



**Planning Commission Regular Meeting  
City Council Chambers, 2660 Civic Center Drive  
Minutes – Wednesday, October 2, 2019 – 6:30 p.m.**

**1. Call to Order**

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

**2. Roll Call**

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

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

**Members Absent:** None

**Staff Present:** City Planner Thomas Paschke, Community Development Director Janice Gundlach and Senior Planner Bryan Lloyd.

**3. Approve Agenda**

**MOTION**

**Member Kruzel moved, seconded by Member Pribyl, to approve the agenda as presented.**

**Ayes: 7**

**Nays: 0**

**Motion carried.**

**4. Organizational Business**

**a. Swear-In New Commissioners, Tammy McGehee and Karen Schaffhausen**

Karen Schaffhausen read the Oath of Office and was sworn in by Chair Gitzen as a Planning Commissioner.

Tammy McGehee read the Oath of Office and was sworn in by Chair Gitzen as a Planning Commissioner.

**5. Review of Minutes**

**a. August 7, 2019 Planning Commission Regular Meeting**

Commissioner Kimble indicated on line 337, the word “city” should be changed to “company.”

**MOTION**

**Member Kimble moved, seconded by Member Sparby, to approve the August 7, 2019 meeting minutes as amended.**

**Ayes: 5**

**Nays: 0**

**Abstain: 2 (McGehee, Schaffhausen)**

**Motion carried.**

**6. 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 Thomas Paschke noted the Annual Joint Meeting of the Planning Commission and city Council is slated for November 25, 2019. At the November meeting staff will be bringing forward the draft agenda that was previously brought forward for the Commission to consider. He noted if there is anything the Commission wants to add or change to please send that information to him.

Chair Gitzen noted November 25<sup>th</sup> is Thanksgiving week and he wanted to make sure everyone will be available to meet with the Council.

Commissioner McGehee thought there seemed to be a lot of issues raised in the last Planning Commission meeting regarding park dedication fee and she wondered if there was anything beyond what she read about how that was going to be discussed later or moved forward or was anything going to happen other than the discussion that was in the minutes.

Chair Gitzen asked if there was a meeting on that already.

Community Development Director Gundlach thought the park dedication discussion was in regard to the amount that was triggered for the request at 2720 Fairview and that was discussed at a city Council meeting and the Council moved forward with the fee as was originally proposed. Staff did not add that to the agenda for the joint meeting. That issue is usually taken up by the Parks and Recreation Commission, but staff could add that topic to the joint meeting if the Commission would like to discuss it. She noted the city Council did see those comments in the Planning Commission minutes and have recommended at some point the Park and Recreation Director

provide some background to the Commission so staff could look at setting that up as well.

Commissioner McGehee thought as the city moves forward with developments that are within the Commercial Zone around Rosedale and then the way this one is, it is possible the Planning Commission might want to recommend something by way of greenspace around housing in these commercial areas and retain some of that parks and recreation funding for projects specifically related to the project that is going on.

Commissioner Sparby thought that item was going to be on the agenda because the Commission discussed it pretty extensively at the last meeting and being that it comes through the Planning Commission he did not think it was just a Parks and Recreation and City Council thing because the Planning Commission is recommending approval or denial of these developments with, sometimes, a big price tag park dedication fee attached to them. Even if it is a general discussion it should be brought up in the joint meeting to see what headway could be made.

The Planning Commission consensus was to request the Park Dedication item be placed on the Joint Council meeting agenda.

Ms. Gundlach indicated that item can be added to the agenda along with tree preservation that was added after the draft agenda was sent out.

## **7. Public Hearing**

### **a. Request for Approval of a Microbrewery as a Conditional Use At 2704 E Snelling Drive (PF19-018)**

Chair Gitzen opened the public hearing for PF19-018 at approximately 6:42 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the city Council on October 21, 2019.

Senior Planner Lloyd summarized the request as detailed in the staff report dated October 2, 2019. He reported staff recommends approval of the proposed microbrewery as a conditional use at 2704 E. Snelling Drive.

Member McGehee asked where the food truck parking was going to be and how many food trucks will there be.

Mr. Lloyd indicated the city does not have any parking requirements for food trucks, but the applicant can certainly answer the questions for the Commission.

Member Sparby asked since the brewery is not allowed under the zoning code in this location, what happens in five years if the brewery is right up against the Brewery/Microbrewery threshold or looking to exceed it a little bit but are still within the wheelhouse of somewhere near 3,500 barrels. He asked what the process would be.

Mr. Lloyd explained the city process that would need to occur. He thought the most likely path forward would be for the brewery to seek an amendment to the zoning code that might address breweries as conditional uses or different space in a different zoning district that would permit a brewery beyond the 3,500 barrels might be the answer.

Member Pribyl noted there was discussion about traffic and traffic patterns and there is a traffic report related to adjacent streets and wondered if there was any traffic impact study done related to this use versus the previous restaurant or just the assumption that the traffic would be very similar.

Mr. Lloyd indicated it was the assumption that these would be very similar and given the size of the parking area he would be surprised if there would be as much traffic for the proposed brewery as there may have been for the restaurant. Staff would not usually ask for a traffic study unless the proposed use is something that is much larger or known to have much higher volumes of traffic than a restaurant and retail store.

Member Pribyl indicated the brewery is intending not to serve food and wondered if there would be any impact to the conditional use permit if the brewery would decide to serve food at some point or is that allowed still under the microbrewery.

Mr. Lloyd explained that could be allowed as well and could be another use going on at this site. This approval is really about the production of beer. The tap room that is a part of this is a permitted accessory use and the brewing would also be permitted in this location.

Chair Gitzen asked if the applicant would still need to go through the liquor licensing process.

Mr. Lloyd imagined that a city liquor license would be required along with the serving as well and it would be the state that regulates the production.

Mr. Paschke noted the entity that regulates the production would be the state Agriculture Department.

Chair Gitzen invited the applicant to come forward.

**Ms. Kelly Molar**

Ms. Molar explained in regard to the food trucks, at this point in time the microbrewery plans on having one food truck come to the establishment per day and would be located on the east side of the parking lot just outside the door.

Ms. McGehee asked if the microbrewery had any plans for the use of the kitchen.

Ms. Molar indicated at this time there is not any specific plans for the kitchen. In the future it has been talked about maybe renting out the kitchen space to different food truck vendors to prep and store their food or different caterers.

Member Sparby was interested in the hours the business will be in operation.

Ms. Molar explained the microbrewery was planning on being open seven days a week. It would not open until later in the afternoon to start with and during weekdays it is looking to be open as late as 11:00 p.m. and on weekends as late as midnight, maybe 1:00 a.m.

Member Kimble asked for a clarification on Attachment C that gives a summary of the business and in the second paragraph it states the business is estimated to produce 2,000 barrels a year but then later in the paragraph it states the business is going to level out at 1,000 barrels a year. She asked if the 2,000 barrels was just the capacity for the equipment.

Ms. Molar indicated that was correct.

Member McGehee asked Mr. Paschke what the hours are for the other microbrewery in the city.

Mr. Paschke indicated he did not know and was not sure if the license or the code limits them.

### **Public Comment**

No one came forward to speak for or against this request.

Chair Gitzen closed the public hearing at approximately 6:58 p.m. with no one appearing for or against.

### **MOTION**

**Member Sparby moved, seconded by Member McGehee, to recommend to the city Council approval of the proposed microbrewery as a conditional use at 2704 E Snelling Drive (PF19-018).**

### **Commission Deliberation**

Member Sparby thought the plan made sense along with staff supporting the proposal as well as fulfilling the conditions of the Conditional Use.

Member McGehee indicated she was going to support this and thought it was a popular idea in Roseville. She thought this was a good location and a good site and the parking is adequate.

Member Kimble thought it was very consistent with the discussion the Planning Commission had with the Comp. Plan and wanting unique and local entities.

Member Kruzel thought the fact that this will be a nice gather space for the community at a different end of the city.

**Ayes: 7**

**Nays: 0**

**Motion carried.**

**b. Request for Approval of An Amusement Area as a Conditional Use At 1955 County Road B2 (PF19-019)**

Chair Gitzen opened the public hearing for PF19-019 at approximately 7:01 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the city Council on October 21, 2019.

Senior Planner Lloyd summarized the request as detailed in the staff report dated October 2, 2019. He reported staff recommended approval of the proposed amusement areas as a conditional use.

Member Kimball asked if this is the end of the building where the urgent care was located.

Mr. Lloyd indicated it was.

Member McGehee explained in the long list of licenses and conditional permits required when it indicates it was discussed there seems to be a problem, not with approving this but the fact that there is a daytime specific commercial use that is well defined and understood and then the size and popularity of what goes on at night is really quite different. She noticed the Police Department indicated it was happy with this provided there was not any alcohol served so she did not know if that should be made a condition of approval or not. She was having a hard time visualizing virtual reality as an activity.

Mr. Lloyd indicated how the code deals with those different kinds of things is a matter that can be discussed.

Mr. Paschke indicated the zoning code does not limit the hours of operation for any commercial use so any of the other businesses in this mall could have nighttime hours as well.

Member McGehee indicated this business will need to get a license which does specify that it cannot operate between 11:00 p.m. and 7:00 a.m. She did not think there was any problem with that.

Member Sparby asked in Chapter 303 of city Code that defines amusement and wondered if Mr. Lloyd could elaborate at all what that means in terms of provides areas within a building providing for capacity of eight or more customers so he wondered if that meant eight or more in the building in the area that is designated for game playing or how is that spliced out.

Mr. Lloyd explained what that means is the building may be much larger and other things happening there but the amusement elements of it can reasonably be expected to have eight or more people either using them or using them and waiting. There may be more people on site doing things that do not fall under the amusement regulations but as in this case there are eight to fourteen in a group and there may be some smaller groups that fall in that threshold that don't need to be regulated but the anticipated size of the group doing an activity for entertainment puts it into the category of defining this as an amusement area.

Member Pribyl asked if the CUP were approved would it be for the entire building.

Mr. Lloyd explained the approval would go along with the tenant space because that is what their plans are reflecting.

**Mr. Christian Peterson, Representing Dream Trace, Inc.**

Mr. Peterson explained the applicant is trying to put this exciting VR facility in this space. He reviewed the VR experience with the Commission and indicated he was at the meeting to answer questions.

Mr. Peterson noted it was not the intention of the company to be looking for an alcohol permit for this facility.

Member Sparby asked if the amusement fits with the definition in terms of the eight or more at one time playing games.

Mr. Peterson explained since there will be more than eight people in the facility being amused the company was disappointed to find out that the company had to go through this permit process. In terms of whether eight people are amused at any one point in time inside of a business is quite broad and he would agree as a citizen of the city to perhaps have that legislature looked at to be a little more definitive.

Chair Gitzen wondered what the target audience was for the client.

Mr. Peterson reviewed the equipment that will be used with the VR experience and noted this will have value for many different age groups.

**Public Comment**

No one came forward to speak for or against this request.

Chair Gitzen closed the public hearing at approximately 7:26 p.m. with no one appearing for or against.

**MOTION**

**Member McGehee moved, seconded by Member Kimball, to recommend to the city Council approval of the proposed amusement area as a conditional use at 1955 County Road B2. (PF19-019).**

**Commission Deliberation**

Member McGehee thought this business was something new, exciting and local and the uses will be really good and will be a benefit to the community in many ways. She thought as the Commission looks at the definitional issue that Commissioner Sparby brought up the Commission should also look to the fact that this is a kind of activity that might go well if there was housing nearby and this business license specifically indicates it needs to be in a commercial zoned area.

Member Sparby reiterated the question of whether this type of activity should really be falling under amusement. He did not think there was a good answer based on the definition. He did not want to hold anything up because he thought it was good idea and a good use of the space. However, he thought it would be a good idea to revisit the definition.

**Ayes: 7**

**Nays: 0**

**Motion carried.**

**8. Adjourn**

**MOTION**

**Member Sparby, seconded by Member Schaffhausen, to adjourn the meeting at 7:31 p.m.**

**Ayes: 7**

**Nays: 0**

**Motion carried.**