

CITY OF MEDINA
PLANNING COMMISSION
Meeting Minutes
Tuesday, October 8, 2013

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

Present: Planning Commissioners, Robin Reid, Randy Foote, Victoria Reid, Mark Osmanski, and Kent Williams.

Absent: Commissioners Nolan and Mitchell

Also Present: City Councilmember Kathleen Martin, City Councilmember Jeff Pederson, 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**

Martin 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 September 10, 2013 Draft Planning Commission meeting minutes.**

Motion by Foote, seconded by V. Reid, to approve the September 10, 2013 Planning Commission minutes as written. Motion carries. (Absent: Nolan and Mitchell)

6. **Public Hearing – D.R. Horton – Stage I Plan for a mixed use development – north of Highway 55 between Arrowhead Dr. and Mohawk Dr.**

R. Reid explained the planning process for a Stage I Plan. She said it is for the Commission and staff to review the major concept of the development and that the major details would not be part of this Stage I process. Finke summarized the application. He said it was an 80 acre project with mainly residential and minimum commercial. The commercial area was not being planned at this time, but an area was designated for it. He said the property is zoned Mixed Use. He briefly summarized the changes from the previous plan the Commission reviewed in September. He said the large wooded area is being proposed to be parkland and dedicated to the City. Finke said if this area was taken away from the parcel the proposed plan would still meet density requirements. He said the applicant proposes to develop predominantly residential and would have a density of 3.5-7 units/acre.

He said the areas abutting and within 300 linear feet of Hwy 55 would be required to be commercial. He said more than one housing type would be required and with the current mix, a minimum of 138 units would be needed to meet density requirements of 3.5-7 units/acre. The apartment building is being proposed to have three stories and 54 units.

Finke explained the previous design had 8 of the 9 acres of woods to be removed. He said with the new plan they propose to preserve 3.25 acres of wooded area.

Finke pointed out that the big question was the connection between Chippewa Road and Arrowhead. He said the applicant had raised concern with the viability of the project if the connection was required by the City. Finke explained it had been the policy of the City to require a developer to construct the roadways.

V. Reid asked if the apartment building was two stories what the density would be. Finke said the previous plan was a 46 unit building and it was two stories in height.

V. Reid asked what the downside would be to the City if we accepted the wooded land area. Finke said long term maintenance, but the City has done this previously in other projects. V. Reid asked if the City wouldn't feel the woods would be protected longer if they owned it. Finke said yes they would be. He said the maintenance concern is if, as an example, the trees get a disease and require removal.

R. Reid asked if the area to connect Chippewa was a wetland. Finke said yes. R. Reid asked if it would be expensive, and Finke said yes it would likely be.

Williams said the northern portion of the development was similar to other developments the City had reviewed, but questioned the Mixed Use aspect. He said there had been changes made but didn't see the proposal having duplexes or anything different. He asked Finke if this was the time to figure out what uses the City wanted. Finke said Stage I is the time.

Ron Mullenbach of D.R. Horton said Finke had done a good job with his presentation explaining the project and what the changes had been since the previous meeting. He said tree impacts had been significantly reduced and they are looking for some consideration for credit of Park Dedication if the City takes over the wooded area. He said they are really limited to the mix of uses for the site since the property is significantly divided by a large wetland and difficult for transitioning of uses. He said they would be open to constructing a two story apartment building. If they were to do that he explained they would have to construct some twin homes and townhomes to make up for the density loss. He summarized his conversations with the Watershed regarding the Chippewa Road. He said they don't think their proposed development would trigger the need for Chippewa Road to go through if a traffic study was completed. Williams asked why the applicant didn't want townhomes along the east side. Williams suggested townhomes to be placed north of OSI to function as a transition. Mullenbach said they had looked at the location for

townhomes and he said due to grades, they would be very limited and they would be lacking the density they would need if townhomes were constructed in that location. He said from a transition standpoint they look at peoples lifestyles. He said often times your transitions should be made in the rear yards rather than front yards so that single family homes aren't looking across the street from townhomes. He suggested that the wetlands could be the transition.

Mullenbach didn't think there was a market today for townhomes. He said the single family styles sell, but the townhomes aren't as viable today. He believes a need exists for empty nester style homes, though this particular location doesn't have a lot of support for it such as retail and service uses. He said retailers like Target typically operate on a 10 mile radius and smaller retailers target a two mile radius and they count rooftops. He said the area currently around the subject property had minimal rooftops.

R. Reid voiced her dislike with homes that have a row of walkouts and have 6 or 8 in a row and they end up with a flat wall with windows facing directly towards each other. She said she noticed in Lennar that the balconies and decks added some breakup, but Mullenbach explained that was typically an option of the homeowner. Mullenbach said they offer options such as decks and porches, but do not require it of the buyer at the time of construction. He said some of their homes had that relief and would like to see that along Arrowhead Road. Foote asked if Mullenbach had covenants as for color. Horton explained their regulations. He said what the Commission would like to see is what buyers want to see. R. Reid said she thought the pallet is too tight and is too boring in the Lennar development. Mullenbach said they have some control since approximately half their homes are preselected. Mullenbach said he would like to see more curved streets rather than the straight roadway on the west side.

V. Reid asked Finke if the City still wanted Chippewa Trail to go through. Finke said yes.

Williams asked if the City required the road to go through and if so, how would the process work. Finke said there are requirements for mitigation. He said some impacts were required for Meander. Williams asked if the applicant was willing to construct the road through, and Finke said they didn't initially.

Williams asked if a tree inventory had been completed to see what existed. Finke said they'd walked it with the City's Arborist, but hadn't received the results back. Finke said the woods weren't considered high quality. He said the upland areas are higher quality than the lower areas that consist of ash trees. Williams asked the applicant if the City took the land for Park Dedication would it be public. Mullenbach said if taken as park land then they should get credit for it and the area could be utilized by the public.

R. Reid asked if the Park Commission would be reviewing the application. Finke said yes. R. Reid and V. Reid said that even though the wooded area may not be of higher quality it is still adjacent to wetlands and wildlife utilize the area, with woods providing a buffer.

Finke pointed out that the park in the Bridgewater development is of concern to the Park Commission since it has limited access to the public.

Public Hearing opened at 8:04 p.m.

Mike Kuklok of OSI spoke and said one of their concerns was public safety. He said they would like a fence in between their property and future development. He said they have trails and a retention pond that wasn't appropriate for children. He said it could easily be turned into a skating rink and they didn't want the public wandering over onto their property.

Finke said a fence could be incorporated in Stage II.

Craig Roy of 1952 Chippewa Road said their biggest concern was putting a road through Chippewa and who would be paying for the road. He was concerned with being assessed for it. Finke explained. Finke said there had been a road there previously and was able to walk it and stay dry. Craig said most of the time their property was dry. He said areas have standing water 12-18" in depth since development started taking place in the area. Roy said the land area isn't like it used to be years ago. R. Reid asked if the City Engineer would work on resolving drainage issues in the area. Roy asked if Mohawk would have full access. Finke said it wouldn't be full access.

R. Reid said she liked the three story apartment building concept.

Williams asked how the City is meeting its density and population goals. Finke said in terms of density the City is on the low end. He said most developments are barely above the lowest density. He said the comp plan projections show the City on pace. He said the Met Council already provided projections showing a reduction in population, but it is only a draft. Williams asked if the City would be alright if the applicant chose to propose single family and townhomes and waited for the construction of the townhomes. Finke said yes, the City would be alright with it.

V. Reid asked what they are trying to accomplish as a City. She said for her it's having a variety of housing styles and the Mixed Use district allows for the variety of uses. She said she is happy with the commercial aspect and likes the parkland and trees preserved in the revised plans with the City taking it over. She said she was troubled with a three story building and would like to keep the mixed use zoning designation. She would also like to see the road go through Chippewa since there aren't really any other alternatives.

Foote said he agreed with V. Reid. He said the current plan only provides low density and high density and nothing in between. He also agrees that Chippewa should be required as part of the project.

Osmanski said he doesn't mind the plan as is, except a traffic study should be completed to figure out a solution as to how Chippewa Road should be handled before the project moves ahead.

Williams said the revised plan is definitely an improvement from the previous design. He is still struggling with the three-story apartment building and would like to see more of a mix of home types. He suggested having higher density style housing such as townhomes just north of OSI as a transition. He also felt Chippewa should be constructed all the way through. He suggested the applicant get cost estimates for the construction of the road. He is also in favor of the wooded area being dedicated for Park Dedication.

V. Reid said a benefit must exist to extend the roadway and would also like to see cost analysis. She said the three-story building would be too much density for the area. It's a beautiful property and a large building would seem too large for the area.

Foote said he didn't have an issue with a three-story building.

V. Reid asked the applicant about the demographics of the apartment building. Mullenbach said the apartment would occupy a lot of younger couples, singles, and people going through lifestyle transitions such as divorce. V. Reid commented that she didn't see an area for children to play and wouldn't count the woods.

Mullenbach said they would want to provide something on-site such as a tot lot for all of the residential types.

Recommendations Discussed:

V. Reid recommended we keep the property zoned mixed use and would like to see a greater mix of uses. She agrees with accepting the wooded area as a park dedication in lieu of cash in some way. Chippewa should be extended all the way through, but an evaluation should be done as to who pays for it. She asked that the City work with the developer to come to some agreement to develop Chippewa Road.

Public Hearing closed at 8:40 p.m.

Motion by V. Reid, seconded by Williams, to approve the Stage I Plan for a Mixed Use development with 1) zoning remaining as it is; 2) accepting the wooded area for parkland in lieu of cash; and 3) Chippewa should be extended all the way through with an evaluation completed to figure out how it will be paid. Motion carries.
(Absent: Nolan, Mitchell)

7. **Estate of Caroline Brede – Variance to reduce front setback requirement from 30 feet to 23 feet in order to dedicate right-of-way to the City – 2921 Lakeshore Ave.**

Finke summarized the application. He explained the site already had a nonconformity issue, but the City was not recommending anything to change that. Finke explained the City requested right-of-way to be dedicated on their previous application which was a plat. By the City taking right-of-way it brought their property line closer to their home and not meeting front yard setback requirements. Finke said the City did not have to go through the Variance process, but the property owner requested it be done.

Foote asked for clarification of the first condition in the staff report. Finke explained that by granting the Variance it makes the setback for the garage legal and to be rebuilt again in the same location if damaged or torn down. The Variance, however, does not allow for the home to be expanded with the reduced setback.

Williams asked if this would burden any of the other neighbors. Finke said no and the subject property was set back further than the other homes in the area.

Motion by V. Reid, seconded by Osmanski, to approve the setback Variance for the garage from 30 feet to 23 feet. Motion carries. (Absent: Nolan and Mitchell)

8. **Lennar – 3032 Basswood Road – Variance to reduce side yard setback from 7.5 feet to 5 feet for existing home.**

Finke presented the application and explained the reason for the Variance. Finke pointed out that the property is zoned PUD if the Commission was looking for justification for the Variance. Finke said a PUD Amendment would also be an option if they had a struggle with approving the Variance as submitted.

Motion by Foote, seconded by Williams, to approve the side yard setback from 7.5 feet to 5 feet. Motion carries. (Absent: Nolan and Mitchell)

11. **Council Meeting Schedule**

R. Reid agreed to attend and present at the October 15, 2013 Council meeting.

12. **Adjourn**

Motion by Williams, seconded by V. Reid, to adjourn at 8:57 p.m. Motion carried unanimously. (Absent: Nolan and Mitchell)