



**Special Planning Commission Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Thursday, May 13, 2021 – 7:00 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 Kimble called to order the regular meeting of the Planning Commission meeting at approximately 7:00 p.m. and reviewed the role and purpose of the Planning Commission.

2. Roll Call

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

Members Present: Chair Kimble; Vice Chair Michell Pribyl, and Commissioners Michelle Kruzel, Tammy McGehee, Karen Schaffhausen, Erik Bjorum and Emily Leutgeb.

Members Absent: None

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

3. Approve Agenda

MOTION

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

Ayes: 7

Nays: 0

Motion carried.

4. 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.

5. Other Business

a. Review and Provide Feedback on Zoning Code Update

Community Development Director Janice Gundlach introduced Mr. Jeff Miller and Ms. Rita Trapp from HKGi who made a presentation on the Zoning Code Update and asked for feedback from the Commission.

Ms. Trapp started off the presentation with the update to density standards for mixed use districts. She asked for Commission input or questions.

Member Pribyl wondered about the distinction between Mixed Use 2A and 2B. She thought it looked like there was a little more density in 2B, but she noticed the housing types allowed are the same and later on the building height allowances seem to be reversed. 2B allows taller buildings than Mixed Use 3 does.

Ms. Trapp explained there are use differences between 2A and 2B once the consolidation is done. There is a difference in height, 2A is only 35 feet so it is the smaller height where 2B is being proposed to allow up to 55 feet or 65 feet with a CUP. There is a difference between the two districts in terms of scale and intensity. HKGi did recommend distinction between those two. 2A seems to be neighborhood business in its character and scale whereas 2B is more similar to more of a community business or where there is more intense use. That is why they did not consolidate all the way down to have just one mixed use area.

Member Pribyl was not sure what distinctions there were between 2B and 3.

Mr. Miller currently thought the Districts MU-1, MU-3 and MU-4 really relate to each other as far as neighborhood community and regional business and CMU is a different animal as far as zoning districts. It is their understanding with the Comp. Plan, with the intention of bringing those business districts clearly into play as mixed-use districts means they are more aligned with the CMU. He noted they are using the Comp. Plan as a guide. He indicated those can be looked at to see if there is any need to distinguish between MU-2B and MU-3.

Chair Kimble asked if there will be more description in the Zoning Code or introduction to these various zoning districts that differentiate or describe what was said.

Ms. Trapp indicated once in the zoning districts; it will become a little more obvious because there will be additional language. She noted this information will be used and they will make strike changes in the Code as it is today.

Member McGehee agreed with Member Pribyl and thought originally there were the four levels, as proposed by staff, to have those four levels within the SMU District

because that was their mixed-use district and there was a lot of discussion about having the intensity based on positions along either Cleveland Avenue or along County Road C and then moving back and then there was also the issue where these regions bumped against residential housing along Terrace Drive. If they are going to go ahead and make a blanket MU classification to allow housing and so on in all of these districts than it does not seem to her that it makes any sense to try to maintain this area and she agreed with Member Kimble that it is very confusing and it is not clear that these various differences that have been spelled out for Twin Lakes, there is only one parcel left to develop there so it seems it is just additionally confusing to try to run this.

Member McGehee asked if MU-1 is neighborhood business. She said she was not familiar with all of the sizes of buildings in that are in the small neighborhood businesses, but if the idea is to have some limited housing among buildings in the neighborhood business then she did not see any benefit in adding a minimum to the specification. If someone has a small, private business that is run on the first floor and that person has the space to put one or two apartments above, she thought that should be an available option. She felt that by adding these minimums they are not helping out small business. She also indicated she did not see anywhere in these business districts where the City is going to have cottage units or similar housing types that are described. She questioned how this is all going to fit together. She thought that while all of those housing types are nice to have in the City's toolbox, she did not see in any of what is being discussed here, where it is showing anywhere from ten to thirty-six units. She again questioned if, a lot of those housing types are realistic in the City's business districts. She was not sure the minimums should be there either.

Ms. Trapp thanked Member McGehee for her comments. She noted she will have to go back to do some calculations, but she thought the change or the insertion of the community mixed uses/mixed use 2 is probably more confusing at this point because of the way the Commission is used to thinking about it and seeing it. She noted she was not so concerned about the confusion, necessarily for others because how the City Code is currently set up, and they are not talking about changing it significantly, each district, other than the use tables is handled kind of individually in how their standards are set forth.

Ms. Trapp explained there were the four levels and staff did take a hard look at it and felt like they were not ready because it was for Twin Lake specifically and it was not really identified in the Comprehensive Plan. Again, they are trying to stay true to the Comprehensive Plan. They wanted to do more combination or consolidation in this. They did really feel like there was a distinction between 2A and 2B. She also noted that there were two new areas that were identified for community mixed use, one being HarMar and one being the shopping center on Hamline. Because of that there are new areas that are being looked at to use the form base standard. Information will be added about frontages to help guide that should redevelopment occur. That is one of the reasons why staff is proposing it the way they are, but more discussion can occur.

Ms. Trapp indicated regarding the cottage homes, the reason why they are thinking about providing all of these is just more flexibility. It is true that the City may or may not see all of these different housing types, but the more choices provided the more flexibility there is to make something that work on the site or for the market.

Chair Kimble asked since the housing types are being named, what if there is a new type or a type is missed, what are the implications then.

Ms. Trapp explained there are two ways of addressing that, if the Commission or staff identifies that there is a new type of housing then they could go through proactively and make an adjustment to the code. If not, an applicant can request a zoning text amendment to add something in. She hoped these are broad enough that they capture most of what is seen in the future. She noted this is accurate for what they have now and if there are changes then the City will either go through this process again or someone will ask for something to be added.

Member McGehee explained something that will be coming up late is the build forward that was laid out for Twin Lakes as opposed to the traditional setback. There has been a significant amount of pushback in the community, displeasure with that building type, that build forward that does not make it feel like a suburb. The City has gotten several complaints about building along Larpenteur that went with that model. She thought moving forward, that model might be fine by itself but is not one that seems to be appreciated or desired in other parts of the community.

Chair Kimble asked for confirmation that the minimums really are confirming what is in the Comp. Plan so that there is consistency between both.

Ms. Trapp indicated that was correct.

Mr. Miller explained the housing types are also reflected in the Comp. Plan, those districts include medium or high density residential and the description of them.

Ms. Trapp continued her presentation on Scale and Intensity and how it relates to the Comprehensive Plan.

Member Pribyl thought in MU-2B, with it being HarMar, potentially considering stepping it down as it approaches the single-family neighborhood. Fifty-five feet would be quite objectionable to the neighbors immediately to the east and south but if it is further away it might be less objectionable.

Ms. Trapp noted she would make sure that is still on their radar to discuss.

Member McGehee asked that be looked at across the board because she felt everywhere this would bump up to residential the City needed to be cognizant of that.

Chair Kimble thought it would be really helpful to understand the scale of these districts and then of course adjacency is so important. She understood the CUP and that some conditions can be created to help control, but it felt to her often that CUPs are almost in the reverse, almost a negative and almost a way to stop something so when a developer comes in with a project it is almost like they are “guilty until proven innocent”, kind of a reverse psychology and she was curious about that. She understood that it gives some controls, but does it sometimes give controls for wrong reasons.

Ms. Trapp explained the reason why a CUP is generally the choice to use over rezoning in cities.

Ms. Gundlach thought Chair Kimble was correct that not many of the buildings in Roseville are above 65 feet. Regarding the CUP, she thought the trick will be when they actually get the text amendment language in front of the Commission and have an opportunity to identify what are the conditions under which they would allow the increased height. They also have to remember that there are some general health, safety and welfare conditions that apply to all conditional uses. In addition to sort of the very project specific type of conditions and the problem with that being open to a lot of interpretation is a conditional use requires a public hearing with notification to the neighborhood and a lot of time the testimony that comes forward during those processes can impact the interpretation of those general health, safety, and welfare standards. If the Commission is not comfortable with that, it just needs to be recognized and discussed as a part of the text amendment language discussion.

Ms. Gundlach also wanted the Commission to be very cognizant of the scope and timeline and the cost of this overall project. She indicated a few things have come up in the last meeting, a couple of things have come up in this meeting where there is interest in looking at certain things, but those things were not identified in the original scope and go beyond the mandatory updates that the City is talking about doing in order to comply with the City’s Comp. Plan and then they also were not noted as a part of the section two, which is the option updates. She thought examining the Conditional Use process was something that came up at the last meeting and then there was discussion briefly about sort of the build to designs which was also not identified in the scope and that is not to say those items cannot be looked at but it is going outside of the scope of the work that HKGi was hired to do, it is going to prevent them from meeting their timeline and it is going to prevent them from meeting their budget so that may be something that is set aside momentarily while staff seeks additional authorization to broaden the scope of the work. She did not want HKGi to be caught up in additional work as this item proceeds forward.

Member McGehee explained she was cognizant of both issues but on the other hand she thought the issue of the Conditional Use Permit and the issue of the “build to” actually came up as a part of this discussion because it would appear that they had different things for different districts. It seemed to her that what was growing out of this desire for consolidation was to actually pick one set of guidelines that would fit everything and she did not think that was anything that the Commission brought up.

She felt that if this is going to be a meaningful process to actually work on the City Code and Comprehensive Plan, she thought both the build forward and the Conditional Use Permit are important issues to discuss. She hoped that HKGi can set those things aside and staff can bring it to the Council and see if the Commission is actually authorized to do this kind of work because she thought it was important. As far as the Conditional Use Permit, she saw it as a valuable tool. For example, in the case of HarMar or the case of any of these areas that abut residential areas, the Conditional Use Permit would allow a development to be made somehow compatible with neighboring communities or neighboring business. She thought the CUP provides this flexibility for staff and for the Council and to some extent, for the developer, to come up with developments that work well for all surrounding properties.

Member Schaffhausen in regard to scope, she explained one of the reasons why she is not asking a lot of questions is that not only is this the first time of her running through something like this but in addition to that, it seems like the main focus of this project is to align the Zoning with the Comp. Plan and she would look to staff in their help and guidance on what fits and what does not. It is not that she is not up for discussion, but it is just one of those where as far as the point and focus of this meeting is how do they want to proceed with this. She is equally cognizant of what staff is saying and respect that and appreciate the opportunity to have this discussion and personally she is in need of guidance on what is in scope and what is out of scope so that they can figure out what is relevant so that the Commission does not end up in a four-hour meeting but rather a two-hour meeting. Otherwise, they can go down a rabbit hole on all of this to a detail.

Ms. Gundlach explained HKGi has tried really hard to put the language in red in both the print materials and presentation to highlight the high-level summary changes that staff thinks needs to occur to align with the Comprehensive Plan. She noted she did not want the Commissioners to feel that the other concerns are not important because she did agree that they are meaningful if they are going to do this discussion. That is why staff has asked the consultants to take notes on this and have this document for staff to go back to the Council with later on to show them the things that came out of this process that they were not able to address with the timeline, scope and budget and they can start thinking about the timeline, scope, and budget for those other items.

Mr. Paschke explained the discussion about building forward and any of those design standards is definitely something that would be separate and take a lot of time and it would be helpful for staff to know if there are other Commissioners that share the same thoughts and opinions that Commission McGehee has on building forward design and/or any of the other design standards that the City has currently in Code.

Ms. Trapp continued with the presentation regarding intensity standards in the Zoning Code.

Mr. Miller reviewed the intent of the required updates of the Zoning Map and the next steps to take.

Chair Kimble explained regarding the next two meeting and the draft text amendments, trying to understand how extensive those are, and she wondered if there was any ability if these were going to be extensive to get them a little sooner than the Friday before the meeting.

Mr. Miller indicated that could be discussed.

Ms. Gundlach explained staff will try their best to get the changes out as soon as possible but it is really hard to try to turn this stuff around in less than a month.

Member Leutgeb asked regarding community outreach, as a renter in Roseville, she wanted to make sure that the community outreach is not only including property owners but also tenants, both residential and business tenants because she thought these zoning changes regardless of whether they are required to align with the Comp. Plan or optional updates, may affect somebodies desire to continue leasing properties in the City.

Ms. Gundlach indicated staff definitely notified property owners and renters of all residential property and one the business property, the property owner was notified.

Mr. Lloyd did not think staff notified commercial tenants for this item.

Ms. Gundlach indicated staff can look at including those people in the next notification.

The Commission and staff discussed notification areas.

6. Adjourn

MOTION

Member Pribyl, seconded by Member Kruzel, to adjourn the meeting at 8:33 p.m.

Ayes: 7

Nays: 0

Motion carried.