

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, June 14, 2011

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

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

Absent: Charles Nolan and Robin Reid

Also Present: City Council member Elizabeth Weir, City Planner Dusty Finke, and Dan Edgerton of Bonestroo.

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

No public comments.

3. **Update from City Council proceedings**

Council member Elizabeth Weir presented a report of recent activities and decisions by the City Council.

4. **Planning Department Report**

Finke provided an update of upcoming Planning projects.

5. **Approval of the May 10, 2011 Draft Planning Commission meeting minutes.**

Motion by Martin, seconded by Anderson, to approve the May 10, 2011 minutes with the recommended changes. Motion carried unanimously. (Absent Nolan and R. Reid)

6. **Continued Public Hearing - Ordinance Amendment - Chapter 8 of the Medina Zoning Code to codify the City's stormwater management regulations.**

Edgerton presented the staff report. He stated that new definitions had been added for "Major" and "Minor" Expansion projects and the applicability was adjusted as discussed by the Commission last month. Edgerton noted that standards were added related to improvements on single family residential property so that a homeowner would not need to complete an expensive engineering study in order to design a raingarden. Edgerton showed graphic examples of how the applicability would work.

Williams inquired about Section 828.33. Subd. 18 Appeals. He asked if the Appeals was new since the previous meeting. Edgerton said it was not new. Williams asked if an applicant wanted to appeal a decision what would the process entail. Finke clarified the question by stating the request would initially be reviewed by City staff and then if the applicant chose to Appeal staff's decision then it would be brought to the City Council for review. Finke explained the Appeals process would typically be related to situations that would fall under a "stop work order".

Martin asked if the 45 day period to review an Appeal on page 9 of the draft ordinance was too long of a time period. Finke explained he needed time to review the Appeal request to determine if it was complete and would treat it like a land use application which requires 15 business days to determine completeness. V. Reid asked Finke if the number of days were shortened if it would be a problem. Finke said he'd need at least 15 days. The Commission concluded that 15 business days would be a sufficient amount of time for staff to make a decision.

Public Hearing opened at 7:36 p.m.

Anderson recommended additional language be added as it relates to single family homes and volume control. Martin suggested placing exceptions for single family homes throughout the ordinance so that a homeowner could easily understand what applies to them and what wouldn't apply.

Martin commented that the sentence "portions of the design manual are hereby incorporated and applicable to certain developments as stated in this ordinance" would need to be more clear as to what projects it is referring to within the ordinance.

V. Reid prefers language that references the design manual and the design manual references the ordinance. Martin said she prefers terminology between the design manual and ordinance to be consistent. The ordinance is internally consistent but the design manual is not and has terminology within it that is not used within the ordinance. She asked that definitions from the ordinance such as stop work order, land disturbance activity and others be incorporated into the design manual.

Edgerton asked if the Commission wanted the definition of "Single Family Residential Property" and the Commission concurred.

Martin asked to strike the last sentence on page three of the ordinance (Subd.4. Applicability).

Martin recommended Subd. 4. D. is broken down into four components.

Council member Pederson noted the ordinance could make redevelopment very difficult and properties wouldn't be improved.

Finke explained a new development under one acre is exempt under the draft ordinance and said it didn't have to be that way.

Martin said a stormwater management plan is designed by a professional engineer but assumes single family homes wouldn't be required to follow the same requirements.

Finke inquired about the requirement that "New Development" requires disturbance of an acre and then further reviewed minor, major expansion projects and single family residential projects.

Finke said a Minor expansion wouldn't have the acre disturbance requirement. If a project added 1000 square feet of hardcover the contractor would have to show the modeling. Finke asked if the ordinance should have a lower threshold depending on what is being done. V. Reid asked if another category would need to be added and the Commission agreed. The Commission questioned how many parking spaces would trigger the modeling requirement.

Edgerton stated a one acre parking lot would require two raingardens.

Conclusion of discussion is that an 8-10,000 square foot area for parking would require a raingarden (approximate 800 square foot raingarden) in a commercial area, and a larger project should trigger the full requirements of the ordinance.

Martin asked about b) at the bottom of page six. She asked for clarification and Finke said it should read "Inspection of Stormwater Facilities in the Maintenance Agreement" rather than "Inspection of Stormwater Facilities". Martin also suggested replacing "may" with "shall" within the same paragraph.

The Commission discussed the impact of requiring a Performance Bond/Security and if the percentage of estimated construction cost was too high for single family homes as written on page seven. The Commission concluded to lower the amount and cash would be acceptable.

Martin asked Edgerton the cost of a rain garden. Edgerton said it could cost anywhere between \$2,000.00 -\$3,000.00 and Finke agreed to have a lower threshold for a Performance Bond/Security.

Martin suggested the "as built" plans required for any stormwater treatment practices be modified under Subd. 14. of page eight. She said that requiring an "as built" plan could be quite expensive and as an alternative the contractor could red line the plans on-site noting the changes.

Edgerton stated the emergency overflow for the raingarden would have to be verified. The Commission said an inspection would have to be done by the City. Staff and the Commission concluded that the language should be loosened as it relates to raingardens on single family home lots so the language on page eight stating "written certification by a registered professional engineer that the stormwater treatment practice has been installed in accordance with the approved plan and other applicable provisions of the ordinance" would have to be rewritten.

Martin suggested under (d) on page nine that the cost be “certified” and Finke thought it was possible based on how the language was written.

Martin said the date of approval would need to be changed to July rather than May 2011 on the last page of the ordinance for adoption.

Public Hearing was closed at 8:22 p.m.

Motion by Anderson, seconded Martin to recommend approval of the ordinance (Section 838.33) pertaining to stormwater management per the recommendation solutions offered at the Planning Commission meeting. **Motion carried unanimously.** (Absent: Nolan and R. Reid)

7. Discussion – Off-premise signage and “Directional” signage

Finke informed the Commission that he had spoken to two different businesses with two different requests related to off-premise signage. He said one request related to allowing permanent off-premise signage advertising a business on a different property from where the sign would be located. The sign would provide direction to another business (ex: placing signage on a commercial corner lot for a business down the road within an existing monument or pylon sign). The other request would be to allow permanent directional signs in the City right-of-way that would guide drivers to a local business that may not be at an intersection but rather not as visible to locate (ex: small blue highway signs that provide guidance to business location to drivers).

Finke explained that the Target development has multiple businesses within that area that advertise on different lots. He said if it hadn’t been a PUD it wouldn’t be allowed under the current sign ordinance.

Anderson asked if the ordinance would be something that would be brought up later in the year as the Commission reviewed the sign ordinance. Finke said the plan to review the sign ordinance later in the year wouldn’t have addressed this type of change since the focus was going to be related to the rezoning changes. V. Reid said she finds it difficult to understand how it is difficult to find a business with MapQuest availability. Martin said she has a hard time being sympathetic to delivery drivers since they usually have a GPS system. She further said that when a person buys a business and is aware of its location and lack of visibility it is difficult to understand the need.

Anderson asked if this type of signage would cause any public safety issues or concern. Finke said that there has not been a record of incidents, but in one of the business situations if a driver passes the business the driver is stuck on a gravel road and it’s difficult to turn around.

Nielsen asked what the business names were that had issues. Finke said Dairy Queen is thinking of moving down on Hwy 12 and County Road 29, in the strip center next

to Subway and Anytime Fitness. Weir asked if DQ used to be there and Finke said yes. Williams asked if the DQ wanted a directional sign or an advertising sign. Finke said an advertising sign. The Commission asked where they would want to advertise and Finke said at the Holiday Gas Station store on the corner. The Commission voiced their concerns and Weir said that previous to Finke the same request was made and the Council decided it was a visual clutter to advertise on the corner.

Council member Pederson asked if City signage in the right-of-way such as the Uptown Hamel sign along Sioux Drive would be in jeopardy if the City didn't change the ordinance. He further commented that when the County Road 116 interchange happens with a frontage road he would anticipate a lot of requests.

Williams said he would rather allow on a case by case basis, but not specifically advertising. He didn't think billboards should be allowed. Finke asked if there was support for off-premise signage done through a coordinated effort so that there would not be an increase in the number of signs on-site and that all of the businesses advertise on one sign rather than more than one. The Commission concurred that they would accept the situation.

Weir asked if the Holiday Station store were maximized on their signage currently and the other businesses wanted to advertise on the Holiday site would the Holiday site get more square footage of advertising or would they have to work within what the allowable square footage they have and have to reduce existing signage on-site. Finke said he didn't know, but it would have to be part of the discussion. Finke said the regulations could be written in a way that either allows square footage to be transferred from another property or which limits each property to the standard maximum as if they only did their own advertising.

V. Reid offered the idea of allowing additional signage to encourage shared signage. Martin said she would agree with the suggestion. Martin said what is more important to her is the quality and aesthetics of the sign.

Williams said the consensus of the Commission is that shared signage would be acceptable and Finke added that assumes it is one shared sign.

V. Reid said she is fine with directional signage. The balance of the Commissioners agreed with the directional signage.

8. City Council Meeting Schedule

June 21, 2011 – Anderson

July 5, 2011 – Williams

9. Adjourn

Motion by Nielsen, seconded by Williams, to adjourn the meeting at 8:45 p.m.

Motion carried unanimously. (Absent: Nolan and R. Reid)