

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, October 14, 2008

1. Call to Order: Chair Jeff Pederson called the meeting to order at 7:00 p.m.

Present: Planning Commissioners Jeff Pederson, Victoria Reid, Jim Simons, Robin Reid, Charles Nolan and Mary Verbick.

Absent: Michele Litts

Also Present: Planning Director Tim Benetti, Associate Planner Dusty Finke, and Planning Assistant Debra Peterson-Dufresne.

2. Public Comments on Items not on the Agenda

No public comments.

3. Update from City Council Proceedings

Weir updated the Commission regarding the following:

- The Council heard from citizens who were predominantly against the City taking back County Road 201, Parkview Drive and Homestead Trail. The Council decided against taking back the roads, but to work with the County on speed reduction measures and discouraging long-wheel-based trucks from using the tow roads for safety reasons. Parkview has steep hills and dips and blind driveways, and Homestead has two tight, right-angled blind corners.
- The Council approved the recommendations of the Rural Residential Zoning Ordinance with minor changes.
- The Council granted final plat for High Pointe Ridge.
- The Council directed staff to submit Medina's Comprehensive Plan to the Metropolitan Council for review.
- The Council discussed taking over the GLA Cemetery.
- The Council heard an update on Code Enforcement from the Planning Department.
- The Council heard an update on Septic Treatment System compliance.
- The Council heard an update on a plan to integrate LID standards.
- The Council approved that City staff have Friday, December 26th off as a paid holiday.

4. Planning Department Report

Benetti updated the Commission on the following:

- The Rural Residential and the accessory structures ordinances were adopted by the Council.
- The City Council decided to hear PREC @ the November 5th CC meeting.

- The Hennepin County wind turbine is continued and likely to be discussed at the October 21st City Council meeting.
- The grand opening for West Financial at Hamel Station was October 8th and had a good turnout.

5. Approval of September 10, 2008 Planning Commission Minutes

Motion by Verbick seconded by R. Reid to approve the September 10, 2008 minutes with the noted changes. Motion carried unanimously (Absent: Litts).

6. Public Hearing - Three Rivers Park District (Baker Park Campground) – 2309 County Road 19 (PID 18-118-23-11-0002) – Conditional Use Permit Amendment for the construction of a 560 square foot addition to the #2 shower building located in the Public/Semi-Public zoning district.

Peterson-Dufresne presented the application. An addition is proposed on each end of the existing structure, with remodeling of the existing interior. She stated the entire campground is located within the Three River's master plan, as a developed area. She identified the location of the shower building, and described the floor plan. Peterson-Dufresne presented a material board and a rendering of the elevations of the existing and proposed structure. She stated the Park District is undertaking a \$260,000 stormwater improvement plan for the entire campground, including the area of this structure. Drainageways will direct stormwater into retention basins before discharging to the lake. She concluded that staff recommends approval along with the conditions described within the staff report.

Daniel Elias (representing Three Rivers Park District, applicant) described that runoff from this portion of the campground drains to a retention area and from there through a drainage swale before discharging to Lake Independence. He stated that when the stormwater project is complete, the discharge will be reduced to pre-development standards.

V. Reid inquired if the applicant had considered the number of stalls within the women's facility as opposed to the men's facility. She stated that lines tend to be longer for women's restrooms.

Elias stated the Park District did not study the usage to that level of detail, but rather tends to keep an equal number.

Verbick stated the application is very complete, and the Commission appreciates the material boards and all of the materials.

Pederson stated he would prefer some landscaping along the long sides of the structures.

Elias stated there is an existing tree that will remain. He said they could have one of their landscape architects take a look at it.

Public Hearing opened at 7:26 p.m.

Public Hearing closed at 7:27 p.m.

Verbick stated it was a well represented and complete application. She was confident that this and the stormwater improvements would be beneficial.

Nolan stated that he wished to clarify the starting point for the additional 5% square footage. He also endorsed a landscape plan.

Pederson thanked the applicant for describing the stormwater project.

R. Reid stated it is a very complete application and recommends approval.

Motion by Verbick, seconded by Nolan to recommend approval of the amended Conditional Use Permit with the conditions suggested by staff and the additional recommendations of the Commission. Motion carried unanimously. (Absent: Litts)

7. Public Hearing - Ordinance Amendment - Chapter 8 of Medina's City Code Pertaining to Commercial Zoning District Regulations.

Finke presented the application explaining to the Commission that staff is taking one chapter at a time in order to provide adequate time for the Commission to discuss each district.

Feedback from land owners/business owners from the open house discussion were as follows:

1. Hard coverage requirements seem excessive.
2. The allowed uses were too limited and the maximum square footage of a building seemed noncompetitive.
3. Replacement amount of trees to be replaced is not realistic.

General Discussion

Finke further explained the distinction between the four commercial zoning districts. He then reviewed the "permitted uses" for each district which are similar, and the "conditional uses" which are different within each district.

The public hearing was opened at 7:40 p.m.

Dean Lunski and Roger Anderson introduced themselves as being owners of commercial property in Medina since 2005. Roger Anderson is a civil engineer and business partner with Dean Lunski. Dean stated that the City's phasing plan has limited their ability to develop their property. He also said they've looked at the engineering and financial feasibility of the proposed ordinance and found issues. Specifically, they saw that staff recommended 70% maximum coverage and that most communities allow 85% coverage. They further informed the Commission that setbacks, wetlands, and landscaping typically dictate how much a property can be developed.

Pederson felt the 60% rule will be taken care of with the ponding, and agrees with 75-80% maximum lot coverage. R. Reid feels the 60% is too restrictive and would like to further discuss.

Verbick realizes the desire to maintain rural character, but that we need to be realistic on making sure properties are developable. Nolan agreed with the Commission and likes the suggestion of other requirements such as landscaping. V. Reid is alright with increasing the lot coverage percentage, yet more cautious. Simons liked staffs comments and is fine with an increase.

Nolan asked for clarification of Commercial-General and Commercial Highway. He was thinking about the small lots and if we should reverse the allowable coverage requirements. Benetti suggested the Commission consider allowing CH, CH2, and CG to increase hard coverage to a maximum of 80%. The Neighborhood Commercial (NC) would remain at 70% as recommended by staff.

Consensus of the Commission was that the hard coverage maximum be increased.

Nolan indicated he favors the CUP process for buildings in excess of 10,000 square feet. Anderson asked for clarification on the 10,000 square foot requirement. Finke clarified that if a building exceeds 10,000 square feet it would require a CUP, rather than just applying for just a building permit. Finke provided the Commission with an example, such as a Walgreens store would require 13,000 square feet. Anderson stated that developers are a lot less inclined to want to go through the process and R. Reid asked for clarification. Finke explained that the expense and time put into the process could deter developers.

Eric Simmer, developer of the Hamel Station project, presented to the Commission that they typically budget \$25,000 to go through a Conditional Use Permit process with a City, but as an example, the Hamel Station project ended up costing them \$150,000.00. The increase in expense typically is evident of a City's discretionary authority over a project. Simons asked Simmer if the request for a Variance with the CUP caused some of the increased costs. Simmer said he did not know if that was the reason. Pederson asked Simmer if he had a suggestion on the square footage of a building that should require a CUP. Simmer said he felt that if its general businesses it would need to be much larger than 10,000 square feet. He gave additional examples that showed smaller buildings are much more costly per square footage than a 100,000 square foot building.

Verbick asked for clarification of the 10,000 square foot standard, which is one way for the City to exercise its discretion. Finke gave examples of existing buildings for the Commission to conceptualize the sizes. Standards are easy for staff and applicants. The CUP process allows for flexibility of the City to incorporate items such as landscaping. Benetti informed the Commission that site plan reviews are required with all commercially zoned property. Verbick doesn't want to be exceptionally restrictive, yet doesn't want to take away the city's ability to exercise its discretion. She doesn't know if the 10,000 square feet is too restrictive.

R. Reid stated that we have a lot of regulations and feels the square footage should be raised. V. Reid suggested the square footage standard be increased closer to 15,000 square feet. Nolan entertained the idea of requiring a concept plan review prior to the developer spending a lot of money, so that they can get better direction from the City.

Nolan asked Benetti about the site plan review and if we would have limits on reviewing. Benetti explained that a site plan review is limited under the ordinance requirements adopted. He further stated that if during the site plan review process the applicant is asked to add landscaping in addition to the City's requirements, the applicant can choose whether they want to do it or not.

R. Reid asked what is so bad about warehousing. Weir mentioned that warehousing brings in heavy traffic, and loading docks that are unsightly. Nolan asked how much vacant land we are exposing ourselves to with Commercial-General. Finke explained more than likely none. The areas that fall within this district are existing already.

Anderson gave an example of a carpet store that would be approximately 30% display and the balance warehouse.

Nolan stated that the CN zoning district has the shortest setback and was curious as to why. Pederson said he was concerned with applying setbacks to the small lots that are only 25,000 square feet. He felt the requirements are too heavy.

Finke gave an example of a one acre parcel and applying the setbacks to it. V. Reid was concerned with the rear yard setback and Finke clarified. Nolan stated the area within the rear yard setback is what is important, such as berming/screening to residential lots. V. Reid felt she'd rather have regulations in the ordinance, rather than surprising future applicants. Nolan asked if we had buffering requirements where the CN abuts residential. Finke clarified that buffering can be regulated within the landscaping chapter and would be done at a future date. He further clarified the difference of screening and landscaping within the code. Benetti clarified with the Commission the current performance standards and what we can do when we get to that section of the code.

Nolan stated he wants to make sure that once a screened area is installed, the City has the ability to require that area to be maintained in the future. Benetti explained that staff could strengthen the current code once we get to that chapter.

The Commission concluded they were satisfied with the proposed setbacks. Finke then explained that parking has a lesser setback than the building and that area could be utilized for parking. Nolan raised the concern of the 40 foot buffer to remain green and not paved. He felt the City needs to set forth what can be done within this 40 foot area to protect the neighbors.

Simmer asked if four sided architecture is required; suggesting that if this is the case, fully screened rear yards may not be necessary, since they'll be four sided architecture. If four sided architecture is not required, then buffering is more realistic. The Commission discussed and Finke clarified that as the ordinance is proposed; if a wall is visible, then four sided architecture is required.

Anderson requested something other than windows be used for architectural design, since they are not generally energy efficient. He urged the Commission and Council to not just go with the 25 % windows, but rather allow flexibility.

R. Reid asked for clarification of the requirement of 25% windows. Finke explained that windows are required only along the front elevation. Verbick felt that some applications may not be beneficial to require the 25% window requirement. Nolan felt that it should be the discretion of the City to substitute materials. V. Reid thought the objective was to have consistency.

Nolan raised the issue of commercial located across the street from residential, and that a minimum screen should still be applied. He indicated that it doesn't always mean the buffering/screening will be in the rear or side yards, since it could be across the street in the front yard. Nolan suggested that an area 40 feet in length be screened.

Simmer mentioned that if a residence is within a certain amount of feet, that screening would be required. He further suggested that the one acre minimum lot size be reduced.

V. Reid asked for clarification on indoor recreation and Finke clarified. In the CN district she sees that the code allows auto repair and not towing. She sees them going hand in hand. It was explained that a vehicle can be towed to an auto repair shop. A towing business would be an instance in which that is all they do and they impound them on-site.

Nolan suggested that a building material sample board or colored rendering be required. He felt that it gives the Commission and Council a better idea what the building will look like.

Pederson asked for direction from staff as to how to proceed with the ordinance and its review. Benetti suggested the Commission go page by page.

Simmer requested the one acre minimum requirement be reduced. He felt that based on the existing lots in the City, a developer couldn't afford to develop it. Weir asked where the one acre lot size came from. Finke clarified that the ordinance was drafted with the one acre requirement, based on the Commission's recommendation.

Simons asked what type of development we are trying to encourage. The Commission discussed the desire for multi-tenant buildings instead of small individual buildings with a lesser lot minimum. Consensus of the Commission is to stay with the one acre minimum lot size. Pederson and R. Reid felt 25,000 square foot buildings without a CUP may be better than 10,000 square feet, but is unclear of the impact. Benetti added that all of it is dependant on what is brought to the City for development. He felt that we should reduce the lot size.

Weir suggested that the City encourage shared parking and reducing the standards. She further asked about LID standards and Nolan added that a credit could be given if a developer handles all runoff on-site. Additional benefits could then be given such as increasing the percentage of hard coverage.

Finke clarified that all lots have to follow the stormwater standards. If we want to encourage applicants to go above and beyond, a credit could be given to an applicant.

Simons felt unable to recommend the aforementioned changes. The Commission asked when they would be able to discuss. Benetti said it could be at the next meeting, or if the City chooses to draft a LID ordinance. R. Reid feels they need some economic clarification so they know what they are approving.

Building height was discussed and the consensus of the Commission was to allow buildings higher than 35 feet.

Finke stated that he would research what the actual increased height would be for three stories.

Finke clarified that the CH-2 district is the same as the CH district, except for setbacks along the railroad.

Weir asked for clarification on the “purpose” statement regarding access. The intent was that it not be onto an arterial roadway. Staff said that they would clarify the purpose statement.

Finke explained the difference of the CN district from the CH and CH-2.

Tree replacement regulations were discussed. Anderson asked for clarification on replacement of trees off site. He recommended trees be replaced based on the number of trees, rather than per caliper inch.

Finke explained screening requirements would be done at a later time. He said we would add buffer areas in the commercial zones if they are adjacent to residential lots.

Pederson discussed the parking of commercial vehicles outside and suggested 24,000 pounds be changed to 26,000 pounds of gross vehicle weight under Section 838.5.06. The length was also discussed and it was recommended that it be taken out, since it shouldn't be applicable if we have a weight restriction.

Weir asked about the idea of recycling water in carwashes. It was stated that the newer carwashes have improved the pressurization, which saves on water usage.

Finke explained automotive repair and the requirement of a 200 foot setback. He indicated that he would discuss with the City Attorney existing CUP's and non-conforming properties.

The Commission discussed flea markets and farmer markets. The Commission asked staff to better clarify seasonal flea markets from farmers markets. The Commission felt that flea markets should be one day per week and farmers markets could be for 2 days per week at the same location.

Public Hearing Closed at 10:17 p.m.

8. **Adjourn**: Motion by Nolan, seconded by R. Reid to adjourn at 10:23 p.m. Motion carried unanimously. (Absent: Litts)