

CITY OF MEDINA
PLANNING COMMISSION
Meeting Minutes
Tuesday June 11, 2019

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

Present: Planning Commissioners Aaron Amic, Peter Galzki, Beth Nielsen, Kerby Nester, and Robin Reid.

Absent: Planning Commissioner Cindy Piper and Rashmi Williams.

Also Present: City Planning Director Dusty Finke.

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

No comments made.

3. **Update from City Council Proceedings**

Albers reported that the Council met in May to consider a Site Plan review for Highway 55 Mini Storage, which the Council approved. He noted that the Council met the previous week to review a lot line rearrangement and vacation and advised that the Council directed staff to prepare resolutions of approval which will come before the Council at the next meeting. He stated that the Council also considered a septic setback variance request and also directed staff to prepare a resolution of approval.

Liz Weir, 1262 Hunter Drive, stated that she represents Medina for the Elm Creek Watershed and has been the only representative for the past year. She noted that she typically misses one meeting per year and asked if anyone would be interested in becoming her alternate. She noted that the group meets the second Wednesday of the month at the Maple Grove City Hall.

4. **Planning Department Report**

Finke provided an update.

5. **Public Hearing – 172 Hamel Road – Steve Andres – Updated Concept Plan Review for Charlie’s Restaurant**

Finke presented a request for a concept plan related to Charlie’s restaurant, noting that the Commission reviewed a slightly different application two months ago. He stated that the previous request was under the context of a PUD while the applicant is no longer pursuing a PUD. He explained that the updated concept plan mimics a wood grain elevator, noting that wood is an allowed building material. He reviewed the current zoning of the property and allowed uses. He stated that the City is currently reviewing the Uptown Hamel regulations, but will continue to operate under the current regulations until those updates become effective. He highlighted the changes that have been made to the concept plan in response to the comments received from the first review noting that the building would be closer to the roadway with more parking provided in the back of the building. He stated that the primary change in this concept is the architectural design. He stated that staff suggested some comments related to porches, overhangs, and increased windows should the application move

forward. He stated that the restaurant is small inside with the idea for mostly take-out, or patio seating. He stated that in Uptown Hamel outdoor seating is only permitted if there are 20 spaces inside, which would not be the case in this application and therefore would not be permitted. He stated that the plan increases parking to 20 more functional stalls and provided additional opportunities for shared parking, noting that the applicant is working with the church to the west to develop a shared parking agreement. He noted that engineering has stated that they would like a traffic study to ensure that stacking would not cause a problem. He noted that previously the applicant was going to request a PUD which would have given the City more discretion. He noted that if the applicant meets the underlying zoning requirements, the City would have less discretion. He asked for input from the Commission on the submitted concept plan, specifically the outdoor seating.

Grant Bender, applicant, stated that there was a lot of good feedback from the Commission, City Council, residents and Uptown Hamel meetings following the review of the first concept plan. He noted that those comments were used to create this second concept plan for a little restaurant, which would be about 700 square feet. He noted that this would be the first restaurant in Uptown Hamel and the first independently owned restaurant in Medina. He stated that this is an opportunity for them to bring something good to the community. He noted that there has been a lot of feedback on the menu but noted that they have only released preliminary ideas thus far. He welcomed additional comments, noting that nothing on the menu is fried and there will not be a lot of smoking of meats. He stated that they have also incorporated the library into the design to create a more public space.

Amic asked for details on the possible shared parking with the church.

Bender stated that they sent the new concept plan to the church and have discussed shared parking, which would also be a benefit to the church patrons. He noted that they will continue to discuss the details with the church as this moves forward.

Amic asked if alcohol would be served.

Bender stated that they have asked staff to look into licensing for the opening or a possibility for the future.

Reid asked and received confirmation that the library would be moved to the left of the building. She asked why the door would be painted black.

Bender noted that the door would be painted congruent with the rest of the design. He noted that the building would use local barnwood. He stated that there would be a live wall along the walkway, noting that the panel would be removed in the winter months. He explained that the panel would be propagated indoors in the spring and then brought to the site in the summer for installation.

Reid asked if the planters shown would be an accurate representation.

Bender replied that he would be leaning toward more natural landscaping in the front, noting that the planters were most likely a filler for the design.

Reid asked what the white item is sticking up from the roof.

Bender explained that would depict a vent hood, noting that would be shielded from both sides and advised that the sketch is not an accurate depiction of the hood.

Nielsen applauded the applicant for incorporating comments and bringing back another concept. She stated that she is excited to see this move forward.

Amic commented that in his time on the Commission he has never seen an applicant bring back a concept plan twice to ask for input. He stated that this shows that the applicant would be an amazing neighbor that cares about the community.

Bender commented that he is an open door and welcomes any comments from residents. He stated that he likes to have ideas and input from the community as this would be a community restaurant.

Reid opened the public hearing at 7:28 p.m.

David Shubbe, Argent Park resident, stated that he distributed a document expressing his concerns at the April 9th meeting. He noted that document was also signed by 14 of the 18 owners at Argent Park. He noted that he continues to be concerned by traffic impacts of this restaurant use and provided an example of a traffic scenario that could occur.

Nielsen commented that it would appear that problem could already exist with the massage business and would not be unique to this business.

Amic asked how the resident would feel their residential building adds to the traffic concerns in that area.

Shubbe replied that he does not believe his building causes problems.

Amic stated that he would guarantee that when the Argent Park building came through the approval process, there were most likely more concerns about traffic from the public. He noted that traffic is always a concern when a new building is constructed. He stated that he is impressed that this applicant has begun to address the problem even before bringing a formal application. He asked if the Argent Park residents are opposed to the concept as a whole.

Shubbe replied that he is not opposed to the concept and believes it is a unique concept.

Marilyn Forten, 365 Comanche Trail, stated that she owns property along Hamel Road and likes this concept. She stated that she is involved in the Uptown Hamel group and noted that the Hamel library is willing to move to another site to provide additional space on the west end of the church property. She stated that if the applicant wants to keep the library in that space, that is fine. She referenced a crosswalk that has never been marked and noted that needs to be marked to provide additional safety for pedestrian crossings. She stated that she likes the idea of a shared parking lot. She asked if the speed on Hamel Road between Brockton and Hunter could be reduced to 20 mph.

Finke noted that a speed study would need to be completed in order to investigate that option, noting that speeds typically increase following a study.

Forten stated that perhaps a stop sign at Hunter or Brockton would be helpful.

Finke replied that there will be a three-way stop at Brockton.

Forten stated that the Uptown Hamel group is in favor of a restaurant in Uptown Hamel.

Reid closed the public hearing at 7:40 p.m.

Galzki stated that he appreciates the whole change in theme. He asked if there had been any thought in a traffic study to alleviate some of the concerns. He stated that he was happy to see the connection and shared parking opportunity with the church. He stated that he does like the idea and looks forward to this moving forward.

Nester agreed that it seems the applicant has gone the extra mile.

Amic commented that the traffic concern is the part that will matter the most if this moves forward. He stated that the applicant has come twice for input and that shows that they care. He stated that this would be a business with a local owner, which is a great fit for Uptown Hamel. He stated that the City could wait and wait for the perfect fit on Hamel Road, but this is an ideal option to have a local business owner. He believed that this should move forward. He stated that in regard to outdoor seating he does not see why that would be an issue.

Finke explained that the outdoor seating regulation has been in place since the Uptown Hamel district was created but did not believe that exists in other zoning districts. He noted that outdoor seating will be a part of the discussion tonight relating to the Uptown Hamel regulations.

Amic stated that he likes outdoor seating and believes that it is a good fit. He agreed with clockwise parking circulation, if that could be worked out.

Nielsen stated that this is a fabulous idea. She noted that the shared parking with the church would also provide an improved situation for church patrons, helping some of those folks to avoid crossing the road.

Reid stated that a takeout restaurant will have people coming and going and agrees that there should be an entrance and exit with a clear traffic pattern to avoid conflicts. She stated that she likes the building materials. She stated that if Uptown Hamel is going to be developed, there will be more traffic. She noted that her concern with this request is that there would be peak demand times and a clear traffic pattern would be helpful. She noted that perhaps there could be an employee that runs orders out to vehicles as well.

Finke noted that this will move forward for City Council review the following week.

6. **Public Hearing – 2032-2052 Holy Name Drive – Tom and Jim Ditter – Concept Plan Review for Subdivision of 4 Lots into 5 Lots**

Finke stated that the Commission and Council reviewed a concept the previous summer for six lots but following the wetland delineation it was determined that there was not sufficient acreage for six lots and therefore the concept has been amended to five lots. He stated that the concept plan is coming forward as there is a unique set of requirements under the Comprehensive Plan and zoning which would require a Comprehensive Plan amendment and rezoning. He stated that there are four existing lots with a total of 25 acres on the subject site, which are zoned rural residential. He noted that two of the properties already have sewer connections allocated. He stated that currently the lots have an odd layout, which is how this process arose. He displayed the proposed subdivision, noting that lots one and four have connections to the sewer system and the applicant would propose to shrink those lots to a suburban lot size. He noted that the extra land would then create an additional rural lot. He stated that a private road would be needed off Holy Name Drive to access the five lots. He stated that the property is guided rural residential but two lots are currently included in the Metropolitan Urban Service Area (MUSA). He stated that general feedback is requested

tonight prior to the applicant determining whether to submit a formal application for a Comprehensive Plan amendment and rezoning request.

Nielsen stated that she has a house on the lake connected to the sewer. She asked if this would add two additional homes to the sewer.

Finke stated that two homes are already connected to the sewer and this would not add to that, no additional homes would be connected to the sewer. He explained that one of the lots is in a life estate and therefore that connection may be delayed until the life estate expires. He stated that even though the lots would not have municipal water, they would have municipal sewer. He provided background information on the previous rezoning that occurred with the lots along the lake that were rezoned suburban residential after the sewer connections occurred. He stated that this request would actually reduce the MUSA because the two lot sizes would be shrunk to two acres rather than the existing seven acres.

Amic asked if this would be applicable to other properties.

Finke stated that there are some properties zoned rural residential that exceed 30,000 square feet. He noted that there is one property that has the 30,000 square feet plus an additional five acres, which would be a similar situation. He noted that each application would need to stand on its own merit and no additional sewer entitlements would be given.

Nielsen asked how many lots are similarly situated.

Finke replied that there is one other property that would be similar.

Reid stated that property would need to justify their request, should that be desired in the future.

Jim Ditter, 2052 Holy Name Drive, stated that he, his mother and his brother live in three of the lots on the property. He stated that property has been in his family for many years and is served by one driveway. He noted that this request would replat to provide separate driveways for each of the lots. He explained that it is difficult to sell or market a lot with a shared driveway for all the properties. He stated that they brought a concept forward the previous summer but there was not enough property to create six lots following the delineation. He noted that this would add one additional lot to the four existing lots. He noted that the adjacent property has been rezoned suburban residential and therefore their two sewer lots would not be an island and would be similarly zoned to adjacent property. He appreciated the input from the Commission.

Reid opened the public hearing at 8:08 p.m.

Tom Ditter stated that they have already been through the concept plan process previously but stalled out with the delineation. He stated that they have been working with staff since that time in an attempt to make the request work. He stated that the Ditters are longtime Medina residents and are not trying to make a killing off this request. He stated that they will still remain in Medina.

Suzie Sween, 2112 Holy Name Drive, stated that she has lived on the same street as the Ditters for her entire life. She stated that the Ditters have been in Medina for their entire lives and have relatives that date back 100 years. She stated that she enjoys having them as her neighbors and supports their application to divide their property. She noted that she would have even approved six lots. She stated that she is not concerned with the number of lots, she

simply wants them to remain her neighbors. She noted that there is a considerable amount of runoff that comes to her property from a culvert on the Ditter property. She asked that the issue be mitigated during this process as there have been issues on her property.

Finke confirmed that stormwater management would be triggered during the subdivision process.

Reid closed the public hearing at 8:13 p.m.

Nielsen stated that she supports the request.

Amic stated that he also supports the request. He noted that once the lots would be developed the stormwater concerns would be addressed as well.

Nester asked how the lots would need to change to meet the width requirements.

Finke explained that there are multiple options that could be utilized to provide the necessary width.

Galzki stated that as long as the lot size standards are met, he would support the request.

Reid stated that there is adjacent low density residential and therefore it would make sense to rezone those lots. She stated that she would also be happy to see lots two, three and five preserved as rural residential. She stated that they are beautiful lots, and this would preserve that.

Finke stated that the intent would be to move this forward for City Council review the following week.

7. **Public Hearing – Ordinance Amendment – Chapter 8 of the City Code Related to Regulations of the Uptown Hamel Zoning District**

Reid asked and confirmed that the public hearing for Item Seven and Item Eight could be combined into one public hearing.

Finke stated that there are two ordinances for consideration tonight related to the Uptown Hamel area. He noted that this would be one of the last actions to make the zoning regulations consistent with the Comprehensive Plan. He noted that staff will continue to look at Uptown Hamel to determine what additionally could be done to support development. He provided additional information related to density, noting that staff would suggest eliminating two of the zoning districts and rezoning all of the properties in Uptown Hamel into this zoning district. He noted that this would allow the full range of density specified in the Comprehensive Plan to occur throughout Uptown Hamel. He identified the properties that would be proposed to be rezoned. He stated that staff also reviewed a few other noncontroversial items for the district. He noted that the intent would be to allow buildings to be continuous, with separate ownership, and have a zero-lot line setback which would be in line with a downtown character. He stated that sauna manufacturing is proposed to be removed as an allowed use. He provided background information noting that there was a previous business that existed on an interim basis, but that business has left and should be removed from the allowed uses. He referenced the outdoor dining element and noted that changes could be made if directed by the Commission and Council.

Reid opened the public hearing for both Items Seven and Eight at 8:29 p.m.

No comments made.

Reid closed the public hearing at 8:30 p.m.

Nester stated that she agrees with the changes as presented and noted that she likes the language suggested by staff for outdoor seating.

Reid confirmed the consensus of the Commission to agree with the staff suggestions related to the review process.

Amic asked for input on the language related to breweries.

Finke stated that the intent was for the taproom to be the primary use and allow some brewing, rather than the brewing being the primary use.

Reid asked the intention of the Comprehensive Plan Steering Committee to add the two additional properties to this district.

Finke explained that it was viewed as a continuation of Hamel from the east.

Motion by Nester, seconded by Nielsen, to recommend adoption of the ordinance amending the requirements of the Uptown Hamel Zoning District, with the changes noted by the Commission: updating outdoor seating language per staff report and increasing review process threshold. Motion carries unanimously. (Absent: Piper and Williams)

8. **Public Hearing – Rezoning of 50 Parcels to the Uptown Hamel Zoning District**

Motion by Nielsen, seconded by Amic, to recommend adoption of the ordinance amending the official zoning map to rezone various properties to the Uptown Hamel Zoning District. Motion carries unanimously. (Absent: Piper and Williams)

Finke noted that these ordinances will move forward to the City Council at the July 2nd meeting.

9. **Approval of the May 14, 2019 Draft Planning Commission Meeting Minutes.**

Motion by Galzki, seconded by Amic, to approve the May 14, 2019, Planning Commission minutes as presented. Motion carries unanimously. (Absent: Piper and Williams)

10. **Council Meeting Schedule**

Finke advised that the Council will be meeting the following Tuesday and Amic volunteered to attend in representation of the Commission.

11. **Adjourn**

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