

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, March 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, John Anderson, Kent Williams, and Beth Nielsen.

Absent: Charles Nolan and Kathleen Martin

Also Present: City Planner Dusty Finke and Planning Assistant Debra Peterson-Dufresne

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 that the April meeting would be held jointly with the Park Commission to get feedback from both Commissions at the same time to save time. The topic will be the crafting of the Conservation Design Ordinance.

Finke further updated the Commission that staff is anticipating two small land use applications.

5. Approval of February 9, 2010 Planning Commission Minutes:

Motion by Anderson, seconded by Nielsen to approve the February 9, 2010 minutes with recommended changes. Motion carried unanimously. (Absent: Nolan and Martin)

6. Discussion - Implementation of Staging Plan within 2010-2030 Comprehensive Plan

Finke presented the Staging Plan. He asked the Commission if they thought the point system should be set up for only the properties within the 2016-2020 phasing plan looking to jump ahead, or if it should apply to all properties including those available for development today.

Finke said staff recommended only applying the staging point system plan to properties in the 2016-2020 phasing plan looking to jump ahead. He said the City has their general standards and to add the point system to all properties would maybe be too much to require of those that are eligible to develop today.

V. Reid said her first impression was that it was complicated. She thought it would be important to have a document that is clear as to what applies to an application. She said it would be nice to have a document that helps developers know what the City's expectations are prior to applying. Finke said the Maple Grove point system has worked well for developers since they know what is expected of them. He said the point system could be made more general with what the City's priorities are.

V. Reid said she put points down on items that she feels are important. She said it isn't like the City has a lot of land to apply the point system to, but thought it seemed like a huge process for the few empty lots that exist in the City.

Finke said there are quite a few lots the point system could be applied to. He said the City has more land near Loretto in the staging plan.

Wier asked the Commission if they were familiar with the community survey sent out to residents. She said it may be helpful to take into consideration what was important to the residents when discussing the point system.

R. Reid asked if the point system required a certain threshold to be approved. Finke said like Maple Grove it doesn't necessarily mean approval.

R. Reid asked if the light green areas on the Urban Services Phasing Plan have sewer now. Finke said no. She asked what triggered building the sewer. He said there is infrastructure all over and is available. She asked what if it doesn't develop in the orderly pattern as shown on the staging plan. He said it may not develop as shown, but ultimately it is up to the landowners. The City cannot force landowners to develop. He also said the landowner/developer would construct the pipe to their property, not the City.

Williams asked if the Commission needed to come up with standards for properties to be able to jump forward. Finke said yes, and asked the Commission if the point system should apply to those that are within the developable area already. Anderson said the staging plan should only apply to those that want to jump ahead of the staging plan, not for those currently able to develop.

Consensus of the Commission was to use the staging point system plan for properties in the 2016-2020 Plan wanting to jump ahead. R. Ried said the hurdle should be fairly high to allow a project to jump ahead.

Finke asked the Commission if anything stood out in the point system that they would want to discuss or bring to his attention. Williams and V. Reid agreed that if infrastructure is not available, properties shouldn't be allowed to develop.

Anderson said capital improvements required of the City is important to consider. Finke said the City is collecting fees currently. If the City has to accelerate its infrastructure improvements the developer would have to agree to fees.

Finke said you can only jump up one phasing period. He asked if someone is only requesting to jump up 6 months rather than 5 years, should the rating of the point system be different or less.

V. Reid liked preservation of natural features. She said she assumes the City already has standards for a lot of the items on the point system spreadsheet staff prepared. Finke clarified the applicant would have to exceed the existing City requirements.

Williams asked why it would be important for projects to install fire sprinklers or install quality landscaping when the City already has requirements. Finke clarified the use of fire sprinklers or installing quality landscaping are listed in the comprehensive plan. He said for a development to earn points for quality landscaping would mean that the project exceeds what would otherwise be allowed under a building permit.

Finke asked the Commission if they would be willing to consider a development if a project already has really good landscaping, was LEED certified..... He asked if that would be enough for an applicant to jump ahead. R. Reid felt that infrastructure should be available. Finke clarified existing user fees do assist in paying for improvements.

V. Reid said the number of new jobs brought to the City is important to her. Finke said it is really a sustainable measure. The benefit to the City is property taxes paid by the user and the jobs are for the residents.

Williams asked if on page three of the staff report the language came directly from the comprehensive plan. Finke said yes.

Williams said the point system is just as subjective as the comprehensive plan objectives.

Nielsen said guidance is necessary. Finke said staff could work on a narrative. V. Reid said it needs to be clarified what is different from what is already in the City ordinance and what they need to do to go above and beyond.

R. Reid said staff should bring back to them a draft of the staging point system. Finke said staff could use existing developments as examples. He said he was also bringing the point system spreadsheet to the next City Council meeting for them to rate.

Finke asked for clarification if the point system would only be used for a project to jump ahead. R Reid said it should be designed to make it very difficult for someone to develop early. Williams said he felt it depended on how many years an applicant wanted to jump ahead. V. Reid said it would depend on the extraordinary benefit they are proposing. R. Reid recommended a project would get more points if it reached a certain threshold.

Mike Leuer @ 1522 Medina Road explained to the Commission that when he purchased his property five years ago it was developable at that time. Since that time the City has changed the regulations and the staging plan put his property into the 2016 plan rather than being allowed to develop today. He questioned why he would have to go through the point system to develop. He

questioned why it's such a big deal to develop going east-west. He said going through a point system appears to have a lot of unknowns and asked for it to not be required.

Leuer told the Commission they should understand why he is frustrated. R. Reid asked if his property was within the business park zoning district. Nielsen clarified it's the comprehensive plan that restricts his property. Finke said yes.

Williams asked Leuer if he would prefer to see the point system more generalized or more specific. Leuer responded by saying more general. Nielsen asked Leuer if he brought his concerns to the City during the comprehensive plan review process. Leuer said he raised his concerns to the City Council.

Bob Kohns, Real Estate Broker for Leuer, felt the proposed point system gives power to City staff to determine if a project should go to the Planning Commission. He felt the proposed system promotes City staff as the gate keepers, and the City Council should be the one to maintain the power of who can and cannot develop. He said the City Council now has the power and he would like for it to continue that way. He added Maple Grove's staging plan was disbanded and they rely on the use of Planned Unit Developments. He also stated that Medina's properties are more unique than Maple Grove's. Finke said staff would not hold back an application from the Commission if they didn't make the required number of points.

Kohns asked the Commission to open their arms to developers. He said he prefers more clarity rather than general requirements for the design of the point system. Williams said the Commission can establish very general or a very detailed set of requirements. Williams asked Kohn which he preferred. Kohn said it's better to be black and white.

Kohn said he'd prefer more flexibility for the Council. He said the staging plan should not have been approved, but since it has to be done, he'd rather have the point system be a small piece of the approval process.

Nielsen asked why the staging plan was established. Weir said to "promote orderly and compact growth in the City's urban areas, and the east-west growth pattern was in place so properties would develop efficient infrastructure, including sewer and water."

Williams said he would prefer the point system to be as simple and general as possible. V. Reid suggested commercial properties have fewer requirements than residential properties if they want to jump ahead. Anderson said the commercial and residential attributes are different. Finke asked the Commission if they were looking for a simpler point system for commercial. The Commission said yes.

Finke said he liked the recommendation of the Commission to rate the point system with a maximum number of points. He said he would have the City Council rate the point system with a maximum number of points to more easily identify what is priority.

7. Call Special Concurrent Meeting with City Council for March 16, 2010 at 5:30 p.m.

Motion by Williams, seconded by Anderson to call a special concurrent meeting with the City Council for March 16, 2010. Motion carried unanimously. (Absent: Nolan and Martin)

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

9. Adjourn: Motion by Anderson, seconded by Williams to adjourn at 8:46 p.m. Motion carried unanimously. (Absent: Nolan and Martin)