Drive, applicant) stated that they are looking forward to upgrading from the ugly tin shed that is in the location now to something that looks is far more attractive. He stated that their goal was to work within the City's regulations and to improve the look of the property.

Public Hearing closed at 7:16 p.m.

Johnson inquired the reason for a second curb cut.

Hasselquist replied that in order to get equipment in and out the second access is really necessary.

Johnson inquired if it was up to the City to approve or deny the second driveway.

Finke stated that the property meets the requirements of the ordinance but that a driveway agreement would need to be entered into by the applicant. This agreement can lay out reasonable conditions on the second driveway such as a maintenance clause.

Verbick inquired why the City engineer had recommended one access, why there was any reservation to the second curb cut.

Finke noted that City engineer is interested in keeping accesses to the minimal.

Dickerson inquired if the property owner was interested in granting the right-of-way easement.

Hasselquist inquired into the amount of property included in the easement.

Finke noted that 33 feet from the centerline was the norm for City streets.

Bryant noted that the existing driveway is constructed of pavers and it would be a hard left turn to get to the barn, which doesn't seem practical. He noted that his property has an additional access to serve his barn, and he did not need to go through the City's formal process and wondered if it was because his second access is not a formal driveway and is gated.

Dickerson stated that he was again curious about safety. He stated that there is 7400 S.F. of space on the second level. He requested for the fire marshal to take a look at the plans. The shutter doors on the second level would probably be locked from the outside. He stated that there could be a lot of people on that second floor, and only one way down.

Finke noted that fire marshal did review the plans submitted from a building and fire standpoint. As noted in the staff report, he stated that the structure does appear to meet code. While the

staff report notes some possible ways to improve safety, these have not been added as conditions to previous CUPs of a similar nature.

Dickerson stated that he is still uncomfortable with only one access to that second floor.

Verbick stated that it seems if the fire marshal approved it, the Commission couldn't say much.

Finke stated that there were three contacts from neighbors following the mailed legal notices. Two owners stated that they had no concerns about the application. One owner to the northwest noted that there seemed to be very little screening in that direction.

Nolan inquired if the mature pines were to be removed.

Hasselquist noted that these trees would stay and the trees to be removed are lower quality.

Nolan stated that he saw the primary impact was from Willow Drive, approaching from the south. He stated that the proposed screening wouldn't seem to have much of an impact. He inquired about more screening, keeping in mind the views coming from the south.

Bryant stated that from a fire safety perspective, completely surrounding it in trees wouldn't seem like the best idea. He stated that the applicant shouldn't be asked to prevent it from being seen from anywhere but the top. The Commission seems to be asking a lot.

Verbick inquired if staff couldn't work with the applicant on this matter. She also wondered how far the Commission could go with requests.

Finke noted that landscaping and screening is a common condition that is added to these accessory structure applications, so it could be discussed. He noted that the staff has suggested a condition that seeks to improve the screening by adding coniferous trees and making sure those planted are significant so that screening may occur sooner.

Bryant stated that he believed nice barns like this one go towards rural character and that screening it completely would be a shame.

Nolan stated that he was interested in seeing how the screening could be improved. Looking at the caliper inches suggested and the location close to the barn, it seems that those trees will never screen the barn successfully. It seems the driveway is being screened, not the barn.

Hasselquist noted that there is a steep drop off to the south and that it would be hard to plant trees in this area. Also, they would be lower to begin with.

Nolan noted that there seems to be an opportunity south of the septic system to break up the view corridor with some additional plantings.

Dickerson inquired if it would be possible to clarify the square footages of the structures in condition 2.

Finke stated that he would request attempted to get that information for the City Council.

Dickerson stated that he would like to add a condition to prevent dwelling space from being allowed in an accessory structure.

Finke stated that the ordinances allow for one dwelling room as an accessory use. To place a restriction on this within a conditional use permit would go against the ordinance. He stated that staff could discuss with the City Council if they want to remove the dwelling room as an accessory use, but that it should not be added as a restriction on a conditional use permit. He also noted that if a dwelling room were to be included in an application, a totally different set of building and fire codes would need to be followed and there would be some more restrictions on the structure.

Motion by Pederson, seconded by Dickerson to recommend approval of the Conditional Use permit with the 11 conditions noted in the staff report and along with the gracious offer to establish a right-of-way easement along Willow Drive. **Motion passes unanimously.**

7. United Properties, Pettibone Properties – Site Plan, Preliminary Plat, Variances, and Conditional Use Permit for a commercial development in the Uptown Hamel (UH) zoning district – 3575 Sioux Drive. Public Hearing

Haskamp delivered the staff report. She described the site, reviewed the background from the Concept Plan stage. Haskamp noted that the application includes numerous requests. She noted that while the City usually has a relatively low level of discretion, in the case the City has more discretion because of the variance requests.

Haskamp reviewed the Preliminary Plat, creating three lots, one for each proposed building. She noted that right-of-way is dedicated along the south and west lot lines, allowing flexibility for a future frontage road along the south of Highway 55.

Haskamp described the site plan, and noted the two drive-thrus. She noted that the coffee shop is shown sharing a garbage enclosure with the credit union, which staff recommends against. Haskamp noted that the landscape plan shows a lot of trees being removed along the frontage road and that it does not seem like the plan shows a 1:1 mitigation for the trees removed. Obviously, the tenants want visibility along Highway 55, so few additional trees are planted along the north side of the development.

Haskamp discussed the elevations of the buildings. She stated that the applicant sought to embrace the nearby railroad by fashioning the structures after a depot. She showed how the east and south elevations of the coffeeshop should be improved to approach 4-sided architectural. She stated that they seem to fall a bit short. She stated that staff recommends locating a trash enclosure within the coffeeshop structure. She noted that the multi-tenant structure is shown with 7 tenants, although it seems flexible to change.

Eric Simmer (United Properties) thanked staff for summarizing the key issues. He noted that turn lanes were added off of Sioux drive. Patios were added and architectural elements were improved. He noted that the frontage road was designed for flexibility depending on the City's future needs. He stated that the developer would take steps to prevent fast food from coming into the drive-thru structure. Simmer noted that there is large Met Council easement and service lines going through the northern portion of the property and buildings cannot be constructed in this area. Simmer stated that improving pedestrian connections and tying buildings together are easily accommodated. He noted that the applicant is also happy to use pervious pavers in the patio area and the coffeeshop will be updated to include a trash enclosure and to improve the elevations.

Simmer stated that the location on the creek is a cause for two of the variances, and that they are proposing only a small increase in impervious surfaces over what exists now. He stated that the set backs for drive-thrus from Highway 55, interesting streets, and from the railroad tracks along with the existing Met Council easement constrict the site in a way which makes it almost impossible to place a drive-thru on the site without a variance.

Tom Morse (HTG Architect) stated that intent was to introduce similar stone from the large retaining wall into the area into all of the structures. The materials would be the same between the three buildings. He stated that they would work on improving the connections between the buildings.

Public Hearing opened at 8:22 p.m.

Dennis Hedke (3522 Sioux Drive) stated that the roadway location seems similar to where he had been refused a driveway across the road. He inquired if the State has approved of this location. Hedke stated that he is in favor of development on the site, but wanted to make sure the State approved of the road location.

Reg Pederson (Highway 55 Rental) stated he is all in favor of the project. It is a good start to development in the area. Two major concerns are semi-addressed by the dual layout of the service road. He stated that he believe it should be to the north of the property because they cannot build over the easements just like this applicant cannot. He stated that his second concern is perhaps for some berming on the west edge of the property. He stated that the back of Highway 55 Rental will be the same way it is now. It should be screened for the benefit of the new development. If these things can be met, he would be totally in favor of this. He stated that he is not currently interested in development, but would like to see that the frontage road is able to go north for when his property develops.

Nolan stated that what the applicant proposed seemed like the best they could do with the road.

Shorty Dorweiler (145 Hamel Road) stated that he would like to see the property developed. He has concerns regarding the proximity to the railroad tracks. He stated that people will have to go in and out the same entrance and there is only room for three cars to stack. He stated that when Target first began he brought up one point. He stated that he warned the City about traffic during the Target project, and they didn't take care of it. He urged the City to

not allow a traffic nightmare to happen here again. He stated that there are a lot of trains and getting in and out will be a nightmare. He stated that there is too much building for that piece of land to make it work.

Simmer stated that a traffic analysis was conducted. Their engineer and Bonestroo both agreed that the proposed infrastructure would be able to handle the traffic. He noted that the proposal is only 16% building footprints, which is remarkably light. The peak traffic is offset because of the types of uses.

Public Hearing closed at 8:38 p.m.

Nolan suggested that the Commission discuss site plan issues first, and then architectural issues.

Reid stated that she liked the train depot idea.

Nolan stated that he had seen traffic studies in the past that just consider trip generation and volume. The train tracks can totally change the traffic flow and change everything. Nolan said the concern is really that from traffic coming from the north waiting for a train would prevent cars turning left out of the development. He urged this be investigated farther.

Dickerson inquired if Starbucks has information on what sort of traffic they need to be successful. He asked for that information in addition to the engineer's numbers.

Bryant noted that he was not on the Commission when it was going through Concept. He stated that he spoke with a lot of people to represent what people in the Uptown Hamel think. He read a statement to be entered into record:

Since our last meeting in January, I have discussed this project with many local businesses and residents of the uptown Hamel and Medina areas. Without exception, everyone I talked with would like to see this property redeveloped into a retail project. Overwhelmingly, the area residents would like to see a destination type restaurant, book store, non-drive-thru type fast food i.e. chipotle, noodle company, Asia fresh, pot belly type restaurant, etc. The idea of another financial institution with one already existing one block south and another about to open across the street at target is not on anyone's wish list that I have talked with while canvassing local residents. This issue has also come up at our uptown Hamel business group meetings with the same result. Referring to page 13 of the planning report we received, reading from item 5 (conclusion) and 6 (recommendation). The words Goals and Diversify are mentioned do describe what the uptown Hamel area needs. And referring to the report provided by Ehlers & associates there is mention of several retail and restaurant ideas for uptown Hamel but no mention of additional financial institutions as being desirable or needed for the uptown Hamel area. This project does not seem to be congruent with Hamel's goals or does it provide any real level of diversity for Hamel.

This is a valuable piece of real-estate; it would be a shame to use it up on a duplicative service such as another financial institution and coffee shop.

Although the diversification of services issue is important, there are other issues that should be heavily factored in.

#1 the drive thru traffic. Referring to the Ehlers report 20-40 trains a day go through the intersection within a few feet of the proposed entry/exit for the drive through traffic. The south/west corner of the Sioux dr. and RR intersection is RR right of way space. This area is used as a staging area for repair equip. and maintenance of the RR which brings additional truck and machinery traffic to this area.

#2 Across Sioux drive from this proposed project, Floor Tech. of Hamel has a warehouse where semi-trailers are coming and going from the area. Again exacerbating the volume of traffic issue.

#3 the new sidewalk recently placed on the west side of Sioux drive between Hamel Rd and Hwy 55 was placed there to promote bike & foot traffic into and out of uptown hamel and to help residents enjoy Hamel's parks, walking paths and generally increase the quality of life in the area. As a business owner at the top of Sioux drive hill, I have already noticed an increase in foot and bike traffic since the completion of the sidewalk last summer. This additional foot traffic coexisting with the normal increase in traffic that will come from a redevelopment project with no drive thru would be tolerable, but adding 2 businesses with drive-through windows, especially one being a credit union, a business which promotes heavy drive thru traffic, would create a calamity. Often, people using a drive thru are pressed for time and in a hurry. I don't think that is a good idea to mix an entry/exit from a drive thru which crosses a sidewalk, immediately pulls out onto Sioux Drive, which is the main artery into and out of Hamel, and is boarded by a whistlees train intersection and 4 lane highway.

I don't feel we could create a better formula for backups, accidents, and just general traffic / pedestrian calamities

#4 in my canvassing of opinion of this project from residents and business, I also asked for feedback regarding the proposed name of the project. Hamel Town Center. The feedback I received on this issue was overwhelmingly negative and most impassioned. I can summarize all the feedback with one sentence. Hamel town Center is by definition a stretch of Hamel Road between Brocton Lane and Hunter Drive in Uptown Hamel.

Additionally, as many of you may know the City of medina and uptown hamel are working together on a monument sign to be placed on a right of way on the property we are discussing tonight. The sole purpose of this sign is to promote Uptown Hamel. Although There will not be an arrow pointing up the hill to Uptown Hamel, The rough drafts I have seen of the sign say "Historic Uptown Hamel" in large letters with a some sort of background graphics depicting parks, amenities etc., and in small

letters at the bottom it says “city of medina.” The purpose of the sign is to draw attention up the hill from passers by on hwy 55. With all due respect to the united properties project, if this project has a sign which reads Hamel Town Center and within fifty feet there is a sign which says Historic Uptown Hamel, I believe the conclusions drawn by passersby on hwy 55 will be confused at best.

I like the train depot theme United Properties built into their architecture. Perhaps an appropriate name for a project on this sight could be Depot Hill Center or Depot Park Center?

Closing issues

I noticed this is a project with multiple phases. The credit union being the first phase. –Building A, The coffee Shop –building B is a proposed business so it is uncertain if it will even happen. what is the timeline for building C?

The area does not need or want another financial institution. And this is phase one of the project. What the area needs most is a restaurant and this is not even on the drawing board for this project.

As tempting as it is to have this area redeveloped, I feel we would be doing the area a disservice, allowing duplicative services to be developed here. And the potential traffic issues in this area negate any project with heavy drive thru traffic (Bryant statement, February 13, 2007).

Nolan stated that the drive-thrus seem to empty into the development. Queueing of the credit union may be a concern. He inquired how the site would be kept if it is not developed right away. He stated that he was curious why it is platted as three lots. There seems the parking is unequally divided between the lots. This concern should be addressed with some sort of agreement, easement, etc. He inquired if they couldn't push the pond to the north. Nolan stated that hydrant location should be discussed because they are unsightly within a development. He stated that the landscaping plan is unimaginative. The plaza should not be a giant blob of concrete, and landscaping should be added so that if no one sits there, it doesn't just look like a failed attempt at a plaza.

Johnson stated she tried to visualize the site up and running and tried to think what it would look like, especially with trains and winter driving. She stated that it seems overdeveloped and that she is uncomfortable with this in this location. She stated that lots of people want a nice restaurant. She stated that if there is a traffic nightmare, it will drive people away, not attract them to Uptown Hamel. She stated that there is redundancy between the coffeeshops and financial institutions. Johnson stated that she did not particularly enjoy the architecture. It looks like Plymouth and Maple Grove. The bank and Darrel Farr's building look like Hamel, this does not.

Dickerson stated that he applauds the applicant for what they've put together. Because of the safety concerns, everyone will have to give a little. Dickerson inquired if it had to be proven that another financial institution was needed.

Simmer replied that a Credit Union is different from a bank.

Dickerson inquired why the buildings couldn't be pushed all of the way to the south, moving the access to the north. He stated that he would be in favor of finishing the frontage all of the way through in one shot.

Reid stated that the nightmare she sees is early in the morning and a train is coming through. Cars could be stacked up 6 in every direction and no one can ever turn left to get out.

Verbick stated that the Ryan development was forced to develop a pedestrian-friendly feel. This site is completely designed for cars. She stated that she believed the City does not have discretion as far as duplicity. The paramount issue is safety, and it should be inviting in order to bring in people.

Nolan stated that it seems the Commission has obvious issues, especially with traffic. If the applicant is willing to do more research and bring it back, perhaps these will not be issues.

Simmer stated that they could do a lot of things. They can improve the connectivity; make it the best little development in the area. However, they can't build roads through other people's property and they can't stop trains or change their schedules. He stated that they have worked well with the City and will continue to do so.

Pederson stated that the Commission should not consider specific tenants because it is well outside of the purview of the Commission.

Bryant stated that the volume brought by drive-thrus should be considered.

Nolan stated that the world, right or wrong, is based on experts. While the Commission can throw mud at their ideas and opinions, they've already studied the traffic.

Adams stated that the City will likely require the applicant to enter into a Petition and Waiver agreement to pay for future improvements that become necessary.

Haskamp noted that although the City will do everything they can to prevent fast-food vendors from coming in, but there really is no foolproof way to prevent this.

Verbick noted that staff did a comprehensive job of summarizing the issues that the Commission discussed. She stated that the Commission ought to make a recommendation. She stated that the issue about the naming and other pertinent things be brought in as well. Verbick stated that the Commission seems to have covered the discussion points.

Motion by Reid, seconded by Nolan to recommend approval of the preliminary plat, site plan, conditional use permit, and variances along with the 15 conditions noted in the staff report and along with the following conditions:

- 1) Plans shall be updated with a new project name;
- 2) Landscaping plan shall be updated to increase landscaping in the patio area;
- 3) Landscaping plan shall be updated with more creativity to better cluster plantings and also to include a berm on the west side of the property for screening purposes;
- 4) Applicant and City staff shall discuss the connection of the frontage road;
- 5) Applicant shall agree to stabilize and seed the site if development is phased;
- 6) Plans shall be updated to finish the chimney caps;
- 7) Plans shall be updated to improve the appearance of the gable ends of the structures;
- 8) Plans shall be updated so that the floorplan of the credit union corresponds to the south elevation drawing;
- 9) Plans shall be updated to show alternate materials for the doors along the south elevation of the multi-tenant building;
- 10) Lighting plan shall be updated to show parking lot lighting that is more consistent with the rail depot theme;
- 11) Plans shall be updated to show trash enclosure gate details that are consistent with architecture of the buildings; and
- 12) Applicant shall show provide details to show that any external mechanical equipment, if any, is completely screened.

Johnson inquired if she was the only one who thought that the Depot does not fit in to Uptown Hamel. She did not necessarily dislike the Depot idea, but did not feel like the proposed architecture fit the Depot idea, or the Uptown Hamel area.

Commissioners discussed how it ties in with the Railroad, on the bottom of the hill.

Pederson noted that the applicant had not negotiated with Highway 55 Rental to connect the frontage road to the west.

Adams stated that the Commission could add an advisory condition to negotiate a connection to the west.

Verbick inquired what the applicant would do if the variance request were denied.

Simmer replied that the site would no longer be economically feasible and they would most likely abandon the project. Ferrelgas would retain the property.

Bryant stated that he was opposed because of the drive-thrus and their additional traffic.

Verbick stated that she was opposed because there are so many issues and concerns and also because of the pedestrian issues.

Johnson stated that she was opposed because there were too many open issues.

Motion passes (Opposed: Bryant, Verbick, Johnson).

8. Three Rivers Park District – Amended Conditional Use Permit for an addition to a structure at the Near Wilderness Site – South of County Road 24, West of Homestead Trail. Public Hearing (To be tabled until March Planning Commission meeting)

Motion by Johnson, seconded by Dickerson to table until the March Planning Commission meeting. **Motion passes unanimously.**

9. Schedule representation for 2007 City Council meetings (third Tuesday of each month):

The general consensus of the Commission was to have the Commissioner currently scheduled on the 1st Council meeting of every month to also attend the 3rd meeting of that month.

Verbick stated that she would be alternate in June.

Pederson stated that he would be alternate on May 1st and 15th.

10. Brief Updates from the Open Space Task Force (R. Reid) and Comprehensive Plan Advisory Panel (D. Dickerson):

Reid delivered a brief report on the most recent Open Space Task Force meetings. A priority area map draft is out there, but not finalized. There will soon be public meetings to get feedback on the Plan. The end result of the Task Force will be a final priority area map, as well as recommendations for tools to implement.

Dickerson stated that Haskamp had reviewed the Comp Plan committee earlier and that he did not have much to add.

Nolan stated that he believed Commissioners should get full-size drawings and also four-sided color renderings if there is supposed to be four sided architecture. He also stated that there should be material pallets at the meeting.

Dickerson stated that it be nice to request elevations that show the context to surroundings.

11. Adjourn:

Motion by Bryant, seconded by Reid to adjourn at 11:06 p.m. **Motion passes unanimously.**