

## MEDINA CITY COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

The City Council of Medina, Minnesota met in regular session on February 21, 2017 at 7:00 p.m. in the City Hall Chambers. Mayor Mitchell presided.

### I. ROLL CALL

**Members present:** Anderson, Cousineau, Pederson, and Mitchell.

**Members absent:** Martin.

**Also present:** City Administrator Scott Johnson, City Attorney Ron Batty, City Engineer Jim Stremel, City Planner Dusty Finke, Public Works Director Steve Scherer, and Police Sergeant Jason Nelson.

### II. PLEDGE OF ALLEGIANCE (7:06 p.m.)

### III. ADDITIONS TO THE AGENDA (7:06 p.m.)

The agenda was approved as presented.

### IV. APPROVAL OF MINUTES (7:06 p.m.)

#### A. Approval of the February 7, 2017 4:00 P.M. Special City Council Meeting Minutes

*Moved by Cousineau, seconded by Pederson, to approve the February 7, 2017 4:00 P.M. special City Council meeting minutes as presented. **Motion passed unanimously.***

#### B. Approval of the February 7, 2017 4:30 P.M. Special City Council Meeting Minutes

*Moved by Cousineau, seconded by Anderson, to approve the February 7, 2017 4:30 P.M. special City Council meeting minutes as presented. **Motion passed unanimously.***

#### C. Approval of the February 7, 2017 Regular City Council Meeting Minutes

Johnson noted that he received some grammatical changes to pages three and nine that staff will incorporate.

It was noted on page three, line 41, the following sentence should be added, "Cousineau stated the ordinance might be better suited for larger parcels rather than the smaller ones in the ordinance, i.e. 40 acres as currently defined." On page three, line 38, it should state, "...interest from the Council in tying the density bonus incentives to the number of homes ~~that might be in play, as he thought that was an interesting point, proposed by the applicant,~~ noting that perhaps the 200 percent density bonus is be linked to a lesser number of homes." On page five, line 13, it should state, "...the trees could be ~~improved~~ restored..." On page seven, line 27, it should state, "...trail becoming public." On page nine, following line three, the following sentence should be added, "She also asked if we shouldn't add the five acres of suitable soils into the new Comprehensive Plan as stated in the existing Comprehensive Plan."

Moved by Cousineau, seconded by Anderson, to approve the February 7, 2017 regular City Council meeting minutes as amended. **Motion passed unanimously.**

**V. CONSENT AGENDA (7:10 p.m.)**

- A. **Approve 2017 Work Plan Goals**
- B. **Approve Temporary Liquor License to Wildlife Rehabilitation Center of Minnesota on August 12, 2017 at 3000 Hamel Road**
- C. **Appoint Lauren Lubenow as Youth Member to the Medina Park Commission**
- D. **Amend Personnel Policies 5.40 Sick Leave, 5.50 Sick Leave Donation, 6.50 Pregnancy and Parental Leave, 6.60 Leave of Absence - Other**
- E. **Resolution No. 2017-13 Supporting Grant Application for Hennepin County Bikeway Participation Program**
- F. **Resolution No. 2017-14 Entering into MNDOT Agreement for Traffic Control Signal Maintenance Agreement (MNDOT Agreement No. 1027317) and Authorizing Signatures**
- G. **Resolution No. 2017-15 Authorizing Signatures for the Cooperative Agreement No. PW 67-36-16 with Hennepin County**

Moved by Pederson, seconded by Cousineau, to approve the consent agenda. **Motion passed unanimously.**

**VI. COMMENTS (7:12 p.m.)**

**A. Comments from Citizens on Items not on the Agenda**

There were none.

**B. Park Commission**

Scherer noted that the Park Commission met to discuss trail connections and the prior goals. He noted that the annual park tour will be held on April 19<sup>th</sup>.

**C. Planning Commission**

Planning Commissioner Barry reported that the Planning Commission met the previous week to consider two items. He stated that the first was a concept plan review for an 80-unit senior assisted living facility that would also include a commercial and business building. He stated that the largest aspect of the discussion was the rezoning that would be necessary and whether the Commission would like to approve the rezoning prior to the new Comprehensive Plan becoming active. He noted that the commercial and business definitions are very similar and therefore the Commission felt that they could support the rezoning should this continue to move forward. He stated that the second item considered was a public hearing for a 42-unit memory care facility, which required a Comprehensive Plan amendment and rezoning. He noted that this item also had discussion on whether to rezone and amend prior to the new Comprehensive Plan becoming effective. He noted that the Commission did recommend approval of the request.

**VII. NEW BUSINESS**

**A. Lunski Senior Housing/Office Concept Plan Review – PID 03-118-23-32-0007 (7:18 p.m.)**

Finke noted that this is a concept plan review and therefore the Council will simply provide comments and no formal action is necessary. He stated that this is a proposed 80-unit combination of independent and assisted senior living and would also include an office building and commercial building. He discussed the topography and current state of the site including trees and wetlands. He stated that a future request may come forward to rezone the parcel from commercial to business. He noted that the draft Comprehensive Plan designates this land as business rather than the current designation of business. He identified the zoning and uses of adjacent properties. He displayed the concept plan which identifies the senior housing building, the office building, and the commercial building. He stated that the concept plan designates three lots and provided more details on the proposed access. He reviewed some of the concerns noted by staff including the need to specify the mix of assisted living and independent units within the complex. He noted that within the business zoning district, assisted living would need to be the primary use with independent living as an accessory. He stated that one item to be considered is whether the Council would be comfortable rezoning the parcel to business ahead of the adoption of the draft Comprehensive Plan. He noted that staff has suggested that the building size be reduced slightly to better fit onto the parcel. He provided additional information on high density housing and how those units are calculated.

Pederson referenced the wetland that would be filled and asked for additional information.

Finke stated that there are wetland impacts for the driveway, which staff views as a necessity as access will not be supported onto Highway 55.

Anderson referenced lot three, specifically the setback requirement, and asked how much the applicant is short of meeting that requirement.

Finke replied that the applicant would be about two or three feet short of meeting the setback requirement.

Pederson asked whether emergency and fire vehicles would have adequate space to navigate the site. He noted that if this moves forward the Chippewa extension may be needed and the applicant should be aware of the costs.

Mitchell noted that this is different than the original plan for the area but it could still be a good fit and asked for the input of the Council.

Pederson stated that this seems to be a good fit for the property but it seems that there is too much going on with the site.

Cousineau stated that this does not seem like a bad location for the project but the project is too large and feels like a jump ahead.

Mitchell stated that commercial is not filtered through the same jump ahead as residential development.

Anderson stated that the real question is regarding the policy. He stated that despite the similarities between business and commercial zoning, there have been previous applicants that wanted to come in under the new Comprehensive Plan zoning and the

Council has denied those requests. He stated that if the applicant feels strongly they should request a Comprehensive Plan amendment.

Mitchell noted that this would not draw a large amount of traffic to the site, which is in agreement with what the City wants. He stated that he attended the Planning Commission meeting and endorsed the comment that the applicant work with the adjacent property owner for a possible driveway that would avoid the wetland. He stated that the applicant has stated that they would like flexibility in the unit type so that they can change over time based on the market demands. He cautioned to ensure that if flexibility is provided, a sufficient amount of parking is still provided. He stated that this seems to be a lot of development on not so much land.

Cousineau stated that there is real emphasis on the business park zoning that the buildings should blend into the surroundings and she commented that perhaps the landscaping could be tweaked to better blend. She noted that the height of the building would stand out a lot compared to the surrounding uses.

Pederson stated that applicants have complained later in the process about the cost of underground parking and noted that the applicant should be aware of that cost as the underground parking would be needed to support this level of development.

Anderson noted the applicant should be aware of the potential cost of expanding Chippewa that would come along with that road project.

Mitchell stated that this is a terrific use for the property. He stated that the Council is getting into the design details in order to provide a higher level of comment to the applicant. He stated that he is in favor of the project with the comments the Council made tonight.

Pederson stated that he is also in agreement with the project as long as the details could be worked out.

Cousineau stated that she would be willing to rezone to high density if we could ensure our density is not in excess of our required numbers.

Finke provided additional details on the process that would be necessary to change the zoning to high density. He stated that at the Planning Commission, the applicant did say that if the rezoning was done to high density they would not be opposed to that and would then choose high density rather than senior living.

Cousineau asked if this could create a creep in the increase of residential units that would not count towards high density requirements.

Finke stated that there are a number of acres available for business development that could be used for assisted type living.

Dean Lunski, applicant, stated that they purchased the property in 2005 with the intent to develop in 2005, but a moratorium was placed and therefore they have not been able to develop. He stated that if they were going to rezone to residential they would go to multi-family housing rather than independent/assisted living as that use is also highly in

demand. He stated that the aging population of Medina is growing and therefore there is a demand for senior living in the area.

Mitchell stated that the applicant has sat on this land for many years and the applicant would like to get moving and not wait until 2020.

**B. Orono's Request for Support on Expanding Long Lake Fire (7:57 p.m.)**

Mitchell stated that Long Lake Fire and Orono went through this process last year and decided to stay where they were, but now would like to take another look at it. He stated that nothing is required of the City and therefore he would like to allow them to look at the issue again.

The Council Members agreed.

**VIII. OLD BUSINESS**

**A. 2020-2040 Comprehensive Plan Update (7:58 p.m.)**

Johnson noted that the updated draft plan was provided in the packet for the Council to review. He noted that if the Council is okay with the draft plan as presented, the Council could take action tonight.

Mitchell asked if the decision should be delayed based on the conversation that occurred earlier in the meeting.

Finke stated that the consensus he understood is that there would not be a reason to rezone to residential and therefore delayed action would not be necessary.

Cousineau stated that her concern would be that over time the City could accumulate additional high density housing that was not designated in the Comprehensive Plan.

Finke stated that the adjustment for that would not necessarily be within the Comprehensive Plan, but the City could instead remove assisted living from the zoning at any point if that market becomes saturated.

Mitchell suggested delaying action on the Comprehensive Plan at this time to allow staff additional time to determine the best method to move ahead with the Lunski project without opening the gates to a saturated market.

Finke asked if that is a concern of the Council in general, in having a substantial amount of residential type units in the business land use. He stated that issue is not as much of a Comprehensive Plan issue as it is a zoning issue. He provided additional details on the opportunities that the business land use provides for assisted living facilities.

Mitchell noted that the City has guided to the minimums but those are minimums. He noted that the City does not have transportation and therefore affordable housing units must have garages and geared for those that drive.

Cousineau recognized that her concern is for the future and that this could add additional high density units.

Finke noted that the development would only occur based on market demands. He stated that the Council could make the decision to phase out senior housing but the housing objectives suggest that the Council does not want to do that.

Mitchell stated that it appears that the Council can move the Comprehensive Plan forward.

Finke clarified that moving forward is simply releasing the document for jurisdictional review and it is not the last time the Council will see the plan.

Stremel provided additional details on the costs, for items such as the water tower, which will be included.

Anderson referenced the surface water management plan and referenced a suggested grammatical change.

Finke noted that the Chippewa extension is identified in the transportation plan, although a specific timeframe or funding source is not mentioned.

Pederson recused himself.

*Moved by Anderson, seconded by Cousineau, to direct staff to route the 2020-2040 Comprehensive Plan to affected jurisdictions for their review and comment. **Motion passed unanimously.***

Pederson rejoined the Council.

#### **IX. CITY ADMINISTRATOR REPORT (8:19 p.m.)**

Johnson provided information on the proposed Baker Park Ravine Stabilization project that was recently presented by Three Rivers Park to the Pioneer Sarah Creek Watershed. He noted that if all the grant funds are received, the cost to Medina would be \$10,500 for the phosphorus reduction project. The estimated phosphorus reduction is 134 pounds. He noted that Medina's project portion could be funded under the 2018 CIP.

Pederson commented that this seems to be a great value.

Johnson confirmed the consensus of the Council to add the project to the 2018 CIP.

#### **X. MAYOR & CITY COUNCIL REPORTS (8:20 p.m.)**

Anderson stated that he attended the mayors' dinner the previous week and provided an update. He stated that he informed the group of the newly appointed youth member to the Parks Commission and the group thought it was a great idea. He stated that the senior engineer at MnDOT spoke on a state-wide basis in regards to roads and transportation. He noted that the maintenance budget for the next several years far exceeds the available funds and therefore there will be deterioration of roadways and road closures. He stated that after the 2018 Super Bowl transportation will continue to be a key issue for the legislature.

Johnson stated that he attended the West Metro Drug Task Force luncheon, noting that two of the officers that are moving on were commended for their years of service. He

noted that a recap of the 2016 accomplishments was provided. He stated that the City also received a check for \$20,000 from the group to help off-set some of Medina's expenses, which is an equal share that all members in the task force received from forfeitures.

Mitchell expressed thanks for those that have filled in attending the mayors' meetings.

**XI. APPROVAL TO PAY THE BILLS (8:26 p.m.)**

*Moved by Anderson, seconded by Cousineau, to approve the bills, EFT 004025E-004041E for \$49,158.19, order check numbers 045505-045563 for \$137,664.30, and payroll EFT 507710-507740 for \$47,854.15. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting at 8:26 p.m. **Motion passed unanimously.***

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Bob Mitchell, Mayor

Attest:

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Jodi M. Gallup, City Clerk