



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, September 1, 2021 – 6:30 p.m.**

- 1 **1. Call to Order**
2 Chair Kimble called to order the regular meeting of the Planning Commission meeting at
3 approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.
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- 5 **2. Roll Call**
6 At the request of Chair Kimble, City Planner Thomas Paschke called the Roll.
7
- 8 **Members Present:** Chair Kimble, and Commissioners Michelle Kruzel, Tammy
9 McGehee, Erik Bjorum and Emily Leutgeb.
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- 11 **Members Absent:** Vice Chair Michelle Pribyl, and Commissioner Karen
12 Schaffhausen
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- 14 **Staff Present:** City Planner Thomas Paschke, Senior Planner Bryan Lloyd, and
15 Community Development Director Janice Gundlach
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- 17 **3. Approve Agenda**
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19 **The agenda, as presented, was approved by unanimous consent.**
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- 21 **4. Review of Minutes**
22
- 23 **a. August 4, 2021 Planning Commission Regular Meeting**
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- 25 Chair Kimble noted Commissioner McGehee provided some changes to the meeting
26 minutes which were for clarification and would be updated in the minutes.
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- 28 Chair Kimble indicated she had a brief conversation with Ms. Gundlach that it seems
29 the recorder is summarizing a little too much and there are some things that are
30 omitted from the minutes and the way in which the conclusions are being reached are
31 lacking some details.
32
- 33 Chair Kimble noted on line 290 the sentence should be “~~Member McGehee~~ Ms.
34 Gundlach recapped the reason for the Shoreland Ordinance.”
35
- 36 Chair Kimble explained on line 662, “Chair Kimble explained she was a part of ~~this~~
37 the Comprehensive Plan process for the entire time...”
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- 39 **MOTION**
40 **Member McGehee moved, seconded by Member Kruzel, to approve the August**
41 **4, 2021 meeting minutes.**

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Ayes: 5
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.*

Chair Kimble reminded the Commission to complete the Commissioner Demographic Survey.

6. Other Business

a. Preliminary Discussion Regarding Section Two Zoning Code Updates

Community Development Director Gundlach explained the Commission is asked to being discussion regarding Section Two Zoning Code updates. She indicated staff recommends five priority topics, Sustainability, Racial equity and inclusion, Chapter 1017, Conditional Uses, and general housekeeping items. She reviewed the topics with the Commission and indicated this will go forward to the City Council on September 13th for discussion and she was not sure when it would come back to the Commission for further discussion.

Chair Kimble suggested the Commission start with the list in the packet and talk about them as organized with adding in comments as the Commission moves forward.

Member Kruzel indicated she sat on the Partners for Energy Project, and she thought that went to the City Council, or at least part of it did but was not sure how far that was moving along. She wondered if that would fit into this section of sustainability. She indicated there will be programs available.

Ms. Gundlach explained the City Council has adopted their energy action plan and there are lots of items in that plan that the City will be launching, sort of separate, from the Zoning Code update process. There may be opportunities as the City decides what to do on sustainability to reference some of the programs or initiatives that are included in the Energy Action Plan. Sustainability is in the City Council's City Policy Priority Plan and that document was adopted in June. There are some references to other things that will be amended as a part of the City documents related to the energy action plan. She noted this topic is going to be tricky because there are

89 some things that they can do in the Zoning Code but there are many things that they
90 cannot, but it does not mean that the City is not already doing sustainability on a
91 bunch of different other topics. There might be opportunities to build incentives into
92 the Zoning Code.

93
94 Chair Kimble thought that was helpful. She thought it might be great to understand
95 generally, if the Commission is in agreement, if the Commission would order the big
96 topics the same as a starting point.

97
98 Member Kruzel thought that would be a great idea.

99
100 Member Bjorum asked if items three and four should be switched around. He
101 thought conditional uses are always something that comes up with Zoning Code and
102 issues with larger developments and seems to be a rather touchy topic.

103
104 Member Kruzel agreed that item four should go before item three.

105
106 Member McGehee indicated she would put item three with item one. She thought
107 shoreland was a part of sustainability. She thought it was a part of the Commission's
108 purview and she also thought that it is a part of sustainability and also that Public
109 Works would like the Commission to address.

110
111 Chair Kimble thought that was fair.

112
113 Member Leutgeb concurred that shoreline ordinance falls neatly, conceptually under
114 the umbrella of sustainability, while acknowledging that it is a standalone chapter
115 with the limitation of budget, that it is something to consider, not know the full scope
116 of the budget.

117
118 Member McGehee indicated it is a part of zoning.

119
120 Chair Kimble directed that it made sense that shoreland is part of sustainability and
121 would lump it up there.

122
123 Ms. Gundlach noted that consultant help on Chapter 1017 would be extremely
124 important and valuable so if the Commission uses budget to do that she thought that
125 their resources to update that would be really beneficial. The Conditional Uses might
126 be something staff is much more able to tackle without the expertise of a consultant.

127
128 Mr. Paschke concurred and thought staff could take direction from the Planning
129 Commission to search out different things at it relates to what amendments or
130 additions might be needed within the CU category.

131
132 Chair Kimble asked Mr. Paschke if staff would look at other cities as a part of the
133 research and contrast and compare with cities with similar development.

134

135 Mr. Paschke indicated the research would be more for what the conditional use is for,
136 what it is related to and then search out other municipalities in the area with similar
137 conditional uses and what does that municipality do. He thought staff would be
138 looking to come up with specific conditions for certain things versus the general
139 because the general are just standardized and there are many conditional uses that go
140 through that process. They would be looking for things to try to gain some idea as to
141 how different municipalities regulations might apply to their situation or what they
142 are thinking about and then bring them forward for consideration and inclusion in
143 City Code.

144
145 Ms. Gundlach thought sometimes it is helpful to just learn by getting some of those
146 Conditional Uses and having to act on them. She thought a lot of the Conditional
147 Uses the City has, the Code has been tweaked multiple times over the years as they
148 review more Conditional Uses and find gaps or holes that they are trying to fix,
149 learning from past mistakes.

150
151 **1. Sustainability** – Zoning requirements and/or incentives for zero-net energy
152 buildings, electric charging stations, etc., landscaping requirements (prioritize use of
153 natives) and tree preservation and/or diversity, screening regulations for solar arrays,
154 revise minimum tree requirements for multi-family housing (current = 1/unit).

155
156 Chair Kimble reviewed with the Commission comments from Member Pribyl which
157 includes landscaping and screening, multi-family would be worth discussing reducing
158 the minimum number of trees per unit as long as there still is a sufficient number of
159 trees provided. Solar Arrays make some sense to her. Arrays are on grade.
160 Screening of rooftop arrays could cast shadows on the array on rooftop space as
161 office is often limited. It might be a viable requirement for large industrial buildings,
162 but she does not want to discourage small building owners from adding solar.

163
164 Ms. Gundlach indicated the screening for solar arrays, that came from a Council list
165 and was specific to at grade arrays, not rooftop arrays.

166
167 Chair Kimble continued explained Member Pribyl had a list of things that could be
168 done for EV charging stations, EV ready, PV/PV array, all electric buildings and
169 incentives for buildings that are zero net energy.

170
171 Ms. Gundlach indicated a lot of the comments made by Member Pribyl, she notes
172 sustainability measures that could be incentivized or required. One thing they will
173 need to be aware of is State Statute prohibits the City from adopting any regulation
174 that is more restrictive than the Building Code. They will need to be careful as the
175 process moves along that they are not doing that and that is why staff likes to use the
176 word incentive.

177
178 Member McGehee noted on the screening, that originally came up on a specific site.
179 It was up against a residential area, and they put a bunch of arrays up with chain link
180 fence around it so she thought there should be some sort of attractive shield for that.
181 She noticed Council was talking about covering parking areas and she wondered

182 about and has seen several small or multi-family where they have the covered
183 parking, carport style but the top is actually solar panels. She did not know if that
184 would fit the requirement, they cannot ask anyone to do that, or could this be
185 something the City could ask of the project.

186
187 Ms. Gundlach indicated her understanding is the City cannot just outright require it
188 but if the project did it there could be an incentive. Maybe an incentive that would
189 help cover some of the increased costs. She indicated what she is envisioning is a
190 type of sustainability worksheet because there are many things that people could do.
191 She wanted to be careful that the City does not create incentives that devalues the
192 property in some other way. If the Commission is interested in the sustainability
193 topic than they could work with the consultant on what that worksheet might be and
194 what the incentives might be in the Code in order to do it.

195
196 Member Bjorum thought it was geared toward the actual development of a project but
197 there is something called Green Communities that St. Louis Park uses, and he thought
198 that would be one thing they should definitely look at as a precedent to establish these
199 things because it basically provides that checklist and a scoring chart to put them
200 within a certain threshold.

201
202 Ms. Gundlach thought she was thinking the same thing and there is actually a green
203 building code that the State has not adopted but she knew that could be a mechanism
204 they City could use as well.

205
206 Chair Kimble indicated she really liked the idea of incentives, and she was sure there
207 were a lot of examples. She thought if the Commission really wanted to advance
208 sustainability and they want to have this incentive worksheet that would make a
209 meaningful difference, she also would not hesitate to, once there is a draft, to get
210 some input from developers because often times what the City thinks is an incentive
211 is not always. She thought that would be a way to catch things that sometimes really
212 are not as incentivizing as people might think.

213
214 Ms. Gundlach thought staff working with the consultant can definitely set up a couple
215 of meetings with some developers to get ideas before staff brings something to the
216 Commission.

217
218 The Commission liked the incentives and worksheet.

219
220 Member Leutgeb thought it was important that the City prioritizes the use of the
221 consultant's expertise while they have it and to that point they knew this was an area
222 of expertise from the consultant so she would retain this as a top priority to tackle
223 with the consultants and in partnership with them.

224
225 Member McGehee explained she was struck while reading through the City Code that
226 when talking about green space for multi-family, for nursing homes the City is
227 requiring 150 square feet and when it comes to parking there are significant amount
228 of parking and parking space per person or per unit/bedroom. It seems to her as

229 making more sense to her as something that they go with unit or bedroom,
230 particularly when doing multi-family.

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232 Chair Kimble asked if Member McGehee’s point was that in senior housing there
233 might not be as much parking required.

234
235 Member McGehee explained she was not talking about density. The Commission
236 was talking about sustainability and more green space around multi-family, and she
237 was pointing out that it was not specified in City Code, but it is specified for nursing
238 homes.

239
240 Chair Kimble wondered if there could be different tiers such as multi-unit homes
241 from 0-20 requiring one tree, etc. because they do not want to have the ratio such that
242 it works for really large complexes but does not work for a smaller development.

243
244 Mr. Paschke suggested not having a tree per unit or that type of method that the City
245 currently has. He thought it was no different than commercial. If the perimeter of the
246 site is taken or square footage of a building and try to manage it that way, it should
247 work out very well where it maximizes the ability to plant trees and get quite a few
248 shrubs on most of those development sites.

249
250 Member Bjorum thought when the Commission starts to look at this more in depth,
251 having precedence to look at that shows the extremes on both sides and one that is
252 balanced will be really helpful to understand in how it is figured out.

253
254 Ms. Gundlach explained this is work that the consultant will be able to help them with
255 because they have experience in a lot of different communities and can not only show
256 them what other communities are doing but can give them the real live, how it
257 actually has gone implementing and then they can take a Roseville site and show
258 them what the City Code would require, show what possible other options are for
259 Commission consideration that would require to help for visualization.

260
261 Chair Kimble thought that would be great because Roseville has had an abundance of
262 senior housing, which is multi-family, but it has only been recently where the City
263 has had a lot of new market rate that is coming on. She thought it would be
264 interesting to see those cities that have had the past couple of years a little more
265 market rate.

266
267 Member McGehee indicated while going through the information, the City’s fee
268 schedule for violations of the Code on trees is insufficient. There is nothing there
269 where it states if staff goes out and marks trees for preservation and the developer
270 violates what is in the Code, there is no significant financial punishment. She also
271 thought staff should require more than a five-hundred-dollar escrow to reimburse the
272 expense of overseeing the Code regulations.

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274 Ms. Gundlach noted the City Council did look at the Tree Preservation Ordinance and
275 the cash payments that are required with that ordinance were adjusted because they

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had single family home lots where they were requiring tree preservation payment of \$15,000 because once setbacks are applied there is only one place the house can go and that is where a couple giant trees are. If the City actually said the trees had to be kept than the lot is not buildable and that constitutes a taking so staff did look at what the monetary fees were, and the Council made an adjustment on single family lots. The Tree Preservation Ordinance is all based on total inches and then what can not be replaced a fee of \$500 per tree is imposed to not plant a tree but the Ordinance has a cap of ten percent of the value of the land. She noted the City has received tree preservation payments in excess of \$100,000 and that is unlike anything she has ever seen in any other community.

Member McGehee thought the City had a pretty good code in terms of protection of those trees and marking of trees in which a homeowner or developer or developer has agreed to preserve but something inadvertently goes wrong, and the tree is cut down and she did not think the solution is to charge the person \$100,000 or to plant eight-five trees. She thought there should be something there when staff has made the effort to mark trees and do the count that really makes the developer pay attention to those marked trees.

Chair Kimble asked if there was any way to monitor that process.

Mr. Paschke indicated staff monitors projects all the way through but that is not to say that somebody is not going to accidentally cut down a tree from time to time on a site but that goes into their formula and from time to time a formula has to be redone. He explained there is not any type of fee setup as a penalty for cutting down trees that were intended to preserve.

Ms. Gundlach explained staff would require the developer to redo their tree preservation plan to reflect the tree they said they were going to save that they did not save and that redoes their calculations.

Mr. Paschke clarified that the tree preservation plan is setup for development, predevelopment until things are done but post development, a homeowner can cut down a tree they do not like without penalties.

Member McGehee indicated she was not talking about trees in general, she was talking about heritage trees which the City does not have many of so to lose a heritage tree by whatever means ought to require something more than planting ordinary trees.

Chair Kimble thought there was consensus around looking at how the multi-family tree preservation is calculated. It sounded like there was consensus around some screening for solar arrays and it seems to her to be a no brainer on electric charging stations. The Commission agreed that it would be great to have some kind of incentive worksheet. There is also the whole issue of shoreland, wetland and storm water management, which she thought everyone agreed it needed to be looked at and that it is best looked at by the Consultants along with staff.

323 Member McGehee thought native plantings, particularly with the drought is one thing
324 that has come up.

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326 Ms. Gundlach explained that was one item that came out in one of their engagement
327 sessions as a member of the community really wanted to push natives and the City's
328 landscaping code does not specifically say natives but landscape architects who
329 submit plans generally do not propose plans that are not suitable for this area. Staff
330 thinks there might be opportunities in the City landscaping ordinances to be more
331 specific about what they are asking for as it relates to natives.

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333 Ms. Paschke agreed and was not sure what Member McGehee was referring to or
334 what anybody refers to when native is said. He asked if that meant the wildflowers in
335 the grasses that grew in the prairies that were here before the City developed as an
336 urban community or would it be specific types of trees because over the years trees
337 have been grown by various entities to be tolerant in this type of environment. He
338 asked what would be native to them or other who have spoken about native.

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340 Member McGehee thought some of it is prairie materials that according to climate
341 change are going to be moving into this area. When thinking about landscaping, to
342 reduce the use of sprinklers and watering and a lot of those products are through
343 Prairie Restore as well as other nurseries that carry a lot of native plants. In terms of
344 trees, she did not know if she would use the word native there particularly, more she
345 would use diversity, which she thought is what they are already talking about, so they
346 do not have whole neighborhoods clear cut when they get the next tree plague.

347
348 Mr. Paschke thought the Code does speak to plantings that require less water and
349 things, so it supports that. He noted the City is promoting native and prairie plantings
350 in the landscaping plans for less watering.

351
352 **2. Racial Equity and Inclusion** – Definition of family/household/housekeeping unit,
353 lot area, lot width, housing types, Subdivision Code barriers, expand LMDR
354 (formerly LDR-2) areas.

355
356 Ms. Gundlach indicated if the Commission had any input on this topic that they felt
357 was important to bring up then to do that, but she explained that some of the changes
358 that are in Section One really speak to this topic and those are fairly significant items
359 that may or may not get approved. The Commission might not want to spend a lot of
360 time right now on this topic until the Section One updates are done.

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362 Member Leutgeb wondered about some things around the definitions and really
363 reviewing the Code or coded language, whether that lies within staff expertise as well
364 or would that be an additional expertise that would be more beneficial for the
365 consultants to review.

366
367 Ms. Gundlach indicated staff and the consultants debated a lot about whether or not
368 the housing type changes that are in Section One should be talked about as Section
369 One or Section Two. Staff ultimately decided to propose it to the Commission in

370 Section One because staff felt it aligned with a lot of the general requirements about
371 density and use knowing it could come out. She thought the point about protecting
372 property values, that is certainly a concern for people, and it shows up in the City's
373 Conditional Use criteria as well and a lot of that is very ambiguous and a lot of times
374 that is used for reasons to oppose things without any sort of valid science behind it.
375 She was not sure that they need to consultant to tackle some of that if what is in
376 Section One actually passes.

377
378 Chair Kimble thought that was another reason for this topic to be shelved for the time
379 being because the Commission will have a chance to discuss this in the future.

380
381 Member McGehee explained she wanted to talk about equity and whether they bring
382 it forward or not because she did not see affordable housing addresses equity at all,
383 and the City has built a lot of affordable housing that certainly provides a lot of equity
384 for the developer, but it does not provide any equity for the people that are using it
385 and equity is what a lot of people are looking for. She noted when a property is
386 foreclosed on the City has the opportunity to purchase that property and she thought
387 the City should consider whether they use one of the outside operations, like Rondo
388 to do kind of a land trust so that the City does not let those houses slip away from
389 them and allow people to come in and build equity. She preferred the Land Trust
390 Model to the Habitat for Humanity model because it brings a person in, gives them an
391 opportunity to live there and then when they get on their feet they get the equity that
392 has accrued during the time that they have lived there plus if they have approved
393 improvements made to the home the person gets that as well so the person leaves with
394 a little cushion to buy their own home and the home then returns to another family
395 who would like to do the same things.

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397 Chair Kimble asked if that was a Planning Commission issue or a City Council issue.

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399 Ms. Gundlach explained she did not disagree with anything Member McGehee stated.
400 All of those things are really important. She did not see the role in Zoning for those
401 items but there is a role with the EDA, and they are talking about those issues right
402 now. She indicated on September 20th the EDA is going to receive information on
403 inclusionary housing and mixed income housing policies which basically require a
404 certain amount of affordable housing with all housing development, and they are
405 going to receive information about a Land Trust program. Staff thinks that is very
406 important. The City's Policy Priority Plan on housing speaks specifically to doing
407 Land Trust deals. Homeownership affordable deals moving forward. She was not
408 sure that there was a role for the Planning Commission, but the Council has already
409 set this as a priority and staff already agrees this is priority and the wheels are already
410 in motion on these things.

411
412 Mr. Lloyd explained that while equity in a home certainly is a racial equity issue, it
413 sounded like there was a little bit of conflation of those two ideas. The racial equity
414 that the Zoning Code can help to advance, with eliminating the sort of subtle or in
415 some cases accidental or coded ways that people of color have been kept out of
416 communities, like Roseville, historically, and even though they appear to be race

417 neutral provisions, their affects over time and their intentions early on, in particular
418 have not been race neutral and addressing things like that which are in the Zoning
419 Code is quite a bit wider than equity in housing stock but these are the kinds of things
420 that the Zoning Code can start to address.

421
422 **3. Chapter 1017** – Shoreland, wetland, and storm water management regulations.

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424 Chair Kimble explained Member Pribyl thought it would be good to understand what
425 the differences are between the City and watershed requirements, what is the impact
426 of an alignment, could there be incentives that might go beyond minimum watershed
427 and thought it would be good to look at the Shoreland Ordinance relative to the
428 Minnesota DNR Model Ordinance.

429
430 **4. Conditional Uses** – Create criteria for newly established CUs for density, building
431 height, ensure general CU criteria are still valid/appropriate.

432
433 Chair Kimble asked about the idea of parking standards and having the minimum
434 number of covered parking for multi-family and if that was something staff thought
435 was important and should added.

436
437 Ms. Gundlach indicated staff could add that because covered parking for multi-family
438 is required in many communities, not in Roseville but could be added for review.

439
440 **5. General Housekeeping Items** – Revise definitions of fence, bed, and breakfast,
441 lodging assisted living and/or memory care, address institutional housing types
442 (convent, rectory, housing affiliated with religious institutions).

443
444 Chair Kimble thought this was a really good discussion and there was consensus of
445 the Commission.

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447 **7. Adjourn**

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449 **MOTION**
450 **Member Kruzel, seconded by Member McGehee, to adjourn the meeting at 7:51**
451 **p.m.**

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453 **Ayes: 5**
454 **Nays: 0**
455 **Motion carried.**