

**CITY OF MEDINA**  
**PLANNING COMMISSION**  
Meeting Minutes  
Tuesday, April 8, 2014

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

Present: Planning Commissioners Charles Nolan, Robin Reid, Randy Foote, Robert Mitchell, Victoria Reid, and Janet White.

Absent: Commissioner Kent Williams.

Also Present: Councilmember Kathleen Martin, City Planner Dusty Finke, and Planning Consultant Nate Sparks.

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

No public comments.

3. **Update from City Council proceedings**

Martin updated the Commission on recent activities and decisions by the City Council.

4. **Planning Department Report**

Finke provided an update of upcoming Planning projects.

5. **Approval of the February 11, 2014 Draft Planning Commission meeting minutes.**

**Motion by Mitchell, seconded by R. Reid,** to approve the February 11, 2014, Planning Commission minutes with the changes directed by Chair Nolan and Commissioner Foote. Motion carries unanimously (Absent: Williams).

6. **Villas at Medina GCC.**

Sparks presented the application and staff report.

R. Reid inquired where the driveways would be located, since it was not clear from the plans. Sparks stated that they are side-loaded, with the driveway immediately on one of the side property lines.

R. Reid inquired if the streets would be public. Sparks confirmed they would be.

V. Reid inquired about the access point at Meander. She stated that cars back up past this point in the morning and stated that cars would find it very difficult to get out and turn left when traffic was backed-up.

V. Reid inquired about parks. Sparks stated that it has been previously discussed for the area, but none are proposed here.

V. Reid inquired about tree removal and replacement. She stated that it seems like the whole northern portion was treed. Sparks confirmed that there would be large areas clear-cut for home sites and stated that he believes the applicant has a conceptual idea of replacement needs.

Nolan inquired about staff's recommendation for a 30 foot road surface. Sparks stated that this was the recommendation of the Public Works to allow two full lanes and a parking lane. He stated this is important because the road would provide access to County Road 116 for surrounding development.

Chuck Alcon (representing the applicant) introduced the development team. He stated that Charles Cudd was the perspective builder. He stated that the location on the north and west of the course was chosen for marketability and also so that it would not interfere with golf course operations. This application would allow for the golf course to be secure for the foreseeable future. He stated that they would briefly address some of staff's comments. With regards to double frontage lots, he stated that it is important to note that each site has to be developed based on its characteristics, and they believe this is a necessity here to provide the road connection requested by staff. With regards to staff's recommendation for shared drives, he stated that the proposed units are privately owned and need privacy. He stated that shared drives are absolutely not workable for this product. Alcon noted that tree preservation will be addressed at preliminary plat. In terms of park dedication, they propose cash, with some credit for trail construction instead of a park. A park and the adjoining golf course are not compatible.

Marty Campion (project engineer) stated that the PUD would provide design flexibility and also provides a neighborhood feel. He stated that the entrance monument was very important, despite public works' concerns. He stated that turning movements could be accommodated.

Finke inquired about geotechnical information and water table. He noted that previous potential developers stated that basements would be extremely difficult and had proposed slab-on-grade. Campion replied that they had two geotech firms take a look and believed basements would be protected with foundation drain tiles.

Nolan inquired about price points. Jeff Holmers (applicant's marketing consultant) replied that they would be \$750,000-\$1,000,000. The units shown were 3400 square feet (main level + basement).

Rick Denman (Charles Cudd) said that they build a lot of detached villas. Their buyers tend to be empty nesters, with all living facilities on the main level. The basements tend to be used for entertaining and storage.

Foote stated that the pitch of the roof looked too steep and was over exaggerated.

V. Reid inquired how the applicant would feel about 'no left turn' out of Meander. Alcon stated that it will help that this is marketed towards empty nesters, which should help with a.m. rush hour.

V. Reid inquired what the developer would do if the City pushed back on the northern lots because of the trees. Alcon noted that they would try to relocate as many trees as possible and noted the treed area on the east of the golf course being preserved.

Foote inquired if sufficient right-of-way was provided for four-lane. Finke stated that it is an absolute requirement if the project moved forward.

Chair Nolan noted that an email from Mark Czech dated April 6, 2014 had been sent to Commissioners and placed on the table for review. He noted that this email will be added to the record.

Steve Theesfeld – 600 Shawnee Woods Road – stated that he heard from the developer that Jeff Holmers was a true professional and a very kind man. He stated that he has less of a problem with the developer and more of an issue with how the City is treating this. The Commission is being asked to move the high density from the southeast corner of the golf course and relocating it here. He stated that 15 years ago, before they bought, they did their due diligence. The houses were in disrepair and they have spent a lot of money restoring them. The proposed townhomes in the northeast corner of the course is out of character with the investment made in the area. He stated that he has asked City Planners throughout the metro what would happen if someone wanted to develop high density townhomes across the street from five acres lots...and they just laughed. He said that the neighbors were not naïve, they understand that development occurs. However, they have watched Wild Meadows come in. They were told there would be no drainage issues. There were. They were told for the Reserve that there would be no drainage issues. He asked the Commissioners to go look at that site and it is obvious there will be problems. He stated that while there are only four other houses, everyone should be treated equally. If you had a couple of owners from Wild Meadows who lost money in the stock market, and they asked the City to allow townhomes in the middle of Wild Meadows...the City would never do it. He suggested more density on the west and preserving the north. Theesfeld noted that the property south of the driving surface of Shawnee Woods Road is owned by the property owners to the north. He urged the Commission to relocate the road to the south of the easement. He stated that the road easement states that it is for access from CR 101 to CR116 and that there is an argument to be made that when the City cut off the road with Wild Meadows and the Woods that the easement is no longer valid. He noted that there are alternatives for the cul-de-sac, such as a hammerhead. He stated that the City shouldn't take cash instead of preserving trees and providing parks. He said that instead of putting homes on the east end, the area could be a park because it is heavily wooded and kids need a place to live. He stated that traffic on CR116 is horrible and this would vastly increase traffic...and pointing it through Toll's development. He told the Commission they didn't have to rubber stamp everything the golf course asks for. He invited everyone out to look at the woods and said they can talk about the easements.

Eric Voltin - 690 Shawnee Woods – stated that the density is too much. It might be convenient for the golf course, but no other options have been provided. The woods across from them are awesome. The proposal is disrespectful. It is not thoughtful of anyone except the golf course's interests. He stated that Theesfeld is right about the easement; you can't put driveways over it. He stated that they don't want to, but they will litigate if the plan isn't improved.

Jim Peterson – 812 Meander Road – stated he is a 29 year resident. The traffic is a huge problem because there is a rise in the road to the south and it is guaranteed that there will be an accident. He told the Commission not to forget about all of the other houses already approved to the west of County Road 116 on Meander.

Scott Peterson – President of Medina Golf and Country Club – stated that the Club does not own the property. Rachel and Hendry have an option. He stated that with regards to the trail along the east, there is safety and liability concerns of flying golf balls, along with security and vandalism.

Finke clarified that Fairways of Rolling Green owns the property, and there are various cross interests with Medina County Club, and that the Club is, therefore, very much involved.

Martin stated that when this goes to the Council, she would like a diagram showing the portion of the site that the developer has an option to buy.

**Public Hearing closed at 9:10 p.m.**

Mitchell stated that golf courses all over are developing in their entirety. With regards to the water table, a parched water table is a concern and needs to be explored. Mitchell stated that the City had apparently weighed in on the Comprehensive Plan to allow for some residential, but maybe not as much as some people thought would be allowed. He said he was sympathetic to the needs for a park. County Road 116 seems like County Road 101 in Plymouth when it ultimately developed. Trails along major roads require maintenance. The PUD has to include all of the property so that everyone is entwined in the web that is weaved.

V. Reid stated she is very concerned about the tree removal. She is also concerned with legal issues regarding the easement and traffic on CR 116, as well as water table issues and drainage. She'll reiterate that parks are important in the area. She said if the golf course did go under at some point, the proposed configuration would be odd to work with and should consider some other options.

Nolan stated that he was involved in previous plans and he had always thought some residential around the golf course made sense. He acknowledged the site was challenging because of the roads coming in, property shape, trees, and water and thinks that a PUD makes sense. It is not fair to say that the Country Club is not involved. If the development can go outside of the bounds of this property it seems like a lot of these problems could be resolved. He thinks tying the two roads together isn't a good idea. Perhaps two cul-de-sacs could be put in the NW corner, but it may cause other problems. He asked what our density expectation is in the NE corner. He has a lot of the same concerns the neighbors have concerning removal of trees and cul-de-sac location, but likes the idea of a park. He said he would rather see more density along the west and south rather than the north. This would be a better solution than pouring a development into an environmentally sensitive area. This area has been identified for higher density for a long time. He acknowledged that the neighbors had concern with the inconsistency of development, but when he looks at the product they are proposing, which is a high quality builder and the homes would range from \$750k – \$1 million, he said it might be better than smaller townhomes. He said it would be good to find a way to appease the neighbors by increasing the lot sizes and maybe possibly saving some of the trees. He suggested the City look into the easement issue.

R. Reid said she can't envision how this interfaces with the Woods of Medina development and she needs to look closer at how they tie together. She would like a plan that shows The Woods of Medina and this proposal shown together so she can see how they work together. There are way too many houses on the north end, which greatly contributes to all of the problems. She does not see taking down all the trees. She suggested making the NE corner a nature area since there seems to be several issues in that area. The City keeps saying that it's not fair to penalize each developer for the County Road 116 problems, but something has to be done at some point. She doesn't like funneling all of the traffic through other developments and it doesn't seem like it meets any of the objectives of a PUD. The legal issues need to be resolved before the applicant comes back.

Foote stated that everything he wanted to say has been said. He sees a PUD as taking a difficult property and making it better. He said he's not sure how to get around 116, but they should look at alternate options. Double frontage lots are a poor way to do things. He also said that he couldn't go along with clear cutting the trees in the northeast corner.

White stated that she agrees that tree preservation is extremely important. Traffic is a problem, but she is especially concerned with the density on both the north and west sides. There are just too many lots and if the number of lots is decreased it will provide more options for a park.

#### **7. Dominium PUD General Plan and Plat**

Finke presented the request. He noted that the Planning Commission and Council had provided comments during February on a concept plan review. Property is guided Mixed Use Business, zoned Mixed Use. Seeking a rezoning to PUD for setback flexibility. Net density is 8.65 units per acre which meets the density requirements for the designation of 7-40 units per acre. Internal setback flexibility and to private drives sought. Preliminary Plat application which will also combine property with old City well site. Finke stated that the City had raised questions about distance to road from garage at concept review. One building setback increased, but most remained configured at 22 feet. He noted a few additional guest parking were provided and that the landscaping plan was improved.

Finke stated that the plan proposed 32 townhomes units within nine buildings. The common districts for townhomes require 30 feet between buildings, but the applicant requests 20 through the PUD. He noted that 25 foot setback from private drive is generally required, but the applicant requests 22 feet through the PUD. Guest parking restricted to guest use only. Stormwater management proposed through a series of rain gardens to pond on property to east.

Mitchell asked if this were low income housing. Finke stated that it certainly meets the affordable standards of the Met Council. He stated that the project is to be funded through the Low Income Tax Credit program, which mandates income and rent restrictions for a minimum of 15 years. Mitchell stated that it was his understanding that many cities are seeking to have old wells discontinued. Finke stated that the City has been permitting wells to supplement irrigation water reuse out of stormwater ponds.

Nolan asked for clarification on the northwestern unit access. Finke said a hammerhead or a bump-out could help achieve better circulation.

Nick Anderson from Dominum said they have taken into consideration the comments from the Concept Plan. They have added windows to garage doors, additional cedar shake shingles on the front, as well as two guest parking stalls. Housing is income restricted based on housing size to a maximum of 60% of AMI with rent restrictions based on Section 42 program. Rent is not directly subsidized as in Section 8.

Nolan asked if adding additional pavement and landscaping in the northwest corner would be a problem. Anderson said no.

R. Reid asked if Dominum intends to maintain ownership. Anderson said they are committed for 15 years.

Nolan opened the public hearing at 10:00 p.m. Hearing no comment, public hearing closed at 10:01 p.m.

Mayor Weir said four units would be dedicated for the long term homeless. Anderson said four townhomes are set aside for persons who have lacked permanent housing for more than a year as part of the tax credit program. He noted that this definition includes people who have been “couch hopping” and living with others. In their Albertville project such units are usually occupied by single mothers with children. He noted that they will be working with Interfaith Outreach and Community Partners to assist in managing this.

Nolan asked if there is an application process to get the four dedicated units. Anderson said they have a process where they do criminal and credit background checks on all units.

**Motion by R. Reid, seconded by Mitchell** to recommend approval with the conditions noted in the staff report. **Motion carried unanimously.**

8. **Council Meeting Schedule**

Mitchell agreed to attend and present at the April 15, 2014 Council meeting.

9. **Adjourn**

**Motion by V Reid, seconded by Foote**, to adjourn at 10:15 p.m. Motion carried unanimously.