



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, November 6, 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, Community Development Director Gundlach called the Roll.

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

Members Absent: Commissioner Julie Kimble

Staff Present: Community Development Director Janice Gundlach

3. Approve Agenda

MOTION

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

Ayes: 6

Nays: 0

Motion carried.

4. Review of Minutes

a. October 2, 2019 Planning Commission Regular Meeting

Member Sparby noted on line 101, “city Council things because the Planning Commission are ~~the ones~~ recommending the approval”. Line 337, “Member Sparby reiterated ~~that should~~ the question of whether this type of activity should really...” Line 340, a period should be placed after “space” and add “However, he thought it would be a good idea to revisit ~~that~~ the definition”.

Member McGehee indicated on line 257, change “visually” to “visualizing”.

MOTION

Member Sparby moved, seconded by Member McGehee, to approve the October 2, 2019 meeting minutes as amended.

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.*

None.

- b. From the Commission or Staff:** *Information about assorted business not already on this agenda, including a brief update on the 2040 Comprehensive Plan Update process.*

None.

6. Other Business

- a. 2020 Variance Board and Planning Commission Meeting Calendar**

Community Development Director Gundlach summarized the request as detailed in the staff report dated November 6, 2019.

Member Sparby asked if there is anything on the December 2019 agenda.

Ms. Gundlach indicated there was a couple of items. She noted there will be a regular Planning Commission meeting scheduled for December 4, 2019.

- b. Consider Agenda for Upcoming Joint Meeting with City Council**

Community Development Director Gundlach summarized the request as detailed in the staff report dated November 6, 2019.

Member Schaffhausen asked in regard to the Conditional Use and how it pertained to the Amusement business that was discussed at last month's meeting. She wondered if this needed to be revised or is it something that could be looked at as far as omitting it as an expectation for businesses because of its requirement and find a different way to approach it.

Ms. Gundlach thought that would be something to bring up at the Joint meeting with the city Council. She thought the city Council is interested in staff taking a look at it. The Police and Fire Chief are also interested in this because it does show up under the city's Business Licensing requirement and maybe a public safety element that has to be addressed in one form or another but maybe not through the Conditional Use, which is a Planning Commission action.

Chair Gitzen asked if there was some background on that item for discussion.

Ms. Gundlach noted “Amusements” only shows up in the Business License section of the Code. It then references it being a Conditional Use. Chapter 10 of the City Code, Zoning Ordinance, there is no mention of “Amusements” anywhere, nor is there mention of it being a Conditional Use in the chart that defines what uses are allowed and in what District. She thought that is where staff needs some clarity. What is “Amusement” being defined as and what, if any of that, requires a Conditional Use.

Member Schaffhausen thought it might need to be defined as a safety review.

Ms. Gundlach indicated staff thinks the Business License is really reserved to deal with those public safety components. That needs to be fixed in the Business License section. The land use charts in Chapter 10 of the City Code is where the city wants to address whether or not this is a permitted or conditional use and in what districts.

Chair Gitzen indicated he would like the Commission to review the three items once more before going before the city Council. He thought the Tree Preservation is something to talk about with the city Council. He also thought the Amusement section is another item to discuss as well. He thought Park Dedication was a little out of the Commission’s purview as far as setting things and felt it was the Park and Recreation Commission that would really work on and change, if needed. He thought there could be a discussion but felt the discussion might be the city Council telling the Commission that.

Member McGehee asked exactly what the Commission’s purview is. She indicated she knows what was defined and was part of the process when the Planning Commission with staff created the current Comprehensive Plan. It seemed to her that in terms of businesses and what the businesses have to pay and park dedication charges related to the chapter on Resilience. She asked how the other Commission members thought about going to staff and the Council to see about changing some things.

Member McGehee asked if the Commission wanted to look at the Resilience Chapter that is currently there and indicate other building codes for energy efficiency, etc. and pass that along to the Council for consideration.

Chair Gitzen agreed but thought it should be a consensus that comes from the entire Planning Commission body.

Member McGehee concurred and understood there was a lot of information that goes to the Council and she thought this was a planning issue in terms of approvals. She wondered if this body wanted to discuss that and have an opinion when it seems that the Commission has been invited to do so.

Chair Gitzen agreed and indicated he was making sure that the Commission, as a body, think that this should be brought forward.

Member Sparby thought the big issue is that the Commission is presented with major developments and there is a park dedication fee of sometimes half a million dollars associated with that and the applicants are obviously very concerned and aware of that and the Commission is recommending approval of that number which is in the staff report. He did not see that there is anyway to extricate one from the other. He understood the process that the city goes through where it is routed through the Parks and Recreation Commission who vets the number and then it comes to the Planning Commission for complete review of the proposal, which encapsulates that number and then it is ultimately going to the city Council. He understood the process, but the Commission has the prerogative to discuss that process with the city Council and everything that comes with that. He indicated he wanted to keep it on the agenda.

Chair Gitzen thought the Planning Commission is looking at it as a condition of approval but that condition is not set by the Commission. The Commission does not really have any say in the number, the Commission does have a say on the condition.

Member Sparby thought that was a matter of opinion because the Commissions are all recommending bodies so the Planning Commission could theoretically recommend something different.

Ms. Gundlach explained the reason this issue even comes before the Planning Commission is because the Commission is tasked with holding the public hearing for subdivisions and recommending them forward to the city Council who makes the final determination. Park dedication is only associated with subdivisions. If there is not a subdivision, then there is not park dedication. The Statute calls for dedication of the land and that is why it is covered under the Subdivision Code, however, there is a provision in the State Statute that says if land cannot be dedicated then a payment can be made in lieu of land and that payment is set via fee schedule. The Parks and Recreation Commission are involved in setting that fee based on their park needs and their Park Masterplan. She understood where the Commission is coming from and that the Commission is approving a list of conditions and the Commission is the regulatory authority under Subdivisions, but it is very often more than just a park dedication condition. It is a means by which a project gets advanced through the conditions of approval. She noted staff could change the condition to read “Payment of park dedication in an amount determined by the Park and Recreation Commission” and then before it gets to the Council staff can insert the actual dollar amount based on what the Commission comes up with. She explained there are a number of different ways that can be handled.

Member Sparby did not think it was fair to keep the Planning Commission in the dark on the fee amount. He thought the Commission should be aware of it and discuss it with the Council.

Member McGehee indicated for her there are some other issues that relate to planning where there have been issues. She opined that it is the responsibility as another advisory public body to bring these items forward to the Council. The Council ultimately does what it wants and has the authority to change a fee, waive the fee, or

request land in exchange for the fee. She thought if the Planning Commission, as a body, had a particular opinion on this issue, there is no harm in putting it forward because the Council is free to overrule anything that is put forward. At least on that topic, she would have to say she has some opinions about subdivisions with multi-family housing that do not have any green space and yet when these come forward, those subdivisions almost always take the money from the developer and the money goes elsewhere. This is part, in her mind, of some of the items that the city has in the Comprehensive Plan for sustainability, livability, and quality of life. If the Commission wants to weigh in on these things, she did not think there was any reason to avoid bringing it up to the Council.

Chair Gitzen thought the Commission could do that at any point as well and did not think it needed to be at the joint meeting because the time is limited during those meetings.

Member McGehee thought if the Commission decided to go forward with this topic to the Council to ask the Council if there is interest in pursuing this further.

Chair Gitzen explained he was not trying to get the park dedication piece moved but he thought it was more of an educational piece for the Commission. He indicated he would like to have the Park Director come and talk to the Commission about this as well.

Member Pribyl thought it would be good for the Commission to watch the September Park and Recreation Commission meeting because there was discussion regarding this at that meeting and would be helpful for the Commissioners to view it before the joint Council meeting, if possible.

Member McGehee asked what is the Commission's responsibility in looking at ways to implement the City's 2040 Comprehensive Plan. Member McGehee asked if the Comprehensive Plan has been approved by the Met Council.

Ms. Gundlach explained on the second page of the memo, in the first grouping of bullet points, item one two explain that and she hoped in 2020 that there will be a discussion about some zoning code amendments that are going to be necessary in order to comply with the 2040 Comprehensive Plan. She noted the Met Council had not approved the city's 2040 Comprehensive Plan yet.

Member McGehee asked if there is something wrong with the plan that is taking so long or is there is a backlog.

Ms. Gundlach indicated before she came to Roseville the city submitted their 2040 Comprehensive Plan, at the end of 2018 and in mid to late February staff received a very lengthy letter of reasons why it was incomplete. Those items have been addressed and has been resubmitted this month. It will take time for the Met Council to go through to ensure the city has addressed all of the items that was brought to the city's attention for incompleteness.

Chair Gitzen thought another bullet point should be added asking the Council if there was something specific the Planning Commission should be looking at.

7. Adjourn

MOTION

Member Sparby, seconded by Member Pribyl, to adjourn the meeting at 7:02 p.m.

Ayes: 6

Nays: 0

Motion carried.