

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, June 8, 2010

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

Present: Planning Commissioners, Victoria Reid, Robin Reid, John Anderson, Kathleen Martin, Kent Williams, and Beth Nielsen.

Absent: none

Also Present: City Planner Dusty Finke

2. **Public Comments on items not on the agenda**

No public comments.

3. **Update from City Council proceedings**

R. Reid presented City Council update.

4. **Planning Department Report**

Finke explained the upcoming rezoning of properties and the Lennar project in July.

5. **Approval of May 11, 2010 Concurrent Planning Commission and Park Commission meeting minutes**

Motion by R. Reid, seconded by Anderson to approve the May 11, 2010 minutes with recommended changes. Motion carried unanimously. (Absent: None)

6. **Approval of May 11, 2010 Planning Commission minutes**

Motion by Anderson, seconded by R. Reid to approve the May 11, 2010 minutes with recommended changes. Motion carried unanimously. (Absent: None)

7. **Public Hearing – Ordinance Amendment – Chapter 8 of the City Code of Ordinance – Pertaining to the timing of growth and development to be served by city utilities**

Finke reviewed the proposed ordinance amendment. He explained it requires a property owner to apply for a PUD to request flexibility of the standards. Finke said to request flexibility from standards is typical of a PUD. He said the ordinance has criteria with three stages to qualify. Properties would have to meet certain benchmarks in order to move forward and it could be very subjective. He said there is a lot of discretion by the Planning Commission and City Council when reviewing the criteria.

Finke said the ordinance is a public hearing and he received one call. The caller suggested the City look at tax base rather than jobs and employment, or possibly all of them when looking at properties to qualify. The caller also stressed the importance of allowing property owners to go before the Planning Commission and City Council to be informed of what they think the cost would be to go through the process to get a yes/no answer.

R. Reid asked for clarification of the tax base point made. Nolan said if a property is increasing its value by developing, it is creating additional tax dollars for the City. Williams said the process allows the increased tax base to come sooner. Martin said tax value increase wouldn't really take effect for two years. Nolan said he thinks the City assumes the sites will be developed at some point. He doesn't think it is an objective of the City's to build as fast as possible to increase tax base. Williams provided an example of a Target coming into the City, rather than it being a vacant lot.

Public Hearing opened at 7:24 p.m.

No public comment.

Public Hearing closed at 7:25 p.m.

Williams said he liked the d5 comment on page two of the ordinance. It suggested, instead of assigning points, to require all crucial factors be achieved and a majority of the relevant primary factors be achieved. He said he doesn't like the point system since it allows for too much debate with an applicant.

Finke said requiring applicants to meet certain crucial factors was how the ordinance was written originally, rather than the point system. He suggested strengthening the language and setting some sort of benchmark.

R. Reid said since the decision will be subjective, she likes the point system. Williams said his preference is not the point system. Nolan explained with the point system if a project couldn't quite make the amount of points needed to jump ahead, the developer/land owner could donate land or money to the City's park system to meet a different objective and then qualify if the City wanted the project to move forward. Martin said she is opposed to the point system for all the points Williams had noted. She said Maple Grove has a third category called "bonus points."

Martin said the point system is worth a try, but should incorporate the “bonus points” system. R. Reid said it could be incorporated, but maybe not given the same amount of points/value. Nielsen said, since the point system is subjective, couldn’t the City give more points.

Williams and Martin raised concern that litigators can get real creative. Williams said the more specific the point system regulations are, the more ammunition they could have to argue. He doesn’t like the point system and feels the more general the regulations are kept, the better it is for the City. Nolan said the point system helps channel a project. Williams said his understanding of the point system is “of how much the concept fulfills the point system.”

Nolan asked what kind of bonus could be gained by the bonus point system. The Commission discussed the number of points and then Anderson suggested not providing a set number of points for a bonus. The Commission concluded an applicant could receive “up to” five bonus points.

The Commission discussed how to prioritize architectural quality as a result of text within the Comprehensive Plan.

Finke said he added factors from the Comprehensive Plan such as affordability and jobs.

Motion by Williams, Seconded by R. Reid to amend the ordinance by giving high quality architecture and design ten points, and making it a primary factor. Motion failed 1-6. (Against: Nolan, V. Reid, R. Reid, Anderson, Martin and Nielsen).

Motion by Martin, Seconded by Anderson to move up sustainability as a primary factor, due to the stated objectives of the Comprehensive Plan. Motion failed 2-5 (Against: Nolan, V. Reid, R. Reid, Williams and Nielsen).

Motion Anderson, Seconded by Martin to adopt the ordinance as written, except add language allowing up to five bonus points, revising language under Subd.4.(a) as recommended, and revising language under Subd.4.(b).(4) utilize “may” rather than “would” within each sentence. Motion carried unanimously. (Absent: None)

R. Reid stated every decision/motion of the Commission doesn’t have to be unanimous.

8. **City Council Meeting Schedule:** Discussion of representation at Council meeting.
9. **Adjourn:** **Motion by Anderson, seconded by Williams** to adjourn at 8:43 p.m. Motion carried unanimously. (Absent: none)