



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, April 5, 2017 – 6:30 p.m.**

- 1 **1. Call to Order**
2 Interim Vice Chair Murphy called to order the regular meeting of the Planning
3 Commission meeting at approximately 6:30 p.m. and reviewed its role and purpose.
- 4 **2. Roll Call**
5 At the request of Interim Vice Chair Murphy, Community Development Director Kari
6 Collins called the Roll.
- 7 **Members Present:** Interim Vice Chair Robert Murphy; and Commissioners Chuck
8 Gitzen, James Daire, Julie Kimble, James Bull, and newly-
9 appointed Commissioner Pete Sparby
- 10 **Staff Present:** Community Development Director Kari Collins and Senior
11 Planner Bryan Lloyd
- 12 **3. Organizational Business**
- 13 **a. Swear-in New Commissioner: Pete Sparby**
14 Community Development Director Kari Collins announced that newly-appointed
15 Commissioner Tammi Etheridge had withdrawn her appointment to serve on the
16 commission.
- 17 Vice Chair Murphy administered the Oath of Office to Commissioner Sparby; and
18 colleagues welcomed him to the Planning Commission.
- 19 **b. Elect Planning Commission Chair and Vice Chair**
20 Interim Vice Chair Murphy offered up his name to serve as Chair.
- 21 **MOTION**
22 **By acclimation, Member Daire moved, seconded by Member Bull, Member**
23 **Murphy to serve as Chair of the Planning Commission.**
- 24 **Ayes: 6**
25 **Nays: 0**
26 **Motion carried.**
- 27 Member Bull offered up his name to serve as Vice Chair.
28 **By consensus, Commissioners approved Member Bull to serve as Vice Chair**
29 **of the Planning Commission.**
- 30 **c. Appoint Variance Board Members**
31 Given his new position in serving as Chair of the Commission, Member Murphy
32 withdrew his former role serving on the Variance Board.
- 33 Members Gitzen and Daire volunteered to continue serving on the Variance
34 Board; with Member Kimble volunteering to move from Alternate to full service
35 on the Board.
- 36 Member Sparby volunteered to serve as an Alternate on the Variance Board.

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MOTION
Member Murphy moved, seconded by Member Bull to appoint Members Daire, Gitzen and Kimble, with Alternate Member Sparby, to serve on the Variance Board effective in May of 2017, pending ratification by the City Council.

Ayes: 6
Nays: 0
Motion carried.

d. Appoint Commissioner to Ethics Commission

As current representative to the Ethics Commission, Member Bull stated his interest in continuing in that role.

MOTION
Member Murphy moved, seconded by Member Daire, to designate Member Bull to serve as the Planning Commission representative to the Ethics Commission.

Ayes: 6
Nays: 0
Motion carried.

e. Appoint Commissioner to the Rice/Larpenteur Community Advisory Group

Members Kimble and Daire expressed interest in serving in this role.

Ms. Collins clarified that one appointee was needed to be selected by the Commission to serve in this role; however, she noted that any interested resident of Roseville, including any other commissioners not appointed as their representative were welcome to apply for remaining at-large positions on the advisory group.

Vice Chair Bull suggested designating an alternate in case the primary appointee was unable to attend a meeting.

Member Daire admitted that at this point, his schedule was full, but he expressed his ongoing interest in this multi-jurisdictional area; and offered his attendance at those meetings as a resident versus an official commissioner; and therefore endorsed Member Kimble for serving in that role.

MOTION
Member Bull moved, seconded by Member Gitzen, to designate Member Kimble to serve as the Planning Commission representative to the Rice Street/Larpenteur Avenue Community Advisory Group.

Ayes: 6
Nays: 0
Motion carried.

75 **4. Review of Minutes**

76 **a. March 1, 2017, Regular Meeting Minutes**

77 **MOTION**

78 **Member Bull moved, seconded by Member Kimble to approve the March 1, 2017**
79 **meeting minutes as amended**

80 **Corrections:**

- 81 ▪ Page 15, Line 641 (Kimble)
82 Typographical Correction: Correct to read: "...Member Kimble stated her
83 continued *[lack]* of support for the ,,,"

84 **Ayes: 6**

85 **Nays: 0**

86 **Motion carried.**

87 **5. Communications and Recognitions:**

88 **a. From the Public: Public Comment to land use on issues not on this agenda,**
89 **including the 2040 Comprehensive Plan Update**

90 None.

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

94 Commissioner Kimble noted upcoming Economic Development meetings
95 scheduled in May and June as part of the process, and questioned meeting times,
96 seeking clarification as to whether the topics at those meetings would be of
97 interest of informational for commissioners to attend.

98 Senior Planner Lloyd responded that the dates were scheduled on regular City
99 Council meeting dates in most cases; but offered to review actual dates and times
100 and submit that information to the commission for their information. Mr. Lloyd
101 noted that all meetings were open to the public, and encouraged commissioners to
102 attend or view the discussions via the website.

103 Vice Chair Bull reminded his colleagues of the upcoming annual Ethics Training
104 for city commissioners, staff and council members, scheduled for May 12, 2017 at
105 6:00 p.m.; with a 5:30 p.m. start for new commission members as part of their
106 orientation process.

107 For the benefit and update of the public and Commission, Senior Planner Bryan
108 Lloyd provided a brief update on the comprehensive plan update process. Mr.
109 Lloyd referenced the March 15, 2017 memorandum from the consultant team
110 summarizing results of the kick-off meeting and feedback from that event. Mr.
111 Lloyd noted that intercept boards were being located throughout the community;
112 focus group logistics, agendas, and invitations were being finalized, and meetings
113 in a box and surveys were being prepared. Mr. Lloyd advised that all of the public
114 input would be combined by the consultants and presented to the Commission at

115 their April 26, 2017 meeting; along with the scheduled April 24, 2017 City
116 Council check-in by the consultants.

117 **6. Public Hearing (Continued)**

118 **a. PLANNING FILE 17-002: Request by Grace Church, Roseville Area High**
119 **School, St. Christopher’s Episcopal Church, Church of Corpus Christi, St.**
120 **Rose of Lima, Calvary Church, New Life Presbyterian Church, Centennial**
121 **United Methodist Church, and Roseville Covenant Church in cooperation**
122 **with the MN State Fair for renewed approval of eight park and ride facilities**
123 **and approval of one new (St. Christopher’s Episcopal Church) park and ride**
124 **facilities and approval of one new park and ride facility as an INTERIM**
125 **USE. Addresses of the facilities are as follows: 1310 County Road B-2, 1240**
126 **County Road B-2, 2300 Hamline Avenue, 2131 Fairview Avenue, 2048 Hamline**
127 **Avenue, 2120 Lexington Avenue, 965 Larpenteur Avenue, 1524 County Road C-2**
128 **and 2865 Hamline Avenue**

129 Chair Murphy continued the public hearing for Planning File 17-002 at 6:47 p.m.

130 As detailed in the staff report, Senior Planner Bryan Lloyd provided a brief update
131 since the last Commission meeting; and additional input from the Police and
132 Public Works Departments on new conditions as detailed as Conditions J, K and
133 L. Mr. Lloyd advised that staff recommends approval of the Interim Use renewal,
134 subject to those conditions.

135 Chair Murphy referenced an email provided at the previous Commission meeting
136 from Ms. Jesse Docken and the type of buses used, requesting more handicapped
137 accessible buses be provided. Chair Murphy asked staff if and how responses
138 were given to those citizens.

139 Mr. Lloyd confirmed that staff routinely responded to citizen communication such
140 as that received from Ms. Docken.

141 Vice Chair Bull noted that with the new conditions, the Public Works Department
142 would mark some streets at their discretion for “No Parking;” but questioned if
143 this was typically enforced by that department throughout the year. Vice Chair
144 Bull noted that, based on public comment, the problem was exacerbated by the
145 State Fair and more traffic and parking in the community. Vice Chair Bull noted
146 that parking in front of mailboxes and/or driveways was enforced throughout the
147 year by the city’s Police Department.

148 Mr. Lloyd responded that he was not aware if this was a temporary enforcement
149 or involved permanent signage by the Public Works Department. Mr. Lloyd
150 agreed that most of the streets received a generally low level of parking outside
151 the dates of the State Fair.

152 Vice Chair Bull noted that the previous IU renewal was for five years, then this
153 renewal was initially recommended by staff for three years; but now revised to
154 recommend a four year renewal period; and questioned rationale for that time
155 frame.

156 Ms. Collins advised that staff had initially considered a five-year renewal was
157 appropriate after discussions with the applicant.

158 At the request of Member Gitzen, Ms. Collins confirmed that there was nothing in
159 staff's research of city code indicating that parking in front of a mailbox was a
160 violation, and simply a courtesy not to do so; while blocking a driveway was a
161 violation of city code. Mr. Lloyd clarified that state and/or city code required a 5'
162 clearance on either side of a driveway for access and visibility.

163 Member Daire referenced the email from Greg and Debra Gogins, opining that he
164 found several of their comments enlightening, one in particular that of overflow
165 parking being difficult to deal with. In conversations with Ms. Collins prior to
166 tonight's meeting, Member Daire reviewed street width when two-sided parking
167 was allowed and traffic moving in both directions, in addition to the cul-de-sac on
168 either side of Fairview Avenue and blocking access and visibility at Eldridge.
169 Member Daire opined that the city needed to deal with roadway widths in general
170 rather than the State Fair required to deal with that situation that was beyond their
171 realm. Member Daire further opined that the areas in question should be posted
172 without expense to the State Fair as part of the city's responsibility for the health,
173 safety and welfare function of the City and its Police Department. Since any
174 violations would be payable to the city whether for tagging or tag/tow situations,
175 Member Daire suggested striking that requirement for the State Fair's IU or table
176 this application again to examine actual impacts on parking. As a former
177 transportation planner with the City of Minneapolis, Member Daire noted that
178 design standards should be part of the city's subdivision code revisions currently
179 underway. Based on the city's past experience with the State Fair, Member Daire
180 stated that should have informed the city where it was falling short of policing and
181 tagging, and required further due diligence. Member Daire questioned the need
182 for a contract between the city's Police Department and the State Fair as indicated
183 in new conditions J and K.

184 **Applicant**

185 **Applicant Representative: Steve Grans, Transportation Manager for the**
186 **Minnesota State Fair**

187 Member Sparby asked how the decision had been made for a longer-term (e.g.
188 five-year) IU versus the shorter term given recommended conditions for approval.

189 Mr. Grans responded that, having applied for IU's since 2000, the first one was
190 for a term of three years, and each subsequent renewal was for five years. Mr.
191 Grans noted that the renewals required considerable effort by the city and the
192 State Fair; and reminded the commission that the IU is written so that at any given
193 time, the city can choose to close any one lot or multiple lots for any infractions
194 of those conditions. Mr. Grans advised that the State Fair had added expenses for
195 these IU applications for the Fair's three-week duration; and thus he had advocated
196 for the five-year term.

197 At the request of Chair Murphy, Mr. Grans confirmed that there was continual
198 review by the city of the respective lots, and immediate responses of the State Fair
199 when contacted by city staff with any complaints or areas of concern.

200 Member Sparby asked what benefit was received by those properties for this park
201 & ride use.

202 Mr. Gran responded that each received rental money for use of their lots; but
203 more importantly noted that they actually became employees of the Fair so that
204 organization got paid handsomely, frequently using that money as a fundraiser.

205 At the further request of Member Sparby, Mr. Gran advised that the monetary
206 amount varied by location and space available, and depended on shift ranges, but
207 averaged up to \$10,000 for use during that ten-day period paid directly to the
208 organization itself, and typically used for youth or other missions of their church
209 and/or organization at their discretion.

210 On a personal note, Chair Murphy noted the service of volunteers in manning
211 these lots, allowing those funds in most cases to be used exclusively for the
212 organization's designated preference.

213 Member Kimble sought Mr. Gran's response to Member Daire's comment related
214 to a police contract.

215 Mr. Gran stated his agreement with Member Daire, but advised that the State Fair
216 was not going to rock the boat. Mr. Gran stated that the Fair was certainly aware
217 of some issues with neighborhood parking and the requirement that parking could
218 and should not go out beyond the borders of designated park and ride lots; but
219 could not enforce anything under their authority. Whenever this issue had been
220 pointed out to him by city staff in the past, Mr. Gran advised that his response was
221 that the problem could be solved by signing a street as "No Parking" on a
222 particular side. From his personal experience, as a St. Paul resident in the Como
223 area and living three blocks from the State Fair, Mr. Gran recognized that he was
224 unable to park in front of his house during the duration of the Fair, but was
225 unaware of a solution to eliminate the problem. As an example, Mr. Gran noted
226 that when Victoria Street was redone near the New Life Church, the street was
227 permanently posted "No Parking" on one side, which happened to also be the
228 mailbox side. In using that street frequently, Mr. Gran noted what a difference
229 that made; and recognized that street width in other areas was problematic.

230 At the request of Member Gitzen, Mr. Gran stated that the State Fair was
231 amenable to all of the conditions as detailed in the staff report as presented.

232 **Public Comment**

233 With no one coming forward to speak for or against this request, Chair Murphy
234 closed the public hearing at approximately 7:07 p.m.

235 **Commission Deliberation**

236 Vice Chair Bull opined that Condition A (designating the hours of operation for

237 each site be limited from 7:00 a.m. to Midnight) was setting the Fair up to fail,
238 since the last bus arrived after that based on when the fairgrounds closed. Vice
239 Chair Bull stated that he was more inclined to set a 12:30 a.m. deadline.

240 Chair Murphy advised that this had been discussed at the previous meeting and
241 asked Mr. Gran to comment about coordination with lot attendants.

242 Mr. Gran advised that, as previously reported, when this IU process was begun in
243 2000, the Midnight deadline was used; and while all advertising for the Fair
244 shows midnight as when the Fair closes, the last bus leaves the fairgrounds at
245 midnight, so obviously the lots are open longer than midnight to facilitate those
246 last buses. However, Mr. Gran advised that he was not aware of any issues today;
247 and depending on the route and timing, the last bus typically arrives between
248 12:15 and 12:45 a.m.

249 If this request moves forward from the commission as a recommendation to the
250 City Council, Vice Chair Bull suggested setting some agreed-to time in the
251 parameters to guarantee success.

252 Mr. Gran clarified that no matter what the condition allowed, those times would
253 not be publicized schedule hours, and simply represented operational hours for the
254 lots. Mr. Gran noted that if a bus broke down and another was brought in, it
255 would not comply with the condition anyway. Mr. Gran noted there was
256 flexibility in the operational hours to accommodate those unknowns; but clarified
257 that the State Fair didn't transport anyone into the Fair after 10:00 p.m., nor did it
258 sell tickets after that time; so questioned whether the commission needed to
259 change the times.

260 Specific to new Conditions J and K, Vice Chair Bull stated that his comments
261 were similar to those expressed by Member Daire, opining that it feels to him that
262 the city was putting a burden on the State Fair that they had no actual control over
263 and from which the city was trying to profit monetarily. On the parking aspect,
264 Vice Chair Bull opined that the city currently installs "No Parking" signs where
265 needed and shouldn't be asking the State Fair to escrow monies and then the
266 Public Works Department may perform additional work without any control by
267 the State Fair that they'd be required to submit more money for or for carryover to
268 the next year. Vice Chair Bull opined that the State Fair was an important entity
269 for the community and state, making that additional burden on them unjustified.
270 While it is also a burden on Roseville citizens to accommodate parking during fair
271 time as well, with the proposed Police Department contract, Vice Chair Bull
272 opined that the State Fair, versus the City Police Department was being asked to
273 pay for enforcement of city ordinances, which was the role of the Police
274 Department anyway. Vice Chair Bull opined that any additional revenue gained
275 from enforcement should help defray costs of the Police Department; with the
276 State Fair actually having no bearing on whether people park illegally, even
277 though through this condition the city was asking them to bear the cost while
278 receiving no revenue from any fines levied. From his personal perspective, Vice

279 Chair Bull stated that this created more disparity and unnecessary government
280 regulations, which were of no interest to him. Therefore, Vice Chair Bull stated
281 his opposition to both Conditions J and K as recommended, opining that they both
282 represented unfair burdens to the State Fair, with standard operating practices
283 already in place. Vice Chair Bull opined that the Police Department should bring
284 in police reserves to help patrol those areas if and as needed for code
285 enforcement. Vice Chair Bull expressed his disappointment that neither Police
286 Chief Mathwig or Public Works Director Culver were in attendance tonight to
287 lend their perspective on this and normal operations. Since this arrangement has
288 obviously worked for years, with only a handful of complaints, Vice Chair Bull
289 opined that no additional burdens should be placed on the State Fair.

290 Member Gitzen stated his support of the conditions as presented, even though
291 12:30 a.m. as a deadline for operations made sense to him since the buses couldn't
292 get there by Midnight if not leaving the fairgrounds until then. However, since
293 Mr. Gran stated that he could live with the conditions as presented and
294 recommended by staff. Member Gitzen opined that the conditions were an attempt
295 by the city to respond to concerns expressed by residents who said overflow
296 parking was a problem; and with added signage, a police officer should have the
297 ability to enforce parking accordingly. Since those conditions were put in place in
298 answer to local resident concerns for those living near these park and ride lots,
299 Member Gitzen stated his support, with changes in the operation deadline in
300 Condition A if supported by the majority.

301 Specific to the new conditions recommended by staff, Member Sparby noted that
302 if the costs for additional parking enforcement, if not passed on to the State Fair,
303 would be borne by all residents in Roseville for the duration of the Fair. While
304 officers were needed to deal with those issues specifically related to the State Fair
305 operations and impacts on the community, Member Sparby opined that it seemed
306 applicable to pass on those additional expenses to the State Fair to be covered by
307 their user fees, and passed on as part of their costs of doing business. Member
308 Sparby opined that he would support amending the condition to pass on an
309 invoice for additional services to the Fair rather than entering into some
310 ambiguous contract without any control on terms, but identifying the actual cost
311 of this additional activity created by the Fair.

312 Member Kimble concurred with Member Sparby.

313 Specific to Vice Chair Bull's comments about passing on the revenue achieved
314 from this additional police enforcement, Member Sparby responded that the
315 location of the park and rides proved a great benefit to individuals, those
316 organizations and the State Fair; and therefore if they wanted to be part of the
317 program, there was a benefit for utilization of their space.

318 With Member Daire reiterating that on-street parking violations were the problem,
319 Member Sparby responded that this had prompted his comments on enforcement.

320 If the city charged the State Fair for enforcement costs, and kept the revenue,
321 Member Daire opined that this didn't make sense to him.

322 With the overwhelming comments received and passed along have been mostly
323 favorable from surrounding neighbors, and given the excellent service provided
324 with these park and ride lots, Chair Murphy noted that the conditions were simply
325 intended to ease the burdens on the neighbors through additional policing; with
326 revenue intended to offset the administrative management of that ticketing. If not
327 for the State Fair, Chair Murphy advised that there wouldn't be a need for extra
328 signage or patrols; so with some expectation of designating an off-duty officer
329 who was guaranteed to be available for this purpose rather than called out to
330 respond to other incidents, seemed prudent from his perspective. Chair Murphy
331 opined that the conditions seemed reasonable, especially since annual contracts
332 and new conditions were intended as an attempt to respond to citizen concerns.
333 Chair Murphy noted that the process had been continually refined since its
334 inception in 2000.

335 Member Kimble opined that Condition J was a strong response to the strong
336 concerns expressed by citizens; and while appreciating the concerns raised by
337 Vice chair Bull and Member Daire, to err on the side of caution, and recognizing
338 the extenuating circumstances in these neighborhoods as a result of State Fair
339 attendance, spoke in support of the two new conditions, anticipating increased
340 State Fair admission fees accordingly.

341 **MOTION**

342 **Member Murphy moved, seconded by Member Daire, to recommend to the**
343 **City Council renewal of a five-year Interim Use for the Minnesota State Fair**
344 **to continue operating park and ride facilities at nine church and school**
345 **locations based on the comments, findings, and the conditions as detailed in**
346 **the staff report dated April 5, 2017.**

347 Vice Chair Bull reiterated his parking concerns and not addressing the checks and
348 balances for typical enforcement, creating a situation where the city could
349 virtually post every street in the city and have the State Fair pay for that
350 enforcement.

351 **AMENDMENT TO THE MOTION**

352 **Member Bull moved, seconded by Member Gitzen, to revise Condition A for**
353 **hours of operation from 7:00 a.m. to 12:30 a.m.**

354 Chair Murphy stated his opposition to the amendment, supporting the standard
355 conditions even though a bus may arrive after typical hours of operation.

356 Member Gitzen opined that even though the buses should all be back by 12:30
357 a.m., every situation couldn't be addressed, but this was a reasonable approach.

358 Vice Chair Bull opined that it was a given that the 12:00 Midnight deadline didn't
359 work and therefore, wasn't effective, but further opined that this amended time
360 would provide a target for arrival at 12:30 a.m.

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Amendment #1

Ayes: 6

Nays: 0

Motion carried.

AMENDMENT TO THE MOTION

Member Bull moved, seconded by Member Daire, to strike Condition K (lines 189-193 of the staff report).

While recognizing that the State Fair is agreeable with this condition, Vice Chair Bull reiterated that as a Roseville resident he didn't consider it justified. As with other extra enforcement required during summer celebrations and events in Roseville and the surrounding area, Vice Chair Bull opined that any increased enforcement should be part of the city's standard process.

Member Gitzen stated his opposition to this amendment; opining that beyond enforcement issues, a designated off-duty police officer could help ensure the safety of those using the park and ride lots; as well as providing added benefit for citizens in the immediate neighborhood.

Chair Murphy spoke in opposition to the amendment, opining that an off-duty officer available to respond to issues and concerns was a direct response to requests made by residents. Chair Murphy noted that if there were no subsequent issues, there would be no revenue generated; and opined that this was a reasonable approach that wouldn't cost citizens any additional dollars for extra patrol shifts created by the State Fair.

Amendment #2

Ayes: 2 (Daire and/Bull)

Nays: 4 (Murphy, Gitzen, Sparby, Kimble)

Motion failed.

AMENDMENT TO THE MOTION

Member Bull moved, seconded by Member Daire, to strike Condition J (lines 183-188 of the staff report).

Vice Chair Bull reiterated his rationale in seeking this amendment.

Member Daire concurred, and spoke in support of the motion. Member Daire spoke to an upcoming agenda item tonight dealing with rewriting the city's subdivision code that would support and focus on roadway widths by the Public Works Department, as outlined in their draft design standards document. Member Daire noted that then, as appropriate, the city's responsibility to compel certain patterns for certain streets in providing for the health, safety and welfare of its citizens (e.g. emergency vehicles, intersection visibility, driveway access, etc.) would be addressed appropriately.

Member Sparby clarified that this condition only states that the State Fair would enter into a contract; and suggested their representatives could negotiate

401 reasonable language with the city. Member Sparby stated that he didn't see the
402 condition as a blank canvas for the city to plaster the entire city with signage, but
403 simply as a reasonable approach for those areas and residents seeking help with
404 overflow parking in their neighborhoods. Therefore, Member Sparby spoke in
405 support of this reasonable condition.

406 Member Kimble suggested tightening up the language in the condition for
407 specific areas in which a park and ride lot are located versus a blanket
408 opportunity, opining that she saw that as the intent of the condition.

409 Chair Murphy spoke against the amendment, opining that he wasn't concerned
410 about any rampant growth of "No Parking" signs in the community, noting these
411 are intended as temporary signs in certain areas, and showing the city's
412 responsiveness to citizen concerns without over-reaching. While there was no
413 mention of the cost of these temporary signs and their installation, Chair Murphy
414 noted there would be a cost for their creation, installation and maintenance. Using
415 the same logic as that for additional policing, Chair Murphy noted that this is a
416 State Fair-related issue beyond normal parking, with continuing annual review by
417 staff to refine the process moving forward.

418 Member Gitzen agreed with the comments of Chair Murphy and Member Sparby,
419 opining this was a reasonable condition and therefore, he would not support the
420 amendment, expressing confidence that the city would be judicious in signage.

421 As a resident within walking distance of Central Park, Member Daire noted the
422 parking situation and pedestrian safety concerns during the summer celebrations
423 at Central Park. Member Daire compared this to the experiences of those living
424 near these park and ride lots. Member Daire spoke in support of this amendment
425 and for the State Fair to provide oversight, without additional regulations; and for
426 the city to address street width and parking as a practical matter.

427 Chair Murphy noted that the design standards were intended to address normal
428 conditions versus extraordinary events such as the State Fair. Chair Murphy
429 referenced past temporary "No Parking" signs along Woodhill to address a similar
430 situation. Chair Murphy spoke in opposition to the amendment.

431 **Amendment #3**

432 **Ayes: 2 (Daire and Bull)**

433 **Nays: 4 (Sparby, Gitzen, Kimble, Murphy)**

434 **Motion failed**

435 **Original Motion, as amended (line 159) with operation deadline of 12:30 a.m.**

436 **Ayes: 5**

437 **Nays: 1 (Bull)**

438 **Motion carried.**

439 Vice Chair Bull clarified that he was not opposed in general to the IU, but just
440 several of the conditions of approval.

441 At the request of Chair Murphy, Ms. Collins advised that this item was tentatively
442 scheduled for the April 24, 2017 City Council meeting.

443 **7. Public Hearing**

444 **a. PLANNING FILE 17-003: Request by Ramsey County Public Health to**
445 **renew its INTERIM USE approval for a seasonal household hazardous waste**
446 **(HHW) collection site at Kent Street and Larpenteur Avenue. The site lies**
447 **just north of Larpenteur Avenue and approximately one block east of Dale**
448 **Street, on property owned by Ramsey County. The site has served as the**
449 **community’s HHW site since 1992.**

450 Chair Murphy opened the public hearing for Planning File 17-003 at 7:42 p.m.

451 Mr. Lloyd summarized this IU renewal request and staff’s recommendation for
452 approval. Mr. Lloyd noted the existing condition of approval as detailed in lines
453 68 – 71 of the staff report; and with no calls received by the city to-date given site
454 operators performing monitoring on a regular basis, suggested removal of that
455 condition.

456 With Member Gitzen expressing confusion, Chair Murphy clarified that the site
457 was operated 24/7 under practical operation rationale but only open during
458 particular times and typically on weekends for a certain number of hours.

459 Member Sparby asked how the adjacent off-leash dog park came into play based
460 on its proximity.

461 Displaying the aerial map (Attachment B), Mr. Lloyd reviewed the locations of
462 the collection site and dog park; with both fenced.

463 As a frequent user of the hazardous site, Member Daire attested to the extreme
464 care of workers in handling materials at the site; and also the obvious segregation
465 of the dog park use and hazardous waste site.

466 There were no representatives of the applicant, Ramsey County, present.

467 Chair Murphy closed the public hearing at 7:43 p.m.; no one spoke for or against.

468 **Commission Deliberation**

469 Chair Murphy reported that he had personally used this site over the years and
470 also attested to the professionalism of their staff over the years. As noted in the
471 staff report, Chair Murphy noted that those operators received State Hazardous
472 material training; and opined that the city was fortunate to have operators of that
473 quality available. Chair Murphy opined that Ramsey County had done a good job
474 in building up the collection site over the years; and further opined that it was far
475 better to have this site in place for use versus nothing.

476 Vice Chair Bull opined that they serve a useful purpose in the community; but
477 offered his frank embarrassment with a condition requiring an annual review and
478 report. Since it was not enforced, Vice Chair Bull spoke in support of removing
479 the condition.

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MOTION

Member Bull moved to TABLE this item until a report was received from staff on the rationale for this condition as required by the current IU permit.

Chair Murphy declared the motion failed due to lack of a second.

Discussion ensued related to the intent of the condition and whether it was to be reviewed whether a complaint was received or not.

From his perspective, Mr. Lloyd opined that the condition suggested a proactive review of the operation of the site; and while unable to speak to why that hasn't been done nor to the history of the condition, stated that it didn't appear that a review was generated by a complaint.

Chair Murphy noted that he didn't see that the review was tasked to any specific city department; but noted there were several that would be involved, including the Fire Department (hazardous materials), Public Works (runoff), and Planning (setbacks). Even with no complaints from neighbors to-date, Chair Murphy supported the rationale for an annual administrative review.

Member Daire asked if the annual review of operations for a hazardous materials site required an amendment to this IU or if it was a normal function of the city, and if so, who that responsible person would be and what would their review consist of.

Mr. Lloyd responded that he wasn't aware of what city staff would have that knowledge for waste disposal to adequately review the site to see if it was proceeding required. With the condition indicating the review was to be on the anniversary date, Mr. Lloyd stated that caused him to further question the intent of the review in the first place.

Ms. Collins responded from the staff's perspective, noted the "as needed" language of the condition to submit an annual report or administrative review to address operation and maintenance issues. Since there was typically something that triggered staff's reaction to any IU conditions that would involve any and all parties, and since staff had received no complaints to-date, Ms. Collins reported that nothing had been done and thus the recommendation to remove the condition. However, Ms. Collins clarified that this was not meant to state that if there were any complaints in the future, they would not be reviewed by staff.

Member Sparby stated that he had read the condition as "you shall do a review" with staff submitting a report as needed. Even with no complaints to-date, Member Sparby stated that he had some concern with staff not conducting a review and therefore not being aware of whether or not the site was in compliance or how they were treating hazardous waste materials. Member Sparby opined that the adjacent neighbors would certainly seek assurances, whether or not they had any concerns. Therefore, Member Sparby stated that he wasn't sure he could support moving forward without some kind of review condition in place, especially for an IU term of five years.

521 At the request of Chair Murphy, Mr. Lloyd advised that the current IU had
522 expired on April 18, 2016, having been approved in 2011 for the five year period.

523 After further discussion, Ms. Collins clarified that every IU application is treated
524 as new, whether or not it was a renewal.

525 With the number of federal and state statutes required for this type of operation,
526 and with Bay West serving as the operator for this site for Ramsey County,
527 Member Kimble shared Mr. Lloyd's point that no one on city staff was qualified
528 to review the site; and questioned the desired results of such a review.

529 Ms. Collins noted that the Minnesota Pollution Control Agency (MPCA) was
530 fully aware of activities on this or any hazardous waste site.

531 Chair Murphy suggested the Fire Chief and/or Building Inspector would be the
532 most likely city enforcement officials.

533 Member Kimble noted that there were reporting requirements for any spill; and
534 suggested that if the city was going to require something, they needed to be
535 definitive.

536 **MOTION**

537 **Member Murphy moved, seconded by Member Bull, to recommend to the**
538 **City Council a five-year INTERIM USE for Ramsey County to continue**
539 **operating a household hazardous waste collection facility at the Kent Street**
540 **location; based on the information contained in the staff report of April 5,**
541 **2017, inclusive of the condition detailed in lines 68-71; and amended to ask for**
542 **an administrative review submitted to the Planning Commission within the next**
543 **60-90 days.**

544 Member Sparby spoke in support of the motion; opining it was prudent to retain
545 the administrative review allowing for city leverage if it was ever needed. Even
546 though the condition wasn't a permanent obligation nor had it been treated as
547 such, Member Sparby opined that it was prudent to reserve it.

548 **Ayes: 6**

549 **Nays:0**

550 **Motion carried.**

551 At the request of Chair Murphy, Ms. Collins advised that this item was tentatively
552 scheduled for the April 24, 2017 City Council meeting.

553 **b. PROJ0041: Request by the City of Roseville to change Comprehensive Plan**
554 **(Land Use) and Zoning classification (Rezoning) of the former Roseville**
555 **Armory site, 211 N McCarrons Boulevard. Existing Comprehensive Plan**
556 **designation would change from Institutional (IN) to Low Density Residential**
557 **(LR) and the Zoning classification would change from Institutional District**
558 **(INST) to Low Density Residential District (LDR-1)**

559 Chair Murphy opened the public hearing for Project File 0041 at 8:07 p.m.

560 Mr. Lloyd introduced this first look by the Planning Commission of the intended
561 rewrite of the subdivision ordinance, seeking their initial feedback for staff and
562 the consultant, Kimley-Horn, to guide the updated ordinance. As detailed in the
563 staff report and attachments, Mr. Lloyd reported that the City Council had
564 approved hiring of the consulting firm Kimley-Horn to facilitate this process.

565 As detailed in the staff report, and as indicated by public feedback, Mr. Lloyd
566 advised that this step was being recommended as outlined for redevelopment of
567 211 N McCarrons Boulevard. Since this is a comprehensive plan amendment, Mr.
568 Lloyd advised that it would require a super majority vote (5/6) for
569 recommendation to the City Council and forwarding to the Metropolitan Council
570 if approved at that time.

571 Member Kimble sought clarification on the total acreage involved and maximum
572 number of units with this classification and designation.

573 Mr. Lloyd advised that the developable area was approximately 6 acres without
574 the wetland, and divided by minimum lot size would accommodate up to twenty-
575 four units without factoring in the new street that would take up some space,
576 resulting in fewer than twenty-four units.

577 Referencing page 3 of the staff report and the series of questions and audience
578 comments, Member Kimble asked if there was a record of staff's responses to
579 those questions.

580 Ms. Collins advised that City Planner Paschke had summarized notes of the
581 meeting, apologizing for not including it in tonight's packet materials, and offering
582 to do so for the City Council meeting on April 24, 2017.

583 Being new to the Commission, Member Sparby asked for what all was entailed in
584 LDR-1 designations.

585 Mr. Lloyd advised that the district only allowed for single-family development,
586 not duplexes, townhomes or non-residential development. Mr. Lloyd clarified that
587 the only caveat being that home-based businesses were allowed as defined in city
588 code; and also accessory dwelling units (e.g. mother-in-law units) similar to a
589 duplex but more confined or constrained square footage allowable than a duplex
590 or twin home property would allow.

591 Chair Murphy noted that zoning requirements had minimum lot and setback
592 requirements.

593 At the request of Member Kimble, Mr. Lloyd advised that, with the federal
594 government (Department of Military Affairs) in charge of the property, the
595 process for marketing it for sale would be at their discretion. At the further
596 request of Member Kimble, Mr. Lloyd advised that as the site is currently
597 structured, the city could not require an affordable housing component, with
598 tonight's action specific to regulatory land use and zoning.

599 With this site bordered partially by High Density Residential (HDR), Vice Chair
600 Bull noted several ponds that could serve as a buffer to other LDR. Without City
601 Council meeting minutes available to inform tonight’s discussion and their
602 direction to explore LDR, Vice Chair Bull referenced related work on the
603 comprehensive plan and opportunities for the city to meet the goals of the
604 Metropolitan Council for an additional 600 housing units for LDR. Under that
605 scenario, Vice Chair Bull asked if any consideration was given for MDR or HDR
606 to meet those goals since the city was fully developed.

607 Mr. Lloyd reported that there had been some discussion for a marginally greater
608 density on the east side adjacent to HDR. However, Mr. Lloyd noted the difficulty
609 in a boundary line between HDR and MDR and other land use categories. Mr.
610 Lloyd reported on some discussion for descending density moving westward
611 across the site, but due to practical challenges with the topography of the site and
612 the overwhelming response of the community in seeking single-family homes on
613 this site, it drove the City Council’s decision to initiate this direction.

614 Vice Chair Bull opined that the zoning of this property could actually impact its
615 marketability and asked if that had an impact on interested developers.

616 Member Kimble responded that it would depend on the price of the land as the
617 basic determining factor. Member Kimble noted that developers usually liked
618 adding density from a cost-effective perspective, but further noted that it would
619 depend on the market and whether they could attract a higher density.

620 Vice Chair Bull stated that he was at a loss for setting the zoning now without
621 knowing actual development proposals.

622 Chair Murphy clarified that staff had received the directive from the City Council
623 with the Commission seeing the results of that direction at this time.

624 Member Kimble concurred, further recognizing that the City Council had based
625 that direction on the neighborhood input received.

626 Mr. Lloyd concurred with Chair Murphy and Member Kimble’s comment; and
627 reviewed existing guidance of the site as Institutional and the restrictive nature of
628 any future development or redevelopment. With this guidance for LDR-1 serving
629 as the starting point, Mr. Lloyd noted that any interested developer could seek
630 further amendment for a specific development at their discretion.

631 At the request of Member Daire, Ms. Collins reported that the asking price was
632 \$2.1 million.

633 **Public Comment**

634 **Steven Rosengren (no address provided)**

635 Mr. Rosengren sought clarification as to whether the wetland area was considered
636 part of the development or would remain intact.

637 Ms. Collins reiterated that the wetland was under city, county and watershed
638 district restrictions and had not been identified by the city as part of the
639 developable area.

640 Chair Murphy closed the public hearing at 8:20 p.m.; no one else spoke for or
641 against.

642 **Commission Deliberation**

643 At the request of Member Daire, Mr. Lloyd confirmed that a standard approval
644 process for any development included requirements of the city, state and
645 watershed districts to preserve existing wetlands; with mitigation requirements
646 addressed as well.

647 At the request of Member Kimble, Mr. Lloyd advised that he was not aware of
648 any wetland survey, but noted that it would be an essential part of any future
649 development proposal. Chair Murphy opined that he was reasonably confident
650 that a formal survey of the wetland would be part of the school district's records.

651 Member Daire sought clarification of the four lots northwest of this site as shown
652 in the aerial photo taken in 2015; with Mr. Lloyd advising that those lots
653 remained undeveloped and were platted at the same time as the condominium
654 development; with staff not aware of any immediate plans for development. Mr.
655 Lloyd noted that the lots at Elmer Street were intended as detached home sites,
656 even though they were small lots with almost no yard space available if a home is
657 constructed on any of the lots.

658 Chair Murphy referenced the Rice Street/Larpenteur Avenue redevelopment area
659 and overlay extending to this area; and questioned if the city was limiting
660 flexibility for that group with designation for this area even though it was more
661 removed from that immediate corridor.

662 Ms. Collins clarified that there were two priority areas: one specific to Roseville
663 and the other considered a multi-jurisdictional area. While generally focused on
664 the corridor itself, Ms. Collins noted that Roseville had identified SE Roseville as
665 a priority including the former armory site; but were generally supported of these
666 changes to the comprehensive plan and zoning ordinance.

667 **MOTION**

668 **Member Bull moved, seconded by Member Gitzen to recommend to the City**
669 **Council approval of a Comprehensive Land Use Plan Map designation of**
670 **Institutional (INS) to Low Density Residential (LDR) at 211 N McCarrons**
671 **Boulevard, as detailed in Lines 163-166 of the staff report of today's date.**

672 **Recess: Chair Murphy recessed the meeting at approximately 8:26 p.m. and**
673 **reconvened at approximately 8:34 p.m.**

674 Chair Murphy restated the motion and called the vote.

675 **Ayes: 6**

676 **Nays: 0**

677 **Motion carried.**

678 **Member Bull moved, seconded by Member Kimble to recommend to the City**
679 **Council approval of the property rezoned from an Official Map classification**
680 **of Institutional (INST) District to Low Density residential – (LDR-1) District.**

681 **Ayes: 6**

682 **Nays: 0**

683 **Motion carried.**

684 At the request of Chair Murphy, Ms. Collins advised that this item was tentatively
685 scheduled for the April 24, 2017 City Council meeting.

686 **c. PROJF0042: Request by the City of Roseville to approve a comprehensive**
687 **technical update to the requirements and procedures for processing**
688 **subdivision proposals as regulated in City Code Title 11 (Subdivisions)**

689 Chair Murphy opened the public hearing for Project File 0042 at 8:36 p.m.

690 Mr. Lloyd briefly summarized proposed revisions as detailed in the staff report
691 based on City Council direction. Mr. Lloyd advised that this would mostly impact
692 how minor subdivisions were handled from the sketch plan to a formal survey and
693 legal description currently without a hearing before the Planning Commission and
694 handled at the City Council level. Mr. Lloyd advised that the City Council was
695 interested in having that more detailed information available at the front end of
696 the process for the public and commission to consider, currently identified as a
697 simple plat. Mr. Lloyd advised that the remaining process for subdivision
698 proposals and related new public infrastructure for more than three new lots
699 would generally continue as per the current process.

700 Mr. Lloyd advised that the other component involved park dedication
701 requirements with the current version largely remaining intact, with the only
702 proposed change referring to state statute for what that park dedication fees could
703 be used for beyond land (e.g. pathway connections, wetland dedications, etc.) and
704 clearly incorporated into language and the trigger point for park dedication and
705 creation of new lots of more than one acre.

706 Mr. Lloyd advised that further refinements to language were included in this
707 revision to ensure accuracy without confusion when interpreted.

708 At the request of Chair Murphy, Mr. Lloyd addressed the current moratorium in
709 place through the end of May, noting that it was procedurally important that the
710 new subdivision code be in place by then.

711 Vice Chair Bull questioned if the park dedication fee would apply to three or four
712 parcels when considering a minor subdivision of three or fewer parcels.

713 Mr. Lloyd provided the distinction, agreeing that it needed further clarity, for
714 purposes of which subdivision application was appropriate; and the number of
715 lots that resulted. For the purpose of calculating a park dedication in the example
716 used by Vice Chair Bull, Mr. Lloyd advised that the fee would be considered for
717 the three new developable sites.

718 Vice Chair Bull suggested a wording change to clarify it, suggesting that instead
719 of “creating” it state “results in three fewer or more...”

720 At the request of Member Kimble, Mr. Lloyd confirmed that a moratorium was in
721 place right now for any residential minor subdivision, even though Title 11 covers
722 both residential and commercial.

723 In the City Council meeting minutes (Attachment B), Member Kimble referenced
724 their discussion moving away from a sketch plan to a more definitive one (e.g.
725 word survey). However, Member Kimble noted that there area a lot of different
726 types, some of which are costly, and therefore stated her confusion as to the
727 intended requirements for some residential lots if and when a survey was required
728 or how they were defined in other areas of code to clarify what was being asked
729 for.

730 Mr. Lloyd advised that they were not defined elsewhere, and thanked Member
731 Kimble for that good observation for future reference and revision. Generally
732 speaking, Mr. Lloyd advised that the information being sought was to have
733 definitive distances along property boundaries versus approximations. Mr. Lloyd
734 advised that the City Council was interesting in having available site topography,
735 2’ contours and other details not currently seen for a minor subdivision process
736 and now incorporated into application materials to checklist (e.g. survey
737 information, tree preservation, etc.) rather than as currently detailed in the
738 subdivision code itself applicable to a plat application.

739 Member Gitzen opined that it was reasonable to seek boundary and topography
740 surveys; but suggested including the specific criteria being sought. Member
741 Gitzen noted that those surveys provided the most detail needed, but needed
742 further clarification.

743 Member Kimble noted the discussion at a past meeting about not defining
744 everything in code, but rather doing so on the application itself to allow for more
745 period changes. However, Member Kimble agreed with the importance of clarity,
746 noting that if something was missed in the application checklist, it required an
747 extra cost to the property owner in order to remobilize the surveyor.

748 At the request of Member Gitzen, Mr. Lloyd confirmed that this document was
749 similar to that presented to the commission before, with the added discussion and
750 comments of the commission at that time, but in general the same document.

751 Member Daire, referencing Attachment C showing the existing subdivision
752 ordinance and proposed sections and language, also referenced Attachment D
753 showing the draft public works design standards. Member Daire asked that when

754 this process was completed, both documents would be consistent (e.g. street
755 widths).

756 Mr. Lloyd advised that the proposed draft manual was crafted in conjunction with
757 the subdivision ordinance as proposed for revision. However, Mr. Lloyd clarified
758 that the draft manual was still under review for consistency and as to whether it
759 met citywide goals.

760 **Mr. Lloyd Introduced Michael Lamb and Lelia Bunge, consultants with the**
761 **Kimley-Horn team, contracted to guide the city through these proposed**
762 **revisions.**

763 Mr. Lamb advised that the team had been working collaboratively with city staff
764 based on their institutional memory with several rounds of comments from the
765 Commission and City Council incorporated in this latest draft (Attachment C).
766 While there aren't a lot of big changes, Mr. Lamb noted that there were lots of
767 minor revisions, including formatting; along with the those noted by Mr. Lloyd in
768 the public works design standards manual and park dedication language
769 components, as directed by the City Council.

770 With Chair Murphy noting that collector streets no longer appeared in the
771 definition section, but remained in language later on in the document, Mr. Lamb
772 advised that the attempt was made to clarify and clean-up language referring to
773 streets, pathways, pedestrian ways, collector streets, etc. and representing
774 different facilities allowing movement in the community. Therefore, Mr. Lamb
775 advised that the simplified term "street" was used as a catch-all definition,
776 including collector streets.

777 **Attachment C Document Review**

778 **Page 1**

779 Member Gitzen noted that Section 6.B removed referenced to state statute 471
780 related to rights, duties and sought rationale in doing so. Ms. Bunge responded
781 that it had been replaced by another. However, Member Gitzen noted that the
782 ordinance referenced it elsewhere. Ms. Collins responded that when this is
783 codified, the dates for revision would be shown and built from.

784 **Page 2/3**

785 In Section 10, Vice Chair Bull noted that "boulevard" remained. Mr. Lamb
786 advised that a boulevard didn't necessarily define a street or way, but was
787 considered a defining part of a street or landscape area; while a right-of-way was
788 considered a distinction between a facility allowing movement.

789 Member Daire sought the definition of "butt lot" mentioned later but not defined.
790 Mr. Lloyd referenced this (Item 220, page 33) as similar to a flag lot and defined
791 by its relationship to other lots.

792 Mr. Lamb noted that it could also be another reference for a corner lot; with Mr.
793 Lloyd expounding further that it might be a first lot on a block adjacent to the
794 corner.

795 Mr. Lamb noted that this provided a good example of using outdated language to
796 say a corner lot to make it more clear for general readers of the ordinance.

797 In Section 19, for definitions and as a general comment, Member Gitzen
798 suggested correcting language when referring to the “office of the county register
799 of deeds” that it be consistent and accurately identified as the “recorder and
800 register of title” or correct verbiage used as applicable.

801 In Section 23, Member Gitzen noted pathways were suggested as a physical
802 feature, but when talking about striping, they were defined as rights-of-way.

803 Mr. Lamb noted additional edits on definitions could be made; but advised that
804 the city’s current zoning code had been referenced for these newer definitions.
805 However, Mr. Lamb advised that he didn’t look further to city-approved policies
806 (e.g. Pathway Master Plan) for their definitions.

807 Member Gitzen advised that he couldn’t find a definition in the Pathway Master
808 Plan; with Mr. Lamb suggested it may require a hybrid definition needing fine-
809 tuning for pathways, trails, paths, or striped shoulders that were distinct from
810 shoulders.

811 Member Gitzen concurred that they didn’t seem compatible at this time.

812 Vice Chair Bull noted that he found no reference to bikeways even though they
813 were a big consideration for residents. By consensus, Mr. Lamb was directed to
814 include that reference in future iterations and definitions.

815 At the request of Member Gitzen, Mr. Lamb confirmed that the comprehensive
816 plan included levels of bike facilities (e.g. on- or off-road) and suggested he defer
817 to that definition.

818 In Section 24, Member Gitzen noted that the definition of “pedestrian” referred to
819 the 2017 code. Mr. Lamb advised that this had been pulled from the Pathway
820 Master Plan, and was intended to be referenced once this update had been
821 codified. However, Mr. Lamb agreed that it needed to be specifically referenced
822 as should all such references.

823 Further discussion ensued in definitions for “young child,” emergency vehicles”
824 and related inferences used as general definitions and not applying more
825 specifically.

826 Specific to defining “emergency vehicles,” Chair Murphy suggested using the
827 existing definition in state law as an accepted definition (also referenced on page
828 31). If the state definition was acceptable, Chair Murphy suggested referencing it
829 without defining it as long as the intent was then when not defined in code, there
830 was an obvious place to find the intended meaning for the general public (e.g.
831 carts patrolling Roseville parks).

832 In reviewing any city-approved code, Mr. Lamb noted the many words begging
833 for definition; but based on his understanding of the blanket direction from the
834 City Council, the inclination was that the fewer definitions the better.

835 Member Gitzen stated his understanding of that intent; however, he opined that
836 there needed to be some definition available somewhere; whether referred to in
837 another document or in some other way. Otherwise, Member Gitzen questioned
838 how anyone could be clear on what was being talked about.

839 Mr. Lamb suggested referring that concern back to the City Attorney for his input,
840 since he had done some preliminary review of this update.

841 Mr. Lloyd concurred, advising that he had spoken with the City Attorney earlier
842 today to hear his first reactions; and noted that he would call this to his attention
843 as well.

844 As a general observation, Member Sparby stated that he wasn't comfortable
845 removing language without a clear reference provided elsewhere. While it may be
846 fine to remove "emergency vehicles," if they were included in the language of the
847 document, Member Sparby opined that there needed to be an informed decision
848 made for what should be retained versus a blanket removal that resulted in gaps.
849 If there was an identification of this referenced in the document, Member Sparby
850 opined that it would be beneficial to the process. While agreeing with the process
851 to streamline the document and remove some items no longer needed, Member
852 Sparby noted the difficulty in assessing whether all definitions should be
853 removed.

854 From his experience, Chair Murphy referred to the definition in state statute of
855 "emergency vehicles" as an example, deferring to the City Attorney's final
856 guidance as to how and where definitions are removed and where defined
857 elsewhere in ordinance. While sharing the goal of Member Sparby, Chair Murphy
858 also shared the goal of getting ride of spurious definitions.

859 Mr. Lamb advised that the City Attorney would be provided with concerns
860 expressed by the commission from a redundancy and review standpoint, and to
861 advise of any legal requirements currently being missed that needed further
862 consideration.

863 Member Kimble suggested "streets" be used as an example and in the attempt to
864 provide an overall definition, whether removing individual items were
865 complicating the actual definition

866 Mr. Lamb noted that things such as "collector streets" were defined in the
867 comprehensive plan; but agreed that if so desired, the definitions could be
868 returned to this documents. However, Mr. Lamb stated his preference to consult
869 with the City Attorney for his opinion.

870 Member Kimble admitted that it got complicated; and while supportive of
871 cleaning up the ordinance, she also noted the difficulty that may ensue for clarity
872 purposes of those less frequent users if thing are not clearly defined.

873 Mr. Lamb noted that this brought up the public works design standards manual
874 and another discussion to elaborate the terms and definitions in that document and
875 application requirements. Mr. Lamb noted this represented additional areas where
876 those terms could be clearly defined.

877 In Section 22, Vice Chair Bull noted the definition of “owner,” but no going to
878 the extent of “tenant by the entirety.”

879 Member Kimble noted the different definitions for ownership that could be
880 pertinent to this subdivision ordinance; and the need for consistency among
881 documents, such as the zoning code where this definition was found.

882 Page 4/5

883 Vice Chair Bull noted that “final plat” ended up with a different definition than in
884 the past, but questioned “preliminary plats.”

885 In an effort to further simply things, Mr. Lloyd responded that the overall goal
886 was if someone was looking for a specific term for “plat” rather than “final plat”
887 in a different place, if so addressed as “pre-plat,” “plat,” and “final plat,” they
888 could immediately see the difference in them. However, while recognizing the
889 rationale in relocating the definitions, Mr. Lloyd admitted that the mark had been
890 missed in refining it.

891 In Section 26, Member Gitzen noted the need for standard verbiage as per his
892 previous comment, but also clearly defining “Ramsey County” rather than simply
893 “county.”

894 Member Sparby supported Member Gitzen’s suggestion for consistency
895 throughout the document.

896 In Section 32, Member Gitzen asked if the intent was to define “sidewalk” as an
897 improved surface; and suggested it may be more germane to provide more clarity.

898 Vice Chair Bull agreed, opining that a front yard didn’t necessarily resemble a
899 sidewalk.

900 In general, Member Gitzen noted that some other documents talked about “public
901 ways” generally, moving away from streets; and asked if staff or Mr. Lamb had
902 any thoughts on that.

903 Mr. Lamb agreed that was the general direction desired.

904 In conjunction with Member Kimble’s previous comment, Mr. Lloyd suggested it
905 may be more appropriate in this document to talk more generally about “public
906 ways” since the functional definitions area addressed in traffic engineering
907 references.

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Page 6/7

In Section 48, Member Gitzen noted the need for rewording it to indicate “review by the Planning Commission and approval by the City Council” to recognize the statutory approval process.

In Section 51, Member Kimble stated that she didn’t understand the common wall subdivision and that it would now be approved administratively by the City Manager rather than a specific City Council action. Member Kimble opined that some smaller actions are different than what had previously been in the subdivision section.

Mr. Lloyd agreed that this one in particular was and was specific to the recombination process of two adjacent parcels, where one party was interested in acquiring part or all of the area of the adjacent parcel and shifting or re-aligning the boundary between two parcels, while not creating anything new. Mr. Lloyd clarified that this was different than a lot split.

Member Kimble stated that her rationale was that, even though they may be considered minor actions, from her experience as a Roseville resident, it seemed that that those smaller actions may be more important to a residential neighborhood with an empty lot or an area adjacent to established homes and therefore very important to those living in the immediate area. Member Kimble opined that the more eyes on a land use situation the better, since it could really impact home ownership in the city. While trusting staff, Member Kimble opined that this was something that could become a big issue for residents and therefore even though small, it would be nice to follow the same process.

Mr. Lloyd clarified that this process is in today’s code for recombinations and achieves what Member Kimble was seeking. If the desire was to move down that path for City Council approval of recombinations, Mr. Lloyd advised that at this point it would require City Council approval without a public hearing and no notification of property owners. The rationale in staff suggesting this change is that if there was no mandated requirement for property owner notification it would open up space on the City Council’s agenda, while if indicated could also be discussed at that time as well.

Member Kimble recognized that code and setback requirements would still e met, but reiterated how impactful such a land use change could be to adjacent property owners and/or a neighborhood.

Chair Murphy noted that such a request required both parcel owners to submit the application; and recognized Member Murphy’s concern that there may be third party or larger neighborhood interest as well.

In Section 51, Member Gitzen asked if many of those common wall duplex and recombination consolidations occurred in Roseville.

Mr. Lloyd advised that there were few, but staff had received several inquiries where a duplex property with two side-by-side residential units were connected

949 and now ownership of the property was being sought with a new property
950 boundary and shared wall. Mr. Lloyd advised that there were significant building
951 code hurdles to overcome to allow separation of such units.

952 Specific to Section 54, Member Gitzen asked if the City Attorney was amenable
953 to correcting a legal description but not that of a neighbor; and questioned if it
954 would be best to removal the required recording of documents after submittal
955 requirements, but after the action. Member Gitzen suggested consistent language
956 that documents be recorded within a certain timeframe or actions would become
957 null and void. While the process remained for recording, Member Gitzen noted it
958 was an action outside the city’s role, but suggested a response from the City
959 Attorney.

960 In Section 53.3, Mr. Lloyd addressed the current subdivision code related to tax
961 parcel boundaries and how they coincided with platted lots and tax billing.

962 Page 8

963 In Section 54, Member Sparby noted the need to address recording time to 60
964 days rather than “reasonable” time, emphasizing the need to retain a definitive
965 timeline.

966 In Section 55, Member Bull reiterated his past comments about revising language
967 for three or fewer lots.

968 In Section 56, Member Gitzen reiterated his past comments about the
969 recommendation and approval process.

970 Page 9

971 In section 57, Mr. Lloyd noted the need for consistency with Planning
972 Commission review.

973 Page 11

974 In Section 65, Vice Chair Bull opined that it should refer to design standards in
975 compliance with this code. Mr. Lloyd responded that it may be broader than this
976 code and subject to other applicable standards (e.g. lot size parameters regulated
977 in zoning code).

978 Specific to Section 68, it was noted that the language should be consistent here
979 and throughout the document to refer to “Community Development Department”
980 rather than Planning Division or staff.

981 Discussion ensued on Section 70 regarding the approval period of 60 days and
982 120 days based on state statute.

983 Page 13

984 In Section 78, Chair Murphy suggested referring to the Variance Board rather
985 than the Planning Commission.

986 Mr. Lloyd advised that he was still discussing that with the City Attorney; with
987 current code referring to the Variance Board and without conflict to-date.
988 However, Mr. Lloyd noted that conflicts that may occur with decisions on a

989 variance part by one body and the subdivision application at the City Council
990 level that could put the city in a difficult spot. Therefore, Mr. Lloyd advised that
991 consideration was being given to bringing that variance element into the City
992 Council’s authority as a single action or by the Planning Commission and City
993 Council as appropriate depending on the subdivision request.

994 In Section 77, Member Gitzen noted the definition of variance in Chapter
995 1004.90, and variations elsewhere, suggesting the need for consistency.

996 Mr. Lloyd noted that there were distinctions with practical difficulties in zoning
997 and subdivision variances for unusual hardships.

998 Member Gitzen used the City of Afton as an example where they considered no
999 hardships and therefore no granting of variances. Since “hardship” was subjective,
1000 Member Gitzen suggested some consistency between the two.

1001 Referencing his conversations earlier today with the City Attorney, Mr. Lloyd
1002 noted subdivision statute language discussing variances needing specific grounds
1003 for approval. While there wasn’t much definition provided as to that that meant,
1004 Mr. Lloyd opined that it seemed that the conditional use aspect of the zoning code
1005 provided for conditions applicable to each. Mr. Lloyd suggested the same
1006 conditions could be applied here with parameters set to meet for a variance or
1007 identification of that criteria.

1008 Member Gitzen agreed that would be cleaner.

1009 In Section 78, Member Gitzen noted the error in notification area at 350’ when it
1010 should be 500’.

1011 Page 14

1012 At the request of Member Kimble, Mr. Lloyd confirmed that all of the items
1013 shown in Sections 81-92 would be included on the application form. Based on
1014 tonight’s feedback, and subsequent to approval, Mr. Lloyd advised that he would
1015 develop a draft of application materials to demonstrate what was being carried
1016 forward.

1017 Page 17

1018 In Sections 110 and 111, Vice Chair Bull noted the need for data for a final plat as
1019 well as a minor subdivision.

1020 Mr. Lloyd confirmed that, advising that it was still being fleshed out and what
1021 each of those applications would need to meet the data overall needs.

1022 Page 20/21

1023 In Section 131, Member Gitzen asked if the language related to connection to the
1024 sanitary sewer system was still needed, or if there were actually any spots where
1025 connection to the city’s water supply (Section 135) would not be required.

1026 In referencing the previous discussions with the Lake McCarrons redevelopment
1027 site (former armory site), Mr. Lamb suggested that it may be possible if utilities
1028 were extended.

1029 Mr. Lloyd stated that it was worth evaluating whether or not this section was
1030 intended in earlier versions for areas of the community with private systems still
1031 in place.

1032 Mr. Lamb noted the need to strike "...where connected to...".

1033 In Section 133, Member Gitzen suggested striking language "...plans submitted
1034 to the FHA...".

1035 Page 22

1036 In Section 141.4, Member Gitzen noted the consistency issue with pathways and
1037 whether or not they were rights-of-way or physical features.

1038 In Section 139.2.4, as a general comment, Member Kimble noted for applicable
1039 requirements for public works, if someone picked up this ordinance, how would
1040 they proceed. Member Kimble asked if actual references would be in place or if
1041 an applicant or someone reading the document would have to search for those
1042 requirements elsewhere. Member Kimble noted how intimidating that could be
1043 for those unfamiliar with the process.

1044 Ms. Collins advised that the initial intent was to reference the design standards
1045 manual. However, after considering the changes that could evolve with that
1046 document over time, including its title, Ms. Collins advised that it had been
1047 decided to keep things more general for specific design standards and requiring an
1048 applicant to seek out that discussion with staff so they can have relevant
1049 documents available.

1050 In discussions with the City Attorney earlier today, Mr. Lloyd advised that there
1051 may be a point to not have a reference to it at all, since the document may change
1052 or be replaced; but as of today, the City Attorney was thinking it was better to
1053 have it referenced by title versus just a general reference.

1054 In Section 141, Vice Chair Bull asked if "sidewalks" or "pathways" should be
1055 used.

1056 Mr. Lamb advised that in congested traffic areas, as per city code for commercial
1057 districts, there was reference to sidewalks, but pathways as defined in this
1058 document could mean sidewalks, trails or different facilities beyond a sidewalk.
1059 With Member Kimble noting that "sidewalk" was not defined and "pathway"
1060 definitions didn't include sidewalks at all; Mr. Lamb noted this was another
1061 consistency issue and thanked her for pointing it out, addressing subjective versus
1062 definitive language.

1063 In Section 144, Vice Chair Bull suggested changing from "all parkways" to "all
1064 boulevards.

1065 Mr. Lamb responded that the old definitions of parkway had been removed; and
1066 in general referred to the understanding of a boulevard as a planted area of a right-
1067 of-way; but agreed more work was needed in equating sidewalks located in
1068 boulevards.

1069 In Sections 144 and 148, Member Gitzen noted the need for consistence with off-
1070 street improvements and those that are or are not allowed in a right-of-way (e.g.
1071 rain gardens). If they area allowed, Member Gitzen noted the need to talk about
1072 them somewhere; whether encouraged or allowed.

1073 In Section 156, Vice Chair Bull noted the reference to tree preservation; with Mr.
1074 Lamb responding that it came up in the annotated outline (Section 1101.03).

1075 Mr. Lloyd clarified that this would also be addressed in application materials if
1076 subdividing and creating a new development and related requirements as defined
1077 in zoning code, but not specifically referenced in subdivision code.

1078 **MOTION**

1079 **At approximately 10:00 p.m., Member Murphy moved, seconded by Member**
1080 **Bull to extend the meeting curfew as detailed in the Uniform Commission**
1081 **Code.**

1082 Discussion ensued regarding whether to continue this to the next commission
1083 meeting; timing to get this before the City Council; with commissioners
1084 preferring more time before making a recommendation to the City Council; and
1085 staff's suggestion for individual commissioners to provide staff with additional
1086 feedback for grammatical or technical corrections; while focusing remaining
1087 discussion time on larger policy discussions and subsequent recommendations,
1088 with each of the areas of suggested change tracked for the benefit of the City
1089 Council.

1090 Ms. Collins clarified that the public works design standards manual was provided
1091 for reference and would not be reviewed by the commission.

1092 Chair Murphy withdrew his motion to extend the meeting.

1093 **MOTION**

1094 **Member Murphy moved, seconded by Member Sparby to TABLE discussion**
1095 **to the first Planning Commission meeting in May.**

1096 **Ayes: 6**

1097 **Nays: 0**

1098 **Motion carried.**

1099 It was noted that the last item covered tonight was Section 148, page 23 to be
1100 used as the starting point for subsequent review.

1101 Member Gitzen noted that he had other changes and comments and would
1102 forward them to staff to incorporate or bring to the full commission's attention.

1103 With staff advising their intent to provide the City Council with a preliminary
1104 look at the document, with this input, on April 24th, the consensus of the
1105 commission was that it would be helpful to hear their input as to the direction the
1106 commission was going.

1107 Due to the lateness of the hour, and without objection, at approximately 10:00
1108 p.m., Chair Murphy continued the public hearing to the May Planning
1109 Commission meeting.

1110 **8. Adjourn**
1111 Without objection, Chair Murphy adjourned the meeting at approximately 10:05 p.m.