

CITY OF MEDINA
PLANNING COMMISSION

Meeting Minutes
Monday, March 20, 2017

1. **Call to Order:** Chairperson White called the meeting to order at 7:00 p.m.

Present: Planning Commissioners Chris Barry, Dino DesLauriers, Robin Reid, and Janet White.

Absent: Commissioners Todd Albers, Kim Murrin, and Laurie Rengel.

Also Present: City Planner Dusty Finke.

2. **Public Comments on Items not on the Agenda**

No comments made.

3. **Update from City Council Proceedings**

Anderson reported that the Council last met to discuss the proposed amendment to the current Comprehensive Plan for a memory care facility. He stated that the Council had a lengthy discussion and ultimately directed staff to prepare the item for approval. He stated that the Council will formally approve the item under the Old Business section of the Council agenda the following night. He noted that the zoning requirement for the property is consistent with how the Steering Committee had planned to zone the property under the draft Comprehensive Plan.

4. **Planning Department Report**

Finke provided an update.

5. **Approval of the February 13, 2017 Draft Planning Commission Meeting Minutes.**

Motion by Reid, seconded by Barry, to approve the February 13, 2017, Planning Commission minutes with changes as noted. Motion carries unanimously. (Absent: Albers, Murrin and Rengel)

6. **Public Hearing – Three Rivers Park District – Conditional Use Permit Amendment to Allow “We Can Ride, Inc.” to Provide Horse Therapeutic Services to Needs of Individuals with Disabilities and Special Needs at Baker Park Public Safety Facility Location at 4301 County Road 24**

Finke presented a request from the Three Rivers Park District to amend the existing Conditional Use Permit (CUP) to allow “We Can Ride, Inc.” to provide therapeutic horse services to needs of individuals with disabilities and special needs at Baker Park Public Safety Facility. He stated that the applicant is requesting a maximum of 20 horses on site. He stated that the stable is currently used for storage and not as a stable, as the Three Rivers Park District has ended their mounted patrol of the park. He provided an aerial photograph of the property, noting that the site is in the middle of the Baker Park Preserve property. He stated that the property is zoned for public/semi-public and the original use of the property included patrol and mounted patrol activity. He noted that the original condition of the CUP

allowed up to 16 horses at the facility. He noted that the storage currently occurring at the stables would be moved to another indoor site on the property, as outdoor storage is not allowed. He stated that equine assisted therapy is not listed as a use within the zoning district, but advised that is a relatively unique use. He stated that staff looked at some of the other uses permitted in the zoning district and determined that the use is similar in nature and could be properly regulated through the conditions of a CUP. He displayed the proposed site plan and identified the grazable acres available. He noted that upland buffers would be required to protect the wetlands located in the middle of the grazing area. He reviewed the other proposed improvements that are a part of this request, including improvements to the access and the addition of a fire lane. He reviewed the animal density regulations of the rural residential zoning district but noted that those regulations would be different, as those are typically hobby farms rather than a commercial operation. He noted that staff recommends that specific conditions be added to the CUP regarding manure management and grazing. He noted that the applicant is requesting up to 20 horses. He explained that the stable holds 13 horses and the additional horses would be housed in another area, such as injured horses. He noted that although the applicant may not have 20 horses on the site, they are requesting that additional flexibility. He stated that staff recommends leaving the maximum number of horses at 16, as currently specified in the CUP. He reviewed the proposed building materials and noted that staff believes that there would be sufficient parking available. He stated that staff recommends approval of the request.

DesLauriers asked the original intent of the 16 horses allowed under the current CUP.

Finke stated that it would be typical in the early 1990's that the City would allow what the applicant was requesting, as long as it was reasonable and allowable; and therefore, the applicant most likely requested up to 16 horses. He described the path the improved access road would take as it looped around the area.

Chair White referenced the animal density and asked how that was determined.

Finke stated that in 1993 there were no limitations on animals in any zoning district and therefore he believes that 16 is the number that was requested by the Three Rivers Park District. He provided additional details on the proposed conditions that would be imposed regarding grazing to prevent erosion and sediment damage.

Bo Carlson, representing the applicant, stated that Baker Park is one of the jewels of the Three Rivers Park District. He noted that the We Can Ride program began three years ago, but noted that the organization has had a longer relationship with Hennepin County. He stated that due to some changes in land use, Hennepin County asked We Can Ride to find another location to provide their services. He stated that the County suggested that We Can Ride sit down with Three Rivers Park District to determine if there would be a possibility to partner to provide this service. He stated that the mounted patrol operation was discontinued in 2013 or 2014 and the horses and equipment were sold to the City of Duluth. He stated that this left the Park District with vacant stables and park land and provided an opportunity for the Park District to partner with We Can Ride. He stated that the Park District is not the experts in all areas of programming they provide, but do have the land base and therefore often partner with another organization to provide the programming. He provided examples of other partnerships the Park District has within the park land they own, such as rowing. He stated that the partnership opportunities allow the Park District to provide unique programming options and also expose people to the parks. He stated that this programming would provide service to a very unique niche. He stated that the proposed area for this use is in the middle of Baker Park Reserve and provides an opportunity to utilize the horse trails. He stated that there is not a high pressure on the existing horse trails and therefore this would

be an opportunity to utilize the existing trails. He stated that this would serve the users and park customers well and would be another element to the services that could be provided to the users of the Three Rivers Park District, noting that the Park District Board is very supportive of this project.

Mary Mitten, Executive Director of We Can Ride, stated that We Can Ride is 35 years old and has had a successful relationship with Hennepin County throughout that term. She stated that they have a premier accredited status through PATH, which is an organization that sets up regulations and safety measures. She noted that there are two sites that the organization uses and has a total of 21 horses between the two sites with ten staff members and 250 volunteers. She estimated that they have helped 3,000 to 5,000 individuals with special needs or disabilities during that 35 years. She provided examples of how We Can Ride has helped their clients. She stated that they are proud to bring these benefits to the community and hoped that the community would be excited as well, noting that there are a lot of volunteer opportunities.

Janet Hegland, Board Chair for We Can Ride, referenced some of the recommendations that were suggested by staff, noting that staff did a great job of addressing the challenges of fitting within the zoning code. She stated that the current working herd of horses is 17 and therefore they are asking for a limit of 20 horses. She stated that when the horses can no longer serve the purpose of the program they commit to finding those horses a forever home where they can live their lives out. She noted that new horses also come in on a trial basis and therefore they can exceed 17. She stated that they have not exceeded 19 horses, but simply request 20 to allow the transient movement. She stated that the horses are not put out to pasture to eat and are more for recreation, as they feed the horses in the stable. She noted that a quarter of the horses are not allowed to pasture because of their dietary restrictions. She noted that they also recognize the need to avoid pasture during certain times of the year, such as wet times, in order to reduce the impact on the pasture. She noted that the pasture impact would be lower than traditional home or commercial use. She advised that the horses are also receiving exercise during the trail rides and receive other exercise outside of pasture. She noted that one horse serves seven clients, and therefore limiting the horses to 16 would impact the number of people served. She referenced the condition requiring a manure bunker. She stated that there are wetlands on the Hennepin County site and therefore they recognize the importance of wetland protection and use a dumpster which is hauled away by a certified hauler. She stated that the dumpster system works well for them and the bunker is not a use they would like to have. She asked for the definition of an event. She stated that they do not get the opportunity to have an event at the current center and therefore their events are limited to training and open house nights. She estimated 15 to 30 people at the "events."

Barry noted that there are currently 17 horses at the Hennepin County location and another four horses at the other location and asked if they are ever combined at one location

Mitten stated that the horses are kept separate at the different sites.

Carlson stated that the second location is further away and therefore they are independent locations and the horses are not swapped between locations.

Chair White referenced the fabric structure and asked if the applicant has used that material previously.

Mitten stated that the structure is new to We Can Ride, but noted that the material has been used at other facilities. She stated that the material is very sturdy and easily maintained.

Chair White asked if the building would be heated.

Mitten replied that the facility is not insulated and therefore would not be heated. She explained that the current facility has a small indoor heated arena and therefore that could be used for the small number of winter riders.

Chair White asked if the entire staff and volunteer team would travel with the transition.

Mitten replied that as far as she knows the current staff members are transitioning as well, noting that the location will actually be closer than the current location for some staff members. She noted that the organization may lose some volunteers in the transition.

DesLauriers asked the impact to the organization if the horses are limited to 16.

Hegland replied that would lower the number of people that they currently serve. She noted that the organization underwent strategic planning recently and has plans to expand to additional locations in the future, but that would be years out and therefore the number of clients would be limited if the horses were limited to 16.

DesLauriers stated that he had the chance to tour the facility and asked where the vehicles currently being stored on the site would go.

Carlson stated that there are a lot of options for the Park District. He stated that there are several opportunities to move the seasonal equipment on the Baker Park site and on other sites throughout the Park District. He stated that the hours of operation for the public safety department are outside of the programming hours for We Can Ride. He stated that Three Rivers Park District would provide the land and We Can Ride would fund the necessary improvements.

Chair White referenced the acres identified for grazable acres and asked how that is determined, noting that there would perhaps be additional acres available within the park.

Carlson replied that the fence line identified in the site plan pretty accurately matches the historic fencing, with the exception of the changes due to the wetland protection. He stated that they are somewhat constrained in the area because of the protection of the wetlands and the desire to avoid tree removal to simply add pasture land. He stated that the footprint would be gained by utilizing the existing horse trails.

Finke asked for information on the maximum number of horses on the site with the horse patrol historically.

Carlson stated that the mounted horse patrols pre-date his time with the Park District noting that when he joined the organization there were maybe four horses on site. He was unsure that 16 horses were ever housed on the property during the mounted patrols.

DesLauriers asked if it is typical to not put horses out to pasture, as it was mentioned that about half the horses would not be pastured.

Mitten replied that certain breeds of horses have dietary restrictions and therefore are not pastured.

Chair White opened the public hearing at 7:58 p.m.

Mark Skau, 2575 Morningside Road, stated that it appears that they are trying to squeeze too many horses into a small space. He noted that they will be putting another structure in which will also reduce the available pasture.

Chair White noted that the grazable acres were determined with the new building included.

Skau stated that it appears that will be a lot of horses for that small space. He stated that residential properties that want to have horses are required to have a lot more land. He asked if the horse trails cross any walking paths.

Chair White stated that some of the horse trails may parallel the walking trails but do not cross.

Skau stated that he would be concerned that elderly walkers could run into the horses. He also asked how this would be paid for.

Chair White stated that the Three Rivers Park District would lease the facility and the City would not have a financial burden.

Brent Webush, 2605 Morningside Road, stated that he works for the Department of Public Safety for Three Rivers Park District. He stated that seven horses is the maximum number of horses that the Park District had at the facility. He stated that there was a time when the Park District asked to have more horses and the City of Medina denied that request. He stated that he thinks this is a great program, noting that his daughter rides in the program. He stated that he does not think this is the best location for this programing, as he does not believe there is sufficient space. He asked if the program would be open to the general public. He stated that there is not tax benefit to the residents of Medina and asked how much money Hennepin County has provided to the program throughout the years and whether there is in-kind maintenance provided from the County. He asked if there was a water quality issue at the current property owned by Hennepin County and if that is why the program was directed to move from the Metropolitan Council.

Nicole Spader, 2132 Grandview in Minnetrista, stated that she used to run a therapeutic riding center in Colorado. She stated that these are typically older horses and therefore it is not the same type of horse that you would see at Medina homes or commercial operations. She stated that these are slow, old horses that are different than the majority of horse owners and therefore is different in terms of grazable acres. She stated that she had many horses at her facility that were never put to pasture, and that is okay because of their dietary needs.

Julie Benson, 5705 Deville Drive in Edina, stated that she currently lives about three minutes from We Can Ride noting that her daughter takes lessons through the program. She stated that she was sad that the program was going to move, but excited when they mentioned the possibility of moving the facility to Baker Park. She stated that this would be a very welcoming place for the clients with special needs. She stated that she cannot even express the difference that this program creates and the relationships that are fostered through the program. She stated that it is not just the riding lessons, but the program also works with clients to establish goals. She stated that she is always amazed at how clean the We Can Ride facilities are, noting that people take such pride in how the facility is maintained and how the horses are treated. She stated that this is proven therapy that makes a difference. She stated that she is a proud parent and is proud to speak about We Can Ride because it does work. She noted that she personally knows people in the area that would volunteer at the facility.

Linda Tedfor, 1617 Drew Avenue South, stated that she is a proud parent of a We Can Ride client, noting that her son has been riding for 19 years. She stated that if the number of horses are limited that is true. She explained that when people begin riding they are doing the program and do not want to stop. She stated that when you limit the number of horses, that will then limit the number of kids that can begin in the program. She stated that when you locate a program like this in the community, you are creating an opportunity for members of the community to volunteer and learn empathy which is an amazing opportunity.

Chair White closed the public hearing at 8:13 p.m.

R. Reid stated that this is a lovely program, but noted that she is not an expert in the number of horses. She stated that this makes sense for the location and this would be a positive program, but simply believes the Commission should discuss the number of horses.

DesLauriers stated that he too supports the program, but noted that after walking the facility this is not a large location.

Barry asked if the horses would all be full sized.

Mitten replied that there are a few smaller ponies.

Barry stated that he looked at the animal density requirements within the rural residential zoning district. He noted that half of the horses do not go to pasture and therefore that would reduce the amount of space needed for pasture. He stated that he does not have an issue with raising the number of horses from 16 to 20. He stated that based on what he has heard, there will not always be the full number of horses on the land and not all the horses will be outside for pasture.

Chair White asked if a condition should be added allowing the 20 horses with the condition that a certain number of the horses will not be grazed.

Finke commented that would be hard to manage.

R. Reid asked the number of grazable acres at the current site. It was determined that there is a similar amount of grazable acres at the current facility.

Barry stated that he would support 20 horses as requested by the applicant.

DesLauriers asked if they could start at 16 horses and then review the request in six months to determine if additional four horses could be added.

Barry stated that you could reverse that and allow 20 horses and you could review that in six months to determine if a lesser number would be needed. He noted that the applicant already has 17 horses at their currently facility.

Chair White stated that it appears that this organization is a good steward of the land and if the applicant is not, the Three Rivers Park District would be overseeing the activity on their site. She stated that therefore she could support 20 horses.

R. Reid asked if anyone has a problem with the horse manure dumpster.

Barry stated that it appears that the applicant uses the dumpster method currently and would simply change the address for pickup and delivery with the same company. He stated that if

the dumpster works today for the organization, he would not see a reason to change that method to build the bunker. He stated that he would support the use of the dumpster rather than the bunker and confirmed the consensus of the Commission.

Chair White asked for the definition of event.

Finke stated that an event is typically a couple hundred people or something that has an impact on public safety, such as parking on streets nearby the facility.

Chair White confirmed the consensus of the Commission to remove condition eight and increase the number of allowed horses in condition one from 16 to 20 horses. She stated that the Planning Commission is a recommending body and therefore this item will go before the City Council at a later date.

Finke stated that most likely the Council will review this item on April 4th.

Motion by R. Reid, seconded by Barry, to recommend approval of the CUP Amendment subject to the conditions noted in the staff report, removing condition eight and increasing the maximum number of horses in condition one from 16 to 20. Motion carries 3-1 (Opposed: DesLauriers). (Absent: Albers, Murrin, and Rengel)

Chair White expressed appreciation for the people in attendance and their encouraging stories. She noted that while the Commission appreciates those stories, the job of the Commission is simply to review the land use.

7. **Council Meeting Schedule**

Finke advised that the Council will be meeting the following night on March 21st.

Chair White volunteered to represent the Planning Commission at the Council meeting the following night.

8. **Adjourn**

Motion by DesLauriers, seconded by Barry, to adjourn the meeting at 8:39 p.m. Motion carried unanimously.