



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, February 3, 2021 – 6:30 p.m.**

Pursuant to Minn. Stat. 13.D.021, Planning Commission members, City Staff, and members of the public participated in this meeting electronically due to the COVID-19 pandemic.

1. Call to Order

Chair Gitzen called to order the regular meeting of the Planning Commission meeting at approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.

2. Roll Call

At the request of Chair Gitzen, City Planner Thomas Paschke called the Roll.

Members Present: Chair Chuck Gitzen; and Commissioners Julie Kimble, Michelle Kruzel, Tammy McGehee, Michelle Pribyl and Karen Schaffhausen.

Members Absent: None

Staff Present: City Planner Thomas Paschke, Community Development Director Janice Gundlach, Senior Planner Bryan Lloyd and Community Development Department Assistant Staci Johnson.

3. Approve Agenda

MOTION

Member McGehee moved, seconded by Member Kimble, to approve the agenda as presented.

Ayes: 6

Nays: 0

Motion carried.

4. Review of Minutes

a. November 4, 2020 Planning Commission Regular Meeting

MOTION

Member Kruzel moved, seconded by Member Pribyl, to approve the November 4, 2020 meeting minutes.

Ayes: 6

Nays: 0

Motion carried.

5. Communications and Recognitions:

- a. From the Public:** *Public comment pertaining to general land use issues not on this agenda, including the 2040 Comprehensive Plan Update.*

None.

- b. From the Commission or Staff:** *Information about assorted business not already on this agenda, including a brief update on the 2040 Comprehensive Plan Update process.*

None.

6. Organizational Business

a. Nominate Vice-Chair for February – March 2021

Chair Gitzen indicated with Member Sparby resigning from the Planning Commission there is a need to fill the Vice-Chair position for February and March 2021 until a new member is appointed. At that time, the Commission will then vote for a Chair and Vice-Chair for 2021 year.

Member McGehee nominated Member Pribyl.

Member Pribyl nominated Member Kimble. Member Kruzel seconded the nomination.

Member McGehee understood that Member Kimble's position was extended for a year which is why she nominated Member Pribyl but if Member Pribyl did not want the Vice-Chair position then she would be fine with Member Kimble as Vice-Chair.

MOTION

Member Gitzen moved, seconded by Member McGehee, to close the nominations.

Ayes: 6

Nays: 0

Motion carried.

Member Pribyl moved, seconded by Member Kruzel, to appoint Member Kimble as Vice-Chair of the Planning Commission for February – March 2021.

Ayes: 6

Nays: 0

Motion carried.

7. Public Hearing

a. Request for Approval of a Preliminary Plat of an Existing Parcel into Six Lots in Order to Build a Twinhome Development (PF20-026)

Chair Gitzen opened the public hearing for PF20-026 at approximately 6:42 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council on February 22, 2021.

Senior Planner Lloyd summarized the request as detailed in the staff report dated February 3, 2021.

Member Pribyl asked for clarification on the replacement trees because in the report it shows preliminarily that the trees are not required under the Ordinance but in Mr. Lloyd's presentation it sounded like the Forester confirmed that replacement trees are required.

Mr. Lloyd explained he and the Forester have been talking about this project as well as the other projects tonight over emails the last few weeks. The trees or table that is a part of the tree preservation plan document that the Commissioners are reviewing tonight is one that he pasted over the one already there. There were some numerical errors in the table that were on that plan. The staff report did indicate that replacement trees would not be necessary but that is incorrect.

Member McGehee indicated she was not aware of the fine details but assumed the single-family home will remain, but she learned from the resident that apparently the owner of the lot being developed, and the single-family home were owned by the same individual. When that person sold the home to the current owners on the west side of that site it was indicated the property line was different than what it is. Those people had been maintaining at least a strip of the property by their house. Since it was purchased a chain link fence was put up during COVID and with the chain link fence up there is not enough room next to their garage and she was sure that those owners need a buffer but there have been other places like this where the City has actually devised something up and made adjustments. She did not believe this was one of those cases, but she did think that given the proximity of that house, which is occupied as a single-family house, there needs to be some sort of buffer or accommodation between the developer and the other homeowner or the City put some additional buffering there but not a fence because that makes a problem for the current owners to navigate around their home. She asked staff for suggestions for this.

Mr. Lloyd indicated he was not sure there was a good answer. Whether the shared driveway is 110 feet to the east of where it is proposed to conform to that nominal provision about the street and the recently adopted underlying problem that the property line is closer than the homeowners anticipated it to be, moving the street or not installing a fence does not give anymore room to that neighboring homeowner and short of deeding some land or providing an easement across there, he did not know what other solutions there might be and he did not think that any of those are in the City's purview.

Member Schaffhausen indicated because of the issues that came up with the new road she asked Mr. Lloyd to explain if someone could come in a back way and try and do the same thing in other places. Her concern is if the City is setting a precedent with this or is this different enough to not be concerned.

Mr. Lloyd explained the City does not have a clear definition yet, or a clear way of distinguishing what is a shared driveway, what is a street, public or private, and certainly establishing a definition like that and incorporating that into the City Code will be a way to clarify that. The way that staff has looked at it so far is the width of this shared driveway satisfies the fire lane width minimum but does not conform to any street width. There have not been any concerns by Public Works, the Fire Department, Police Department, or any other City Departments about this driveway being less than the width of the street.

Member Schaffhausen asked if the Planning Commission needed to make some sort of definition regarding this or is staff working on one.

Mr. Lloyd explained a definition would be helpful, but staff really has not discussed it yet.

Member Pribyl indicated given the concerns regarding the access and screening at the neighbor's property, she wondered about the thirty-foot utility easement on the other side of homes. Would this be required or was the developer able to make it work. She wondered if the easement could be twenty-five feet and move everything over to make more room for a landscape buffer on the one side as an option.

Mr. Lloyd explained that could be an option and staff could talk to the developer about it. He did not believe there is a minimum width for the easements. He thought it was partly driven by what the utility infrastructure is and how deep it is. He noted the shared driveway is on top of the utility easement as well so it is something that could be driven over by these homeowners or neighboring homeowners.

Member Pribyl indicated she was talking about the easement on the other side.

Chair Gitzen thought there was a minimum rear yard setback of 30 feet.

Mr. Lloyd indicated that was correct.

Member Pribyl asked if the homeowners could ask for a variance to deal with that. If the utilities were twenty-five feet that would be accommodating to the neighbors in the future.

Mr. Lloyd explained the location of the homes, like the driveway and everything else are not a part of the plat approval and if the lot lines are approved in the plat and the easements are also approved in the plat and easements are changed with homes shifting rearward in the future as it is developed remains an option.

Member McGehee was not sure it is a good policy to make policy definitions on the fly now. There was a policy and if it is insufficient then she was not sure if now is the right time to back pedal. She liked Member Pribyl's suggestion for solutions to this, but she would like to have a firmer solution that what the City has at the moment because she thought it is a problem and if that were a home and there was something next to it, the City has more setbacks and developments are usually screened from existing properties. She thought this is an important issue and if the City does not have a clear definition than she was not sure if it should be modified in this particular case. The recommendation is to disregard it in its entirety.

Member Kruzel explained the shared driveway and the easement are a really tight space where this development is going in so she thought the City needed to do what it can to help the current homeowners make this appealing to them because it is kind of invasive the way it is going in.

Mr. Michael Mezzenga, property owner, addressed the Commission and explained as far as shifting the land lots to the east, his civil engineer had a talk with the City Engineer and the townhouses to the east have a pretty bad drainage issue and cannot take on any more water on the property. Shifting anything to the east would not work because of the swale that is going along the east side of these twinhomes, the slope is already at the maximum slope, to have that drainage go from the rear pond to the street. Normally some water can be allowed to drift to the east and be managed by those townhouses but apparently there have been some real issues with draining. He noted this is already at the maximum as far as how that water from this development is going to be drained into the street.

Mr. Mezzenga noted this development did start out as a four-home development but when the Fire Marshal told him the homes needed to be sprinkled, which added quite a bit of extra cost, so it was switched to three twinhomes instead. These will be sprinkled and one of the stipulations of doing this.

Member Pribyl wondered, given the questions that have been raised about the screening along the west property line, if the developer has any plans for a landscape buffer or fence or any kind of screening along that side.

Mr. Mezzenga explained he was going to do something but was not sure what he was going to do yet because there is quite a bit of debris in that yard such as vehicles and other issues. He did want to screen it because it is not attractive.

Public Comment

Ms. Edenia Buboltz indicated she lives on the property directly west of the development. She explained this is going to impact their lives immensely with having this development built right next to their property line. She explained she does have their collector's conversion van parked by their back garage. The other thing that is really concerning is the wildlife and mature trees that are there. She was not sure all of the parties within the circle received the information about the new

plans and how it will have an impact on their quality of life. She stated with the new plan that has been proposed, the whole property would need to be clear cut, from her understanding, because it does not look like any of the trees can be saved. There are a lot of very mature trees and super cool wildlife there as well which will be impacted as well as the people that are in the townhome development on the east side of the proposal. She noted this will also affect the privacy she will have, which she considers a single-family property. Her goal is for this property not to be developed.

Ms. Buboltz noted she has spoken to an attorney about adverse possession on part of the property line that she has taken care of since moving into her home, as far as mowing, weeding, putting class five rock down, etc. She indicated this coming summer will be the sixth year and the previous owner took care of the property as well because he owned and farmed the property.

Mr. Mike Buboltz explained one of the biggest concerns, when talking about drainage going into the east side townhomes, he wondered how this property can possibly meet the permeability of the drainage. He thought it looked like there would be too much on the property to meet the drainage requirements. His other concern is will the road be considered a driveway or a public roadway.

Ms. Buboltz asked if the change in the plan was because the Fire Department needed to get in and be able to turn around. She understood the financial piece and that the property was purchased to make money and she did not have a problem with that, but she did have a problem with what is going to happen with the property to make that money. She indicated she wanted to understand the sprinkler system and also how an HOA is going to work there and where will the garbage containers be located; will each home have a container or will there be a bin somewhere. She also wondered which school system this will impact. Currently where she is located, she thought the students went to Mounds View and most of the time there is a Mounds View bus that drops riders off and with the addition of this development to the massive project that is going up on old Highway 8 and how that is going to impact the school system. She explained she just received this information so was not able to clearly go through all of it. She also had a question about two sewer caps that were recently dug out, one is on part of her property and on part of the other property. There is also one way in the back of the property.

Mr. Lloyd explained with respect to impervious coverage, the Zoning Code allows for up to sixty-five percent of the site to be improved in some way with built things, whether impervious or not. He believed this project is approximately forty-four percent impervious which is not yet nearing the limit. He indicated the driveway is indeed a private shared driveway and not a public street. With respect to the Fire Department's requirements, his understanding of them is on a townhome project, or any residential project, needs either to have a place for a fire engine to turn around in, adequately sized, or the building themselves have to be sprinklered. This is a requirement. The person developing a site needs to pick one of those methods of conforming to the Fire Department Code.

Mr. Lloyd indicated he did not know anything about the sewer cap issue. He believed it was correct to state the homes will be in the Mounds View School District although the School District boundaries are not a regular part of what the Zoning Code or Subdivision Code seeks to use as reasons to approve or not approve something. He explained the City Engineer has recommended a conditional of approval that the developer needs to create a HOA for the new homeowners if this is approved. This will make sure the stormwater BMP's are properly maintained and the common areas are properly maintained. The City does not have any requirements about how the trash is handled.

Mr. Michael Schmidt, 1300 County Road D West, indicated he has lived across the street from the property his entire life. He stated the property across the street from him has been an eyesore for him his entire life. It did have a house on it at one time and was demolished with a garage put up in its place and has never been maintained. He knew that The Buboltz's have done a lot of work and tried to maintain some semblance of the property, but it is not their responsibility to keep it up because it is not their property. He was glad something was finally being done with the property to help make the area better to live in. His concern is that there are a lot of apartments within the area and this will eventually become three duplexes that will be rented out. There is an element that comes along with that. This is a very small community because of County Road D and the property owners want to make sure the area maintains itself. Another concern of his is the green aspect of this. He did not see anything in the plans with respect to that such as solar panels, water reclamation or anything like that. His last concern was the change in the plans and that the developer went from four units to six units which concerns him because four townhome units would probably mean owner occupied to six duplex units that will more likely be rental.

Mr. Lloyd commented on the City's ability to control properties being rented. He noted even though the dwelling units are attached these units are proposed to be on their own lots and may be sold separately.

Chair Gitzen closed the public hearing at 7:36 p.m. as no one else wished to address the Commission.

Commission Deliberation

Member Pribyl indicated the Commission is asked to approve the plat and not anything else. She explained there were not any variances either. She felt like there might be some concerns about how this development is being done but the question for the Commission is the plat.

Chair Gitzen indicated that was correct.

Member McGehee thought there were a number of problems that exist with this, not the least of which is the City's own definitional questions. She indicated she did not think those questions and issues seemed to be answerable in this discussion.

MOTION

Member Schaffhausen moved, seconded by Member Kimble, to recommend to the City Council approval of a Preliminary Plat of an Existing Parcel into Six Lots in Order to Build a Twinhome Development with the conditions listed in the RPCA. (PF20-026)

Member Schaffhausen indicated she made the motion to approve because she believed there are some questions to be answered but as Member Pribyl pointed out that what the Commission is here to do is to look at the plat. Based on what the Commission is being asked to do, those questions have been raised and unless there is anything from a plat perspective and there is no variance, the Commission should move forward and approve this as presented.

Member McGehee thought in this case there are too many outstanding questions that do pertain to this plat and they pertain in a way that will affect ongoing zoning so she will not support the motion based on discussions and the comments by the residents as well as by the definitional problems the City has with its own definition for buffers and the fact that it shifted without much notice to the neighbors from townhomes to duplexes, which is a significant change.

Community Development Director Gundlach clarified the motion that was made. She noted the role of the Commission is to implement the Zoning Code as it currently exists. The Zoning Code as it currently exists does not include a 125-foot setback from the western property line where it is being defined as a street. The Zoning Code does provide some authority to the City Engineer and does not distinguish between a driveway and a street but the Code for the 125-foot setback applies to a street. The City Council can decide to look at the Zoning Code and change it in the future but right now the application has been made, a plat is before the Commission and it is the responsibility of the Commission to implement the Zoning Code. She explained there are no buffer requirements either but appreciated the property owners concern to the west as well as the concerns that Commissioner McGehee has made. At the building permit phase, once the structures are applied for a building permit, all of the requirements of the Code will be implemented.

City Planner Paschke clarified the difference between a duplex and a single lot development.

Ayes: 5

Nays: 1 (McGehee)

Motion carried.

- b. Request for Approval of a Comprehensive Plan Land Use Map Change from Low-Density Residential (LR) to Medium-Density Residential (MR) and a Rezoning from Low-Density Residential 1 (LDR-1) to Medium Density Residential (MDR) on Part of the Development Site; Preliminary Approval of a Major Plat to Subdivide the Whole Development into 20 Lots for Single-Family,**

Detached Townhome Development, Variances to Side Yard Setbacks and Cul-De-Sac Street Length and Shared Access to McCarrons Lake as a Conditional Use. (PF20-029)

Chair Gitzen opened the public hearing for PF20-029 at approximately 7:46 p.m. and reported on the purpose and process of a public hearing.

Senior Planner Lloyd summarized the request as detailed in the staff report dated February 3, 2021.

Chair Gitzen reviewed the process for Commission discussion on the five different actions needed.

Member Kimble indicated it was mentioned that there was a great difference in grade in the plan and she asked Mr. Lloyd to walk them through what is happening with the grade. She wondered what the impact is on the easterly boundary with the skinny strip.

Mr. Lloyd and Ms. Gundlach reviewed the different grades on the property with the Commission.

Member Pribyl wondered if staff had a diagram that shows the lot in question for rezoning and how that overlays on the full site. It seemed like from doing a quick sketch overlay herself, it is primarily at the trail, the drainage basin, unit 16 and maybe a corner of 15. It is essentially one unit, which is what is allowed on the lot the way it is planned.

Mr. Lloyd indicated that is basically correct. He noted he did not have a diagram for this.

Member Pribyl asked for the overall site, medium density residential, how many units would be allowed for this size of site.

Mr. Lloyd believed there could be 48 units on its own. Obviously 48 detached townhome units would not be able to fit on lots like this.

Chair Gitzen indicated he would like more information on the zero-yard setback.

Mr. Lloyd reviewed the zero-yard setback with the Commission.

Chair Gitzen understood that usually with townhomes there are HOA's where the outside of the buildings are maintained but it was his understanding that these are single family homes and will maintain their own houses, so the five feet setback is for maintenance. He knew the City had to go with the zoning that is there now, and he would ask the applicant about this as well. He did think that moving the setback would be fine and is probably practical.

Chair Gitzen asked regarding the controlled access, which will get the Conditional use, if the Commission is allowed to put some conditions on that.

Mr. Lloyd indicated that was right, as with any Conditional Use consideration, approval can include any conditions deemed necessary to prevent adverse impact, and protect the health, safety, and general welfare of the community.

Chair Gitzen explained there is a trail dumping out onto McCarrons and then across there is the park area so he wondered if there was anything that the City could do to require the developer to put a crossing in there to protect the public.

Mr. Lloyd indicated staff has been working with the developer on that and in fact, there are reason why Public Works Staff is reluctant to recommend flashing lights or some sort of larger improvements like that. The Rice and Larpenteur Vision Plan does promote certain street painting designs at intersections, crosswalks and so forth. This being a sort of public pedestrian way/multi-use path, in that vision plan area, that would do some sort of crosswalk, painting would need to be done. They are working with the designs in that vision plan to not only call attention to a pedestrian crosswalk there but to elevate it in light of its location in this vision plan area.

Mr. Roger Anderson, applicant, addressed the Commission about the proposed plan.

Member Kimble indicated it was really helpful to understand the addition of the extra lot because she did wonder about that and in a way adds a complication for the zoning request. She thought it helped to understand the reason for the zero-lot line request.

Chair Gitzen agreed and also liked the comment that the HOA was not going to be responsible for maintenance of the homes but there will be required access easements, which could be a condition for the variance. He would be comfortable with the zero-lot line as long as there are access easements, which he has not seen before but thought they probably existed in other communities.

Public Comment

Ms. Susan Love, homeowner on Roma Avenue, west of the development. She explained the StarTribune quoted Ms. Gundlach saying the idea behind the tree ordinance is to motivate people to redevelop in a way that preserves the big trees. She indicated this plan instead destroys twenty-six of twenty-eight heritage trees and 162 or 197 significant trees. There is a tug of war here, as has been pointed out, medium density zoning could allow up to forty-eight units. She noted on line 126 of the report, essentially tells them that if they argue to save trees and if they argue for fewer homes they could essentially and inadvertently be arguing for fewer buildings of greater density instead of single-family homes, which she and neighbors she has spoken with definitely do not want. The surrounding residents do want single family homes, just not so many. She explained she has previously made clear her views about limiting development in order to mitigate climate change, which affects public health and general welfare issues that development plans must not compromise. She

noted she stood by this conviction and urge the Commission to take this into consideration here. However, she knew the City is deeply invested in this development and design. She wished that residents living in close proximity had been specifically notified earlier in the process. She asked if the Commission is and remains in favor of the preliminary plat design included on page 14 of the packet, would the Commission consider a revision of the preliminary plat design, a revision that would preserve the neighborhood character and its unique sense of place in the woodsy neighborhood that would preserve a noise and privacy buffer and most importantly, preserve and make room for replacement trees that sink carbon, purify the air, and help keep the lake healthy. She asked if the Commission would consider moving the placement of the monument sign to the south of the road and eliminate lot one in order to reserve a wooded area composed of existing and replacement trees. This would provide a little of the woodsy feel along Gaultier Street that is valued by neighbors and lake walkers for the tree's beauty, importance to the environment and positive impact on property values.

Ms. Love stated in their repeal to the City Council regarding park fees, the developers have stated that because the land north of the road adjacent to the lake is quite small, it provides a much-needed amenity for the future owners. She put forth that the woods that the residents see and enjoy along Gaultier is a much-needed amenity for current residents of the neighborhood. When the Commission considers Motion C, which concerns the plat design, she asked the Commission to not pass the motion as it is but to consider all the concerns presented in the packets and from the community. She asked is if the Commission went forward with the preliminary plan to revise it from twenty homes to nineteen homes with the area currently marked as lot one reserved for existing and replacement trees.

Ms. Rene Pardello, McCarrons Blvd N., explained she echoed Ms. Love's concerns. She asked the Commission to take a step back and take a look at the bigger picture for a moment. She explained she has been impressed with Roseville's new commitment to equity and diversity and on the Roseville website it states, "The City of Roseville is committed to taking tangible steps to normalize, organize and implement racial equity principles and tools with an eye toward impactful and sustainable outcomes that create a more equitable community." She asked the Commission to keep that in mind because when she thinks about this situation and have reviewed the information from the Roseville's City website, if she took a look at some census data and the lifetime housing options, on the Roseville website it states "the City Council and staff have been studying the census data. The data has shown an increase in total housing units and an increase in vacant housing". Her question is why the City of Roseville is not buying this property and maintaining this greenspace to address the issues of climate change, to address the issues of stormwater. There will be issues around stormwater management. This system that the stormwater is going into is too old to manage what the City currently has, which is an issue. Once land is turned into concrete it is hard to go back. Regarding racial equity, the City knows that there is racial disparity in this Country and that wealth is built through home ownership, and through generational home ownership. The City knows that in the thirty's there were racial restricted covenants in the deeds. It was illegal to sell a home to a black person or a

Jewish person. The City knows that these covenants existed in Minnesota and were prohibited in 1953 but did remain until 1968 with the Fair Housing Act, which explicitly made it illegal, yet today they can see the outcomes of that with the great racial disparity. They also know that this part of Roseville has the lowest medium household income in the City. Her question is, if the City is going to endorse, recommend this development, where the houses will sell for \$475,000 to \$600,000 each, who can afford that. Which senior citizens can afford that in their retirement for a first level home and which communities of color can afford that when looking at the racial disparities that currently exist. By recommending the approval of this design, the City is reinforcing racial disparity and are contributing to systemic racism. She encouraged them to budget their values.

Mr. Andrew Montain, South McCarron's Boulevard, stated he is a few houses down from the proposed development. He wanted to commend the others that spoke ahead of him. He indicated he sent an email to everyone which is included in the packet. He did not think the developers have acted in great faith. He noted he thought the developer was meeting the letter of the law often times but with also some compromises with staff. He did not think the five hundred radius is sufficient when there are neighbors nearby, especially on a large property and there are so few neighbors to contact. He indicated he will continue to inform his neighbors for more input. He indicated these developers are not Roseville citizens and are not members of the community and he thought the City should put some extra weight on what is being heard from the neighbors who are speaking. In his letter he talks about a document that has been referenced multiple times that Maxfield Research produced. Some of the language the developer has used has talked about a need and really the research from what he has read is really about demand and speculating as to how these properties might sell. As a neighbor, he did not think they will sell for what is being suggested there. Roseville has built a lot of senior housing where there is not just single level living but also assisted living. There is a lot of senior housing demand that is being met in Roseville.

Mr. Montain stated his concern is also about the trees in a lot of ways. He was reading the City Code and Ordinance on tree preservation and it says the tree inventory should be done by a forester or an arborist. He looked it up and the person who did it, the Anderson Companies, Kurt Clays, does not have either of those qualifications listed in his linked in profile. It also says the species should be identified onsite and that has not been done. The trees are listed as maple and oak which are generalizations and not species. Those should be more specific information. He pointed out the length of the road as the maximum being five hundred feet, while he did not oppose the idea of a longer road going into the development, that is a way to circumvent the number of trees that are allowed to be cut.

Ms. Janet Olson stated she just learned about this and it has been really interesting to hear what the neighbors that are closely affected are feeling. She encourages them to keep talking to the City about these important issues. She asked if South McCarrons Boulevard, the road itself, changing it all and is the trail going along the lake,

lakeside, being affected at all. She indicated this is going to be putting a lot of stress on the roads around the development and as far as repairing those roads, who is responsible for that. The trail that is going to cross South McCarrons from the development to the park, that particular corner going east is very hard to see what is happening along that road so that should be looked into more carefully. She thought it was important for the lake part, in the documentation she read, it was talked about that they will not do anything that the DNR would not allow but she thought it was important for the City to get a better feeling for what the developer is planning on that piece of property.

Mr. Lloyd explained there are no changes proposed to the street itself. He understood that just by historical artifacts, part of the land that has been known as the South McCarrons Boulevard right of way, a wider expanse than the street itself, was doubled up with the St. Paul Regional Services and there is some vacation of excess parts of that right of way and that has been something the developer has worked with Ramsey County on to vacate those easements where it makes sense and the resulting right of way would be much more consistent with what a typical right of way would be for a street of that nature. The right of way proposes to change with this plat. The street and trail infrastructure that exists will not change. With respect to the traffic, the twenty-unit development is well below the threshold that the City has for traffic studies. He reviewed the City's road maintenance standards.

Ms. Caroline Stoick, Roma Avenue, explained her family has lived in the same neighborhood for approximately 14 years and their taxes have almost doubled since moving to the area. She wondered if this would affect their taxes at all because living next to homes that will be between \$400,000 to \$600,000, she is not inclined to pay more just to have the privilege of living by them. She wondered what is going on with the condemned apartments that are on Larpenteur and how is that going to affect these houses because nobody is going to want to live in that expensive of a house and live next to a basically condemned bunch of buildings. She agreed regarding the access to the lake because that is a very blind corner. The topography of the land and the way the corner is people are not seen very easily.

Ms. Gundlach explained she cannot speak to what this development would do to the County assessment of the value of the home. Taxes are really based on the value of the individual home and Ramsey County is the one that sets the value of the home. She indicated the Marion Brittany apartments to the south are not condemned. The City did revoke the rental license in November 2019 because of property maintenance issues. Since that time the owner of the property has hired a professional property management company to make improvements to those buildings and have put well over a million dollars into those buildings since that time and she believed at the next City Council meeting, at least three of those buildings will get a rental license back and expect in the coming months that eventually all of the buildings will also get their rental license back as improvements and investments continue to be made into those apartment buildings.

Mr. Tom Elko indicated he lives directly across this development on Gaultier and Roma. He explained this development adds 20 two car garages with an additional forty outdoor parking spaces. He imagined between thirty and fifty additional cars coming out onto Gaultier Street. This is twice the size of his neighborhood. He indicated the Rice/Larpenteur vision prioritizes pedestrian and bicycle traffic and this does not fit with that vision. This is a car first development. He questioned the vision and if the little trail in the development is all it takes to meet the vision then he guessed that said a lot.

Ms. Alison Cariveau, 1775 Barrington, explained she echoed the prior comments and would like a little more outreach regarding this development because she thought her home was just outside of the requirements but would affect them as well. This really will affect the traffic patterns, pedestrian patterns and the safety getting to the trail. She also suggested that more consideration be made for the trees being removed. She indicated she was also concerned about the impacts to the lakeshore and that some consideration be made not to degrade that.

Mr. Andrew Montain, commented on the path through the apartment complex. He suggested a few alternatives as well safe crossings.

Chair Gitzen closed the public hearing at 9:15 p.m. as no one else wished to speak.

Commission Deliberation

Chair Gitzen thought the Commission needed to discuss Items A and B together and put a motion together for that before discussing Items C and D in case the motion is to recommend denial.

Member Kimble commented that she did sit on the Rice/Larpenteur Task Force as plans for this area were evolving and many meetings over an extended period of time and she recognized and appreciated all of the comments, she noted that was a pretty expansive community process and this plan has some consistencies with what everybody had agreed would work on this site.

Member Schaffhausen asked if there is a way for the residents to have access to the information about the Rice/Larpenteur Task Force meetings.

Ms. Gundlach explained the Rice/Larpenteur vision plan is an appendix to the Comprehensive Plan and can be accessed via the City website. She also noted the Rice and Larpenteur Alliance, which is the current form that this group has taken on has its own website at www.riceandlarpenteur.com to look at the vision plan as well as all of the other things the group is working on to vitalize this area of the City.

MOTION

Member Pribyl moved, seconded by Member Kimble, to recommend to the City Council approval of a Comprehensive Plan Land Use Map Change at 196 S McCarrons Boulevard from Low-Density Residential (LR) to Medium-Density

Residential (MR), and the Requested Zoning Map Change at 196 S McCarrons Boulevard from Low-Density Residential 1 (LDR-1) to Medium Density Residential (MDR), based on the content of the RPCA, Public Input, and Planning Commission Deliberation.

Member McGehee explained that being unfamiliar with how the trails go, she was thinking that she agreed with the motion but she thought the developer should look at the trail and whether it is needed there or not or if it is safe there and whether the City wants to do something about a specific crossing because it is a blind corner so she did not think a trail should go there.

Chair Gitzen indicated there is still another part to this item that needs to be discussed so Member McGehee will have a chance to bring up the trail then.

Ayes: 6
Nays: 0
Motion carried.

Chair Gitzen indicated the Commission can discuss the preliminary plat and subdivision variance at this time.

Member Kimble indicated in listening to one of the comments, she wondered if there was any consideration of retaining some of lot one at the entry to be green with trees as one resident suggested.

Mr. Anderson explained he did propose a landscape plan that goes along with the standards that are expected for this development. He indicated the area alongside lot one has a fair amount of area but there needs to be a drainage swale next to that home but there is no reason why some coniferous trees could not be added to the area to increase the buffer. He noted trees cannot be planting in the basin, which is not allowed by the Watershed, but trees can be put along the parameter. There is room to enhance that area.

Member Kimble knew it was the desire of the resident to have the house removed completely but anything that can be done to help create some more tree density there would be appreciated.

Member Kimble moved, seconded by Member Kruzel, to recommend to the City Council approval of the Proposed Enclave at McCarrons Lake Preliminary Plat and the Subdivision Variance to allow a cul-de-sac Street Longer than 500 Feet, based on the content of the RPCA, Public Input, and Planning Commission Deliberation with conditions 1-3 in the RPCA recommended by staff and Condition 4 to beef up the greenery and trees along the westerly side of lot one as shown in the plat. (PF20-029).

Member Kimble indicated she did not have an issue with the length of road listed in the variance and her comments from before about the Rice/Larpenteur Task Force support enough of the recommendation.

Member Kruzel agreed with all of it and liked that the developer spoke about the trees and greenery along lot one.

Member Pribyl asked for a point of clarification, when Mr. Lloyd was presenting, she thought there was clarification on 3A and B about the language in the report.

Mr. Lloyd explained it is by the Parks and Recreation Department recommendation to receive cash in lieu of land and that the \$72,000 amount and revision of the land for the trail connection. He indicated he would make sure the conditions are worded correctly before going to the City Council.

Ayes: 6

Nays: 0

Motion carried.

Member Gitzen moved, seconded by Member Pribyl, to recommend to the City Council approval of the requested zoning variance to allow the homes on proposed Lots 2 – 20 of the Enclave at McCarrons Lake plat to be built with a zero setback on one side property line, based on the content of this RPCA, public input, and Planning Commission deliberation with conditions a and b as well as access easements.

Ayes: 6

Nays: 0

Motion carried.

Member McGehee indicated it was her understanding when it comes to lakes that the City has the ability to be more restrictive than the existing State conditions, but do not have the ability to be less restrictive. She thought in making these conditions that the City should reserve the right to make it more restrictive if that seems to protect the safety and welfare of the people around the lake and the neighborhood.

Mr. Lloyd explained all of that may be true but his earlier comment to the Commission was if there are additional conditions or concerns about the access there that the Commission focus those concerns or conditions on what might be built and where it might be built on the land itself. The City of Roseville does not have regulations that pertain to use of the lake, being a public water body. He did not know if it was appropriate to establish conditions that affect the use of the lake. Certainly, the effects of the upland improvements on the water quality, the amount of use the lake might see, based on the shared access seems entirely reasonable. He encouraged the Commission to keep its focus on the upland area and the impacts of what happens there.

Member McGehee agreed but would like to urge the people that spoke, if there are concerns, there is a McCarrons Lake Association that should have more information about what they are thinking about the lake. She did not think the Commission had enough information to make additional conditions, but she would like the individuals to present that at the City Council meeting if there were concerns.

Member Pribyl moved, seconded by Member McGehee, to recommend approval of the proposed controlled access as a Conditional Use, based on the content of this RPCA, public input, and Planning Commission deliberation.

**Ayes: 6
Nays: 0
Motion carried.**

Recess and reconvene

Chair Gitzen recessed the meeting at approximately 9:41 p.m., and reconvened at approximately 9:51 p.m.

Chair Gitzen moved, seconded by Member Pribyl, to extend the time limit past the 10:00 p.m. deadline.

**Ayes: 6
Nays: 0
Motion carried.**

c. Request by BJHN, with Arthur’s Senior Care, for Consideration of a Comprehensive Land Use Plan Map and Zoning Map Change, and Conditional Use for a 13-Unit State Licensed Assisted Living and Dementia Care Facility at 202 County Road B. (PF20-034)

Chair Gitzen opened the public hearing for PF20-034 at approximately 9:52 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council on February 22, 2021.

City Planner Paschke summarized the request as detailed in the staff report dated February 3, 2021.

Mr. Paul Nelson wanted to make it clear that they are at the beginning stages of this and currently have two six bed care centers and are not committed to thirteen beds.

Ms. Deb Nygaard made a presentation to the Commission on their Senior Care facilities.

Member Kimble indicated she lives on the Shoreview boarder of Roseville and walks by this on Emmert all the time. She knew what it was and if walking by a person would never know it is anything but a single-family home. This blends right into the neighborhood and seems like it is a single-family home. She thought this was a very

cool concept. She noted in the report at the end, there were quite a number of notes from the open house, but it did not say if the applicant answered the concerns. She wondered if the concerns were solved.

Ms. Deb Nygaard thought the biggest concern that was not solved was the person did not want the driveway on Albermarle Court. The biggest concern was there are already a lot of people trying to get out on that street and County B is busy during rush hour. The only thing stated was that shift changes typically happen at 6:00am, 2:00pm and 10:00pm. She did not know if there would be a tremendous amount of competition.

Member McGehee thought that the concept is wonderful. She liked the looks of it. She did not think this one looked like a single-family home, which the other ones do, and she would rather that it was the smaller version and look like the single-family home. She wondered if this was built to look like a single-family home with six residents, like the model, that seems to work really well elsewhere, did they need to, under those circumstances, change the zoning on this particular piece to make that work.

Ms. Nygaard indicated something that is important to her in the senior industry is that when you do not sit around the same dining room table, you lose the feeling of family. It might be that there could be two different dining rooms, one for each wing so that it still feels like a family to the people who live there. When there are this many clients the building will need an industrial kitchen and two kitchens cannot be put in this building.

Member McGehee noted her question was not really about how the development is constructed on the inside, she does a lot of volunteering with seniors and really likes the concept. She would be more supportive of the six-bed model and seems more like a single-family home. She wondered if the applicant would be interested in doing something like the other homes on this site.

Mr. Nelson explained they could do a six-person bed home if the zoning did not need to be changed however, the business model of six people and how much it costs works but they would be able to reach more people by having a higher occupancy rate because each person would not have to pay as much. Also with staffing, there are two staff to six people and with 12-13 people there would be three or four staff, which is better. The current setup is great because it is like a home and the senior does get the attention except when one patient requires the two staff to care for them. He noted they are not looking bigger because they want to go bigger, they are looking bigger because they thought it would work better.

Mr. Paschke explained as it relates to the Code, the Code would permit six occupancies and would not require the rezoning.

Member Kimble agreed with Commissioner McGehee's comment that the six-person home looked nice and looks very single family but with particular site having MDR

on one side and a freeway on the other, she would be more comfortable with the 13 unit one at this location because it is not embedded in a single-family neighborhood.

Member Kruzel asked what the security for the clients would be.

Ms. Nygaard explained there is a keypad at every door and is not shared with anyone, not even family members. The client cannot leave without a staff person putting in the code.

Public Comment

No one came forward to speak for or against this request. Chair Gitzen closed the public hearing at 10:26 p.m.

MOTION

Member Kimble moved, seconded by Member Schaffhausen, to recommend to the City Council approval of the Property (202 County Road B) be Reguided from a Comprehensive Land Use Map Designation of LR (Low Density Residential) to MR (Medium Density Residential) as well as the property be Rezoned from an Official Map Classification of LDR-1 (Low Density Residential-1 District) to MDR (Medium Density Residential) according to the staff report.

Ayes: 6

Nays: 0

Motion carried.

MOTION

Member Pribyl moved, seconded by Member McGehee, to recommend to the City Council approval of the requested Conditional Use for allowance to construct a 13-unit state licensed residential facility of assisted living and memory care, with a dementia care focus, subject to findings a-f in the RCPA.

Ayes: 6

Nays: 0

Motion carried.

8. Project File 0037: 2040 Comprehensive Plan Update

a. Introduction to the Zoning Code Update Project and Team

Community Development Director Gundlach reviewed the Zoning Code Update Project and indicated the City hired HKGi Consultants.

Mr. Jeff Miller and Ms. Rita Trap introduced themselves and made a presentation to the Commission.

Member McGehee thanked HKGi for the packet and concepts and for the 2030 Comprehensive Plan. She thought the plan was very easy to use and is feeling very confident about this going forward. She noted the use of popups at least as described in the packet was fairly targeted and she explained there were popups used for the 2040 Comprehensive Plan and they were not effective. They were sort of put in places where people shop and what the City got was a lot of response by people who do not live in Roseville. She also thanked HKGi for the collection of public input during this trying time. She indicated she was very impressed with the information provided and looked forward to this moving forward.

Chair Gitzen thanked HKGi for the presentation and staying for the entire meeting.

Mr. Miller summarized the upcoming steps in the Zoning Code update.

9. Adjourn

MOTION

Member McGehee, seconded by Member Schaffhausen, to adjourn the meeting at 11:00 p.m.

Ayes: 6

Nays: 0

Motion carried.