

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, February 9, 2010

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

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

Absent: Charles Nolan

Also Present: City Planner Dusty Finke, Planning Assistant Debra Peterson-Dufresne, City Administrator Chad Adams, and Laurie Smith of Northwest Associated Consultants.

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

No public comments.

3. **Update from City Council Proceedings:**

Weir presented the Council update.

4. **Planning Department Report:**

Finke updated the Commission on what they would be discussing at the March meeting.

5. **Approval of January 12, 2010 Planning Commission Minutes:**

Motion by V. Reid, seconded by Martin to approve the January 12, 2010 minutes as written. Motion carried unanimously. (Absent: Nolan)

6. **Lennar – 3212 Hunter Drive (PIDs 12-118-23-43-0002 & 13-118-23-12-0001) – Concept Plan Review related to a potential subdivision of 195 single family home sites on approximately 111 gross acres (73.56 net acres) called “The Enclave of Medina”**

Laurie Smith with Northwest Associated Consultants presented the application. She reviewed land use guiding as it relates to the subject site. She provided an update of the Comprehensive Plan changes that occurred in 2009, and the changes in density as a result of the Comprehensive Plan change.

Low and Medium density were defined and an explanation of the MUSA line was also reviewed as part of the proposed application. The Staging Plan Map of the MUSA line was also presented.

She noted the site is zoned PUD2, and PUD2 is not consistent with the Comprehensive Plan. The proposed housing within the Concept Plan does not meet setbacks, and lot frontage requirements are reduced. Staff suggests twin homes, townhomes, and/or row homes as part of

the project; otherwise a PUD should be applied for to consider the deviations from the code rather than requesting variances.

She informed the Commission the property is two separate parcels and would need to be combined. A general overview of the project was presented and staff pointed out shared driveways and cul-de-sacs were not desirable. The proposed on-site amenities were also noted such as a tot lot, community building, swimming pool, trails, and sidewalks on one side of the roadway. Wetlands and trees were also reviewed. She informed the Commission that the concept plan is fairly consistent with the comprehensive plan, with some modifications necessary.

Staff suggested the Commission discuss: Land use zoning, access, sidewalk trail location and design, impacts of existing wetlands, and removal of trees.

V. Reid asked how the Met Council would feel if the City made a good case that the project met density standards. Smith responded by saying if the City feels the averaging of the density over the two parcels was acceptable, the Metropolitan Council would more than likely be agreeable.

Carole Toohey, Land Development Manager of Lennar. She explained Lennar was a builder in the Foxberry Farms and Wild Meadows Communities in Medina. She said 195 single family homes with 3.05 units per acre were proposed. She said they are within the overall density required, low end. She summarized the location of the parcel and described the two home lot site sizes (65' and 78'). She explained the site characteristics; and due to on-site wetlands, it was not possible to meet the minimum 90 foot wide lot requirement.

Variances are proposed for the side yard setbacks. In the area zoned low density they could not achieve the 90 foot wide lot widths due to existing wetlands and site characteristics. The plan also includes an area outside the MUSA line of six and one half acres and approximately 22 homes. This addition is due to a floodplain revision. They felt it made sense to move the MUSA line south, since it would otherwise leave an odd shape piece of land and no one to maintain it. They felt it made sense to add this area to the project.

Toohey asked the Commission to provide direction on a secondary access point to the development. She explained where the entrances are proposed and the right-of-way is shown reduced in width to 50 feet to lessen hardcover. Sidewalks are proposed on one side of the street to reduce hard cover. They did not show the 5 acres to the north since they are not purchasing the land. She reviewed the amenities the community would provide, which included a club house with a kitchen and party room. The club house would also include an outdoor pool. She provided a very conceptual drawing of what their club houses typically look like, but said Lennar is considering a new design and the actual final renderings were being worked out. She also identified the locations of the proposed trails on-site. She said the landscaped entry islands proposed would be maintained by the homeowners association. Screening along Hunter Drive with berms and trees would also be installed to benefit both homeowners along the road and drivers utilizing Hunter Drive. She said the maintenance of the berms is not yet determined; whether it should be required of the individual lot owners or be incorporated as part of the homeowners association. Sale prices of the smaller homes would range from the high

\$300,000.00 to mid \$400,000.00 (Landmark Designs). The sale price of the larger homes would range between \$400,000.00 to low \$500,000.00 (American Heartland). Lennar is currently revising the floor plans of each series and will have multiple choices for interior and exterior designs.

She said they are proposing only single family homes since the townhome market is quite saturated. The absorption rate is only two townhomes per month and they have over 87 percent of the market share in the area and they feel it would be to the City's best interest to construct single family homes. She said Lennar held a neighborhood meeting on January 28, 2010 at the Medina Entertainment Center. She said they had both positive and negative feedback regarding their proposal. She said the negative feedback was a concern; with them building all single family homes throughout the entire project, and that the project does not have higher density homes on the north end and low density homes on the southern end of the property.

She said the proposed single family home types are not entry level homes, but rather the average homes are buyers purchasing their 3rd home. She noted the two markets that have dropped most significantly have been townhomes and single family homes valued over \$700,000.00. She said they do not want to build something that would not sell. She said Lennar wants to build a product that helps the local economy grow. She said they are proposing a product with a price point that is not offered in Medina. She said they have already received phone calls from potential buyers inquiring about their product possibly being offered in Medina, which is typically unheard of at the concept plan phase.

Nielsen asked Toohey to explain the traffic study. Toohey informed the Commission that a traffic study was completed and would be submitted with the Preliminary Plat. She said the traffic study shows an additional 100-150 vehicles in both the a.m. and p.m. rush hour time periods. She said Hunter Drive would still be operating at a level A after developing the site as proposed. Anderson asked about access and if Lennar had considered alternate access points. Toohey said Lennar is looking for direction from the City for placement of access points for the development.

Williams clarified the MUSA line location with Toohey and he asked what was recommended to change. He asked for clarification of the existing MUSA line.

Toohey explained if a lot is to be served by the MUSA line, the entire lot is required to be part of the plat, not just a portion. The original MUSA line was located along the FEMA line.

Martin asked Toohey to review on-site wetlands. Toohey explained the dark grey areas are wetlands that exist and are not proposed to be changed. The light green areas are proposed to be mitigated. Martin asked if the southern portion of the land area in grey was wetland and Toohey confirmed that it was.

Anderson asked what percentage of the existing woods would be impacted. Toohey said an arborist visited the site and found 46% of the trees were either diseased or dying. V. Reid asked which trees/woods would be preserved as part of the project. Smith said as an exchange for extending the MUSA line, staff suggested maybe saving the trees to the southeast.

R. Reid asked about the variety of home types. Toohey explained the different designs.

Williams asked about what the issue was with the NW section of the lot. Finke explained research will need to be done on the Title. The people with interest in that portion of the property will have to be made part of the process.

Williams asked for clarification of the Comanche Road location and if it was looked at as a third alternative for access to the development. Toohey said a large wetland is in the way, but they are in discussion with other neighboring property owners in the area. Toohey clarified by stating that any land not shown on the concept plan would not be part of the Holasek property.

Martin asked if berms would be maintained by an association. Toohey said details were not resolved yet, but could be maintained by either an association or by individual lot owners.

Williams asked if it was really financially unviable to build townhomes. Toohey said Lennar is still reviewing the viability of them, but the preliminary data shows they are not selling. Williams said the more options provided may be good. Toohey said the number of buyers is less now in this economic market and the resale market in Otsego allows what would have been townhome buyers to purchase single family homes, which means for the same money they get a single detached home with a yard. She said there is a lot of competition in the market.

Toohey said the absorption rate is good with the type of single family homes they are proposing, especially with the Wayzata school district.

V. Reid asked Toohey what the reason was behind the use of cul-de-sacs and shared driveways. Toohey said she was not aware of shared driveways not being allowed and knew that cul-de-sacs were discouraged, but Lennar frequently develops with cul-de-sacs and feels they work out quite well.

Public Hearing opened at 7:57 p.m.

Michael Fine @ 550 Navajo Road West. He said he was a vocal participant during the Comprehensive Plan process and the rezoning of the subject property. He said he bought his home site in 2001 and was told by the City the subject parcel was to have a maximum of 45 lots. Vital interest was to maintain what they were told and maintaining the rural feel. He felt the one thing achieved was a clear and concise staging process plan that divided the property into thirds. He said it was not for MUSA or floodplains. The staging plans were part of negotiations for increased density from what they originally thought they would see develop on the subject property. He said the color coding was intended to identify the densities on the site. He said the proposed plan currently shows 25 homes south of old Navajo Road West, which was never part of the original plan or part of any discussion. He further added the fact that the homes are consistent on each end of the subject property is not consistent with what was originally talked about. He acknowledged the majority of the discussions were prior to the market change and the applicant is working on a fixed market as it is today, but felt there is no reason the commission would need to approve the first project that is presented to them. He said the majority of the

discussions took place prior to the change in the financial market and said if it doesn't make sense to build townhomes today, then why not wait until the market is ready.

Nielson asked Fine where he lives. Fine identified location on a map.

R. Reid explained the reason for the Concept Plan Review process and that it did not provide final approval, but only direction to the applicant. Williams asked about the color coding or rainbow of zoning. Fine said that he felt the fanning of it would never get past City Council and he felt the commission needed to know the entire background of what discussions had occurred in the past.

Frank Mignone @ 3316 Red Fox Drive. Said he's enjoyed the vacant field for over 30 years, but doesn't own it and the land owners have the right to develop it. He feels there is a sense of urgency to develop it. He said someone needs to pay for increased taxes and someone has to pay for the Elm Creek Interceptor. He feels the City should provide compromise if it needs reduced setbacks. He said the Holaseks have the right to develop. The project would give work to people; and the Commission should consider the economy. He said for him the project is a good deal.

David Netjes @ 500 Navajo Rd West. He said there are three pieces as he sees it being reviewed. When he bought his house he was provided with e-mail documentation from the City reassuring him that nothing would be developed south of the MUSA line and it is now proposed to be shifted. He said he was told nothing would ever be rezoned south of the MUSA line. He feels moving the MUSA line is significant. He feels traffic would be an issue if Hunter is not four lanes wide. He asked the Commission to be proactive when looking at traffic. He said phasing of the property with higher density to the north is important to maintain the character of the community. He said the staging and phasing has a significant number of variances and they are not consequential to the piece. He also asked if this is really the plan the City wants for this site, or is it the plan Lennar wants. He asked the Commission to make sure the development is consistent with the character of other homes in Medina. He appeals to the City to do the project right and stick to the goals and philosophies adopted in the Comprehensive Plan that he feels are being violated under the proposed application. Niesen asked if he was supportive of the land develop. He said he was supportive of the land developing.

Jay Echtenkamp @ 75 Navajo Rd. East. He reviewed the Medina City Code that was still in effect. He has heard a lot of history of what has been proposed on the property since 2003. He suggests the Commission look at the past history of the zoning for the property and use it as a guide. Williams clarified the new Comprehensive Plan process.

City Council Member Weir said she was on the taskforce for the Comprehensive Plan in 1998/99. She said Medina didn't have the Elm Creek interceptor then and then after it was built the City was told to increase density to slow sprawl. They were told to make the pipe worthwhile to help serve it and that the Metropolitan Council had given the City densities to attain for both the 2000 and 2009 Comprehensive Plans. Finke clarified the recently adopted Comprehensive Plan and implications of zoning on the property today. He said by this June or July the City would be required to rezone the site if a plan was not brought before the City.

Jim Driscoll @ 880 Navajo Road West. He said to fight the Metropolitan Council would be a challenge. He further pointed out the City had made commitments to its citizens and now increased density is being required by the Met Council, which the City must enforce. None the less it is hard to deviate from the Comprehensive Plan. He felt that developing the parcel would diminish values in the area. He suggested the proposed development provide adequate trees, berms, and not two inch saplings planted.

Kirk Ogren @ 800 Navajo Road West. He said he moved to Medina 10 years ago and fell in love with it. At that time the minimum lot size was three acres and he was told the City would maintain its character. He said he was aware of this parcel and has anticipated it to development, but seeks to maintain the character and value of his property. He feels what's important is the proper time and plan.

Connie Fourre' @ 2755 Hunter Drive. She has lived in Medina for 31 years at her current home. She remembers when Tuckborough Farms developed. She feels strongly about the phasing plan and raised concern of increased traffic. She said she has no interest in subsidizing through assessing for road improvements now or in the future.

Tom Dykhoff @ 3402 Elm Creek Drive. He said he looks directly east over the subject property. He said this is the best proposal he's seen to date for the property. The Comprehensive Plan was designed as a guideline and used to put guidelines against proposals such as this. He's concerned with increased traffic, but relies on City staff for transportation reviews. Williams asked about previous proposals on property. He said 400 trailer homes were once proposed. He said he feels townhomes would be inconsistent. Nielson asked if he had any interest with Lennar. Dykhoff said he does not, other than his daughter bought a house from Lennar a year ago.

Dave Wessin @ 1125 Hamel Road. He said he moved out to Medina for the rural atmosphere. At the time he moved to Hamel it was the hub of the area with grocery stores, feed mill..... So as the City has grown he's seen things go away and now the rural atmosphere has gone away. He said the site was proposed to have a trailer park at one point. He feels the proposed project is a good project and if it is built, it will provide opportunity for more volunteer firefighters. Many of the people living in Medina as long as he has are the firefighters and they need more. He said he feels the Holaseks have the right to finally develop their property.

Neilson asked what the impact would be to the volunteer fire department. Finke commented that the Hamel and Loretto Fire Department work together on coordination.

Toohy explained what is involved with a traffic study. She said an analyst sits from 7-9 a.m. along Hunter Drive where entrances would be. The analyst then takes into consideration the number of home sites and product type. A generally accepted mathematical equation is then used to formulate what kind of traffic would be generated during the two rush hours of the day. They look at existing conditions and utilize data formulated from studies. The studies have also been reenacted to verify accuracy.

Toohey said the elementary school would be Greenwood and the middle school would be Middle School West. Concern was raised that drivers going to the schools would be taking a left turn out of the development onto Hunter Drive, which would require cross over of lanes.

Toohey said the biggest benefit of the development is that it will bring more customers to the commercial areas of Medina. She said one can't have economic growth if the City is not growing in density.

A resident from the crowd asked if fire hydrants would be constructed as part of plan. Toohey said yes.

R. Reid said since the application is a Concept Plan, the Commission needs to provide feedback to the applicant. The Commission discussed the following:

Land Use: Nielsen and Anderson said they would like to stick with the Comprehensive Plan. Williams said he doesn't think the project should extend the MUSA line location or accept density that is lower than what is set in the comprehensive plan.

Martin agreed with Williams. Martin said she felt the proposal is more preferable than adding townhomes. R. Reid had concern with uniformity and would like to see the graduated density and transitioning down to the rural residential. Stick to what the comprehensive plans calls for.

Finke asked for consensus from the Commission on extending the MUSA line. Williams said environmentally expanding the MUSA is understandable to him, but he had a concern about possibly setting a precedent. He doesn't recommend amending the comprehensive plan unless there is a really good reason.

Access: V. Reid said she would like to see another access point into the development, but isn't sure where. Martin does not have any particular concerns with access, but would rely on the City's traffic engineer to guide them. Williams said he does have concerns after driving around the perimeter of the parcel.

Williams then asked Navajo Road owners at the meeting if they would ever consider deeding access for the proposed development. A resident within the neighborhood said never in a million years. Anderson said he defers to City staff for traffic, but thinks an additional access point may need to be considered to the north. Nielson asked the Commission if the concern was related to Fire Department access with the development only providing two access points. Finke said he does not know of any issues related to the Fire Department.

Sidewalk and Trail Design: No comments by the Commission

Cul-de-sacs: Williams suggested they should try to minimize variances. He said he is not open to Variances unless the applicant has a very good reason and convenience to the developer is not one of them. He suggested to utilize the PUD process. Smith clarified the lots needing variances were the lots within the cul-de-sacs, since they do not meet width requirements.

Zoning: Smith explained to the Commission that none of the homes are proposed to meet the side yard setbacks.

Williams said he was generally supportive of developing the site but would really like to see Lennar bring in a project in compliance with the Comprehensive Plan. R. Reid said she is uncomfortable with 195 cookie cutter homes. She said she sees sameness with the proposed homes from top to bottom. She would like to see individual neighborhoods within the development, which would break things up. She also asked Lennar to think outside the cookie jar, and said Medina does not want to be compared to developments in Plymouth or Maple Grove. She said she is looking for a more unique neighborhood. Martin said she is satisfied with the variety of home styles proposed.

Public Hearing closed at 9:04 p.m.

7. **Open Systems International (OSI) – Northwest corner of Arrowhead Drive and State Highway 55 (PID 03-118-23-44-0001) – Rezoning, Preliminary Plat, Site Plan Review, and Conditional Use Permit for the construction of an office building on a 19.1 acre parcel**

Finke presented the application explaining OSI currently has 250 employees and hopes to expand the number in the future. He explained the series of requests of the application. He said the property is at the corner of State Highway 55 and Arrowhead Drive. The overall parcel is 57 acres. The property is guided commercial and mixed use. The current zoning is Business Park and RR-UR.

Finke explained the rezoning request is only applicable to the lot they are proposing to develop. He said staff recommended Outlots B and C be zoned CH and Outlot A be rezoned to mixed use.

Finke reviewed the interpretation of the timeframe of the staging plan. He said staff recommends approving of the staging option that allows the City to “review the request, issue permits, but not allow the building to be occupied until 2011.” He said if the Commission and Council agree with staff’s interpretation, then the rezoning will be considered consistent with the Comprehensive Plan.

Finke reviewed the preliminary plat. He said the overall site is 57 acres and the lot OSI is purchasing to develop is 20 acres. He explained the Outlots would need to be replatted prior to development. No streets proposed or row dedicated. Easements are dedicated over the OSI site. The site meets all minimum requirements.

Finke said the Site Plan Review and CUP is for a 92,000 square foot building with the principal use being office with electronic staging/labs. Two hundred fifty-three parking spaces are proposed, which exceeds the City’s requirements, but OSI feels is needed.

Finke explained a CUP is required for buildings exceeding 50,000 square feet in size. He said the project is consistent with the site plan review requirements.

Finke said the applicant proposes to impact some wetlands. He said the impacts in the ditch are almost impossible to avoid. He said the applicant does propose to mitigate on-site and staff recommends working with the applicant to minimize wetland impacts on the north side of the building. He said the applicant has provided wetland buffers around the wetlands and there are

floodplains on the property, but no impacts proposed. He said the applicant is proposing bio-filtration areas in the parking lot, a pond west of the building, and are also considering rainwater reclaim. He said the project will provide localized storm water treatment. Finke pointed out the applicant is proposing 19 foot in depth parking stalls and 22 foot drive aisles to reduce overall hardcover on-site. He further explained the applicant is required to abide by SWMP requirements.

Finke reviewed exterior building materials and that they generally met minimum requirements for four-sided architecture.

Finke explained Meander Road across from subject property, with future access needs and impacts of a stop light in the future. He said it raises large Policy questions since the Meander Road area would have wetland impacts.

Finke reviewed tree preservation, landscaping and trash/recycling. Mechanical equipment and utilities were also reviewed. He said the applicant has requested painting metal mechanical equipment for screening and staff recommends the applicant screen with the same materials as the exterior of the building.

Finke noted the CUP Criteria and recommended conditions. He said he'd like to add one additional condition that mentions the City purposefully approved of the parking spaces reduced in size in order to reduce hardcover. He said this is important to note so years down the road it wouldn't come up as a nonconforming issue.

Ed Fitzpatrick, OSI Project Manager, presented to the Commission that their company intends to move in with 250 employees and will be expanding in the future. He said their company provides a good wage to their employees.

He asked the Commission to consider option No. 2 for relocation of Meander Road to the north. He said they feel if the corner lot is moved further to the north it could reduce their ability to develop that lot. Williams asked if a portion of the parking lot was considered to be screened. Fitzpatrick said they may acquire the land to the north. Williams said Bridgewater homes can look down into the loading dock area.

V. Reid asked about the future road of Outlot A. Finke explained the Outlot would connect to the OSI driveway.

Anderson asked where OSI is currently located. Fitzpatrick said they are across from the Dundee Nursery along State Highway 55. He said the majority of their employees prefer the Medina location since most of their employees have a reverse commute. He said they designed the proposed building to hold 350 employees.

Nielsen asked about mechanical equipment and screening. Fitzpatrick said they will no longer have to have the larger outdoor chiller. He said they could use a metal louver system with a linear feel to it.

Public Hearing opened at 9:58 p.m.

Luann Sawochka @ 4268 Arrowhead Drive. She said she likes the proposed project and recommends approval.

Anderson asked OSI's hours of operation and Fitzpatrick said they run flex time hours starting at 7:00 a.m. and typically runs to 6:30 p.m.

Finke asked the Commission to make a decision on the Staging Plan. He said it is an important precedence once set. Fitzpatrick said OSI couldn't move into their building until spring of 2011. Fitzpatrick said OSI has no objection with #3 recommendations. Martin supports. OSI said the staging is more for the sewer usage and the plan lends to it. Williams agrees with Martin. R. Reid asked if the area to the north could develop also. Finke clarified that it could develop.

R. Reid asked why OSI would have to assist in paying Meander Road realignment. Finke clarified not in all cases would OSI have to assist financially. R. Reid asked why the developer wouldn't pay for the Meander Road improvement. R. Reid said she felt OSI's driveway is in a more logical location than lining up with Meander Road. Williams asked if OSI would own Outlot C. OSI said they have it as an option.

Anderson asked about the traffic study and its relationship to growth. Finke said the traffic report did take into account expansion of OSI.

Nielson asked for clarification of shifting the landscaping. Finke clarified that moving some landscaping along the north side of the property is recommended for screening.

The Commission recommended Option No. 2 for access and Finke recommended modification of the condition. He also informed the Commission that he would be adding a comment related to approving the reduced parking stall depth for purposes of reducing hardcover.

Public Hearing closed at 10:20 p.m.

Motion by V. Reid, seconded by Martin, to recommend approval of the rezoning, preliminary plat, site plan review, and conditional use permit with recommended changes. Motion carried unanimously. (Absent: Nolan)

8. Ordinance Amendment – Chapter 8, Section 825.55-825.59 of Medina's City Code related to the Site Plan Review process

Finke explained how it is important to require a site plan review.

The Public Hearing was opened at 10:25 p.m.

Weir asked for clarification of the revision to the ordinance that allows minor changes. She asked for clarification of what 24,000 thousand square feet of lot area equated to as far as loads. Finke explained he thought the 5000 square feet was rather limiting, but that the 24,000 square feet of earth movement would equate to approximately 70 truck loads. Weir raised concern with storm water run-off. Finke said the applicants would not be exempt from the erosion control rules; they just wouldn't have to go before the PC or CC. Finke asked what the PC and CC would really be reviewing or conditioning.

Public Hearing closed at 10:29 p.m.

Motion by Martin, seconded by Anderson to approve the ordinance amendment as written. Motion carried unanimously. (Absent: Nolan)

9. City Council Meeting Schedule: Discussion of representation at Council meeting.

10. Adjourn: Motion by Nielsen, seconded by Williams to adjourn at 10:42 p.m. Motion carried unanimously. (Absent: Nolan)