

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes
Tuesday December 9, 2014

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

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

Absent: Charles Nolan, Randy Foote, and Kent Williams.

Also Present: Mayor Elizabeth Weir, Planning Consultant Nate Sparks, City Planner Dusty Finke, and Planning Assistant Debra Peterson.

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

No public comments.

3. **Update from City Council proceedings**

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

4. **Planning Department Report**

Finke informed the Commission that staff hadn't received any new land use applications. Mitchell asked where DR Horton was at these days. Finke said they have Stage One Plan approval. R. Reid said she spoke with Tim Cavanaugh and they were looking to make some improvements. V. Reid asked for clarification on the Racheal Contracting application and if the Council could take action with a denial from the Planning Commission. Finke said the Council could take action with a denial, but since some changes had been made they preferred the Commission take another look at the proposal.

5. **Approval of the November 12, 2014 Draft Planning Commission meeting minutes.**

Motion by Mitchell, seconded by White, to approve the November 12, 2014, Planning Commission minutes with the changes noted. Motion carries unanimously. (Absent: Nolan, Foote, Williams)

6. **Comprehensive Plan Amendment – Amending the Staging/Growth Plan, Community Background Chapter, Land Use and Growth Chapter, the Comprehensive Sewer Plan and the Water Supply and Distribution Plan.**

Finke explained that the application was not heard at the November meeting because of a lengthy agenda; however, they did recommend that mailing a notice was appropriate prior to the next meeting. Finke said the Commission recommended that any property with Stage 1 approval not be amended. The Commission recommended staff look at the possibility of evening out land uses amongst staging periods. The recommended Staging and Growth Map was explained to the Commission. He said the total acreage was divided into four staging periods and if one of the goals was to get an approximate equal mix within each staging period the chart would assist in accomplishing it going forward. He provided an example that if the City had 400 acres of low density residential available, the 400 acres could be divided into four staging periods with 100 acres in each staging period. He said the staging growth plan would have a lot of low and medium density in the first 10 years. It does bring low density to an equal distribution over each of the staging periods. The mixed use on the tail

end does fall behind. The high density and commercial wouldn't be impacted. Additional discussion items were:

1. Flexible staging periods ("jump ahead" provision) with an incentive based criteria.
2. Concentration for development within staging periods. Staging periods would still include large amounts of contiguous property.

Finke said the future land use plan with phasing periods was not updated for the presentation.

R. Reid asked how much single family acreage development was currently available. Finke said 45 acres of low density, 54 acres of medium density and 43 acres of mixed use, which included the DR Horton property. V. Reid said if our objective was to slow growth, she wanted to know if we could still do more. Finke said yes.

R. Reid said she isn't sure the proposal is going to do much.

V. Reid asked what the Commissioners objectives were. She said the Medina community survey asked what made Medina special and 74 percent of residents said maintaining its rural character and others said its location and quality of life in general. She said if the residents are stating they want to maintain Medina's rural character then her objective would be to slow growth down.

R. Reid was hoping to avoid going through all of the material, since the Comprehensive Plan would be coming up so soon. She said she is hoping they only look at the years 2015 -2016 as a short term patch to the issue.

Mitchell said the building permit chart indicated that staff estimated 114 housing units for 2014 and asked how many had been issued to date. Finke said to date we are around 100 units and would project 2015 to be less.

Mitchell said he appreciated the reductions the Met Council had given without a lot of pushback. He noted that he doesn't want to discourage all development. He said if you want to open a drug store you would want to have residential development in the area. He was curious what kind of band aid we could put on quickly and have an effect.

R. Reid would like to really limit residential until the comp plan is reviewed. R. Reid asked if in 2017 a developer came in could the City postpone it. Finke noted that whatever Staging Plan was on the book at that point would need to be followed. He said a moratorium could be discussed at that time, depending on the circumstances, which would be allowed to stay in place for 12 months.

V. Reid asked Mitchell what benefits development brought to the entire City. She stated that the impacts of development are really tipped towards properties north of State Hwy 55, and people in other locations who are not impacted are still benefitted.

Mitchell suggested starting by stating the problems which led people to suggest slowing growth.

V. Reid said congestion, views, and roadways. While the bulk of the congestion is coming from Corcoran, Medina doesn't need to contribute more to it.

R. Reid said she's agreeable to what's on the map proposed by staff.

White asked how much development is wanted. If we don't want any development in the yellow cross hatched area then that area needs to be shifted out two staging periods. V. Reid said she'd prefer pushing out two periods rather than a moratorium.

R. Reid said the market hasn't done the City any favors with all the development.

Weir suggested evening out growth for budgeting reasons. The Comp Plan will start in 2015. She agreed with Williams and Nolan at earlier meetings that we really need more careful study and how best likely to even out the development. One option would be to delay any revision since process will begin in 9 months. The delay of one leap ahead, is simply a two year holding period. If the City completed the Comp plan revision in 2017, this amendment wouldn't be a disaster if it's used to slow growth and even things out. Council could work with it either way. The sewer became available in the NE corner, which has caused all the growth.

R. Reid asked if some of the areas allowed to develop currently would be delayed until 2016 and Finke confirmed. Without removing the "jump ahead" provisions they could still develop in 2015.

Joe Cavanaugh, 275 Lakeview Road, asked if the memory care facility they have under review was impacted by the Amendment. Finke explained they are not proposing to exclude any pending applications.

Motion by V. Reid, seconded by R. Reid, to approve the Comprehensive Plan Amendment presented with the following changes:

- 1) Not amending the property at the northwest corner of Mohawk Drive and Chippewa Road which was recently changed to General Business,
- 2) Allow flexibility in the Staging Period for a two year jump ahead.

Mitchell stated that he suggests the jump ahead be allowed longer than shorter.

White stated that she agrees.

Motion carries (Absent: Nolan, Foote, Williams)

7. **Public Hearing - Ordinance Amendment to Chapter 8 of the Medina City Code related to Assisted Living Facilities, Nursing Homes, Housing with Services Establishments, and Similar uses.**

Finke presented existing regulations and asked for Commission direction on the following:

- 1500 feet from arterial greatly limit the amount of property
- Footprint and floor area ratio may not make sense in higher density or mixed use (use is more similar to apartments)
- Discussion re: Commercial Districts
- Discussion regarding lower density districts (here, footprint limitation may make sense)

Finke said the Council has asked staff to prepare Resolution for comp plan for Wealshire.

Mitchell asked what the restrictions will be for higher density uses. Finke said it would be hard cover. Mitchell said we could consider in the high density. Finke said we can look at

the changes in the mixed use. V. Reid said the point of the amendment is to help assisted living facilities to be treated more similar to an apartment building. V. Reid would be in favor of the amendment as proposed. R. Reid said the amendment is fine to loosen the restrictions to give the developers more flexibility. Personally, having been quite familiar with these types of uses, they are very quiet and she doesn't see the need to increase setbacks and is comfortable with the changes.

White said she was comfortable with the changes, but not comfortable with changes in commercial or low density.

Public Hearing opened at 8:32 p.m.

Public Hearing closed at 8:33 p.m.

Motion by White, seconded by V. Reid, to approve the Ordinance Amendment to Chapter 8 of the Medina City Code related to Assisted Living Facilities, Nursing Homes, Housing with Services Establishments, and Similar uses. Motion approved unanimously. (Absent: Nolan, Foote, Williams)

8. **Rachel Contracting – PUD General Plan and Preliminary Plat to develop 43 single family residential lots along the north and west portions of Medina Golf and Country Club.**

Sparks presented the application explaining that the Council referred the application back to the Planning Commission because the project had changed since the Commission reviewed and denied it. The Park Commission heard the application after the Planning Commission and recommended the applicant increase the required parkland dedication to 8.88 acres.

Sparks explained the Council felt the additional park dedication was a favorable enough change for the Planning Commission to take another look at it. He said that Block 3 would be constructed as the final phase of the development. The curb on the north side of Shawnee Woods Road would match the edge of the gravel surface of the road. He said the Council recommended that the front yard setback for the lots in Block 3 be 35 feet, which is an increased standard. Sparks also said the grading of Blocks 2 and 3 would drain to the south and wouldn't cause drainage issues to the Woods of Medina or Shawnee Woods.

Sparks said the Commission denied the application previously due to it not meeting the "Purpose Standards." The project was generally the same as previously presented, except for the change of a larger park.

V. Reid asked how much of the 8.8 acres of the park was buildable. Sparks said about 50 percent. V. Reid said it would be approximately double what was required. She asked if all areas of the park were useable. Sparks said it wasn't because of the wetland.

Mitchell said he attended the Council meeting last week and asked for clarification of the recommended buffer yard area between the street and yards. Sparks explained that a buffer yard area between the street and front yards was requested by the Council. He also explained that when the properties to the north were developed along Shawnee Woods Road, a roadway easement was created. The road easement is entirely on their properties, which is where the road is being proposed, and is allowable. Staff recommended the trees within the roadway easement be part of the tree inventory/preservation for calculation.

White asked if the Park Commission recommended trails for the project. Sparks said he didn't believe there was a formal discussion of trails, but the Park Commission could make those decisions once the City owned the Park.

Weir said it was her understanding that the developer would build an 8 foot in width trail with an extension along Shawnee Woods Road, down the golf course and along Evergreen Road. She said the area is an old growth forest and contiguous with the forest in Wild Meadows and it's significant for the City to be able to retain the natural resource and Wild Meadows has the old growth forest held in a land trust and would remain protected.

R. Reid asked what the front yard setback was in Block 3. Sparks explained that the developer was asking for a 25 foot setback for all yards, which can be requested through a PUD. Sparks said the Council asked that the setbacks be increased to 35 feet. R. Reid asked if the developer planned to construct the trails and if the setback increase was feasible. V. Reid asked if it was good planning to have homes on only one side of the street. Sparks said it is a PUD and part of it is to preserve the golf course. Generally, development projects have homes on both sides of the street, but not all circumstances are the same and this is unique with the golf course.

V. Reid asked for clarification of Limited Residential allowed and if the proposal met the requirements. Sparks explained that the Commission needed to decide if the Golf Course, park, and housing should be part of Limited Residential. He said if the Commission viewed Limited Residential as acceptable then it would be more difficult to open the door to additional residential in the future through the PUD. R. Reid asked if increased housing was requested in the future, would it be a PUD Amendment and Comp Plan Amendment. Finke said it would require Amendments to make changes, however future changes to the PUD would be restricted by how the PUD is defined through this process and with an agreement. The PUD proposed would tie the housing to the golf course which would limit or restrict additional housing in the future and protect the golf course. If the PUD was not in place, the residential component wouldn't be tied together with the golf course and it would fall under the standard zoning.

Chuck Alcon, Project Coordinator for Rachel Contracting, introduced himself to the Commission. Rick Denmann explained that Medina Highlands was developed by their company, but they were twin home units. He said the villa style units were market driven and targeted towards the empty nesters. The villas were essentially detached townhomes with all the exterior maintenance that would be in a townhome development. He said they met or exceeded the lot sizes for an R-1 zoning district, but they were requesting minor adjustments through the PUD for setbacks. He said Block 3 would all be custom homes. Alcon said they could commit to the 35 foot setback recommended by the Council and that he verified that all the drainage would all go to the south. He further added that the proposal was to complete the development without phases and an eight foot trail would be proposed which would extend all the way around the wetland.

Scott Peterson, President of Medina Golf and Country Club, said the proposal was the best for the Country Club since it eliminates the development in the SE corner (par 3 course) of the golf course. He said they were very happy working with Mr. Rachael and they both would win in dealing with drainage issues on the golf course, since it was in the best interest of everyone.

Mike Amundson of 3828 Linden Dr. E. said it's in the best interest of the City to eliminate the 200+ units at the SE corner of the golf course.

Steve Theesfeld of 600 Shawnee Woods Road said he still had concerns with Block 3 and understands about the need to modify the SE corner, but they are now having severe water issues. He said portions of Shawnee Woods Road floods and if the project builds up the level of each lot, then the water has to go somewhere. He's concerned, since he's seen that not come true with other development projects.

Eric Voltin of 630 Shawnee Woods Road said they appreciated all the concern about the wooded area in Block 3 by the Commission. Commissioner White expressed the Commission's previous unanimous vote to keep the woods. She said the only change to the development from the last time she saw it was the increased Parkland Dedication. Voltin said the water issues on-site makes the parkland unusable five months out of the year since it would more than likely flood the trails which would make for a dead end trail. He asked that the Commission consider at the very least remove or reduce all the units in Block 3 of the project and that he didn't think it was an unreasonable request.

R. Reid said the change from the previous meeting is the substantial increase in parkland dedication. Mitchell said the additional conditions placed on the project by the Council would affect the setback on Block 3. Mitchell said he's familiar with this type of topography that doesn't drain well and asked that staff and City Engineer look at that area closely. He felt the use of a PUD was an excellent control device. His question was what the City would get in exchange. He didn't want to talk about acres of residential compared to 219 apartment units. He thought the trade off to get the units out of the 9 hole course is a good thing. He sees the proposed housing as pretty nice housing and was satisfied with the additional Council conditions. He said he was in favor of the project. V. Reid said she was leaning against the project. She said going from 2 to 8 acres for park land that isn't very usable wasn't enough of a change. She thought the argument was compelling, but 43 houses was a lot and she was concerned with how much hard scape was being proposed. She said she didn't see why they should have a PUD. She said she was also concerned with the drainage and knows how bad it gets. She wants to do what's best for the City. Charles Cudd builds a beautiful home, but she felt it would be much better if they eliminated the houses along the north.

White said the additional park land the Park Commission has discussed in the past was to be an active park and she didn't see that the proposed park gets to what they wanted. She said she can't support the project.

R. Reid said she didn't like Block 3 and giving the park to the City gives us more authority, but she doesn't feel it is really developable anyway. She said she was torn mainly with Block 3, yet inclined to favor in approval with the Council.

Motion by Mitchell, seconded by R. Reid, to recommend approval of the PUD General Plan and Preliminary Plat to develop 43 single family residential lots along the north and west portions of Medina Golf and Country Club. Ayes: Mitchell and R. Reid and Nays: White and V. Reid. Motion failed. (Absent: Nolan, Foote, Williams)

9. **Council Meeting Schedule**

R. Reid agreed to attend and present at the December 16, 2014 Council meeting.

10. **Adjourn**

Motion by V. Reid, seconded by White, to adjourn the meeting at 9:24 p.m. Motion carried unanimously.