



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, July 11, 2018 – 6:30 p.m.**

1. Call to Order

Vice Chair Bull 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 Vice Chair Bull, City Planner Thomas Paschke called the Roll.

Members Present: Vice Chair James Bull; and Commissioners, Chuck Gitzen, Peter Sparby, Wayne Groff, and James Daire

Members Absent: Chair Robert Murphy and Julie Kimble

Staff Present: City Planner Thomas Paschke

3. Approve Agenda

MOTION

Member Gitzen moved, seconded by Member Groff to approve the agenda as presented.

Ayes: 5

Nays: 0

Motion carried.

4. Review of Minutes

a. June 6, 2018 Planning Commission Regular Meeting

Member Groff noted he was missing from the Roll Call and was present at the meeting.

Member Sparby noted Member Sharon Brown should be removed from the Commissioner list.

Member Gitzen suggested lines 201-203 should be omitted. And on lines 387-401, the part highlighted in red should be updated to reflect the handout City Planner Paschke provided to the members of the PC.

MOTION

Member Sparby moved, seconded by Member Gitzen to approve the June 6, 2018 meeting minutes as amended.

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.*

City Planner Paschke asked the Members to begin thinking about what they would like to include on the agenda for the joint meeting with the Council on July 23rd. He also provided an update on the Comp Plan: 10 of 12 reviews have been received by surrounding or overlapping communities; 3 of the 21 agencies responsible for reviewing the Comp Plan have provided reviews; Senior Planner Lloyd has asked several staff members to complete their review of the plan of the surrounding jurisdictions by July 31st; staff will have a discussion of other Comp Plans as well as feedback received thus far on September 5th; nothing about the land use plans has contained anything alarming along Roseville's boundaries.

Vice Chair Bull asked whether a special meeting will be designated for Comp Plan review.

City Planner Paschke responded he is not sure that will be necessary; it will depend on the workload that comes in before then. It may be added to the docket of a scheduled meeting.

6. Public Hearing

- a. Consideration of a Request By United Properties For A Conditional Use To Increase Roof Height From 45 Feet To 55 1/2 Feet (PF18-012)**

Vice Chair Bull opened the public hearing for PF17-019 at approximately 6:39 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council (tentatively) on July 23rd. If that meeting is cancelled, it may be pushed into August.

City Planner Paschke summarized the request as detailed in the staff report dated July 11, 2018. He reported this request is to raise the roof to 55 ½ feet, which is 10 ½ feet higher than is allowed.

Vice Chair Bull noted that the PC has previously discussed height restrictions.

City Planner Paschke concurred this has been discussed before. A maximum cap was agreed on for a permitted use, with a case-by-case analysis of a conditional use for increased height.

Member Daire commented about the building elevations.

City Planner Paschke noted this proposal is taller than Cherrywood.

Member Daire stated he is accustomed to the two single-family homes there now, and they are being replaced by a massive wall of building, and that troubles him.

Member Sparby asked whether the applicant considered other styles of roof that would be in compliance.

City Planner Paschke stated the goal was to avoid the conditional use process, so he assumes they looked at a number of styles. This elevation is what they are moving forward with and what they believe is most appropriate for the design of the building. Given the neighborhood, this product will probably fit in very well, and it meets the purpose and the intent of the Code.

Member Sparby asked about an agreement between applicant and the existing landowners.

City Planner Paschke responded it is staff's understanding there is a purchase agreement in place and all parties are supportive.

Member Gitzen noted that the conditional use goes with the land, even if this project falls through.

City Planner Paschke concurred that is correct.

Member Groff asked to confirm that this land is zoned for this type of use, but it needs a conditional use for the height of the building.

City Planner Paschke confirmed that is correct.

Member Groff inquired how the water runoff will be address.

City Planner Paschke confirmed the applicant has already had discussions with the Watershed District.

Member Groff asked for the requirements on parking lots.

City Planner Paschke responded there are different requirements from the Watershed District than the City. They could design permeable pavers into the site. There is a maximum allowance of impervious surface on the sight, and they are under that.

Vice Chair Bull invited the applicants to address the Commission.

David Young, United Properties, introduced himself.

Petro Megitz, Kaas Wilson Architects, introduced himself.

Mr. Young expressed gratitude for the PC reviewing this conditional use. The pitched roof and the request for this 10-foot variance is in relation to the pitched-roof look that is consistent with the surroundings and the multi-family feel of the buildings.

Mr. Megitz noted both roofs were presented, and the pitched roof was preferred.

Vice Chair Bull asked what is driving the extra height of the building.

Mr. Megitz stated there are 9-foot ceilings throughout. Adding in the 24-inch trusses plus the pitched roof is where the additional 10 feet is coming from. Doing a flat roof would not need a conditional use.

Member Sparby asked whether there is any benefit to the hip roof style other than aesthetics.

Mr. Megitz stated more insulation can be packed in the attic space, so it is a lot more energy efficient.

Member Daire noted it is a wood structure building. It is easier to prevent water infiltration from the roof with a pitched roof rather than a flat roof on a frame building.

Mr. Megitz responded that is not necessarily true; it depends on the details.

Public Comment

Roxanne Sullivan, 2654 Lexington,

Ms. Sullivan commented United Properties already owns all the parcels under consideration, and her property is the last one to go. She asked about next steps. The signed purchase agreement with United Properties is contingent upon Roseville's approval of the plan. When this gets approved, her family needs to find a new home. She is here to figure out the timing of the process.

Vice Chair Bull noted the PC is a recommendation board to the Council, and the Council has a final say. This request is only dealing with the height of the building, not the layout or any restrictions put on the water processing, pathways, or trees, et cetera. Those are other aspects that will come back with the initial platting, and the PC will review it, and the Council will rule on that. Those are bigger issues than the height of the building.

City Planner Paschke stated that once the PC makes a recommendation, it is forwarded to the Council. That will occur on either July 23rd or the first meeting in August. Assuming the Council approves, the project will be approved, and staff will work with United Properties to record the resolution related to the conditional use aspect of the project.

Ms. Sullivan asked about next steps.

City Planner Paschke stated that next the designers have to get final plans to staff related to site development. If there is a plat, it will have a step or two to go through with the PC and Council.

Member Daire asked about the timing of the purchase agreement.

City Planner Paschke stated that depends on the stipulation within the purchase agreement. Assuming it is tied to the conditional use, it could close the day after the Council approves the conditional use.

Member Daire noted the one remaining land-holder might reasonably expect to have closed by the middle of August.

City Planner Paschke responded that depends on the title companies and all the paperwork involved.

Mike Flannigan, 1016 Woodhill Drive,

Mr. Flannigan asked when he can address the Council on things other than the roof.

Vice Chair Bull responded that would be at the public hearing on the platting of the development.

City Planner Paschke responded he will receive any comments on the project itself.

Mr. Flannigan expressed concern about sharing handicap parking with Cherrywood, where his mother-in-law lives. There are only 3 handicap spots on the other side of Cherrywood, and if shared parking occurs, there will not be enough.

City Planner Paschke clarified the Cherrywood site wants to have additional parking spaces out front.

Mr. Flannigan stated it is a 4-story building, just like Cherrywood. He asks why this building needs to be 10 feet higher if it will be a similar structure to Cherrywood.

Mr. Young indicated that neither he nor Mr. Megitz worked on the Cherrywood project, so they cannot speak to the design or conditional uses.

Mr. Flannigan indicated that this proposed building will look out of place if it starts at the top of the hill and is an extra 10 feet taller than Cherrywood next to it. He would like the buildings to be as similar as possible.

Vice Chair Bull commented that is the reason he asked about the reason behind the desire for 10 extra feet, and it is due to the 9-foot ceilings with the trusses.

Pat Zajac, 2690 Oxford,

Ms. Zajac noted all of the neighbors were taken by surprise that this was in planning and now the discussion is about height. She asked why a letter was not sent earlier.

Vice Chair Bull responded the property was zoned for this use and if a developer comes in and is going to use it for that permitted zoning, there is not a need for a public hearing at that point. That is the case with several projects around the City right now.

Ms. Zajac asked about access off County Road C.

City Planner Paschke noted there will be no access off County Road C.

Ms. Zajac commented there is not enough parking at Applewood for guests.

Mr. Young noted the proposed building is of similar size and similar roof pitches to the existing Cherrywood. They are both four stories, trusses, and roof pitches. He does not expect this building to be any higher from a maximum height from Cherrywood. He also clarified there is no access allowed off County Road C. The County did comment on the existing access there off Lexington.

Vice Chair Bull noted that Roseville's Code today may well have been different in the process of the Cherrywood construction. While a CUP is required today, Cherrywood may not have needed a CUP, but could have built a similar height.

Member Gitzen asked for clarification on the height.

Mr. Young responded that from the first floor, both buildings are 9-foot walls, 2-foot trusses and a pitched roof.

Mr. Megitz added that the new building is pitching downhill, so due to the grade changes, the new building will probably be 5 to 6 feet shorter at that location.

Mr. Young noted that the two buildings will be sharing access, and they are within 5 feet of each other. He reiterated he does not believe people will see any additional height to this building over Cherrywood.

Member Sparby asked about potential overflow parking from the new property into Cherrywood.

Mr. Young pointed out the parking counts conform to the City ordinance. What is being proposed are additional guest parking spots, in conjunction with the existing handicap stalls already in place at Cherrywood. That will be part of the variance process. He noted the plan will exceed the parking requirements of the current ordinance.

Nadine Fuxa 2690 Oxford Street,

Ms. Fuxa looked at the property and noticed all the gray cement and a little bit of parking. Ninety-six units will create a lot of new cars and people. This is a safety nightmare. And the building is very close to the edges of the property. That many units present such a massive change from what it is now, as far as traffic is concerned.

Member Daire asked if there are different driveway comp estimates used by planners for people in senior facilities vs. a normal apartment.

City Planner Paschke responded he is not sure off the top of his head.

Vice Chair Bull commented that multi-family zoned properties have an authorized number of units based upon zoning. With those units, different types of housing might have X number of trips per unit calculated vs. a condo unit. The PC is considering the building height, and the discussion needs to stay with that topic tonight.

Cynthia Warzecha, 2700 Oxford Street North,

Ms. Warzecha stated she serves on the Parks and Rec Commission but felt compelled to be here today to look at the plans since she lives in the neighborhood. She looked at the buffer between the wetland, and Cherrywood seems reasonable. There is a lot of wildlife in the wetland, and she wonders which Watershed District the applicant is working with. There does not seem to be room for stormwater mitigation.

City Planner Paschke responded that it is the Ramsey-Washington Watershed District. The applicant will also work with the City Engineer. There must be a 50-foot setback from a delineated wetland boundary, and there is a 20-foot buffer on top of that. Staff has reviewed those, and/or will be reviewing those things. Not all sites have stormwater management on the ground. With ponds and infiltration, they sometimes go underground, and that is an option for this site as well.

Mary Vang, 2720 Oxford Street North,

Ms. Vang stated 95% of her windows look at Cherrywood and the new building. She chose the location for her own for the environment, and she feels like she will be boxed in. She does not want to see the rooftop. She questioned why it has to be higher than it needs to be.

Member Daire asked if Cherrywood would be between her house and the proposed building.

Ms. Vang responded she is on the corner of Oxford and Woodhill.

Patricia Murtha, 1020 Woodhill Drive,

Ms. Murtha asked what the purpose was of the original restriction and why is it no longer necessary. There must have been a reason for the height restriction.

City Planner Paschke responded the reason for the change was to allow flexibility to design floors. The Council decided to decrease from 50 feet to 45 feet and also allow a conditional use process to accommodate greater height. Keeping it at 4 stories, but the roof height going up. This allows for flexibility to have a structure to have a difference in floors. There is no standard floor height with roof joists, so there is flexibility.

Mr. Flannigan asked about the peak of the roof and whether the variance is on the north or the south end of the building. He stated a 55-foot approval at Cherrywood, it will be a 75-foot building down at County Road C. It will not feel like Central Park in Roseville, but rather like Central Park in New York.

City Planner Paschke clarified this is not a variance. This is an allowable way of proceeding. The way the grade is calculated is from main grade, like where the entry doors are. It is taken from there up to the mid-point on the roof trusses. It is not taken from every point on the building. The underground parking entry will look taller, but that is not how the height is calculated under the City Code.

Ms. Warzecha added that she can see the wetland from her balcony. She would be okay with a changed roof style if it meant not creating the conditional use permit.

Bobbie Flannigan, 1016 Woodhill Drive,

Mrs. Flannigan stated her husband has already spoken this evening. She asked whether the 4th floor could be eliminated.

Vice Chair Bull responded that is entirely up to the designers. They have guidelines on the maximum, but they also have to consider the economics of the development.

Mrs. Flannigan stated it would be wise to do a compromise with the neighbors and the surrounding environment. When she moved here 30 years ago, it felt up north. But now it feels like New York Central Park.

The public hearing was closed at 7:47 p.m.

Commission Deliberation

MOTION

Member Daire moved, seconded by Vice Chair Bull, to recommend approval of the CU requests pertaining to a 10-1/2 foot building height increase (from 45 to 55-1/2 feet) for the proposed senior rental building in the northeast corner of Lexington Avenue and County Road C.

Commissioner Daire stated he is somewhat torn about this proposal. There are 24 units per floor plus underground parking. Having come from 35 years of work with the Minneapolis Planning Commission, he understands the economics surrounding this. It was a bit of a shock to receive the packet in the mail, especially when looking at the elevations. It looked like a huge wall along Lexington Avenue. On the other hand, the allowable density in the zoning code has been met by the developers, and they have done it in a way that maximizes the use of the site and accommodates the wetlands to the east of the building site. He cannot say that he thinks the profile of the wetlands is going to have to change in order to accommodate the runoff requirements. He is realizing that the only thing that is really debatable is the style of the roof and whether the PC will allow the hip roof to match in with the other multi-family building already present in Cherrywood. In his view the flat roof is much less appealing. In his view, the staff has made the right choice in recommending the conditional use permit.

Commissioner Sparby stated he is mainly concerned that the different roof styles have not been explored. Matching the roof style with Cherrywood is a good reason, but it is not necessarily compelling enough to override the concerns expressed by the property owners and their benefit of the area. That should be explored more. At this time, he is not supportive of the motion but would be open to hearing more about the project with different roof styles.

Commissioner Groff expressed agreement with many of the concerns voiced by Commissioner Daire. He noted, however, that this property was zoned for this type of use. The PC is not here to discuss the zoning; it is here to discuss the roof height. It is hard to have change in a neighborhood, and it is hard to lose green space. Those concerns are understandable on an emotional level. It is possible to look at other types of roofs. At this point, he would probably not support the motion and ask for more information be brought back to the PC.

Commissioner Gitzen stated he does not have enough information to picture how it would look right now. At this time, he would not support the motion.

Vice Chair Bull stated he is also torn about the case. Both buildings are going to be 4 floors and both would have a hip roof. They will be fairly equivalent within about 5 feet. As this goes forward to the Council, it might be helpful for the Planning Commission to look at what the Code used to be to see how it would line up from a horizontal elevation. The fact that the City changed its Code process should not penalize a developer in the way they are designing a project. With that in mind, he would support the motion.

Ayes: 2 (Bull, Daire)

Nays: 3 (Groff, Gitzen, Sparby)

Motion failed.

MOTION

Member Gitzen moved to DENY approval of the CU requests pertaining to a 10-1/2 foot building height increase (from 45 to 55-1/2 feet) for the proposed senior rental building in the northeast corner of Lexington Avenue and County Road C.

Member Gitzen noted he has made the motion based on the fact that he does not have enough information to make a good judgment on the aesthetics and fit into the neighborhood. He wants more information to support this motion.

Motion failed due to lack of second.

City Planner Paschke suggested the PC consider tabling the motion to allow time to ask staff and the architects for additional information.

MOTION

Member Gitzen moved, Member Groff seconded, to TABLE this CU request until the August Planning Commission meeting.

Ayes: 4 (Bull, Groff, Gitzen, Sparby)

Nays: 1 (Daire)

Motion carried.

Commissioner Daire stated that the upper grade level on the west elevation is inches below the first-floor level. He asked whether it would do violence to the design to drop the first-floor level by 2 feet and to handle the drainage through landscaping and trenching.

Mr. Megitz responded that is similar to what is going on at Cherrywood right now.

Commissioner Daire asked if it is possible to drop the elevation of the first floor and thus the underground parking by a foot or two in order to bring the roof profile down.

Mr. Megitz noted the measurement would still be from first floor up to midpoint, so the overall building height would not decrease. In how the City Code is established, it is from the first floor up.

Commissioner Daire stated the PC wants to know where the roof line of this building comes in relation to Cherrywood. He is asking whether it is architecturally feasible to drop the peak of that gable down by 2 feet by depressing the building, regardless of how the mid-truss calculation is calculated.

Mr. Megitz responded it is possible.

Vice Chair Bull asked whether City Planner Paschke is clear on what the PC is asking for in terms of additional information.

City Planner Paschke summarized he will review the minutes as well, but at this point he understands the desire to know the proposed building's relationship to the existing Cherrywood; the desire to know the elevation heights all around the building, on C, Lexington and other periodic points; the specific Code as to how roof height is calculated; and understanding the Code at the time Cherrywood project went forward and how it might be different today.

Commissioner Sparby added that he is also interested in different roof styles. This one is 55 ½ feet. He wondered whether the different roof styles came back at less than 55 feet. That is helpful for context. Perhaps other remedial measures can be taken with this roof style.

Commissioner Daire stated there are probably other roof styles which from the street would look like a gabled roof but in fact be a mansard or some other such style, even a flat roof. He would think that might also work to reduce the roof line visually from the street. He does not think much can be done with the massing of the building except the way it is treated architecturally on the outside.

7. Adjourn

MOTION

Member Gitzen, seconded by Member Groff to adjourn the meeting at 8:05 p.m.

Ayes: 5

Nays: 0

Motion carried.