

**CITY OF MEDINA  
PLANNING COMMISSION**

Meeting Minutes  
Tuesday, January 8, 2013

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

Present: Planning Commissioners Charles Nolan, Robin Reid, V. Reid, Kent Williams, Mark Osmanski and Randy Foote.

Absent: Martin

Also Present: City Councilmember Elizabeth Weir, 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 provided an update of upcoming Planning projects.

5. **Approval of the December 11, 2012 Draft Planning Commission meeting minutes.**

**Motion by Foote, seconded by V. Reid,** to approve the December 11, 2012 minutes with the changes noted. Motion carried unanimously. Absent: Martin

6. **Public Hearing – Daniel and Jill Johnson – Request a Comprehensive Plan Amendment from Rural Residential to Agriculture and a Rezoning from RR, Rural Residential to AP, and Agricultural Preserve for the three properties located at 2505 Willow Drive (PID 16-118-23-42-0007, 16-118-23-31-0001, and 16-118-23-42-0006).**

Finke presented the application.

Nolan said he understood the Comprehensive Plan as it relates to Agricultural Preserve and Rural Residential. He said it appears to be reactionary since it's already been decided.

Foote asked why the applicant would want to apply for the change. Finke said the applicant would explain his reasons. Nolan asked about requirements of agricultural production. Finke said there weren't any requirements. Williams concurred the property wouldn't have to produce anything and asked how many buildable lots existed on the Johnson lots. Finke said the minimum was around three lots, but he would have to review title paperwork to verify.

Daniel Johnson, the applicant, stated he purchased two of the three parcels ten years ago from the Piper family. He said they just acquired the third parcel last May of 2012 and wants to preserve the land. He said he feels fortunate to live where he lives and wants to do organic farming. He said he has no hidden agenda but wants to preserve the openness of the land, though he felt the land could be further subdivided in the future.

Williams asked Johnson if they were aware of the conditions placed in the report by planning staff and he said he hadn't read them yet. Williams proceeded to go down the conditions list and Johnson said he was ok with the conditions. He said he paid rural residential pricing rather than agriculture pricing. He said when he sat on the City Council he felt they approved other properties similar to his request and felt his application was consistent with the Metropolitan Council guiding and Greenway. He said he desires a less intense use at this time.

V. Reid asked how much of the land they were planning to use. Johnson said they will produce hay, plant apple trees, raise chickens, and possibly sheep and alpacas. He said the 9.6 acre parcel would be for organic farming which requires special preparation since it can't have chemicals on it for at least seven years.

V. Reid said under the application there really weren't any terms or requirements to do anything with the land. Finke stated that was correct.

Finke clarified cutting of trees and that the subject properties would not exempt them from the City's regulations for tree removal. They would be required to follow the City regulations.

Public Hearing was opened at 7:30 p.m.

Public Hearing was closed at 7:31 p.m.

Foote asked if the applicant could reapply to put the property back into the RR zoning and if so would it likely be granted. Finke said the property will have restrictive covenants recorded on the property to remain in the agricultural district. He further said Statute allows either party to pull it out of the district after eight years from giving the County notice of pulling it out of the Agricultural district.

Finke said if the owner wanted to remove the restrictive covenants it doesn't mean the land use changes unless it's approved by the City. Nolan said this was the same issue with the Wally Marx application.

V. Reid asked Finke if he knew the reduction of tax dollars if the classification changed. Finke said it would be around \$6,000.00 less to the City's portion of the tax levy.

Williams said he was in favor of the change since it met the City's Rural Residential character vision.

Williams moved to approve the Comp Plan Amendment from RR to Agriculture and zoning map amendment with two conditions in the staff report.

V. Reid said she wanted to back up to discuss it further. She asked if the application was approved would there be policy implications or is it a case by case basis. She said she didn't want the applicant to be exempted from clear cutting the property.

Foote asked how much of the property was covered by trees. Johnson reviewed the aerials and said it did have "Big Woods" which are around 200-250 year old maples. He said more than half of the 16 acre parcel was hardwood trees. He said some portions were agriculture and farmed at one time and the property also has a nice trail that goes around the lake. Foote asked if other property owners could start asking for Agriculture Preserve and Finke said yes they could, but they have to be 40 acres or greater in size to qualify.

Foote asked about the revenue loss. Nolan said it's an economic shift. He said the City has had a lot of subdivisions approved in the last 24 months and we should find a way to slow it down, though it is a larger policy decision. He said with the low volume of requests to put property into Agricultural Preserve, he suggested we welcome it.

Liz Weir said the Commission could suggest the City Council discuss making a policy decision on these types of applications.

Foote Amended Williams Motion to see if there should be a Policy decision. Williams said he has only seen one similar application in the past three years while being on the Commission. He said the City should encourage and that it's rare a property owner is willing to lock up their property for a minimum of eight years.

Finke said the City has approximately 35 parcels that are at least 40 acres in size that could qualify for the Ag Preserve zoning. He said the current application is not part of the 35 parcels since the applicant has three lots totaling over 40 acres which will be combined if approved.

Williams did not accept Foote's Amendment.

Osmanski said he mirrors what Williams said and is fine with exchanging preservation of land over the tax revenue. He said he doesn't take this decision lightly.

R. Reid, V. Reid, and Nolan said they agreed with Williams

**Motion by Williams, seconded by V. Reid,** to recommend approval of the Comprehensive Plan Amendment and Rezoning of three properties, with the note that the City Council considers making a Policy Decision on these types of applications. Motion carries unanimously (Absent: Martin).

7. **Public Hearing – City of Medina – Requests a Conditional Use Permit and Site Plan Review for the use of a Public Building within the Industrial Park zoning district at 600 Clydesdale Trail (PID 12-118-23-23-0059).**

Finke presented the application. He said it's a 7.1 acre site with 10,500 square feet in office space and 58,500 square feet in warehouse/shop. He said they are proposing some minor exterior changes along with constructing an outside detached salt/sand storage building. He said the proposed project does not trigger stormwater improvements, though staff suggested possibly making some improvements.

Finke explained the salt/sand storage building would be 25 feet in height and the existing principal structure is 32 feet in height which would screen the building from certain angles. He said the principal building is nonconforming as it relates to the dock doors. The City plans to reduce the nonconformity but will not be bringing it into 100% compliance at this time. V. Reid asked what percentage we were over, but Finke said he wasn't sure of the exact percentage.

Pam Anderson, 292DesignGroup, said she is the architect working on the building for the City. She said some of the dock doors on the building didn't function for the PW/Police use but they need a drive-thru area for their trucks. She said the office area is a really good fit for the Police Department. V. Reid asked if all dock doors were needed and Anderson said that they weren't all needed but it came down to expense. Scott Johnson said just two windows were \$6500.00 which would be needed to fill in one of the dock door areas. Anderson added infilling the dock door openings often times doesn't match.

V. Reid asked what kind of landscaping would be going around the salt/sand building. Anderson said a number of coniferous trees would be placed on the berms and at full growth they would screen year round. She said that no specific quantities have been discussed at this time. V. Reid said when they approved allowing salt/sand buildings for Public buildings the Planning Commission asked for good screening. Finke said an opacity level wasn't required, but could be required for this project.

Nolan said he felt the application was consistent with what we'd require of any other applicant.

Osmanski commented that the sand/salt building and new facility is really needed, especially in its location.

Johnson said the current salt/sand building at 2052 County Road 24 is recalled. He said it's not up to code and was recalled a few years ago. There is a deficiency in the structure. He said they originally talked about moving the building to the new location, but since it isn't to code and has a recall it wasn't an option.

Osmanski asked about fuel and if the new location would supply it there or would they use the current location. Finke said the existing pump area at City Hall would continue to be utilized and the City staff would also use local motor fuel stations.

Public Hearing opened at 8:04 p.m.

Public Hearing closed at 8:05 p.m.

R. Reid said she doesn't see any real issues with the proposal. She supported the project and supports the screening requirement.

Williams said he liked how Planning staff was aggressive on wearing their Planning hats.

V. Reid asked if staff knew how much more intense our use would be compared to the previous users in the building. Finke said he wasn't sure.

Police Chief Edgar Belland added there are currently five loading docks and two would be removed. He said they have a plan for a generator and if it's not inside it would be screened. He said the building would be used for an emergency center and would need the generator to operate. Finke said it would be rare that all three loading docks would be open at the same time.

**Motion by V. Reid, seconded by Osmanski**, to recommend approval of the CUP and Site Plan Review with all recommended conditions by staff, including language specifying opacity of screening of the salt/sand building. Motion carries unanimously (Absent: Martin).

## **8. Election of the 2013 Planning Commission Chair**

Williams nominated Nolan as Chair.

Nolan was chosen as Chair by unanimous consent of the Commission.

**9. Election of the 2013 Planning Commission Vice Chair**

V. Reid nominated R. Reid as the Vice Chair.

R. Reid was chosen as Vice Chair by unanimous consent of the Commission.

**10. Council Meeting Schedule**

Commissioner V. Reid agreed to attend the Council meeting on January 15, 2013.

**11. Adjourn**

**Motion by Osmanski, seconded by Williams**, to adjourn at 8:15 p.m. Motion carried unanimously. (Absent: Martin)