

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, May 12, 2009

1. **Call to Order**: Commissioner Nolan called the meeting to order at 7:00 p.m.

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

Absent: Michele Litts

Also Present: 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 that the City Council:

- Recognized Police Officer Tom Gregory for five years of service in Medina;
- Accepted a check for \$30,000 from the West Metro Drug Task Force. The check is Medina's distribution from last years drug-related confiscations and helps to pay for our officer's time. The Task Force is preventing millions of dollars-worth of drugs from entering west suburban streets and schools;
- Held a public hearing and approved resolutions for the 2009 mill and overlay road project for Cherry Hills and Elm Creek Drive, with costs partially assessed to benefiting properties;
- Approved the new Medina logo;
- Held a public hearing on our Storm Water Pollution and Prevention Program and recognized the multiple initiatives of our Pubic Works Department to reduce phosphorous-bearing run-off into lakes;
- Approved a contract with Hagen, Christensen and McIlwain Architects Field to design and build the Field House in Hamel Legion Park;
- Reviewed a projected budget update for 2009 and expect to be virtually on target this year. If projections hold true, the City projects a \$4,500 deficit in a budget of \$3.6 million. Building application activity, or lack of it, in the next few months will help to determine projections for year 2010 budgetary planning;
- Discussed the proposed Public/Semi-Public zoning ordinance and how to resolve the conflicting purposes of RR zoning district and the increasing intensity of use-needs of religious institutions. Council tabled the ordinance until June 6 and directed staff to come back with workable suggestions for limiting intensity of use, with particular regard to parking in the RR zoning district.

- Approved the Holy Name Cemetery lot combination, CUP, Site Plan Review, Interim Use Permit and Easement Vacation with all recommendations of the PC;
- Directed staff to do a total financial analysis of the future costs of administering and managing the German Liberal Cemetery, with a possible view to the City taking it over;
- Discussed park signage and a possible sign to direct traffic up Sioux Drive to Uptown Hamel;
- Directed staff to add to its ordinance-tidying-list the removal of ash trees from the list of recommended tree species in the Tree Preservation Ordinance.
- Thank you very much to everyone who volunteered on Clean-up Day.

4. Planning Department Report:

Finke updated the Commission on future projects and ordinances:

- Agenda for next month may be Adam's Pest Control Property @ 872 Highway 55 for CUP Amendment and Site Plan Review for a new accessory structure and renovation of existing principal structure along with site improvements.
- Text Amendment to the Rural Residential ordinance animal units.
- Resubmitted plans to the Metropolitan Council which should start the time clock for their review. Medina is well ahead of most communities in the metro.
- Staff continues to work on ordinances.

V. Reid asked what needed changing with the Comprehensive Plan for the Metropolitan Council. Finke explained that it related to inconsistencies within the document.

Weir explained the Minnehaha Watershed's request for increased density in the year 2030.

5. Approval of April 14, 2009 Planning Commission Minutes:

Motion by Verbick, seconded by Nielsen to approve the April 14, 2009 minutes with recommended changes. Motion carried unanimously. (Absent: Litts)

6. Public Hearing: Wranglers Restaurant – David Willis (PIDs 12-118-23-41-0012, 12-118-23-41-0013 & 12-118-23-41-00014) – Preliminary Plat to combine two lots and Site Plan Review to construct a parking lot for a proposed restaurant/bar.

Finke presented the application explaining the zoning, land use guidance and request of the applicant. He explained that the City has supported combining small lots in Uptown Hamel in the past though the property has the possibility of requiring a residential component for future

construction on the balance of the property if an application is requested for additional development/uses.

Verbick asked if the City would have the flexibility to require a residential component in the future. Finke explained the intent is to rezone the entire UH area to either UH1 or UH2 with further conversations to come to determine which district.

V. Reid asked if the owners could expand the business in the future without the residential component. Finke explained that if the owners want to expand the existing building it would depend on the regulations established at that time.

Nielsen asked when the rezoning for the UH area would occur. Finke explained that large segments would be rezoned when the residential districts are complete. The rezoning for UH would be part of an overall rezoning throughout the City with notices mailed out to all property owners impacted. Weir explained the Comprehensive Plan could also have an impact on timing of the rezoning.

Nolan asked if an expansion of an existing use occurred would there be a measure to allow an expansion without constructing the residential component. Finke explained the language says "new development". V. Reid asked for clarification. Finke explained that a new use would trigger the residential component and an expansion would need to be reviewed and determined.

Nolan asked if there's a way to get clarity of the residential use component. Finke explained that under the conditions section of the staff report staff put a statement within it rather than a condition mentioning the future possibility of a residential component if the existing building expands.

Willis asked what his property is currently zoned. Finke said Uptown Hamel.

Finke explained the plat met requirements and the property does not have wetlands nor is it within a floodplain. He explained the easements on the lot and reviewed the criteria for a site plan review and that the parking lot triggers the need for a site plan review. Currently bars and restaurants are permitted uses in the UH district which does not require a residential component. Staff recommended an additional condition be included to put the owners on notice that if the property is rezoned in the future to require a residential component the property owners would have to comply if they wanted additional changes or added uses in the future.

Finke reviewed the commercial landscape requirements and recommended additional plantings adjacent to the parking lot to break up the wall/trash enclosure area.

Finke said the parking requirements are being met with 12 stalls. Additional landscaping is not recommended due to the future development of the property. He raised concern with circulation/loading and recommends a condition of approval. He further explained the site is designed to direct run-off from the parking lot to the City stormwater system. The City Engineer noted the north end of the lot should be re-designed. Finke reviewed utilities, lighting, recycling/trash facilities, mechanical equipment, and the bar cooler for the project with the

Commission. He explained the applicant proposed a cedar board trash enclosure and staff recommended hardi-board siding for long term appearance and maintenance.

Finke recommended two additional conditions to be added under the conditions list as previously discussed.

Jim Willis, applicant did not have anything to present.

Public Hearing is opened at 7:46 p.m.

Public Hearing closed at 7:46 p.m.

Verbick said the lot combination is a logical plan for the possible future development of the area in Uptown Hamel.

Motion by V. Reid, Seconded by Verbick, to recommend approval of the Preliminary and Final Plat with conditions as recommended.

Site Plan Review

Nielsen asked what the occupancy is for the building. Finke explained the seating occupancy. He had concern with the possibility of overflow parking on nonpaved areas. Nielsen counted 13 spaces with one being handicap rather than the 12 noted on the plan. Nolan asked if the fire department reviewed land use application and Finke explained they don't review occupancy loads at this point in the process.

Simons asked Finke if he had additional comments on exterior materials. Finke explained the rationale behind the hardi-board recommendation rather than cedar.

Verbick asked if the applicant had a concern with the recommended hardi-board for the trash enclosure. Willis, applicant, said it didn't matter to him if the material is cedar or hardi-board.

R. Reid asked if the west portion of the lot would be mowed and maintained since it is not proposed to be paved or landscaped. Willis said he would maintain/cut the unpaved areas on a regular basis to keep it looking good at all times.

Verbick asked if the hard surfaced parking lot would be permanent or temporary. Finke responded that it would be permanent. Verbick asked if there are easier LID projects that would work for this application.

Finke explained the difficulty of installing LID on the parcel at this time.

Nielsen asked when the applicant plans to open. Willis stated approximately August of this year. Nolan questioned if anything made sense on the western portion of the property related to LID. Finke further explained the difficulty. Nolan asked about the 5% required to be landscaped or a plaza. Finke explained the green area equates to landscaped area. As defined, the entire

undeveloped western portion of the lot qualifies. Nolan asked what specific vegetation is required. Finke asked the Commission to discuss additional landscaping. Nolan asked the applicant to consider a less industrial looking light fixture. Willis stated they would look into it further.

R. Reid said the driveway width appeared wide and asked if it was for fire code. Finke explained that likely the drive aisle would be shared with the property to the west and it could be reduced to 20 feet, but the applicant's engineer had requested 24 feet.

R. Reid said she would like to see the drive aisle narrower than 24 feet if it could be allowed. Willis stated that he would agree to narrow it and it would not be an issue. Finke stated the minimum width is 20 feet.

Robin Reid asked about quality and maintenance of hardi-board. Peterson-Dufresne explained quality and maintenance of both cedar and hardi-board.

Finke explained cedar is a permitted material for a fence.

The Commission concluded that the project should have additional conditions such as, a 20 foot drive aisle, parking shall be limited to paved surfaces only, the undeveloped portion of the lot shall be maintained, and hardi-board is preferred as recommended by staff rather than cedar.

Motion by Simons, Seconded by R. Reid to recommend approval of the Site Plan Review with additional conditions as noted by the Commission (absent Litts).

7. Adjourn: Motion by Verbick, seconded by Nielsen to adjourn at 8:10 p.m. Motion carried unanimously (absent Litts).