

CITY OF MEDINA
PLANNING COMMISSION
Meeting Minutes
Tuesday, June 10, 2014

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

Present: Planning Commissioners Robin Reid, Kent Williams, Robert Mitchell, Victoria Reid, and Janet White.

Absent: Commissioner Nolan, Foote

Also Present: Mayor Liz Weir, Council Member Kathleen Martin, City Planner Dusty Finke, Planning Consultant Nate Sparks, and Planning Assistant Debra Peterson.

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 for July.

5. **Approval of the May 13, 2014 Draft Planning Commission meeting minutes.**

Motion by White, seconded by Williams to approve the May 13, 2014, Planning Commission minutes as written. Motion carries unanimously (Absent: Nolan and Foote).

6. **Public Hearing – Buell – 3574 Pinto Drive – Conditional Use Permit to construct 150’ wireless communications monopole.**

Sparks presented the application explaining the water tower would be removed and a new monopole would be constructed. It was found that the existing water tower was at 85% capacity for antennas so they thought it would be more efficient to construct a new monopole rather than utilizing an unused water tower. The monopole is also being designed to accommodate some equipment for the City. He said a preliminary review was submitted showing that the monopole would collapse if it fell, rather than extending out the height of the tower when falling. He said the monopole is 150 feet in height, but actually 159 with the lightning rods at the top. The ordinance only allows one accessory building per tower. This was considered to better accommodate co-locaters in the future. He recommended the Commission add staff’s conditions.

Public Hearing opened at 7:18 p.m.

Mitchell asked how many users are on the existing tower. Sparks said two. Mitchell asked how many would be on the new monopole. Sparks said approximately five users. Mitchell asked if that was sufficient. Finke said he spoke with a council member in Wayzata and they have five users. He said in order to get more carriers, the height of the tower would have to be increased. Mitchell asked

if there was room on the site to increase the height. Finke said it's the tallest possible height based on required setbacks.

Mitchell asked about well sites or pump sites. He wanted to remind the City that if the tower were to be taken down and in 15 years it was needed again, that would be a concern. He asked if we needed this site for a future water tower. Finke said that area wasn't sufficient. Mitchell asked that the City be careful on size.

Mitchell questioned the designer of the monopole, Mr. Beacom, to take another look at the strength of the tower based on the report. Mitchell recommended the strength of the tower in winds be increased. Finke said the setback is the default for it falling.

The Commissioners discussed the detailed engineering report and said it should be looked at to make sure the monopole will be strong enough to handle a storm greater than the one in the preliminary engineering report.

Public Hearing closed at 7:32 p.m.

Motion by Williams, seconded by White, to recommend approval of the CUP to construct a 150 foot wireless communications monopole. Motion carried unanimously. (Absent: Nolan and Foote).

7. **Public Hearing – Greg Smith – 4635 Pine Street – Variances to the rear yard setback (east) requirement and the maximum impervious surface coverage requirements for a garage addition to the home.**

Finke presented the application explaining the property was within 1000 feet of Lake Independence and has a 25 percent maximum impervious coverage on the lot. He explained that the applicant is proposing to construct a two-car garage addition. The Variances requested are to reduce the rear (eastern) setback from 30 feet to 12.9. Staff suggested the applicant increase the hardcover to make up for the reduction in setback. He said the eastern line was reviewed possibly in the 70's as a side yard rather than a rear yard. The home faces Pine Street rather than Lakeshore Avenue. Proposed construction will not impact any trees.

Finke explained the criteria for a Variance with the Commission. Staff recommended that the addition not alter the essential character of locality nor confer special privileges. Finke gave the Commission an additional letter from Dave Raskob recommending approval.

R. Reid asked what section of concrete staff recommended being removed. Finke said removal of the existing concrete along the side of the garage. If this area was removed, the property would be brought into compliance and wouldn't need a Variance for impervious surface. Finke explained the existing drainage of the site. He said the lot takes in a lot of water from the surrounding area properties. The applicant said a lot of the runoff drains into his garden which gives an opportunity for filtration.

Williams said it looks like the lawn is being maintained within the boulevard. Finke said since we're comparing with other properties in the neighborhood it seems to have more than other properties in the area.

Public Hearing opened at 7:44 p.m.

Mitchell said he went out to the site this morning and asked if the applicant had the need for storage. Mitchell said if we require storage be brought in and enforceable then he could see supporting it. Finke said the ordinance does prohibit parking in that location. He said the removal of the hardcover would eliminate the parking of boats in the grass.

Greg Smith, property owner, said he has lived there for 39 years. He said the survey map on the projector didn't show the entire area that he maintains for yard area. He maintains the City grass where the City has considered vacating the street also. He soaks up all possible water for his plants and shrubs and the lower retaining walls feed water to his gardens. At the rear of the garage he's proposing to have another garden and wants the water there to remain. V. Reid asked how the applicant felt about taking out the parking space on the side of the garage. Smith said he has no other place to park other than on his property due to the "no parking" restrictions on the streets. Smith said he didn't want to take out the concrete alongside his garage and replace with grass. He needs the extra space.

White asked if the applicant anticipated any other future improvements on his property. She asked if he had a fish house and if it would be put in the garage if the addition was constructed. Smith said the fish house would remain outside due to the height of the ice house. The proposed garage addition would only have a 7 foot height clearance and he would need more than that to fit the ice house in the garage. He said he would put it on the south side rather than the eastern side of the lot.

White said she wanted a condition that the applicant won't impact existing trees. Smith provided an additional letter to the Commission for the record from the neighbor to the east. Williams asked who was constructing the garage. Smith said Four Seasons Contracting. He said the contractor was present to answer any questions.

Anita Moxness of 4622 Pine Street, the neighbor to the immediate north, said they have absolutely no objections to the Variances being requested. She said her and her husband don't feel it's necessary to require the removal of the pavement on the side of the garage. Williams asked how long she'd been living there. Moxness said since 2007. Williams asked about drainage and she said it runs to his gardens and between houses.

Public Hearing closed at 8:01 p.m.

White felt the application met all the criteria for a Variance and agreed with staff's conditions. She said she would like to add that there shall not be any impacts to trees during the construction of the garage and no trees shall be allowed to be removed as a condition of approval.

Williams said he agreed it met requirements for a Variance. Williams said he didn't think it was really necessary under condition number 2 to remove the concrete.

Mitchell said all outside storage should be required to be put in the garage. Two conditions should be added such as: condition #5 should state trees shall not be removed as part of garage addition, and condition #6 should state that the concrete is not required to be removed.

Motion by Williams, seconded by V. Reid to recommend approval of the Variances to the setback and impervious surface coverage, subject to conditions set forth with the exception of #2 being removed, and adding conditions that "no trees shall be removed as part of the construction of the garage" and no outside storage shall be allowed with the exception of the applicant's fish house. Motion carried unanimously. (Absent: Nolan and Foote).

Public Hearing – Charles Cudd De Novo, LLC – Concept plan review for residential subdivision – East of CR116, South of Hackamore Road

Finke presented the application, explaining the applicant's request and that they had two conceptual layouts for the property. The first conceptual plan proposes a 17 lot subdivision which includes a through street which would connect on two ends of Daisy Circle. The second conceptual plan proposes a 15 lot subdivision with two cul-de-sacs which preserves a large area of trees. The subject site is actually two properties totaling 7.8 net acres in area. The eastern lot was previously reviewed under Fawn Meadows. In terms of the Comprehensive Plan, both lots are zoned low density residential.

Finke said the proposal is consistent with the R1 standards. He said the lots are larger than would be required. The applicant has chosen to create larger lots to provide for more flexibility in housing styles and sizes. Both concepts require significant tree removal. The cul-de-sac plan does preserve more trees.

Williams asked about the cul-de-sac issue and what the issues were with allowing them. He said he knew the City generally discouraged (Public Works) cul-de-sacs due to the long term maintenance for snow removal. Williams asked if a cul-de-sac were approved would it put too much traffic on Aster Road. Finke said it would not, since it's naturally the route to travel.

Mitchell asked that Finke explain the property to the west and how it connects with the proposed development. Finke explained the property would have 3-4 lots and would connect with a road from "The Reserve of Medina."

Williams asked if the two cul-de-sacs were to be implemented would there be another one directly west of the proposed application. Finke said the area is the main woodland area that staff would want to protect if developed. Williams questioned if the NE side of property where there, if a long wetland area would be left as is. Finke said yes, and it would be subject to the City's buffer requirements and is on a fairly steep slope. The exception will be the retention pond that is out of the wetland area. This is the same design as was shown on the Fawn Meadows plan.

Public Hearing opened at 8:30 p.m.

Rick Denman, owner with Charles Cudd De Novo, thanked the PC and staff for the opportunity to speak and get feedback. He said they are a small custom home builder and in order to be successful they have to find exceptional sites. He said this property is an exceptional site and to be successful they have to have natural amenities on them. They want to make sure to take advantage of the natural amenities on-site. He said of the two concepts, they lean more on the natural amenity layout that saves more of the trees and wetlands. Their objective was to propose two designs as to how the site could be developed. Cudd De Novo prefers the more natural plan. He said they worked with the Cavanaugh's Fawn Meadows plan, but have a different market than the way that was approved. He said the lots were a little too small and there were a couple things in the way they were laid out that didn't work for them. They were then able to put together a contract with the Nelsons next door and were able to come up with an exceptional plan.

Williams asked if they've had any communication with the property owners to the west or Toll Brothers to the south. Denman said yes he'd been in contact and that the Nelsons also own the half acre section of property that borders along County Road 116. He thinks at best they could get three lots and would save more trees with a private cul-de-sac. The lots would route out onto Aster Road. He said if they weren't required to construct a 90 foot cul-de-sac they could save a lot of trees. Williams said he appreciates the options and effort. Mitchell agrees with saving the woods.

White said Williams asked the questions she was going to ask.

V. Reid said she has comments and not questions for the applicant. V. Reid urged the Commission to consider the larger implications of the developments the City has approved in the northeast portion of the City over the last few years. North of Highway 55, the City has approved 284 housing units—126 for Toll brothers, 129 for Mattamy, 16 for the Woods of Medina, and 12 for Fawn Meadows—all of which will mainly use Highway 116 to access Highway 55. So far, just 57 of these dwellings have been occupied, so the effect of these developments on Highway 116 traffic is not known. Currently, traffic on 116 headed south to Highway 55 backs up for more than a mile during the early morning commute. Accessing 116 during the evening commute can also be difficult for people living in the adjoining neighborhoods.

V. Reid also pointed out that the addition of so many homes in one school district has led to increases in property taxes and an expansion of the Wayzata High School building. Last fall, voters in the Wayzata school district approved a \$109 million bond referendum to construct an eighth elementary school north of Highway 55 and to add on to the high school. Building capacity will now increase from 3200 to 3900 students. Currently, Wayzata is the third largest high school in the state and is expected to become the largest after the addition is completed. Many Wayzata district residents would have preferred to build a second, smaller high school, but this was not possible because the second high school needed to have roughly equivalent facilities, which financially was not feasible. In comparison, enrollment at each of the other three high schools which Medina residents attend is: 809 at Orono, 766 at Delano and 1879 at Rockford. While Wayzata is over-capacity, Orono accepts open-enrolled students.

V. Reid said a major reason the additional buildings are needed, according to the Wayzata District website, is new housing that has been approved and that is anticipated to be approved in the next few years. According to the website, about 300 new dwellings have been added within the district each year for the past few years and 400 new homes are expected for each of the next few years.

V. Reid said Medina has already contributed more than one full year of this increase in housing within the Wayzata school district. Besides the 284 units near Highway 116 noted above, Medina has approved 136 units for Lennar's Enclave for a total of 420 units within the Wayzata district. In addition, the City has granted Stage I approval to D.R. Horton for 85 single lots and a 54 unit apartment building that are within the Wayzata school district. A proposal for townhomes along Highway 116 is also pending. She said targeting one area of the City for rapid development is not only creating traffic problems and school capacity issues today, but neglects our long-term interests. Soon northeast Medina will have the look and feel of traditional, planned suburbia with little connection to the rest of the City. Moreover, north of 55 may be booming now, but it will age together, too. And the school additions we build today may at some point not be needed. The City of Edina once had two high schools, but now has just one because of declining enrollment. Good public policy strives to smooth out booms and busts, not create them.

V. Reid therefore urged the Commission to explore ways to slow development in the northeast portion of the City, including considering a moratorium on building.

R. Reid expressed agreement and support of V. Reid's comments.

Mitchell asked if the County had a plan for the Co. Rd.116 roadway. Finke said the City did the study and based on the development in this area of the City and Corcoran they did find a need for improvements. The County said they had no plans along 116 at this time, though turn lanes are in the 5 year CIP for the County. Mitchell said he drove in the area and that it felt like he waited forever traveling onto 55 from 116.

Williams said he was fine with the project since it had already been contemplated as Fawn Meadows and isn't really a new development. He said the issue of the cul-de-sacs is that it can be an inconvenience for maintaining, but if it can save the significant trees he likes the idea. He said he likes the cul-de-sac and appreciates what the applicant is trying to accomplish.

White said she agrees with Williams, that the tree preservation in the area offsets the maintenance of the cul-de-sac. It would really change the appearance of the site without the trees.

William asked when the application goes to Council. Finke said next week.

Public Hearing closed at 8:52 p.m.

Martin asked how long it takes to turn onto State Hwy 55 from County Road 116. V. Reid said probably around 10 minutes. Martin asked how many homes have CO's at this point. Finke said he didn't know. Martin said it would be good information for the Council to consider.

Martin asked the Commissioners to provide notes of concern for the idea of a Moratorium. Finke explained that the City has to have a reason and should complete a study. Martin said she would like to see the City study it broader with the Comp Plan and where we are at. V. Reid said her neighbors in Foxberry Farms Development are feeling they don't trust City Hall.

9. **Council Meeting Schedule**

V. Reid agreed to attend and present at the June 17, 2014 Council meeting.

10. **Adjourn**

Motion by Williams, seconded by White, to adjourn at 9:00 p.m. Motion carried unanimously. (Absent: Nolan and Foote).