

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, March 13, 2012

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

Present: Planning Commissioners Robin Reid, Kent Williams, Randy Foote, John Anderson, and Victoria Reid.

Absent: Commissioners Kathleen Martin and Charles Nolan

Also Present: City Councilmember Elizabeth Weir, City Planner Dusty Finke

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 February 14, 2012 Draft Planning Commission meeting minutes.**

Motion by Anderson, seconded by V. Reid, to approve the February 14, 2012 minutes as presented. Motion carried unanimously. (Absent: Martin & Nolan; Abstain: Foote)

6. **Public Hearing –Public Hearing – Text Amendment to Chapter 8 of the Medina City Code related to regulations for Temporary Outdoor Sales Events.**

Finke stated that the Council had directed staff to amend the limitation on the amount of time which a temporary outdoor sales event may be held on a property in the City. He mentioned that “tent sales” are an example of one of these events, which are currently allowed for up to 50 days on any property. Finke stated that a property owner had requested that the City extend this timeframe at the 2011 spring business forum.

Anderson inquired why 60 days was chosen.

Finke responded that it is really a judgment call for the Commission and City Council, and that various cities allow from 20 days to 90 days.

V. Reid inquired how much time the business owner had requested. Finke replied that he believed they requested 90 days.

V. Reid stated that she did not mind tent sales and that a nursery tent seems preferable to an empty parking lot.

Finke noted that other uses may want to host a temporary outdoor sales event. Examples over the past few years included fireworks and “whirly-whoool” yard ornaments. He also noted that these tent events could be for the property owner on which the event is located, or the property owner could allow another to use their parking lot area.

Public Hearing Open at 7:18 p.m.

No one was present to speak at the hearing.

Public Hearing Closed at 7:19 p.m.

V. Reid inquired how long the property owner who requested the change actually operates.

Finke responded that he believes it is about 75 days. He noted that last year the City allowed them to hold the outdoor sales event on 50 days, but did not count Sundays against them because it was considered part of the flea market that occurs on the property.

Anderson suggested that the City start with 60 days and re-evaluate.

The general consensus of the Commission was to recommend 60 days at this time.

Motion by Anderson, Seconded by V. Reid to recommend approval of the Ordinance Amending Sections 832, 838, and 842 of the Code of Ordinances Regarding Temporary Outdoor Sales Events as prepared by staff. **Motion carried unanimously.** (Absent: Martin & Nolan)

7. Public Hearing – Text Amendment to Chapter 8 of the Medina City Code related to regulations for Planned Unit Developments.

Finke stated that most of the amendments proposed by the ordinance were fairly technical in nature and did not have much of a policy impact. Most of these changes are a result of the ordinance being drafted in 1994 and various changes have occurred within state statute since that time; and the City’s development pattern has also changed.

He stated that a few of the changes which do have more of an impact included: 1) adding more language regarding protection of natural resources and open space to the purpose section; 2) making the final plan of development stage an administrative approval; and 3) removing the clause which prevents buildings from being closer together than ½ of the sum of their heights. Finke noted that some of the standard zoning districts of the City already allow buildings closer together.

R. Reid inquired if the information about the HOA was covered in other ways.

Finke confirmed that staff did not believe it was necessary to include in the ordinance.

Williams suggested that it may be most efficient for the Commission to carefully review the ordinance page-by-page.

Public Hearing opened at 7:34 p.m.

No one was present to speak at the hearing

Public Hearing closed at 7:35 p.m.

Williams suggested changing the language in Subd. 8 of Section 827.25 to “that effectuates the objectives.” He suggested that this is much stronger than “in harmony with.”

General consensus was to recommend this change.

V. Reid asked about the density requirement that no stage exceeds 125% of the average.

Finke replied that the thought would be to prevent a developer from developing a portion of the site very densely and then walking away. He stated that the opposite of this has tended to happen more often and that developers have tended to want to develop the lowest density portion of a master plan.

Williams suggested that it might be best to build flexibility into it by adding language such as: “unless otherwise agreed by the City.”

General consensus was to recommend this change.

R. Reid stated that she agrees with striking limitation on front setbacks so that urban or downtown types of developments could occur if the City so desired.

General consensus was to recommend this change.

Commissioners and staff discussed the concept plan process, including how formal the process should be and whether or not the City should take formal action.

The general consensus of the Commission was to require Concept Plan review, but to change the language so that it is not an “approval”, but rather an opportunity for the Commission and Council to provide comments.

Commissioners discussed the section of the ordinance related to PUD Evaluation. Finke stated that he believes the most likely scenario where this might come into place is if the City was approving of a multi-phase PUD and wanted to leave open the possibility of making adjustments depending on experience in earlier phases.

Williams suggested that language be added to the ordinance to allow the City to order additional conditions on these future phases. He suggested leaving the language flexible from the City’s perspective.

Motion by Williams, Seconded by Foote, to recommend approval of the ordinance amending Section 827 of the Code of Ordinances regarding Planned Unit Developments with the changes requested by the Commission. **Motion carried unanimously.** (Absent: Martin & Nolan)

8. City Council Meeting Schedule

Finke requested a Commissioner to attend the March 20 City Council meeting.

V. Reid stated that she would check her schedule, and Anderson agreed to attend if Reid could not.

9. Adjourn

Motion by Anderson, seconded by Foote, to adjourn at 8:23 p.m.
Motion carried unanimously. (Absent: Martin & Nolan)