

# **CITY OF MEDINA**

## **Planning Commission Meeting**

*June 27, 2017  
6:00 p.m.*

*Medina City Hall Council Chambers  
501 Evergreen Point Road*

### **CALL TO ORDER**

The Planning Commission meeting of June 27, 2017, was called to order at 6:00 PM by Chair Schubring.

### **ROLL CALL**

Present: Jeanne Carlson, Jen Garone, Mark Nelson, Randy Reeves and Shawn Schubring.

Absent: David Doud, Jessica Rossman (Excused)

Staff Present: Robert Grumbach, Development Services Director  
Kristin McKenna, Development Services Coordinator  
Leilani Fisher, Assistant City Attorney

### **ANNOUNCEMENTS (6:02 PM)**

Grumbach made the following announcements:

- Introduced new Assistant City Attorney Leilani Fisher.
- Council appointed Laurel Preston and re-appointed Shawn Schubring to the Planning Commission.
- Council approved the sign code ordinance at their last meeting.
- Reminded the Commissioners that Construction Mitigation Hearings that are scheduled to be heard by the Planning Commission are Quasi-Judicial decisions and to avoid discussing these with the public and any inquiries should be referred to City staff.

### **AUDIENCE PARTICIPATION**

### **APPROVAL OF MINUTES (6:18 PM)**

<p>MOTION GARONE / SECOND NELSON TO APPROVE THE MINUTES OF THE MAY 23, 2017 PLANNING COMMISSION MEETING. APPROVED 5-0. (6:18 PM)</p>
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### **PUBLIC HEARINGS**

There was no public hearing

## **OTHER BUSINESS (6:19 PM)**

### **1) Update View and Sunlight Obstruction Regulations**

A draft containing updates to the view and sunlight regulations was distributed to the Commissioners by Grumbach. He explained that since the view and sunlight regulations are not development regulations staff is recommending they be moved to Title 8 instead of Title 20.

Grumbach then began to lead the Commissioners through a lengthy discussion on the regulations section by section.

Fisher commented on the role of the Hearing Examiner and the legal issues of giving the Hearing Examiner too much Judaification authority. Fisher and Grumbach responded to questions regarding private property rights and clarified sunlight rights. Fisher also confirmed that there is no legal implication on moving the view and sunlight regulations to Title 8.

Laurel Preston commented and expressed concerns about the potential fees for mediation and/or the Hearing Examiner and who would ultimately be responsible for the cost of mitigation.

The Commissioners asked staff to conduct additional research on other jurisdictions View and Sunlight Obstruction ordinances and the issue of who is responsible for any potential fees.

The Commissioners also had suggestions and comments throughout the discussion regarding minor alterations to the code language and there was consensus on the proposed timelines and the enforcement fees.

Council Member Cindy Adkins commented as an audience member and asked if there is any legal consequence on the Hearing Examiner reaching a determination that private nuisance exists and would that create a legal conclusion that could be taken to the state court.

Fisher responded to Adkins question stating she will need to research it.

Grumbach will bring an updated draft to the next meeting.

### **2) Construction Mitigation Plan – Policy Guidance Discussion**

Grumbach gave an overview of why the Construction Mitigation Plan (CMP) Update is on the Commissioners work plan. He commenting on the importance of the program, the need to update it and the possibility of the Level 2 hearings being taken off the Planning Commissions agenda. Grumbach went on to explain the differences in the levels and policies of the CMPs. He outlined a process to first discuss policy questions from which council feedback will be sought before drafting any text language. He also

responded to questions regarding impacts to the CMP program if the Hearing Examiner was involved, the process for the applicant and potential burden to staff.

By the motion to adjourn the meeting, the CMP Policy discussion was continued to the next scheduled meeting.

## **ADJOURNMENT**

MOTION GARONE / SECOND REEVES TO ADJOURN THE JUNE 27, 2017  
PLANNING COMMISSION MEETING. APPROVED 4 – 1  
(NELSON OPPOSED) (8:35 PM)

The next Planning Commission meeting is scheduled for Tuesday, July 25, 2017 at 6:00 PM.

Minutes taken by:



Kristin McKenna  
Development Services Coordinator