

**CITY OF MEDINA
CONCURRENT PLANNING COMMISSION
& PARK COMMISSION**

Meeting Minutes
Tuesday, May 11, 2010

1. Call to Order: Planning Commissioner Chair Charles Nolan called the meeting to order at 7:00 p.m.

Present: Planning Commissioners: Robin Reid, Victoria Reid, John Anderson, Kent Williams, Beth Nielsen, Charles Nolan and Kathleen Martin.

Park Commissioners: Ben Benson, Madeleine Linck, Janet White and Ann Thies.

Absent: Park Commissioners: Paul Jaeb, Bill Waytas, and Chris Hilberg.

Also Present: City Planner Dusty Finke, Planning Assistant Debra Peterson-Dufresne, and City Planning Consultant Dan Petrik of Barr Engineering Company.

2. Public Comments on Items not on the Agenda:

No public comments.

3. Update from City Council Proceedings:

Weir presented the Council update.

4. Approval of April 13, 2010 concurrent Planning Commission & Park Commission minutes:

The Planning Commission & Park Commission - Motion by Anderson, seconded by Nielsen to approve the April 13, 2010 minutes with recommended changes. Motion carried unanimously. (Absent: Jaeb, Waytas, and Hilberg)

5. Continued Public Hearing – Ordinance Amendment – Chapter 8 of Medina’s City Code pertaining to the creation of regulations for Conservation Design and Open Space Protection:

Dan Petrik of Barr Engineering explained that at the last meeting the Commission requested hearing from other communities regarding the collaborative track process. He introduced Breann Rothstein, Senior Planner for the City of Minnetrista.

Rothstein provided explanation of the process. She said two approaches could be done, one of which is a regulatory development approach, or the second could be a collaborative public values approach. She explained a city would need to have good ordinances even if it wanted to do a

collaborative values approach in order to achieve goals. If a city doesn't have good ordinances to use as a guide, the developer wouldn't have any obligations or guidelines to follow and therefore it wouldn't provide opportunities for the city to compromise with the design of a project.

Rothstein said the City of Minnetrista utilized their PUD ordinance for the collaborative process. She said part of the collaborative track process was to be able to create a vision. She said city regulations typically don't allow for creativity or allow staff to think outside the box. They were fortunate to have a project come in called "Woodland Cove" located along Highway 7 that they were able to use as a case study in developing the collaborative track process.

Rothstein said the result of the case study and process was very well received. They found involving outside agencies early in the process was favorable and developers claimed to prefer spending more of their time up front rather than revising their plans multiple times through the regulatory process.

Nolan asked Rothstein if it's the PUD process that allows their city to withdraw from a project if it didn't agree with the vision. Rothstein confirmed.

V. Reid asked how the City chose public policy members. Rothstein said they selected all public policy members to be on the committee. Initially, three concurrent meetings were held with the Planning Commission, Parks Commission and the City Council. V. Reid asked if the meetings were optional. Rothstein said the meetings were optional, but most members chose to attend.

Nolan asked if the meetings were on regularly scheduled council meetings. Rothstein confirmed meetings were scheduled to run concurrent with the council meeting and that the meetings were open to the public. She further added that the City established an Advisory Committee which included the developers and neighbors near the proposed project area.

Benson asked Cheryl Fischer, Minnetrista Mayor, how she felt the collaborative process worked. She explained she is very optimistic with the process now, but wasn't sure initially. She further talked about the "Woodland Cove" project.

Linck asked Fischer what type of housing was included in the "Woodland Cove" project she had described. Fischer replied mixed use residential.

Weir asked Rothstein what she recommended, a conservation design ordinance through a PUD, or to just have a conservation design ordinance. Rothstein said as long as a zoning district was created to incorporate the conservation design goals of the city that would be all that would be necessary.

Petrik reviewed the map related to "eligible properties and potential rural lots" within the community that would potentially develop in the future.

Nolan asked about locating primary and alternate sites for septic systems if lots were smaller due to clustering. Finke explained a community septic system could be incorporated into a project if a large piece of property for example had pockets of suitable soils. He said smaller properties with approximately ten acres could potentially develop under existing regulations.

Benson said his understanding of the process would be that a committee would look at a project and identify all the mitigating issues such as septic sites/and or septic systems and that it would be a collaborative issue to discuss and feels it would allow flexibility. Williams asked why some parcels could double in density and others weren't allowed to do the same. Finke explained the size and significant value of each property were factors to consider. Williams raised concern that the city was not taking into account other issues such as setbacks when suggesting increased density. Finke said the idea for conservation design is to cluster properties together; therefore setbacks would more than likely be reduced.

Martin suggested adding language into the purpose statement that the "district is to preserve and reclaim ecological resources." Williams agreed with the change.

The Commissioners discussed clarity of language and terms utilized to be consistent throughout ordinance. An example would be to use "conservation area" language rather than "open space" language.

Thies asked Finke to better define "Designated Open Space" as it relates to "active recreational" purpose.

Martin suggested the word "upland buffers" be used rather than Wetland buffers under Subd 2. Sewered Residential Districts.

Martin suggested the city attorney review the "enforcement" language.

Williams asked why 1.5 density bonuses are recommended on smaller pieces of land in the ordinance rather than doubling the allowable units. Nolan said what concerns him is that future councils could think the ordinance requires all or nothing. He said he didn't feel the ordinance was strong enough since it appeared to allow density to be doubled from the beginning. Benson said the ordinance should be an incentive base plan to allow increased density. Commissioners discussed what would need to be achieved for a developer to double their density.

Smith recommended a point system that had suggested improvements.

Nolan talked about the collaborative process and the suggested point system methods. He said if the city was going to expand the list he would like the city council to recognize that the commission doesn't look at all the items the same. Smith said the city had utilized the PUD process in the past and wasn't so sure about the use of it. Martin explained she liked the collaborative process the way Minnetrista utilized it.

Nolan said the planning commission favored a collaborative system approach. Williams thought an ordinance that had a collaborative process would be favorable, but had set guidelines/principles.

Petrik said he could go to the utilize the objectives in the City's open space report, call them public values, and use them to benchmark for establishing density bonuses.

Continued Public Hearing – Public asked if any members wanted to speak. No public comments.

Public Hearing Closed at 8:33 p.m.

Weir asked if the commissioners thought the ordinance should only apply to high quality natural areas rather than all properties. Benson said heavy emphasis should be on reclaiming properties back to their original state or keeping existing areas such as old tree growth areas. Nolan asked if the city would only be looking at 20-40 acre parcels to allow for doubling a property's density or if the majority of the properties in the city would be allowed the same option. Benson said the smaller the lot the less the city would gain by the collaborative process. The Commissioners concluded that 20-40 acre parcels would continue to be allowed to double density as recommended.

Weir asked for clarification of septic systems. She said they are typically mound sites and would like someone to speak about septic systems. She is alright with alternate sites in prairie pasture type landscape areas. Smith said the commission also needed to look at other types of drainfield systems being utilized in the world. Nolan said language should be added to not allow a primary septic system in woodland areas.

Benson said he was intrigued by Minnetrista not using a subcommittee.

Williams asked if the process had to be in the ordinance.

White asked how normal park dedication fees get worked into the process. Petrik said the proposed ordinance does allow the option of the city waiving the fee or extending it over a three year time period, similar to what the city did for the OSI project.

Smith suggested staff provide a rough draft with the recommended changes.

Martin left at 9:20 p.m.

Nolan summarized recommended changes:

1. Redraft opening paragraph
2. Incorporate purpose statement language throughout document
3. Identify at least seven goals based on the comprehensive plan
4. Not all goals should be weighted equally and would need to be prioritized

Planning Commission - Motion by Williams, seconded by Anderson to recommend approval subject to recommended changes and additions. Motion carried unanimously. (Absent: Martin)

Park Commission – Motion by Benson, seconded by Linck to recommend approval subject to recommended changes and additions. Motion carried unanimously. (Absent: Jaeb, Waytas, and Hilberg)

6. Adjourn: Motion by Nielson, seconded by Williams to adjourn the Planning Commission meeting at 9:28 p.m. Motion carried unanimously. The general consensus of the Park Commission was to adjourn at 9:28 p.m. (Absent: Jaeb, Waytas, Hilberg, and Martin)