



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, June 7, 2017 – 6:30 p.m.**

1. Call to Order

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

2. Roll Call

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

Members Present: Chair Robert Murphy; Vice Chair James Bull; and Commissioners Sharon Brown, James Daire, Chuck Gitzen, and Peter Sparby

Members Absent: Commissioner Julie Kimble

Staff Present: Community Development Director Kari Collins, City Planner Thomas Paschke, and Senior Planner Bryan Lloyd

3. Review of Minutes

a. May 3, 2017, Regular Meeting Minutes

MOTION

Member Bull moved, seconded by Member Gitzen to approve the May 3, 2017 meeting minutes as verbally amended

Corrections:

- **Page 7, line 277 (Sparby)**
Typographical Correction: Change the word “thins” to “things”
- **Page 10, line 376 (Sparby)**
Typographical Correction: Change to the phrase “no applicable” to “not applicable”
- **Page 10, line 442 (Daire and Sparby)**
Line should read, “If so, Member Bull noted the need for a definition for “parkway”.”

Ayes: 6

Nays: 0

Motion carried.

Chair Murphy advised the City has employed a service to begin taking the minutes via webcast.

Member Daire requested that either Chair Murphy identify the Commissioner that is speaking, or the Commissioner who is speaking identify themselves in an effort to help out with accuracy in transcribing the minutes.

Community Development Director Collins stated TimeSaver has done a good job transcribing minutes for the Human Rights Commission, but it may take a couple of month for them to get used to the voices. They requested names of the Commissioners, and a regular seating order would be helpful.

Ms. Collins requested Chair Murphy identify each motioner, and that Commissioners speak clearly into the microphone.

4. Communications and Recognitions:

a. From the Public: Public Comment to land use on 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.

In response to Chair Murphy, City Planner Paschke confirmed he sent out an update and review on the hazardous waste site via email. He commented the files that he gathered the information from was gathered from Laserfiche and is accessible from the website. He advised other things can be researched this way in the future, or they can contact Community Development Director Collins, Senior Planner Lloyd, or himself for additional help.

Senior Planner Lloyd highlighted the following Walkabouts:

- Oasis Park: Thursday, June 8, at 6:00 p.m.
- Evergreen Park: Thursday, June 8, at 6:00 p.m.
- Lexington Park: Thursday, June 22 at 6:00 p.m.
- Marion Street Playlot: Thursday, June 27 at 6:00 p.m. Meet at 5:00 p.m. for popsicles and to imagine the future of the playlot.

Mr. Lloyd advised Meeting in a Box kits are still available, and the online survey is still live.

Member Bull commented he has heard from people who appreciate the survey and plan to participate.

Chair Murphy inquired about previous discussion on a private road where the consensus was that 24 feet wide was agreeable, but then learned the Public Works standard was 20 feet wide. Since then, he heard the developer say he received direction to construct the road 24 feet wide.

Mr. Paschke responded the confusion may be in determining the differences between a private roadway and a private drive. A development may have a 20-foot-wide driveway that accesses a couple of townhomes. A private roadway would be more of a street design, which has curb, gutter, and paving that has to meet a different standard of a 24-foot or 26-foot minimum.

Ms. Collins stated there may be some confusion in interpreting the design standards manual as well, and they will look more into it.

5. Public Hearing

a. PROJ0042: Request by the City of Roseville to approve a comprehensive technical update to the requirements and procedures for processing subdivision proposals as regulated in the City Code Title 11 (Subdivision) and revision of the

lot size standards established in City Code Chapter 1004 (Residential Districts)

Chair Murphy continued the public hearing for Project File 0042 at approximately 6:47 p.m. held over from the May 3, 2017 meeting.

Mr. Lloyd reported the Planning Commission has been reviewing and commenting on iterations of updated subdivision code content, and the current document being presented does not show what has changed along the way because it would be very difficult to comprehend in some places. He proceeded with his report on the consolidated changes made in the proposed document.

Pages 1 and 2, Definitions

Mr. Lloyd inquired if there were any comments regarding the definition of parcel, and stated it was brought to his attention by Member Gitzen that they may want to refer to a parcel as a partial lot. He plans to get rid of the word “parcel” where it has been used as a direct synonym with the word “lot”. This will ensure that a property will only be referred to as a lot. However, there are some instances where the word parcel refers to part of a piece of property, and the definition should reflect that.

Member Gitzen referred to Page 3, Section (B)(1)(b), Recombination. He explained parcel should be “all or part of a lot, or multiple lots,” so that it still brings the lot definition in to the parcel.

Mr. Lloyd agreed that “all or part of a lot” would still make sense in a recombination scenario, because it could be a large lot with more than just a small piece of one lot.

Chair Murphy confirmed this is a continuation of the Public Hearing from the meeting on May 3. He will reopen Public Comments, and after discussion, he will be looking for a motion to forward this document to the Council.

Page 2, Requirements Governing Approval of a Subdivision, Building Permit.

Mr. Lloyd explained the document states a person will not be able to get building permits or use existing buildings until the whole platting process is completed. Instead of it saying “...has been approved for platting...”, he suggested it read “...until the plat has been filed...”

Member Gitzen clarified his suggestion was to have the sentence include the word “replatting” so that it would be consistent with the paragraph below it regarding Occupancy Permit. He suggested it read “...has been approved for platting or replatting...”

Mr. Lloyd agreed and withdrew his previous suggestion.

Member Sparby commented there are no periods at the end of the definitions on Page 1, and it is not consistent with the rest of the City Code.

Mr. Lloyd explained it is because they are not sentences, but will look further into it.

Pages 2 and 3, Platting Alternatives

Mr. Lloyd described the three types of platting alternatives. He explained that these would all be reviewed by the Development Review Committee which has multi-departmental staff that has professional perspectives from different departments and can review something, identify potential problems, and impose specific conditions of approval. They would also approve anything that was reviewed by the City Manager, but the intent was to remove the City Manager as a specific part of the process.

Chair Murphy stated this deals with property lines and inquired how they notify the impacted party.

In response to Chair Murphy, Mr. Lloyd explained under current code requirements, there would not be a notification, but it would require the signatures of property owners that are involved in the moving of a property line boundary.

Member Gitzen referred to Section (B)(1)(c), and inquired if the sentence, “The proposed corrective subdivision may be approved by the City Manager upon recommendation of the Community Development Department” should be removed. The two paragraphs above it are more general and the approval process could be outline under Applications or Validations and Expiration. Also, he recalled the Council wanted a certificate of survey on all platting alternatives.

Mr. Lloyd agreed and noted the submission requirements and approval process are the same for all three platting alternatives, and will be described under Applications or Validation and Expiration.

Member Daire commented they also should be a way to distinguish between parcels and lots in the definition section. He also inquired if the Corrections section was meant to correct something that was already on file.

Mr. Lloyd cited his previous comments regarding changes to parcel and lot definitions, and confirmed Member Daire’s question regarding Corrections to be true.

Pages 3 and 4, Minor Plat

Mr. Lloyd reminded the Commission the intent of this section is to have all the information for a plat application and the result would be filing with Ramsey County. While the outcome is different than a minor subdivision process, the path of review and action is meant to be similar. This includes a public hearing at the City Council and potential action at that same meeting.

He pointed out the words “comprehensive land use plan” need to be capitalized, and they need to decide whether to state it that way, or “comprehensive plan.”

Member Daire suggested they replace the word “utilized” with “used.”

Mr. Lloyd stated he is supportive of Member Daire's suggestion. He will also make sure internal references to another part of the subdivision code are correctly referenced.

He referred to Section 2(a), pointed out "minor plat" should be capitalized, and suggested it read, "...requests of approval of substantially the same subdivision and consolidation on the same property..." He requested direction as to whether it should also be included in Section 2(b).

Member Gitzen inquired if there was any objection to serial consolidation, and commented the same wording should be used throughout this section.

Mr. Lloyd stated he will check with the City Attorney, and it may be best to include it for consistency.

Member Daire inquired if there is a potential for someone trying to avoid an open house over the subdivision of properties, and to not have to confront their neighbors regarding serial consolidation or subdivision.

Mr. Lloyd stated if there is a simpler process, there may be some incentive to do that, but not because someone is trying to get out of an open house.

Member Gitzen referred to Section 3, and stated it talks about filing an approved plat, but it sounded like a disconnect because it had not been talked about before then.

Mr. Lloyd pointed out the definition of plat includes the filing of record pursuant to Minnesota Statutes Chapter 505, but it should be referenced more clearly under Minor Plat since it is a change from the current code.

Pages 4 and 5, Major Plat

Mr. Lloyd reported under Section 2(b)(ii), they have not requested changes to the Chapter 314 Fee Schedule because the language is consistent with what is in the zoning code.

Member Gitzen commented the words "Payment of fee and escrow" sounded to general, and suggested the fee be defined.

Mr. Paschke suggested it state, "Payment of application fee and escrow." He explained the escrow is for large mailings since they are responsible for creating notices for the open house and public hearing. If the money is not needed, it is returned to the applicant. There are standard escrow amounts depending on the process.

Member Gitzen referred to Section 1(c), and pointed out "comprehensive land use plan" needs to be capitalized. Under Section 1(e), the reference to another section of the code needs to be changed.

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Mr. Lloyd showed the Commission an example of an application, highlighted the layout, and advised he will be updating the application forms to reflect the approved changes.

Member Gitzen inquired if the applications are available online so that he could learn more about the requirements and process.

Mr. Lloyd confirmed the final applications will be available online and he may be able to bring them back to a Planning Commission meeting for approval.

Page 6, Variances

Mr. Lloyd inquired if there were additional specific grounds for approval that should be included.

In reference to Section C(4), Member Brown inquired what an unusual hardship on the land would be.

Mr. Lloyd commented there is no statutory classification on what unusual hardship means. He provided an example where a property has odd property lines due to a curved road and created a hardship in allowing a garage to be built.

Member Bull inquired if a “subdivision variance” was a category of a variance, as referenced in Sections B and C. He recommended just using “variance” for consistency.

Mr. Lloyd explained they are all variances, but they are specified in this way because there are also zoning variances.

Member Daire referred to Section C, and inquired if the phrase “the City Council shall adopt findings...” means they are required findings for approval or denial of a variance.

Mr. Lloyd stated with any City Council action about a variance, there needs to be findings regarding the specific grounds for approval or denial.

Member Gitzen referred to Section A, and suggested the phrase “...as defined by Minnesota Statute...” be changed to “...by Minnesota Statute.” He also referred to Section C(4), and inquired if it should state, “The variance, if granted, will be in harmony with, and not alter essential character of the neighborhood.” He believes there is case law on what this means.

Mr. Lloyd commented he is unsure since the State is unclear on what specific grounds they should be looking for.

Page 7, Acceptance of Roadways

Mr. Lloyd advised this section is a contingency for a plot of land that may not be in Roseville today, but incorporated into the City if subdivided lots and right of ways are incorporated. Physical streets are only accepted under formal action.

Pages 7 and 8, Required Improvements

Member Gitzen referred to Section D(2), and requested clarification.

Mr. Lloyd explained a pathway will be required along the whole street if it is a Collector street or greater.

Member Gitzen referred to Section F(1), and stated the second to last paragraph could read, “Such lines, conduits or cables shall be placed within easements or dedicated public right of ways.” He also suggested the last line be removed if there are no requirements pertaining to it.

Member Sparby pointed out there are multiple defined terms that are capitalized in this section, such as owner, subdivision, right of ways, boulevard, and median. If terms are capitalized, they are defined; if they are not capitalized, they are used as a general term.

Mr. Lloyd advised he will look at other sections of the code to see how these words are displayed and make it consistent. He will also ask the City Attorney about this item.

Ms. Collins stated the rest of the City Code does not capitalize with defined terms.

Pages 8 and 9, Arrangements for Improvements

Mr. Lloyd referred to Section C, and stated the when and how a maintenance bond is released is specific to the terms of the development agreement.

Member Gitzen referred to Section B, and stated it should read, “...specifications prepared by a Minnesota licensed engineer and approved by...”

Pages 9, 10, and 11, Rights of Way

Mr. Lloyd requested feedback as to whether illustrations need to be required. The intention is to include more illustrations to the design standards document, but not as a requirement for a subdivision code.

Member Gitzen referred to Section B, and suggested they add the word “radius” in a couple of places. It would read, “Collector: 300-foot radius”, “Local: 150-foot radius” and “Marginal Access: 150-foot radius.”

Page 11, Easements

Member Gitzen inquired who determines where easements are needed.

Mr. Lloyd explained the Public Works staff generally determines it. It is routine to have the easements determined when the newly created property boundaries are created, but not on the exterior existing boundaries.

Member Sparby referred to Section A, and inquired if “where necessary” is giving direction to the developer rather than putting the obligation on the City to approve.

Mr. Lloyd commented traditionally the City determines where easements are needed.

Page 11, Block Standards

Member Gitzen referred to Section D, and suggested it read, “...may be required to provide access to abutting properties and to allow for appropriate screening...”

Pages 11 and 12, Lot Standards

Member Brown referred to Section B, and stated the wording in the first paragraph describing the shapes of lots seems redundant.

Mr. Lloyd responded having predictable and regular shaped lots are encouraged. The intent is to make sure the lots are easy to fit a house on, meet the minimum standards, and require people to understand where the property boundaries are.

Mr. Lloyd sketched out a flag lot for members of the Commission. He stated the problem with these types of lots is there is a narrow frontage at the street and it puts one house in front of another house. However, if the front part of a subdivided flag lot meets the minimum requirement of 85 feet, there is no reason to prohibit it.

He stated they have been removing the size requirements with minimums from the subdivision code to zoning districts. The one requirement that remains in the subdivision code is the minimum rear lot line length of 30 feet. It prohibits a lot from going back to a point or short line at the back of a property. He inquired whether this requirement needs to remain in the subdivision code.

Chair Murphy stated he finds it to be useful for clarity by keeping it in there.

Member Gitzen referred to flag lots, and inquired if more clarity should be included regarding the minimum required lot width. He suggested it say, “...that fails to conform to the minimum required lot width at the setback line that passes...”

Mr. Lloyd advised he will include whatever verbiage they use to measure lots.

Pages 12 and 13, Park Dedication

Mr. Lloyd reported they have included simpler language in Sections A and B. The City Attorney recommended it also include references to Parks and Recreation Master Plan, Pathways Master Plan, and Comprehensive Plan.

Member Gitzen referred to Section C, and suggested it be reworded to show the portion of land to be dedicated in residentially zoned areas shall be 10 percent, and 5 percent of what in all other areas.

Mr. Lloyd commented the figures were talked about last time, but they found it did not correspond with the updated fee schedule. The Parks and Recreation Department is working on a more updated fee schedule to make them better correlate, so the numbers may change in the future.

Member Daire commented the need for park land dedication is related to the projected increase in demand for park facilities predominately by residential land uses or subdivisions. It would be wise to define the relationship between requirements for additional land and/or money in lieu of land, and whether commercial subdivision really increases the need for park property.

Mr. Lloyd advised they have included information in the meeting packet from the League of Minnesota Cities that talks about subdivision and provides recommendations for how a City might approach addressing the need for park property in a formalized way.

Member Daire commented they should try to correlate the City's desired standard rather than use a general standard. They have a unique park system with standards unique to Roseville, and people who want to develop here should buy into those standards. He suggested they make sure there is a relationship between the subdivisions increase in demand on existing facilities and Roseville's standards that they want to achieve.

Mr. Lloyd stated they have formal plans for the robust system that Roseville intends to have and they have outlined the need to contribute to that with future subdivisions.

Mr. Lloyd advised the existing subdivision code does have a Chapter 1104. The entire subdivision code is three chapters long instead of four. The fourth chapter has been redistributed throughout the remaining three chapters as processes. He recommended approval of the proposed subdivision code update, subject to the changes discussed.

Member Gitzen referred to Section C, and pointed out the section referenced at the end of the paragraph should be Section 1102.05.

Chair Murphy closed the public hearing at 8:07 p.m.; none spoke for or against.

MOTION

Member Bull moved, seconded by Member Gitzen to recommend approval to the City Council the revised subdivision proposal as regulated in City Code Title 11 (Subdivision) and revised lot size standards established in City Code Chapter 1004 (Residential Districts), based on the comments and findings the report input offered at this public hearing.

Member Gitzen thanked the staff for their work on this project.

Ms. Collins agreed, and stated Mr. Lloyd took the lead on this project and is also the project manager on the Comprehensive Plan. She thanked him for navigating all the comments and feedback, and doing a great job.

Commissioner Daire commented Mr. Lloyd has done a phenomenal and professional job.

Ayes: 6

Nays: 0

Motion carried.

6. Adjourn

MOTION

Member Gitzen moved, seconded by Member Sparby adjournment of the meeting at approximately 8:10 p.m.

Ayes: 6

Nays: 0

Motion carried.