

**CITY OF MEDINA**  
**PLANNING COMMISSION**  
Meeting Minutes  
Tuesday October 8, 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, Cindy Piper, and Robin Reid.

Absent: Planning Commissioner Rashmi Williams

Also Present: City Planning Director Dusty Finke and Planning Intern Ben Schneider.

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

No comments made.

3. **Update from City Council Proceedings**

Albers provided an update on recent activities of the City Council including approvals granted through the Consent Agenda that had previously been considered by the Planning Commission. He stated that the Council also approved a lot combination at 4072 Hamel Road.

4. **Planning Department Report**

Finke provided an update.

5. **Public Hearing – Mark Smith – Weston Woods – Comprehensive Plan Amendment and Planned Unit Development Concept Plan – East of Mohawk Drive and North of Highway 55**

Finke presented a request for a Comprehensive Plan amendment and Planned Unit Development Concept Plan for property east of Mohawk Drive and north of Highway 55. He explained that the request would be to change the land use of the southern property from a business designation to a residential designation, noting that two different residential products would be proposed ranging from low to medium density. He advised that five acres of property would be proposed to be deeded to the City for conservation/park/open space. He stated that the second half of the request would be to amend the staging of the northern property, which is designated for development after 2025, to 2019/2020. He stated that the PUD Concept Plan would include 76 twinhomes on the northern property, and 41 single-family and 33 townhomes on the southern property. He stated that the northern parcel is approximately 80 acres, but only 20 acres would be developable after exclusion of wetland and buffer. He stated that the southern parcel is 55 acres in size with 28 acres buildable. He reviewed the surrounding land uses, noting business to the west and southeast, low density residential to the east, and land identified as future development to the north. He displayed the Concept Plan, identifying the different residential products proposed throughout the sites. He noted that the applicant would propose to extend Chippewa Road from Mohawk to Arrowhead Drive as part of this development, noting that the applicant would propose to pay

for that extension. He noted that the park/open space would be proposed for the southeast portion of the southern site. He stated that the City's natural resource specialist visited the site a few years ago and identified that area to be a higher quality wooded area. He reviewed the existing land uses for the northern and southern portions of the site, comparing that to the proposed land uses through this request. He also reviewed the current staging of the properties, comparing that to the proposed staging. He noted that the City reviewed a similar Concept Plan a few years ago from the same applicant, while still in the Comprehensive Plan process, and noted that minutes from previous discussions were provided in the Commission packet for review. He suggested that the Commission focus on the Comprehensive Plan amendment, as that decision would drive the request. He suggested that the Commission also provide input on the PUD but concentrate on the question of use. He provided additional details on how the staging plan of the City was developed, noting that it focused on the supported infrastructure, not only of the City but also regionally. He explained that the staging in this area focused on the ability to extend Chippewa Road, which the applicant is proposing with the request. He stated that a second watermain would also be needed in this area, noting that the applicant is also proposing to construct that improvement at their cost. He stated that staging is also intended to reduce concentration of development in different areas and timeframes and to control growth. He stated that this property is included in the MUSA but the change in land use would remove 23 to 28 acres of land guided for business development and instead changing that to residential and adding additional homes to this area. He noted that three public comments were included in the packet and three additional written comments were received after the report but before the hearing and all will be included in the record for tonight's meeting.

Amic asked for details on the comment "going west to go east".

Finke explained that Mohawk Drive access would be restricted as right-in/right-out and therefore explained how vehicles would travel west in order to move east. He confirmed that there would not be another way to go east to Highway 55 from these properties.

Bill Griffith, representing the applicant, explained that this is a concept that was brought forward to the City two years ago when it was close to the end of the discussion related to the Comprehensive Plan and therefore it was difficult to consider making changes. He noted that the developer decided to wait and give the City time to complete that process. He explained that they believe that this is a good plan that also provides public benefits and that is why they are bringing it back at this time. He stated that the Comprehensive Plan amendment would consider the overall goals for the community and how that can be addressed. He noted that this would provide a mix of housing and provides for the preservation of open space. He asked if the City wants to provide for the joint development of those parcels or would rather rely on a market driven response to the staging and use. He stated that they have combined the request for the Comprehensive Plan amendment with the PUD Concept Plan, noting that the PUD over both the north and south parcels allows the developer to balance the density between the parcels while providing buffering and preservation of open space. He commented that the development is focused on the westerly portion of both the north and south parcels, to create a 1,300-foot open space buffer to the nearest neighboring parcels. He stated that 60 percent of the site would be preserved with the inclusion of wetlands and wetland buffers. He noted that Mark Smith has purchased both the northern and southern parcels and is now a landowner in the community. He reviewed the single-family homes and townhomes proposed for the southern parcel and the twinhomes on the northern parcel, noting that this would provide a range of housing types for residents and potential residents. He stated that the southerly wooded area would create a nice buffer to the highway, but they will need to review that to ensure that the trees are healthy. He stated that the park area would have 20 parking stalls for visitors. He stated that they understand that this

development could not move forward without providing public benefit. He noted that they attempted to keep the density low, while still meeting the requirements for being within the MUSA. He again summarized the public benefits that would be provided through the development. He noted that the sites will ultimately develop but noted that the joint development of the parcels would provide public benefit in return.

Reid stated that during the last review of this concept there was discussion on why the southern parcel was not appropriate for business development and asked the developer to provide a brief statement for the Commissioners that were not a part of the Commission at that time.

Griffiths explained that the main reason this parcel would not be appropriate for business development would be the topography of the site and the natural features that should be preserved. He noted that a small portion of the property close to the highway could develop as business but much of the site is covered in wetlands and therefore would not be suitable for a campus development. He noted that Mr. Smith has owned the properties for two years and has had very little interest in business development. He noted that residential development provides additional flexibility to work within the topography and wetland locations.

Reid stated that she would like assurance that there would be a variety of styles and colors in the material and architectural design and as she would not want to see copycat homes throughout the development. She asked how the staging of the development would be completed.

Mark Smith, applicant, replied that he would mass grade the site and noted that the single-family and townhome market have strong demand right now. He stated that the twinhome development may be staged for a later time.

Amic asked the cost benefit of the infrastructure improvements.

Griffiths stated that he does not have that exact information.

Finke stated that the City is completing a corridor study to provide updated costs. He noted that the costs two years ago estimated about \$800,000 to \$1,000,000 for street construction with significant wetland mitigation that would have an additional cost. He noted that the developer would not propose to fund the mitigation costs, that would be a City responsibility. He noted that the corridor study will continue irrespective of this request. He stated that the watermain has been identified in the City's CIP with a cost of \$300,000. He noted that if the properties do not develop, the City would ultimately move forward on that infrastructure improvement.

Reid opened the public hearing at 7:46 p.m.

Chris Hillberg, 4459 Trillium Drive, stated that he is passionate about preserving the rural character of Medina and finds this request in opposition of the work the City put into the Comprehensive Plan. He stated that throughout that process there were many opportunities for different uses and staging for the properties. He urged the Commission not to go against the wishes of the people that put so much time and effort into developing the Comprehensive Plan. He stated that although the applicant is proposing to build the road, he believes that would be more expensive than expected. He questioned why the City would be responsible for permitting and wetland mitigation as that would be very expensive. He stated that the applicant has stated that the increase in density would allow the applicant to provide a higher

investment in infrastructure. He stated that he interprets that as the developer will build the road if they are allowed to build more homes.

Reid closed the public hearing at 7:52 p.m.

Nester stated that R-1 is typically used for low density residential and therefore the density of the northern parcel does not meet that. She noted that the business designation was strategically chosen for the parcels closest to Highway 55 in order to promote traffic moving west during peak commuting hours. She stated that this plan would create additional residential traffic that would add to congestion. She stated that if business parcels are converted to residential that does not meet the goal of promoting business development. She stated that another community goal is to spread residential development, and this would instead add to the concentration of this area. She stated that while she appreciates the benefit of infrastructure needs, she did not believe that was worth selling out the vision or the time that was spent creating the current Comprehensive Plan.

Galzki stated that after waiting for the implementation of the Comprehensive Plan, he does not believe it would make sense to change this many elements of the Comprehensive Plan. He stated that there are so many changes that are not in line with the intentions and vision for the area. He stated that it is a great development, but there are more negatives than positives. He stated that the residents in that area already have hardships with traffic and the City attempted to plan to help mitigate those concerns. He stated that he would have a hard time supporting the concept.

Nielsen stated that she would have a hard time seeing why there would need to be a uniformity between the two properties. She commented that it would seem strange to have residential along the Highway 55 corridor. She noted that she does appreciate the preservation of the wetlands and trees.

Amic stated that this is an elegant design given the topography of the area. He stated that the tradeoff would be you know what you get with this, but you would not know what you would get in five years. He stated that while he could be talked into things, it does not seem to matter with the opinions of the other Commissioners that spoke.

Piper stated that her biggest concern would be related to access of trying to go east. She commented that it would be senseless to put that many homes into this spot and not provide the ability to travel all directions.

Reid stated that she sees this differently. She explained that this would be a PUD and therefore flexibility is provided in density, related to the R-1 comment. She stated that initially she was concerned with having housing next to Highway 55 but with the layout the homes will not be that close to the highway. She stated that there is an opportunity that should be considered. She stated that she does not see a solution for the problem at Arrowhead and asked if there are plans to deal with that, as Arrowhead will continue to stall development in this area.

Finke stated that is why the corridor study is continuing to move forward, in attempt to find a solution for Arrowhead and Chippewa to allow for development of the properties staged into the future.

Reid stated that she does not think the southern parcel is suitable for business development and therefore would not be opposed to changing that property to residential.

Piper asked if the southern parcel could have access from Highway 55 for business. It was confirmed that the parcel would only have access from Mohawk.

Reid stated that these parcels will develop eventually. She stated that the concept does a nice job of making use of what is there while preserving the wetlands, wooded areas and open space. She noted that one developer cannot support the road and therefore combining the development of the northern and southern parcels would allow for the construction of the road. She stated that this is the first development in a long time that provides a variety of housing products, which is a goal of the Comprehensive Plan. She stated that she likes seeing a variety of price points for homeowners, which this provides.

Mark Smith provided the range for the pricing of the homes, noting that the twinhomes would begin around \$300,000 while the single-family and townhomes would begin around \$500,000 to \$600,000. He noted that there is also a large creek that runs through the southern parcel that would restrict typical business development.

Reid stated that as a taxpayer, the developer is offering to contribute quite a bit of infrastructure that the City has identified need for. She stated that she sees a lot of advantages to this development, recognizing that there are tradeoffs. She believed this to be a good use of the properties and the City would be unsure of what would come in the future. She noted that the area around this is developed and therefore would not have a problem with this developing. She commented again that it would not seem the southern parcel would be appropriate for business development. She stated that although this would include Comprehensive Plan amendments, there would be a lot received in return. She noted that the wetlands and trees that are currently visible from Bridgewater will remain as a buffer.

Brett Palmer, 4673 Bluebell Trail, referenced the traffic study, which included three roundabout options and reconfiguration of the OSI entrance.

Finke stated that the Chippewa and Arrowhead study will continue irrespective of this development, noting that there will be an open house the following week. He noted that those elements are part of the corridor study.

Nielsen asked if the Chippewa extension has been included in the last two Comprehensive Plan process. She stated that if that is important why were the properties not staged differently with the hope that someone would come in and complete that road.

Reid noted that previous developers walked away from the properties because of the cost for the road. She stated that one developer will not fund the road and that is why it would make sense to combine the development of the two parcels into one.

Finke commented that infrastructure is not the only element that goes into staging, noting that all the elements weighed on the staging proposed.

Amic stated that this would have four football fields of buffer between this and the next development and he believed that this could be a good deal for the City. He stated that in five years this will develop anyway, and the City might not like that plan more than this.

Galzki stated that while it is great that someone is offering to fund the infrastructure needs, the City can fund that as well rather than developing for development sake. He stated that as good as the plan is and the public improvements that would be provided, the City would be liable for the wetland mitigation, there would be increased traffic congestion, and traffic improvements would be needed. He stated that the road and watermain improvements are

already included in the City's CIP and he would prefer to use the Comprehensive Plan to guide the vision for the City into the future. He stated that he has a hard time believing that the public improvements would be worth the additional tradeoffs.

**Motion by Nester, seconded by Nielsen**, to recommend denial of the Comprehensive Plan amendment. Motion carries 4-2 (Amic and Reid opposed). (Absent: Williams)

Finke stated that there will be an open house for the Arrowhead and Chippewa corridor study the following Tuesday from 5:00 p.m. to 6:45 p.m. He noted that this application will go before the Park Commission at their next meeting and then to the City Council on November 6<sup>th</sup>.

6. **Public Hearing – Woodbury REI, LLC – 3692 and 3672 Pinto Drive – Rezoning from the Commercial-Highway to the Commercial-General Zoning District**

Schneider stated that the applicant owns the two adjacent lots currently zoned as Commercial-Highway that are currently undeveloped. He noted that the surrounding parcels are zoned Commercial-General and the applicant is requesting to rezone their parcels to Commercial-General as well. He stated that the applicant would like to develop a self-storage business on the parcels, which would not be allowed in Commercial-Highway but would be allowed in Commercial-General. He reviewed some of the differences between the two zoning districts and some elements for the Commission to consider.

Piper stated that she is struggling with the location. Someone provided additional details on the parcel locations.

Reid asked if the rezoning were approved, would the Commission see the project again to ensure that the design standards were being met.

Schneider confirmed that the proposed project would still come back to the Commission for review.

Galzki asked if any of the conditional uses for Commercial-General include items that are no longer permitted.

Schneider confirmed that those uses would not be permitted as conditional uses.

Charles Schatz, representing the property owner, stressed the fact that this change in zoning would not in any way affect the future of retail on that site. He stated that this change is consistent with the Comprehensive Plan and unifies the existing zoning in the area. He stated that they have been working with City staff on the design of the project. He noted that the property is small in nature and therefore this would be a small-scale project and they would work to make the project architecturally pleasing. He stated that the property owner has tried very hard to gain development and there has been little to no interest because of the railroad tracks. He believed that this change would be beneficial and consistent with the goals of the City.

Piper stated that every successful storage facility usually expands, whereas this would not have space to expand. She asked if that is why the design would be such that it could be converted to something else.

Mr. Schatz stated that is not a consideration at this time and does not believe that is a factor in the current request.

Reid opened the public hearing at 8:31 p.m.

Robb Stauber, owner of the Northstar Mattress building at 3795 Pinto Drive, stated that he has nothing against the applicant. He stated that the City cannot say that this property would not develop into something. He noted that Aldi, Oak Eatery and others developed next to railroad tracks. He stated that he listened to the last discussion and the statement was made that the City should not develop for the sake of development. He did not believe it would be consistent to allow this zoning change. He stated that just because something has not been developed, does not mean it will not develop in the future. He stated that his retail business has survived, and he feels that this would be a negative impact on his business. He stated that he does not want a storage facility next to his business. He noted that he owns multiple properties in Medina. He urged the City to stay with its vision as this is a valuable piece of property.

Reid closed the public hearing at 8:37 p.m.

Piper stated that she has mixed feelings. She stated that when looking at the plan, she gathers that this would be one story with access off Tower Drive. She asked the amount of physical property; it was confirmed that the total amount of land would be 1.2 acres. She commented that the plan looks very crowded.

Amic stated that this is a horrible piece of land and did not believe that a lot of good development would be interested. He stated if not this, he would question what would want to go on that site. He stated that he would not have a good reason to deny the request.

Nielsen agreed that this is a horrible piece of land. She questioned if this would develop on the site just to fill it up.

Galzki stated that in his opinion, this type of request would be one step away from the allowed use. He noted that all the surrounding uses are already guided Commercial-General and when he looks at the four uses that would no longer be allowed, he does not see that would prohibit something that could perhaps be interested in developing on the site. He stated that he would have a hard time not wanting to grant the request as the items that would no longer be allowed with the zoning change already exist in the area. He stated that he does not have a problem with the zoning change.

Nester agreed that this is different from the previous discussion as this does not involve a Comprehensive Plan amendment to staging request. She stated that she is in agreement with the proposed change.

Reid stated that she would also be fine with the change in zoning. She noted that the corner currently does not look good and the railroad tracks will be a barrier for retail. She stated that if it is a nice-looking storage facility that includes screening, it would not be that visible.

Piper asked if there is a shaking from the railroad tracks that could impact stored items.

Schatz replied that they could look into it but was not concerned because of the distance between the site and railroad tracks.

**Motion by Piper, seconded by Galzki, to recommend approval of the rezoning from Commercial-Highway to Commercial-General. Motion carries 4-1-1 (Nielsen opposed) (Amic abstained). (Absent: Williams)**

Finke noted that this will also move forward to the City Council on November 6, 2019.

7. **Approval of the August 13, 2019 Draft Planning Commission Meeting Minutes.**

**Motion by Amic, seconded by Nielsen,** to approve the August 13, 2019, Planning Commission minutes with noted corrections. Motion carries unanimously. (Absent: Williams)

8. **Council Meeting Schedule**

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

9. **Adjourn**

**Motion by Piper, seconded by Galzki,** to adjourn the meeting at 8:54 p.m. Motion carried unanimously.