

CITY OF MEDINA PLANNING COMMISSION

Meeting Minutes

Tuesday, August 9, 2011

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

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

Absent: John Anderson

Also Present: City Council member Elizabeth Weir, City Planner Dusty Finke, Debra Peterson-Dufresne, and Associate Planner Dale Cooney

2. **Public Comments on items not on the agenda**

No public comments.

3. **Update from City Council proceedings**

Council member Elizabeth Weir presented a report of recent activities and decisions by the City Council.

4. **Planning Department Report**

Finke provided an update of upcoming Planning projects.

5. **Approval of the July 12, 2011 Draft Planning Commission meeting minutes.**

Motion by Martin, seconded by Williams, to approve the July 12, 2011 minutes with the recommended changes. Motion carried unanimously. (Absent: Anderson)

6. **Public Hearing – Loram – Text Amendment to Chapter 8, Section 833 of the Medina City Code to increase the Maximum Impervious Coverage in the Industrial Park District.**

Cooney presented the text amendment request and informed the Commission that the applicant, Loram Maintenance of Way, Inc., was initiating the request rather than the City. The text amendment request was to increase the impervious coverage from 50% to 60% within the IP, Industrial Park zoning district.

V. Reid asked if it's 50% of all Industrial Park land and Cooney concurred.

Tim Heisel, Loram Maintenance of Way, informed the Commission that his parking lot expansion was just over 50 percent. Nolan explained that although Loram was the applicant for the text amendment, the Commission has to look at the application more globally.

Public hearing opened at 7:20 p.m.

Finke informed the Commission that a company near Loram had raised concern to him with the current 50 percent maximum hardcover, since their property was nearing the maximum and wouldn't be allowed to expand if the hardcover maximum wasn't increased.

Public Hearing closed at 7:23 p.m.

Nolan said the Commission would need to weigh out hardcover and the intensity of the use. He said his experience had been that 70% is more the norm or higher for hardcover in the Industrial zoned districts. He said every city he can think of is higher than what staff is recommending. He felt 60% was even low and as it related to stormwater run-off, he thought the city was looking at it in a separate ordinance. He said as it related to intensity and use, the city could look at setbacks and screening.

Martin asked Nolan if he was suggesting a 70% maximum impervious coverage rather than staff's recommended 60 percent. Nolan said he wouldn't be opposed to 70%, but it would be difficult for a developer to get to the 70% with all the other regulations sites are challenged to comply with.

Williams said he felt comfortable with the increase, since the city had regulations on stormwater and screening. Nielsen asked about the other industrial user that wanted to increase the percentage. Finke said the other industrial user was in favor of the increase since their property wouldn't allow for an addition without the hardcover being increased.

Martin recommended approval of the text amendment with a change to staff's recommendation from 60 percent to 70 percent.

Motion by Martin, seconded by Nielsen, to recommend approval of the Text Amendment with the change to the maximum impervious coverage from 50 percent to 70 percent. Motion carried unanimously. (Absent: Anderson)

7. **Public Hearing – Text Amendment to Chapter 8 of the Medina City Code to modify the Parking regulations.**

Martin asked if “parking” and “off-street parking” references were meant to mean the same thing. Cooney said yes it refers to off-street parking.

R. Reid commented that the Target parking lot is never full and she felt it had too many parking spaces.

Martin said Target corporate had their requirements of five parking spaces per 1000 square feet of floor area.

Finke added that Target may have certain regulations that may focus on having sufficient spaces for the peak holidays which could exceed City requirements.

Public Hearing opened at 7:37 p.m.

Public Hearing closed at 7:38 p.m.

R. Reid said it would be foolish to reduce the size of the parking spaces based on all the larger vehicles nowadays. She said she is opposed to reducing the width of the parking spaces.

Williams said he didn't think the width should be reduced, but would be alright with the proposed length. V. Reid said if the length of the parking spaces were reduced, it would make it more difficult to back out of a space. Cooney informed the Commission that other Cities keep the two-way drive aisle width to the 24 feet and reduce the stall length. Cooney said it may be the overall width of drive aisle and stall length that would need to be considered.

Nolan said backing into a 20 foot drive aisle is challengeable.

V. Reid asked what size Target had for their parking spaces and drive aisle width. Cooney said Target had 24 foot drive aisles and a 19 foot depth for each parking space. Nolan said he would rather have the length be in the drive aisle. V. Reid said when you think of a Target store you want some space for pedestrians, and she would prefer the 24 foot drive aisle and 19 foot parking space length. R. Reid said she agreed with staff's recommendation. V. Reid said she would advocate for the 24 foot drive aisle width for both primary and secondary drive aisles.

The Commission concluded to not reduce the width of the parking spaces, but to require a 24 foot drive aisle width for primary aisles. The Commission also concurred with 22 foot drive aisles for secondary drive aisles, except for V. Reid.

Williams reminded the Commission that the widths are minimums.

Fire lanes – Cooney informed the Commission that the Fire Marshal recommended 24 foot drive aisle lanes.

Retail Parking Spaces – Nolan said one space per 250 square feet of retail space is a common number and often times 10% is taken off the total for utility areas and stairways.

Multi-Family Guest Parking – Martin said requiring one half space per unit seemed to be a lot for guest parking, especially if the development had a lot of units. It was concluded that a minimum number of guest parking spaces be provided for multiple family, but two-family and single family would have their own requirements.

Religious Institutions/Theaters – Martin thought one space for every four seats seemed insufficient. She felt people attended religious institutions and theaters in pairs.

V. Reid asked if the goal was to achieve enough parking for holiday parking. Finke said it would be a policy question of the Commission. Nolan said Theater parking may be more related to what is showing. He further said when a developer looks at any project, parking is the most important. He said the less parking you have allows for more building size. When a developer looks at a parcel of land and looks at the lot size, setbacks, parking requirements, and other restrictions, it is what's left that determines the size of the building.

Williams asked if the developer would want sufficient parking. Nolan explained that the developer would construct the minimum amount of parking to achieve larger building sizes.

The Commission concluded that they agreed with staff's recommendation.

Business and Professional Offices - The Commission concluded that Business and Professional Offices would be adjusted to require 1/250 square feet of gross floor area per parking space.

Schools – It was recommended to remove High Schools from the Vocational/Business Schools parking section. The Commission said High Schools would have different parking needs than Vocational/Business schools.

Martin said each school could decide the amount of parking they would want to provide. She said some schools charge to park their car if students choose to drive to school. She said the school could regulate the number of parking spaces and the number of students permitted to park. V. Reid said she would be concerned with the spill-over impacts on the neighborhood streets.

V. Reid explained how Minnetonka schools had a huge problem with overflow parking, which then spills out into the neighborhoods and business areas.

The Commission agreed with staff's recommendation to separate High schools from the Vocational/Business schools.

Vocational and Business Schools – The Commission suggested staff do additional research and provide information to the Council for discussion.

Bowling Alleys – Agreed with staff’s recommendation.

Auto service stations – Agreed with staff’s recommendation.

Hospitals – The Commission requested staff to further study and provide data to the City Council.

Restaurants - Agreed with staff’s recommendation.

Retail (Strip Center) – The Commission suggested granting more flexibility to strip centers that have multiple tenants, especially if a variety of open for business hours exist.

Proof of Parking – Martin requested proof of parking not be allowed over public easements.

Martin suggested adding perpetual easements to properties that are under separate fee titles, but share parking and drive aisle areas.

Single Family Homes – The Commission discussed parking in driveways and to not allow more than four vehicles parked outside visible from the street, or one per licensed driver. The Commission requested more investigation be done with the Police Chief regarding enforcement of such requirements within residential neighborhoods.

Motion by Martin, seconded R. Reid, to recommend approval of the Text Amendment to modify the parking regulations conditioned on staff doing additional research on uses listed above and to also incorporate perpetual easements. **Motion carried unanimously.** (Absent: Anderson)

8. **Public Hearing – Text Amendment to Chapter 8 of the Medina City Code to add Accessory Dwelling Unit regulations within residential zoned districts.**

Finke presented and explained that the City Council had talked about mother-in-law apartments in the past and wanted staff to draft an ordinance. He further explained the ordinance was moved up the priority list since staff had been getting a number of requests by homeowners in the City for in-law arrangements.

Finke asked the Commission to discuss what they felt were to be the objectives of allowing accessory dwelling units within the zoning ordinance. He suggested the Commission discuss the following:

1. Allowing a detached accessory dwelling unit in addition to the principal home structure on one parcel;
2. Allowing a second dwelling unit within the principal structure;
3. Providing housing for employees on-site;
4. Should the City respond to demographic changes;
5. Diversity of housing.

Finke explained the draft ordinance required accessory dwelling units to be Conditional Use Permits (CUP), and further reviewed the recommended conditions.

Martin asked about the term lodging room and asked if it was defined in the ordinance. Finke said it was defined and explained that lodging rooms didn't allow kitchens.

Martin said the current ordinance only allows a certain number of accessory structures on a lot and a maximum square footage per lot. She said the current regulations could potentially impact a property owner from being allowed an accessory dwelling unit.

Public Hearing opened at 8:58 p.m.

Public Hearing closed at 8:59 p.m.

Nolan said he lumps guest homes, caretaker homes and in-law units together. He asked the Commission if they agreed with allowing them. The Commission agreed.

Williams said rental housing is acceptable to him, since the draft regulation requires the owner to reside in one of the dwelling units.

R. Reid had concern with allowing rental units if the renters were unrelated and Martin concurred.

Finke said the draft ordinance allows for rental units.

Martin explained that allowing rental housing would make the property more of a multi-family zoned property than a single family zoned. R. Reid and Nolan agreed with Martin.

Williams said he doesn't see people rushing off to build units to rent them out. He said with the owner living in one of the units, it makes a more palatable arrangement. He said he doesn't like the idea of saying "no renting" when we think people are going to do it anyway. If we know it's going to happen anyway, we should allow it rather than doing it underhanded. He said if the city thinks renting is going to happen anyway, he thinks the tenants would be better protected if we allowed it. He felt if renting ends up all under the table, it wouldn't be fair. Martin explained and

Williams concurred that tenants would have all the same rights under MN law if residing on a property.

V. Reid asked if renting is not allowed, but someone has a son living in their guest house, could they rent to him.

R. Reid, Martin, and Nolan all felt that rental of accessory dwelling units shouldn't be allowed unless they are family.

The Commission was in favor of detached accessory dwelling units in the Rural Residential districts.

The Commission said a two bedroom unit could be allowed in the rural districts within a detached structure, and a one bedroom for attached accessory dwelling units.

The Commission discussed what the maximum sizes should be for one and two bedroom units and concluded that one bedroom units should not be larger than 750 square feet and two bedroom units no larger than 1000 square feet. The Commission felt strongly that a limit on a maximum square footage was necessary. V. Reid felt an exception should be made for converting existing habitable space, rather than newly created space.

Martin said she doesn't see the need for an additional enclosed garage space for the attached accessory.

Nolan said he was sensitive to allowing multi-family in a single family zone.

The Commission concurred all districts should be allowed an accessory dwelling unit within the principal structure.

V. Reid said she was fine with attached accessory dwelling units being rented out, but not if the accessory dwelling unit was detached from the principal structure. Nolan said renting out of attached accessory dwellings units would be more of a nuisance than detached accessory dwelling units.

The Commission concurred that a CUP would be required for detached accessory dwelling units.

Nolan said the Commission agreed with everything except for the issue of renting. V. Reid said she is fine with renting if its attached, but not renting if detached, since she felt the owners would pay more attention to who is renting if attached to the home.

Nolan said it's more of a nuisance if it is attached, since it could impact neighbors with parking if houses are close together.

Motion by Williams, seconded by Nielsen, recommending adoption to City Council of ordinance amendment with the recommended changes that were discussed and to allow renting. V. Reid made friendly amendment to allow renting, but only in attached units, Williams seconded. Ayes, Williams and V. Reid. Nays Martin, Nolan, Nielsen, and R. Reid (Motion failed 4/2). (Absent: Anderson)

Vote on original motion – **Motion by Williams, seconded by Nielsen**, to allow rental across the board. Ayes - Williams and Nielsen. Nays – Martin, V. Reid, R. Reid, Nolan. **Motion Failed 4/2.** (Absent: Anderson)

Motion by R. Reid, seconded by Martin, to approve the recommended changes to the ordinance, but exclude renting. Ayes - Martin, Nolan, and R. Reid. Nays – V. Reid, Nielsen, and Williams. **Motion Failed 3/3.** (Absent: Anderson)

Finke suggested that someone make a motion to recommend the ordinance without a recommendation related to rentals if the Commission was supportive of all of the other decisions in the ordinance.

Motion by Nielsen, seconded by V. Reid, to approve the ordinance with the recommended discussion, but exclude the issue of renting since the Commission was divided on its decision of rental. **Motion carried unanimously.** (Absent: Anderson)

9. City Council Meeting Schedule

August 16, 2011 – Williams
September 20, 2011 – R. Reid
October 18, 2011 – V. Reid
November 15, 2011 - Nielsen

10. Adjourn

Motion by R. Reid, seconded by Williams, to adjourn the meeting at 9:48 p.m.
Motion carried unanimously. (Absent: Anderson)