



**Planning Commission Regular Meeting  
City Council Chambers, 2660 Civic Center Drive  
Draft Minutes – Wednesday, March 7, 2018 – 6:30 p.m.**

**1. Call to Order**

Chair Murphy 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 Murphy, City Planner Thomas Paschke called the Roll.

**Members Present:** Chair Robert Murphy; and Commissioners James Daire, Chuck Gitzen, Julie Kimble, Sharon Brown, and Peter Sparby

**Members Absent:** Member James Bull

**Staff Present:** City Planner Thomas Paschke and Senior Planner Bryan Lloyd

**3. Approve Agenda**

**MOTION**

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

**Ayes: 6**

**Nays: 0**

**Motion carried.**

**4. Review of Minutes**

**a. February 15, 2018 Comprehensive Plan Update Meeting Minutes**

**MOTION**

**Member Sparby moved, seconded by Member Gitzen to approve the February 15, 2018 Comprehensive Plan Update 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.*

Tom Kuhfeld, 1021 Larpenteur Avenue West, representing Greenhouse Village, commented the characterization that they are selfish because they do not want high-density near them is inaccurate. Their current land use is zoned multifamily, and the area to the west is zoned community commercial. He referred to the draft 2040 Comprehensive Plan, Chapter 4 Land Use Map and noted proposed 2040 Land Use Map has this area classified as high-density residential, with the area to the west classified as corridor mixed-use, which adds a 10 percent high-density component. He believes the area to the west should remain commercial. He has heard staff say that the 10 percent high-density residential requirement for corridor mixed-use would be applied to the aggregate of that district, and not specifically to each of the parcels. However, the information provided for the December 19, 2017 open house information states that 10 percent of future development must be residential. Also, the summary in Chapter 4 of the draft 2040 Comprehensive Plan calls for a 10 percent requirement of medium to high scale and intensity, while the description uses the term “may” for residential uses. It would be helpful if staff would clarify in writing the specifics for this area. This would also provide clarity to future implementers of the 2040 plan.

Chair Murphy recalled the discussion at the last meeting, and stated staff clarified the 10 percent residential requirement was applied to the entire zoned area, not just each parcel.

- 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.*

Senior Planner Lloyd noted an additional Planning Commission meeting will not be required in March. The public hearing on the final 2040 Comprehensive Plan will take place on April 4, 2018.

Member Kimble inquired if the additional fourth Wednesday meeting would still be required after the public hearing.

Mr. Lloyd stated he did not think it would be necessary, but suggested they wait to see what happens at the public hearing before removing it from the calendar. He also referred to Chapter 4 of the draft 2040 Comprehensive Plan, page 18, and pointed out the various districts that allow for residential density other than single-family. He highlighted corridor mixed-use, which is the district that has been applied to the Lexington/Larpenteur area. There is approximately 44.4 acres that has this designation across Roseville, and 10 percent of that amount is intended to be high-density residential, which is 58 dwelling units.

Chair Murphy inquired about a symbol in the box at the base of the chart.

Mr. Lloyd stated the intent is for it to be greater than (>) 12, and there appears to be a typo.

Chair Murphy thanked Member Brown for her service on the Planning Commission, as this is her last meeting.

## 6. Public Hearing

### a. Consider A Conditional Use Pursuant to Table 1006-1 and Section 1009 of the City Code to Allow a Contractor Yard – Limited and Outdoor Storage at 1900 County Road C (PF18-001)

Chair Murphy continued the public hearing for PF18-001 at approximately 6:45 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council on March 26, 2018.

City Planner Paschke summarized the request as detailed in the staff report dated March 7, 2018. He reported the owner, Montgomery-Brinkman is seeking to relocate their business to 1900 County Road C. They are seeking a Conditional Use (CU) permit for the following: 1) a contractor yard limited; 2) outdoor storage of equipment and goods; and, 3) fleet vehicles, all along the side/rear of the site.

Mr. Paschke reported while most of the business will utilize the interior of the building, they do require some outdoor storage of goods and equipment. He highlighted the following standards and criteria used when approving a CU:

- *The proposed use will not be injurious to the surrounding neighborhood, will not negatively impact traffic or property values, and will not otherwise harm the public health, safety and general welfare.*

Mr. Paschke reported this is a quiet use with some limited storage and it is surrounded by light industrial type properties that have a similar use.

- *Outdoor Storage: All outdoor storage shall occur on paved surfaces consistent with the parking area requirements of Section 1019.11 of this Title and shall adhere to the parking area setback requirements in the applicable zoning district except that no outdoor storage shall be allowed between a principal building and the front property line. Areas of outdoor storage shall not obstruct required drive aisles or parking stalls. Due consideration shall be given to the aesthetic impacts of the nature of outdoor storage and necessary screening on the surrounding properties.*

Mr. Paschke explained the east side of the site is gravel, and the south and west sides are paved. The applicant will be required to identify where they plan to store equipment. They are also proposing to build a fence on select areas of the site since some areas are already screened with landscaping. Staff will determine if a fence all around the property is required.

He reported staff recommends approval of the CU request, subject to the following conditions:

1. No parking or storage shall occur on the east side of the property or on any gravel areas until such time as they are paved in accordance with City Code.
2. Applicant shall work with staff on final equipment and goods storage area and screen in 91 accordance with the City Code.
3. Applicant shall work with staff on an approved type/style of screen fence.

Member Kimble inquired about the rail crossing on the north side.

Mr. Paschke responded there is access to it from separate properties down the street. There is an intersection that gets to a street that was constructed by the City and it crosses the railroad tracks.

Member Kimble inquired if parking and storage could occur on the east side of the building if it were to be paved. She also inquired what would be stored there.

Mr. Paschke confirmed that area could be used for storage if it were paved and there would be trucks and seasonal equipment stored there. They could not store loose materials and the CU permit stays with the property.

Member Sparby inquired about the screening requirements.

Mr. Paschke responded it must be 90 percent opacity.

Member Daire inquired what an example of such a fence would be.

Mr. Paschke responded a fully opaque fence would be a board on board wood fence. It could be a vinyl or metal fence with a design incorporated into it, but it cannot be a chain link fence with slats or mesh.

Member Gitzen inquired if screening is required before the site is used as a contractor yard or if they need to include it as a condition. He also inquired what would happen if the natural screening on the site were to die.

Mr. Paschke responded once the CU permit is approved, the fence would have to be in place before they could store anything outdoors. The applicant is currently making improvements to the contractor yard and building. The resolution will include the contractor yard, outdoor storage of equipment and goods, and fleet vehicles. If the natural screening on the site died, they would be required to screen the area in another way.

Member Brown inquired if all the equipment was solely for the applicant's use or if it was available for rent.

Mr. Paschke responded he is not aware of the applicant renting out any equipment. The reference to renting equipment in the staff report is in relation to the code requirements, and it is not part of this application.

Member Kimble inquired if there have been any comments from the neighboring properties.

Mr. Paschke stated he has not received any comments.

### **Public Comment**

Chair Murphy closed the public hearing at 6:56 p.m.; none spoke for or against.

### **Commission Deliberation**

None.

### **MOTION**

**Member Brown moved, seconded by Member Gitzen to recommend approval to the City Council approval of the Conditional Use requests pertaining to a contractor yard-limited, fleet vehicles, and outdoor storage of equipment and goods at 1900 County Road C pursuant to §1009 and Table 1006-1 of the City Code, subject to the following conditions:**

- 1. No parking for storage shall occur on the east side of the property or on any gravel areas until such time as they are paved in accordance with City Code.**
- 2. Applicant shall work with staff on final equipment and goods storage area and screen in accordance with the City Code.**
- 3. Applicant shall work with staff on an approved type/style of screen fence.**

Member Kimble noted she likes it when the applicant is present.

**Ayes: 6**

**Nays: 0**

**Motion carried.**

#### **b. Consider a Request by Chick-fil-A for Approval of a Conditional Use for a Drive-through at HarMar Mall (PF18-003)**

Chair Murphy opened the public hearing for PF18-003 at approximately 6:58 p.m.

City Planner Paschke summarized the request as detailed in the staff report dated March 7, 2018. He noted the Variance Board met prior to the Planning Commission meeting and approved the variance associated with this request. He reported Chick-fil-A is requesting a Conditional Use (CU) permit for a drive-through on a lease pad adjacent to Snelling Avenue. A fast food restaurant is a permitted use, but a drive-through lane requires a CU approval.

Mr. Paschke directed the Commission to page 23 of the staff report and highlighted the following general conditional use criteria:

General Conditional Use Criteria:

- *The proposed use is not in conflict with the Comprehensive Plan.*

Mr. Paschke stated drive-throughs are not specifically identified in the Comprehensive Plan. However, they believe the goals and policies of the existing plan that discusses improvements to facilitate continued investment in the property is consistent with the Comprehensive Plan.

- *The proposed use is not in conflict with a Regulating Map or other adopted plan.*

He stated there is no regulating plan or other adopted small area plan for HarMar Mall.

- *The proposed use is not in conflict with any City Code requirements.*

Mr. Paschke noted a variance was granted by the Variance Board, and this project will achieve compliance with all other City Code requirements.

- *The proposed use will not create an excessive burden in parks, streets, and other public facilities.*

Mr. Paschke reported staff anticipates a slight increase in traffic and are suggesting a study be done on the intersection of Snelling Avenue and the mall entrance to better document the impact.

- *The proposed use will not be injurious to the surrounding neighborhood, will not negatively impact traffic or property values, and will not otherwise harm the public health, safety and general welfare.*

He stated staff believes that although vehicle trips will be increased, it will not provide negative impacts to this site or the surrounding area.

Mr. Paschke directed the Commission to page 24 of the staff report and highlighted the following specific conditional use criteria:

Specific Conditional Use Criteria:

- *Drive-through lanes and service window shall be located to the side or rear of buildings and shall not be located between the principal structure and a public street except when the parcel and/or structure lies adjacent to more than one public street and the placement is approved by the Community Development Department.*

Mr. Paschke pointed out the drive-through has been oriented toward the interior (east) of the site and wraps the restaurant from south the north.

- *Points of vehicle ingress and egress shall be located at least 60 feet from the street right-of-way lines of the nearest intersection.*

He noted this is an internal site and does not apply. It has been reviewed by the engineering department and they support the proposed flow of traffic on the site and in and out of the drive-through.

- *The applicant shall submit a circulation plan that demonstrates that the use will not interfere with or reduce the safety of pedestrian and bicyclist movements.*

Mr. Paschke stated the circulation plan has been reviewed and staff has worked on a design that achieves this requirement.

- *Speaker box sounds from the drive-through land shall not be loud enough to constitute a nuisance on an abutting residentially zoned property or property in residential use.*

Mr. Paschke noted the speaker boxes are located more internal to the site and not adjacent to a residential property.

Chair Murphy inquired how far the speaker box was from Chianti Grill's property.

Mr. Paschke responded he would guess it is a few hundred feet, if not more.

- *Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.*

Mr. Paschke pointed out the location of the canopies and explained staff is working with the applicant on the roof designs and it will include brick on the posts.

- *A 10-foot buffer area with screen planting and/or an opaque wall or fence between 6 and 8 feet in height shall be required between the drive-through lane and any property line adjoining a public street or residentially zoned property or property in residential use and approved by the Community Development Department.*

He noted this does not apply due the placement of the drive-through lane.

Mr. Paschke stated staff recommends approval of the CUP for Chick-fil-A, based on the submitted site and development plans, subject to the following conditions:

- a. Review and support for the project from the Minnesota Department of Transportation.

- b. Completion of a traffic study to better document the impact, or lack of significant impact, to the operation of the signal at Snelling and the mall entrance.
- c. Revised stand-alone canopy plans that include similar building materials or improved design.

Chair Murphy inquired about concerns with parking.

Mr. Paschke responded HarMar Mall has enough parking overall. The parking requirements changed in 2010 and are different than what they were when Cub Foods went in. Parking has been reviewed and it was concluded that there is enough. As other uses come in, it may have to be reviewed independently to ensure the requirements continue to be met.

Member Kimble inquired if the parking lot will be restriped and if parking lot improvements will be included as a condition.

Mr. Paschke responded the proposal advocates for the whole parking lot to be redone and it will include a mill and overlay. It is not included as a condition, it would have to meet certain requirements, and it is being proposed by the applicant.

Member Kimble noted it is an important improvement because the parking circulation being proposed is completely different than it currently is.

Mr. Paschke stated the applicant could choose to do a parking lot improvement and make slight modifications to the parking lot that still allows traffic circulation to work down the proper corridors.

Chair Murphy inquired if the proposed access drive is currently there.

Mr. Paschke responded the current access drive is right next to the building.

Member Kimble inquired if all the parking for Chick-fil-A is outside the developed property. She commented it seems tight to have people backing up into a two-way drive lane. She also inquired about a retaining wall on the east side of the building.

Mr. Paschke referred to a map and pointed out the parking on the property. He stated Chick-fil-A will have a leased area that will have a certain number of parking spaces and will also share parking with the mall.

Member Sparby inquired if the parking lot will be regraded. He stated the existing lot has a bit of a slant and variation to it and this could become more unsettling with more traffic in the lot. He also inquired if the overlay was the responsibility of Chick-fil-A or the property owner.

Mr. Paschke stated it will be reconfigured but is unsure if it will be reconstructed. He is unsure of the agreements between Chick-fil-A and the property owner, but he believes the property owner will be doing the redesign of the parking field

Member Sparby expressed concern with the traffic coming right into the lot off the access drive and noted it could become an issue.

Member Gitzen expressed concern with the walkway from the restaurant to Snelling Avenue and inquired if the City has any recourse regarding the speedbump if problems do arise. He recommended they add a condition that indicates if conflicts do arise, something must be added. He is unsure if a speed bump is the right solution.

Mr. Paschke responded the City does have recourse if there are conflicts between pedestrians and vehicles as it relates to the CU permit. It is always good to include a condition so that it is in place. Portillo's has the same issue, and a raised crosswalk was not proposed. He supports a condition that either requires it or may require it upon further review by the Public Works department.

Member Daire inquired about the pedestrian access to Chick-fil-A and if there will be a connection to the transit shelter near where Chick-fil-A is located.

Mr. Paschke responded pedestrians will walk along Snelling on the sidewalk and use the crosswalk to get to the sidewalks around Chick-fil-A. He referred to the elevations and noted the front of the building faces Snelling Avenue. He is unsure if there will be a connection to the transit shelter, but there will be a connection to the sidewalk.

Member Kimble referred to the Portillo's site, and noted the scale of the parking lot at Rosedale is larger and this Chick-fil-A site presents a tighter scenario. She commented employees and patrons from HarMar Mall will have to come across the parking lot to get to Chick-fil-A. She does not see a lot of people walking along Snelling Avenue.

- **Jennifer Santelli representing Chick-fil-A, Inc., 5200 Buffington Road, Atlanta, GA**

Ms. Santelli noted Mr. Paschke reported the drive-through was a perfect design. In the overall HarMar Mall, they are only losing 34 parking spaces. The property owner will be redoing the parking layout and Chick-fil-A's lease area excludes parking. They were required to get third-party approvals from other vendors in the mall in order to do this site and it has been concluded there will be enough parking on this side of the wall. She noted there is a retaining wall in one area of the parking, and they will be re-grading their pad to make it flat. The speed hump is a great idea and it will help to mitigate traffic driving through too quickly.

Member Sparby inquired if there was any additional detail available on the plans for the parking.

- **Emilee DeCoteau, General Manager with Van Barton Group and HarMar Mall**

Ms. DeCoteau commented they are committed to making this work and will work with the City on the parking lot to make sure everyone is safe.

Chair Murphy inquired if they would redo the parking lot if the lease with Chick-fil-A did not occur.

Ms. DeCoteau responded she is unsure, but there is room for improvement in some areas of the parking lot.

Member Sparby inquired if they had considered regrading the parking lot as part of this project.

Ms. DeCoteau stated they will consider it moving forward.

Chair Murphy stated there is concern with traffic flow and the parking stalls adjacent to Barnes and Noble. It can be a challenge to turn out of the lot and putting parked cars there could make it even more challenging.

Ms. DeCoteau inquired if a one-way ring row would work better.

Chair Murphy stated they will leave it up to the engineering department, but they want it to be safe.

Ms. Santelli commented people will begin to understand the traffic flows and not use those parking spaces, unless it is necessary.

### **Public Comment**

Lyssa Grams, 1440 Burke Avenue West

Ms. Grams commented she is a daily pedestrian in this area. She and her husband purchased this home because of the walkable distance to amenities. She has attended a lot of the Comprehensive Plan meetings and was happy to see what is being zoned in this area, which is why she is frustrated to see this proposal. It conflicts with the current and proposed vision and intent of the zoning code and Comprehensive Plan. She stated CU permit is for what is essential and desirable, but not allowed by the zoning code. She pointed out where the A-Line was and stated it creates a safety hazard because people will step off the bus and walk directly into the drive-through lane. Also, the repaving of the parking lot only takes into account people driving and not people walking. This proposal is in direct conflict with the Comprehensive Plan because it ignores additional density and pedestrian amenities. It also eliminates the potential to achieve the vision that has been discussed by the Planning Commission for the future Comprehensive Plan. If this is approved, they should consider major changes for the pedestrian component.

Member Daire inquired how Ms. Grams sees people moving in this area, both with and without the proposed project.

Ms. Grams stated she lives on the east side of HarMar Mall and gains access on the sidewalk next to the apartment buildings. It is dangerous, she would never walk it with a child, and if it is dark out, she is certain to wear reflective gear. Once she enters the parking lot, there is no sidewalk segment. When she gets off the A-Line, she cuts through the parking lot to get to the mall. She will be required to walk directly in front of the access lanes for the drive-through and there are not pedestrian components to get her through the lot and to the mall. On a nice day, she will walk on the sidewalks down Snelling Avenue to County Road B.

Chair Daire inquired if her movement patterns are unique or if others do the same.

Ms. Grams commented the people who do walk through the site use the same patterns that she does. However, a lot of people do not walk to the site because it is extremely dangerous.

Member Sparby inquired if a dedicated pedestrian area similar to the Cub Foods on Larpenteur and Lexington would eliminate her concern.

Ms. Grams stated similar infrastructure would make it a lot safer.

Member Brown noted Target has a large dedicated walking space.

A member of the audience inquired about the width between the parking lanes compared to what is there now.

Mr. Paschke responded the proposed drive lanes are 24 feet wide. The parking spaces are 18 feet deep and nine feet wide. He is unsure of the measurements there now but would assume there are varying degrees of drive lane widths. The proposed design promotes what the code would support.

Member Daire noted angled parking generally requires a narrower lane and 24 feet is four to six feet wider than what an angled drive lane would require.

Cyndy Ridge, 1454 Eldridge Avenue West

Ms. Ridge commented she lives just east of the mall and frequently walks to it. It is difficult to walk through the parking lot and there is not dedicated walkway. She expressed concern with the restaurants hours and trash storage. Trash frequently blows around HarMar Mall and mall management has been unresponsive to night time deliveries and early morning dumpster emptying.

Chair Murphy commented this proposal would not meet any lesser City standards than what is currently in place.

Ms. Paschke stated there are no limitations in the code that would prevent Chick-fil-A from being open 24 hours. He pointed out where garbage collection takes place and stated there are standards in the code that requires screening. He was not aware of the current loose trash concerns, but they are generally addressed on a case by case basis.

Ms. DeCoteau stated the HarMar parking lot is swept three times a week and she drives around every day to make sure there is no trash. They also have two employees that are out picking up trash everyday at 8:00 a.m.

Chair Murphy inquired how a member of the public could make their concerns known.

Ms. DeCoteau responded she can leave her card, and the management's number is posted with HarMar Mall. She is onsite five days a week in the lower level in the management office.

Member Daire inquired what Chick-fil-A's hours of operation were.

Ms. Santelli stated they are typically 6:30 a.m. to 10:00 p.m. Monday through Saturday, and they are closed on Sundays. They may stay open longer during the State Fair.

Member Kimble inquired if the owner would be to open including a walkway through the parking lot as part of the redesign.

Ms. DeCoteau responded it is a great idea but is unsure how Van Barton would feel about it. If it is included, it will result in less parking spaces. They are willing to work with the City to come up with a plan.

Chair Murphy closed the public hearing at 7:52 p.m.; as no one else appeared to speak for or against.

### **Commission Deliberation**

Chair Murphy suggested they add a condition that the applicant will work with staff to address any pedestrian traffic issues and implement solutions proposed by the staff.

Mr. Paschke commented they need to look at relocating the pedestrian access from Snelling Avenue to the proposed site as well as an overall plan to introduce better pedestrian connections to the parking lot. However, that is tied to the parking lot upgrade and not the drive-through, which is the sole purpose of the CU permit. He also suggested they add a second pedestrian walk with a speed bump for people getting off the A-Line.

### **MOTION**

**Chair Murphy moved, seconded by Member Daire to recommend to the City Council approval of the Conditional Use for Chick-fil-A, based on comments and findings in the staff report, subject to the following conditions:**

- a. Review and support for the project from the Minnesota Department of Transportation.**
- b. Completion of a traffic study to better document the impact, or lack of significant impact, to the operation of the signal at Snelling and the mall entrance.**
- c. Revised stand-alone canopy plans that include similar building materials or improved design.**
- d. Applicant and owner shall work with City staff to resolve any pedestrian traffic issues and implement solutions proposed by City staff.**

Member Kimble noted this is the time to make sure this all works and makes sense. She referred to an email they received and noted the comments were similar to what Ms. Grams stated. She stated she is not convinced that the development of an outlot precludes the vision from happening. The vision has to do with mixed-uses and connections and they can still reach it with the development of an outlot. Things can change over time to make it richer and more connected and allow for a lot of different developments. They absolutely must make suggestions regarding pedestrian connections.

Member Gitzen agreed with Member Kimble. He noted that the Planning Commission (not Planning Division) is recommending a conditional use for a drive-through, and not a conditional use for Chick-fil-A.

Member Sparby suggested they amend the language of condition (d) that requires the owner to submit a parking plan that includes a pedestrian bypass running east/west in the parking lot.

Chair Murphy requested Member Sparby include his suggested change to condition (d) as an amendment. The intent is different that what he proposed with his suggested condition.

Member Sparby stated with condition (d), it appears that if the owner and applicant determine there is no need to pedestrian upgrades, they can move forward without implementing the pedestrian bypass that was discussed. After further discussion he agreed to include his amendment at condition (e).

#### **MOTION**

**Member Sparby moved, seconded by Member Kimble to amend the motion to include condition (e), “Applicant and owner shall submit a revised parking lot plan with inclusion of pedestrian connection running east/west across the parking lot.”**

Member Sparby agreed his intent is to have this pedestrian connection included as part of the CU approval. They need to make this area walkable and he wants to be as specific as possible to make sure this is achieved.

The Council voted on the amendment to the motion.

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

The Council voted on the main motion.

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

Mr. Paschke noted this will go before the City Council sometime in April.

Chair Murphy noted the Public Hearing on the 2040 Comprehensive Plan will take place in April, followed by a preliminary Council vote. It will then be sent to neighboring communities and the final approval will take place in December 2018.

The Commission recessed at 7:40 p.m. and reconvened at 7:46 p.m.

**c. Consider an Amendment to Section 1001.10 Definitions and Amendment to the Centre Pointe Planned Unit Development No. 1177 Related to Allowable Uses (PROJ43)**

Chair Murphy opened the public hearing for PROJ43 at approximately 7:46 p.m.

City Planner Paschke summarized the request as detailed in the staff report dated March 7, 2018. He reported this amendment includes modifications to the existing allowable uses for the PUD area. The City Council met in November to discuss whether to retain the existing PUD, modify it, or begin the cancellation process. They decided to delete a section of the PUD and modify the Centre Point Planned Unit Development Permitted Uses Table as follows:

<b>Centre Pointe Planned Unit Development Permitted Uses</b>
<b>Office and Health Care Uses</b>
Office
Clinic, medical, dental, or optical
Office showroom
<b>Manufacturing, Research, and Wholesale Uses</b>
Laboratory for research, development and/or testing
Limited production and processing
Limited warehousing and distribution
<b>Commercial Uses</b>

Animal hospital, veterinary clinic
Band and orchestra instrument sales, repair, lessons
Bank, financial institution
Day care center
Health Club, fitness center (conditional)
Learning studio (martial arts, visual/performing arts)
Lodging: hotel, motel
Restaurant, fast food; drive-through prohibited
Restaurant, traditional
<b>Utilities and Transportation</b>
Essential services
<b>Accessory Uses, Buildings, and Structures</b>
Accessory buildings for storage of business supplies and equipment
Accessibility ramp and other accommodations
Off-street parking spaces
Telecommunication tower (conditional use)
Renewable energy system

Mr. Paschke reported the following definitions also need to be changed or added to §1001.10 Definitions. The proposed new definitions are as follows:

- Clinical, medical, orthopedic, chiropractic, dental, or optical: A building in which a group of physicians, dentists, or other health care professionals are associated for the purpose of carrying on their professions. The clinic may include laboratories, diagnostic imaging, outpatient/inpatient procedures and facilities, or training facilities.
- Hospital: An institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.
- Laboratory for research, development, and/or testing: A room, building, or facility equipped for medical, scientific, or technological research, experiments, and/or testing, which may include limited accommodations for researchers or research subjects.
- College or post-secondary school, campus: An institution for postsecondary education, public or private, offering courses in general, technical, or religious education, which incorporates administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, student housing, fraternities, sororities, and/or other related facilities in a campus environment.
- College or post-secondary school, office-based: An institution for post-secondary education, public or private, offering courses in general, technical, or religious education, which operates in commercial-type buildings, wholly or partially owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, and/or other related facilities.

- **Office:** The general use of a building for administrative, executive, professional, research, or similar organizations having only limited contact with the public. Office is characterized by a low proportion of vehicle trips attributable to visitors or clients in relationship to employees. Examples include, but are not limited to, firms providing architectural, computer software consulting, data management, engineering, interior design, graphic design, or legal services.

Mr. Paschke reported the Planning Commission recommends the amendments to §1001.10 Definitions and approval of a new table of uses for Centre Pointe Planned Unit Development.

Member Daire inquired about the current status of the office park and what governs the current uses.

Mr. Paschke responded PUD No. 1177 is a document that has been recorded against and guides all the properties except two in the Centre Pointe Business Park. He also noted there are a number of emails related to the University of Northwestern being allowed to utilize the use of 2955 Centre Pointe Drive for a post-secondary school office space. Many people are in support of the University being able to utilize this building for offices and its Engineering and Sciences Center. However, that use is not proposed as a part of this new uses and is not allowed under the PUD.

Member Daire inquired if this list needs to be approved by both the Planning Commission and the City Council, and if the University of Northwestern's proposal is an example of what people want to be added to the list of permitted uses.

Mr. Paschke confirmed both of Member Daire's questions.

Member Gitzen referred to the proposed table of permitted uses. He inquired if the titles would be changed to match the definitions.

Mr. Paschke confirmed they would match.

Member Gitzen noted health club/fitness center is shown as a conditional use in the minutes from the City Council meeting.

Mr. Paschke noted he will make the change to the table.

Member Kimble clarified they are amending the PUD, but not adopting other zoning. She inquired why college and post-secondary are describe in the packet if they are not included in the uses as proposed.

Mr. Paschke explained the information provided explains where these types of uses are allowed by definition. It attempts to clean up the definitions and support the uses as they are. The definitions included do not include a college use.

Member Kimble inquired how this is guided in the 2040 Comprehensive Plan.

Mr. Paschke stated the Comprehensive Plan will be very broad and not advocate specific uses, and the PUD supersedes how it is zoned. It is guided as employment center and calls out office, business, research development and business parks.

Member Daire referred to the November 3, 2017 City Council meeting minutes. He referred to discussion about the permitted uses and noted the Council did not want to see *college or post-secondary school, office-based* as a use.

Mr. Paschke stated staff did not modify or add to it and only modified certain definitions.

Member Daire commented the Planning Commission suggested they add back in *college or post-secondary school*, but it was voted down by the City Council.

Mr. Paschke stated it was an amendment to the PUD that came before the Planning Commission from the University of Northwestern.

Chair Murphy noted the amendment was before the Planning Commission on September 3, 2017, and it passed 6 ayes/0 nays/1 abstain.

Member Daire stated it appears the City Council is sending a signal to the Planning Commission that it does not want to see *college or post-secondary school, office-based* permitted. He inquired if there was any discussion around the City Council's decision.

Mr. Paschke responded there was discussion and the City Council does not believe the business park is an appropriate location for a college. The PUD was designed for a more job-based business park and they are giving broad discretion on what they feel is best for the City.

Member Sparby inquired if the definition of *college or post-secondary school, office-based* fully encapsulated the University of Northwestern's request.

Mr. Paschke confirmed if that use was included in the table, they would be allowed to pursue their request in that area.

Member Daire stated office/business park zoning has a permitted use of college or post-secondary school, office-based. According to State statute, this PUD needs to be outlined and noted on an official map.

Mr. Paschke commented he was unaware that State statute required them to highlight it on an official map.

Member Daire stated the building that the University of Northwestern is interested in has been vacant for two years. In an office/business park zone, the college use was

permitted, and it is a reasonable expectation that it could be done. They are now revising the PUD to say that it is not allowed. He respectfully disagrees with the City Council and finds this use to be compatible with the office/business park district.

### **Public Comment**

#### **Jim Johnson, 3003 Snelling Avenue**

Representing the University of Northwestern, Mr. Johnson thanked the Planning Commission, Mr. Paschke and City staff for what they do. They listen well to business ventures as well as the residents. He noted the Commission was correct in their comments that the Council does not want a college use in the Centre Pointe Business Park; however, they are not unified in their support as the vote was 3 ayes/2 nays against it. He explained that in 2015, the University of Minnesota decided to cut its engineering partnership with 40 schools. This is what prompted them to pursue this space and develop this program. They purchased the building at 2955 Centre Pointe Drive and it is perfect for what they need. It was disappointing that it did not move forward but there has been some great benefit in the delay. They 21 businesses in the Centre Pointe district have expressed support for them in this location. These businesses need the future interns and employees. He presented a packet of letters of support from businesses and residents in support of this proposal and requested the Planning Commission consider adding a college use to the new PUD.

#### **Ken Ehling, Montage Marketing Services, 3050 Centre Pointe Drive**

Mr. Ehling commented his business has been in Roseville for 25 years. Their clients include major businesses and universities, and learning is an integral part of their day. They educate, train, and mentor employees, which is not much different than what happens every day at the University of Northwestern, and they would make a great business neighbor.

#### **Pat Heavirland, Charles Cabinet Company, 3090 Cleveland Avenue North**

Mr. Heavirland reported Charles Cabinet Company has been in this location for 65 years. He fully supports the college use in the Centre Pointe Business Park and encouraged the Planning Commission to add it as a permitted use.

Chair Murphy inquired how the restriping of Cleveland Avenue has affected his customers and business trucks.

Mr. Heavirland responded going south on Cleveland, the lane narrows right where the trucks turn into the parking lot.

#### **Judy Palke, 1775 Shorewood Curve**

Ms. Palke stated she has lived at this address for 37 years. She enjoys the University of Northwestern and all that it provides for the community. She requested the Planning Commission accept the college use as part of the Centre Pointe Business Park development. She is a teacher and education is very important.

Chair Murphy requested Ms. Palke's opinion regarding traffic on Lydia and parking on the south side.

Ms. Palke commented students park along Lydia, but it is not an issue.

Oscar Knutson, on Woodbridge Street

Mr. Knutson noted he has lived in Roseville for 35 years and encouraged the Commission to include the college use as part of the Centre Pointe Business Park development.

Margaret Olson, 1811 Victoria Street North

Ms. Olson stated her family has lived in Roseville since the early 1960s and she supports adding a college use to the PUD to allow the University of Northwestern to be in the Centre Pointe Business Park development.

Ethine Shimasaki, 841 County Road B2 West

Ms. Shimasaki expressed support for the University of Northwestern. It is an employment district and the University is a major employer in Roseville. There is a need for more professionals and she fully endorses the use of career training for people who will affect Roseville and the surrounding area.

Sam Lepold

As an alumnus of the University of Northwestern, he supports adding a college use to the Centre Pointe Business Park. In this area, there are many high schools adding a Science, Technology, Engineering and Math (STEM) programs to their education and there is not enough space in these programs at local universities. According to the Martin Prosperity Institute, Minnesota will retain 60 percent of its graduates within 10 miles of where they graduate. With the average nursing salary being \$64,000, and nursing being a major expansion as part of this plan, this could be a potential major benefit to Roseville.

Jenny

She and her family enjoy living in Roseville and some of her friends have taken music classes at the University of Northwestern. They enjoy the school and teachers and it has a high reputation among the Chinese community. She supports adding the college use and looks forward to having an engineering component in the City.

Grover Sayer, University of Northwestern Board of Trustees member

Mr. Sayer commented when the University of Northwestern purchased the building and read the PUD, it appeared they would be able to use it and the zoning allowed for it. Tomorrow there is a mediation session planned between the University and the City. Acting tonight to not allow the college use may be premature and it may be better to table it to see how the mediation session resolves.

Chair Murphy recalled the City Council met as the Board of Equalization and rendered an opinion to deny the request and uphold its original decision.

Ms. Sayer explained the request was to review the application for a permit, which was denied by City staff. The City Council, as the Board of Equalization, denied the University's appeal.

Chair Murphy closed the public hearing at 8:58 p.m.; no one else appeared to speak for or against.

### **Commission Deliberation**

Member Kimble inquired if the University of Northwestern is planning to acquire additional buildings and expand in the Centre Pointe development to create a campus environment.

Mr. Johnson responded they have not made plans beyond the building they have purchased. That is why they requested an amendment to the PUD for that specific building and not the entire Centre Pointe development. This building and the space they have on their existing campus meets their current and future needs.

### **MOTION**

**Member Daire moved, seconded by Member Sparby to recommend to the City Council approval of the Amendments to §1001.10 (Definitions) and approval of new table of uses for the Centre Point Planned Unit Development, with the following changes: 1) addition of *college or post-secondary, office-based* as a permitted use under Office or Health Care Uses; 2) modifying *fitness center* as a conditional use; and, 3) addition of *chiropractic and orthopedic* as uses under Office and Health Care Uses.**

Member Daire commented while the City Council does not see this as an appropriate use for this district, they have a stack of letters from people in the same district that support it. The neighbors want the University of Northwestern in this area and this is what changed his mind to support it.

Member Sparby stated this has been at the City Council and at the Planning Commission level on multiple occasions. As Commissioners, they have a responsibility to say why they are doing what they are doing. He worries they if they shut themselves off to any educational or vocational occupancy in this PUD, it may limit the overall ability for this area to diversify, grow, and adapt. Having a diverse mix of uses that can complement and support each other is critical. Also, having a large institution such as the University of Northwestern serves to have a significant economic impact on the area itself, bringing in students, faculty, and businesses. They have heard support from Roseville residents and neighboring businesses and it will drive positive economic development, which is critical. While they may not be directly impacting the tax rolls, the positive economic impact is significant.

Member Gitzen noted he too supports this motion but would not support turning it into an educational campus if that were requested in the future.

Member Kimble noted the motion is opening to door for the entire area.

Chair Murphy also expressed support for the motion and noted he agreed with Member Daire and Member Sparby's comments. He drove by and looked at the facility and parking seemed adequate with over 100 empty spots. The neighbors have commented on the traffic on Lydia and a shuttle service would significantly ease traffic concerns here as well as on Cleveland Avenue and Twin Lakes Parkway. The graduates of the University of Northwestern will fill a need in the City and will result in active citizens.

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

**7. Other Business**

**a. Review the Proposed Acquisition of 2719-2737 Lexington Avenue by City of Roseville**

Senior Planner Lloyd reported State statute requires the Planning Commission to discuss and make a recommendation to the City Council about whether the acquisition or disposal of land is consistent with the Comprehensive Plan. The City is considering the proposed acquisition 2719 -2737 Lexington Avenue, which is where the current License Center is located. The short-term plan would be to retain the area that is currently designated for the License Center as well as two vacant bays to provide storage for Public Works and Parks and Recreation. The City Manager has found a couple of places in the 2030 Comprehensive Plan that would be affected by this acquisition, and these are outlined on page 60 of the meeting packet. Staff believes that the proposed acquisition is consistent with the Comprehensive Plan and recommends supporting its purchase for the expansion of municipal-campus services in the southeast corner of Planning District 3 as being in compliance with the Comprehensive Plan.

Member Daire noted he received an email from Roger Hess, Jr. saying he did not feel enough thought had gone into the purchase and remodel.

Mr. Lloyd explained much of the discussion of the City Council's consideration has been in closed sessions with no minutes or staff reports available. The only information he has is in the staff report.

Chair Murphy summarized the Planning Commission's role is to determine if acquisition of this parcel is in the interest of the City and supported by the 2030 Comprehensive Plan.

Mr. Lloyd confirmed Chair Murphy's summarization. He stated it is not the Planning Commission's responsibility to know the highest and best use for the property or what the right price is.

Member Daire inquired if the City has an expansion plan for its campus that would suggest acquiring property across the street to expand its functions.

Mr. Lloyd responded there are no broader plans that he is aware of, but there has been an ongoing search for additional storage space for the Public Works and Parks and Recreation departments.

Member Sparby inquired if they are supposed to determine whether this acquisition promotes a balanced tax base and anticipates the long-term economic social changes.

Mr. Lloyd responded the review from the Planning Commission is to determine whether the acquisition is in conformance with the Comprehensive Plan. The excerpts included in the staff report from the 2030 Comprehensive Plan speak most directly to this acquisition. It should maintain civic land uses and fit in the planning district, which maintains the City Hall campus in the southeastern quadrant.

Member Sparby stated the metrics he is seeing in the staff report is whether it promotes a balanced tax base and anticipates long-term economic and social changes. They cannot make an accurate determination without any specifics about the potential acquisition.

Member Gitzen commented he supports the recommendation. Their purpose with this as a Commission is very narrow and they just need to make sure nothing conflicts with it in the 2030 Comprehensive Plan.

Chair Murphy noted he also supports the recommendation. The City is challenged for additional space and this is a great opportunity to acquire land that is physically adjacent to the current campus and expand it to the north. It is good government to be able to serve the citizens and he is not focusing on the long-term economic changes.

Member Sparby stated when they talk about a balanced tax base, they need to be cognizant of the economics behind it. He has not seen any economic analysis presented to the Commission on this issue. He is unsure how they can recommend that this is promoting a balanced tax base and they do not have enough information to act on it.

Member Daire inquired if this was an ongoing investigation. He agreed with Member Sparby that they do not have enough information or analysis and suggested they table this item until they have such information.

Mr. Lloyd stated the due diligence period for the City's purchase agreement is due at the end of the month. The State statute mandates this discussion but does not indicate that it contributes to the success or failure of future action by the City Council.

Chair Murphy stated he views it as a reasonable check and balance on things, so items are discussed and there is a chance for opinions to be aired.

Member Kimble commented this is uncomfortable for them because they do not have a lot of information that they are not going to get anyway. She hopes and trusts that the City Council and staff are paying the right price for the property. It has a gas station on it and that presents some environmental concerns that need to be considered. This would be a civic use and would support a mix of uses that the City needs to continue in its operations. It is a class C retail strip center and is a logical extension for the City.

**MOTION**

**Chair Murphy moved, seconded by Member Gitzen to recommend to the City Council to accept that the proposed acquisition of 2719-2737 Lexington Avenue is in compliance with the 2030 Comprehensive Plan, based on the comments, findings and recommendation in the staff report dated March 7, 2018.**

Member Daire moved to table this item to the next Planning Commission meeting. The motion failed for lack of a second.

Chair Murphy commented he did not recall reading anything in the 2040 Comprehensive Plan that would be against this acquisition.

Member Sparby commented it is imprudent to act on something they do not have information on and they have not done a full review of the 2030 Comprehensive Plan to understand if it is in compliance.

Member Kimble stated it is not the Planning Commission's role to review the price. It is their role to look at the land use and the staff report includes a paragraph from the 2030 Comprehensive Plan pertaining to that.

Member Gitzen agreed with Member Kimble. He noted they depend on staff to review any proposal that comes before them and staff has not found anything in conflict with this request.

**Ayes: 4**  
**Nays: 2 (Sparby and Daire)**  
**Motion carried.**

**8. Adjourn**

**MOTION**

**Member Brown moved, seconded by Member Daire to adjourn the meeting at 9:33 p.m.**

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