

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Wednesday, October 10, 2006

1. Call to Order: Chair Crosby called the meeting to order at 7:00 p.m.

Present: Planning Commissioners Tom Crosby, Mary Verbick, Jeff Pederson, Doug Dickerson, Marilyn Fortin, and Robin Reid.

Absent: Planning Commissioner Sharon Johnson

Also Present: City Council representative Liz Weir; City Planner Rose Lorsung; City Planning Consultant Kendra Lindahl, Planning & Public Works Assistant Dusty Finke

Crosby and Lorsung stated that the applicant for the Rising Sun Memorial Cemetery had stopped by five minutes before the meeting with a written request to be removed from the agenda and to be placed on the November Planning Commission to allow a full review.

Crosby stated that since a lot of people were in attendance to comment on the Cemetery, he wanted to let everyone know that the applicant would not be present.

The general consensus of the Commission was to move in the agenda to Item #9, Rising Sun Memorial Park.

9. Rising Sun Memorial Park, Conditional Use Permit and Site Plan Review (Public Hearing)

Motion by Fortin, seconded by Verbick to table the Rising Sun Memorial Cemetery until the November Planning Commission. **Motion passes unanimously** (Johnson absent).

Crosby stated that in regards to the cemetery public hearing, residents can always submit positions in writing. He also stated that because of the fact the applicant was not able to make the public hearing, it will be the first item on the November agenda. Additionally, Crosby requested that Lorsung check to make sure that they are going to show up.

Crosby asked Lorsung to give an overview of what would occur as far as process.

Lorsung stated that the city will request an extension from the applicant into January, anticipating that the Planning Commission would like to have two meetings to review the application. There will be an official public hearing at that time, and neighboring residents will be notified. The City Council may also take two meetings to review the proposal, and they may allow a chunk of time for public comment as well.

Weir inquired if it would be reasonable to ask for a 1000' notification.

Crosby stated that he didn't believe they could make the applicant do so, but that the city should do the mailing itself.

A resident inquired if this would fit into the comprehensive plan.

Crosby stated that it may not have Comprehensive Plan implications. Uses such as schools, churches, and cemeteries have been traditionally zoned in residential area because of proximity to citizens. Currently, Medina allows for cemeteries as a conditional use in rural residential, which is what this parcel is zoned and guided for.

Dickerson inquired if the fact that this is a for-profit cemetery would change the zoning implications.

Crosby stated that there are public and private cemeteries in the law. However, the public cemeteries really cover church and for-profit cemeteries. Private cemeteries would be more like a family plot “on the back 40.”

A property owner stated that he owned property across the street and that he would have to disclose to buyers that there is a possible cemetery across the road, and it could greatly decrease property values and cost him a lot of money.

Clarence Campian – 4585 Pioneer Trail – stated that he came for the cemetery discussion and it is extremely shifty that they were not there to discuss their proposal.

2. Public Comments: None

3. Updates from City Council proceedings

Weir welcomed Robin Reid to the Planning Commission.

Weir delivered a brief report of actions taken by the City Council since the September Planning Commission meeting. She noted that the Council approved Wells Fargo for five drive-thru lanes after they had changed their submittal between the September Planning Commission meeting at the City Council meeting.

4. Discussion of Comp Plan Neighborhood Meetings

Lorsung reviewed the dates of the Neighborhood meetings. She stated that there are not specific agendas set for the meetings.

Crosby suggested using a side-by-side comparison of the current Comprehensive Plan and some of the scenarios (high, medium, low) created by staff. Crosby also suggested that someone should discuss what the MUSA line is, what density is required, what the different classifications mean. He suggested that perhaps the medium growth model should be used as a starting point.

Planning Commission members volunteered to attend the following meetings:

Oct. 16 – Sharon, Jeff, Robin

Oct. 19 – Doug, Jeff

Nov. 1 – Marilyn, Mary

Dec. 6 – Tom, Marilyn

5. Reminder of Joint Meeting – October 24, 2006 (Call for Special Meeting)

Motion by Fortin seconded by Dickerson to call a Special Planning Commission meeting in conjunction with the Joint Meeting at 6:00 pm on October 24, 2006. **Motion passes unanimously** (Johnson absent).

Motion by Verbick, seconded by Dickerson to move agenda items 6 and 7 to the end of the meeting. **Motion passes unanimously** (Johnson absent).

8. Bancor Group Inc., Concept Plan for Medina Golf Course (Public Hearing)

Commissioner Pederson excused himself from this agenda item, stating a possible conflict of interest.

Lorsung stated that Concept Plans are non-binding conversations, and there will be no motions tonight. The City Council will discuss the Concept Plan on October 17, 2006. The relevant parcel is zoned and guided for public/semi-public. This Concept Plan proposes a multi-family residential use along the west (along CR116) and north (along Shawnee Woods Road) perimeter of the Country Club. The concept includes a density of 3.5 units/net acre. Lorsung reviewed staff comments on the concept. One concern would be traffic issues on CR116. Staff did note attractive open space and park features. Lorsung noted that the a part of the nine-hole portion of the golf course is already zoned and guided within the MUSA, and this concept plan does not note any change to that status.

David Newman – President, Bancorp Group – described the issue of ownership. The Club had financial problems in the past and was bought out of bankruptcy by Bruce Hendry. Hendry has an option to purchase the land for \$1. The Club currently has a lease on the area of the 18-hole course and the area of the clubhouse which would continue to be valid even if the property was sold.

Newman noted that the concept shows repaving and extension of sewer/water on Shawnee Woods at developer's expense. Newman stated that they took efforts to minimize impacts on trees. He stated that they believe that the buys will primarily be empty-nesters and will have less of an impact on traffic because they are less likely to travel during peak hours.

Newman noted that LeGran builders may be involved as the builder and has provided the concept sketches. Homes would be starting at \$675,000.

Newman stated that this deal would help ensure that the Medina Country Club would stay a public use for generations to come.

Newman stated that the City has prided itself on making reasonable, practical decisions. The timing of this Comprehensive Plan amendment has little downside.

Crosby inquired about the timing of the Henry deal.

Newman stated that there is a fixed cost option at this time.

Reg Pederson – board member of the Medina Country Club, and former President – stated that the club has been working for a long time to get this moving. The club is in the financial position to buy out the options that are not a piece of this concept. 200 acres of land would then be owned by the Golf Club, which would remain the Club forever.

He stated that the Club has 170 members are from Medina, and with their family members make up a large percentage of Medina's population. There is urgency because Mr. Henry is looking to simplify his life. If the city does not act now, it is likely there will soon be a development plan on the Par 3 and driving range.

Crosby inquired if the Club would purchase everything except the 23 acres in this concept why the Par 3 and driving range would stay in the MUSA.

Pederson replied that this would make it easier to get financing to purchase the remaining land.

Verbick inquired how the process ensures that the golf course will always be a golf course.

Pederson stated that the ownership would be under the Club, and most members do not have equity. By selling, they would not have a lot to gain.

Verbick inquired how they guessed that empty-nesters would be the main buyers.

Pederson stated that there are already members looking to buy.

Newman added that past experience shows support for this assumption.

Public Hearing opened at 7:55 p.m.

Frank Mignone – 3316 Red Fox – stated that the 12 acres already in the MUSA will count against the City for density in discussion with the Met Council. He suggested that there has to be a way to compromise to pull these acres from the MUSA.

Bill Hockmuth – 840 Fox Path Court – stated that he and many neighbors are very concerned with traffic. Automobile and truck traffic would increase, and there would be increased danger for buses in the neighborhood. He also stated that there is no path or trail along CR116 leading to the Target development, where many children from Foxberry Farms will be riding to work. He recognized the developer's efforts to approach the traffic issues, but stated that it did not seem like a good idea to do this before the city's comprehensive plan is complete.

Bruce Workman – 2212 Chippewa – stated that he has been working with Medina Country Club for some time. There are some timing issues to consider with the city undertaking the Comprehensive Plan process. Workman proposed a larger discussion about expanding the MUSA line all of the way to the City border to the north. He stated that the issue is bigger than the concept.

Charles Gauck – 3820 Linden Drive East – stated that there are 68 units in Medina Highlands, and watching traffic in the development would support the theory that traffic is heaviest during off-peak hours.

Hockmuth pointed out the fact that County Road 101 is a four lane road while CR116 is two lanes.

Dickerson inquired about the naming of the development.

Newman stated that there are marketing people looking into the naming.

Dickerson stated that he likes the concept. It looks like a good product. He stated that the timing was a concern, and it should be looked at with the entire Comp Plan

Verbick stated that she is bothered by the fact it would seem arbitrary to move forward on this issue while waiting on the Comprehensive Plan for everything else. She inquired to staff if there is a prediction what could happen if the City decided to hold off.

Lorsung stated that the Par 3 is included in the MUSA already, and it could be developed at any time with a simple site plan, and perhaps a plat.

Verbick inquired what could be done with the traffic problems because CR116 is a County Road. Lorsung stated that the city could require the developer to do studies and undertake improvements if the private development causes additional traffic issues.

Crosby stated that as far as land use is concerned, this makes sense. It is right in the middle of the MUSA. Subject to traffic concerns, he stated that he is in favor of the concept. Crosby stated that he would be comfortable with the redrawing of the MUSA line. On the timing issue, he stated he would be somewhat reluctant to change the MUSA line without knowing the wider impacts.

Fortin concurred that she likes the land use and likes the concept. However, the timing is a concern. Fortin inquired if there are plans for CR116.

Chad Adams replied that there are plans for the intersection of CR116 and Highway 55, but at this time, there are no plans for CR116 farther to the north.

Reid stated that she shares the concerns on the timing, that it seems like the city would be jumping the gun. She stated that that she would feel a lot more comfortable if there was a way to add additional guarantees that this could be open space for a longer time or forever.

Crosby summarized the comments of the Commission. As a matter of land use and concept, the commission seems to like this plan. There must be additional allowances for traffic, trails and bicycles, and access onto CR116. The Commission seems to believe it would be appropriate to extend the MUSA line in this way but perhaps not at this time.

Public Hearing closed at 8:24 p.m.

6. City Planner's Report

Lorsung reported that tentative items for November planning commission agenda are: a concept plan for the Farrell Gas site (corner of Hwy 55 and Sioux Drive); two rural residential preliminary plats. Additionally, there may be a Conditional Use for an accessory structure in RR and if the Cemetery gets their stuff in, they will also be on the agenda

Commissioners discussed the cemetery issue in relation to setbacks, permanent funds, and property values. They also discussed if more conditions may be necessary.

7. Approval of September 13, 2006 Planning Commission Minutes

Motion by Verbick, seconded by Dickerson to approve the September 13, 2006 Planning Commission minutes as amended. **Motion passes unanimously** (Johnson absent).

10. Adjourn: Motion by Pederson, seconded by Verbick to adjourn at 8:59 p.m. **Motion passes unanimously** (Johnson absent).

Prepared by: Dusty Finke

Date