



**Planning Commission Regular Meeting  
City Council Chambers, 2660 Civic Center Drive  
Minutes – Wednesday, August 2, 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, Julie Kimble and Peter Sparby

**Staff Present:** Community Development Director Kari Collins and City Planner Thomas Paschke

**3. Review of Minutes**

**a. July 12, 2017, Regular Meeting Minutes**

**MOTION**

**Member Kimble moved, seconded by Member Bull to approve the July 12, 2017 meeting minutes.**

**Corrections:**

▪ **Page 11, line 476 (Kimble)**

Member Kimble commented she was not in favor of the land use, but the wording in the minutes made it sound as if she was. She requested her comment be changed to, "If our recommendation as a Planning Commission is to cancel and direct the Planning Division to undertake a review solely for the purpose of amending the zoning such that it would allow this use anyway, then why would they not just vote on the action to support the use this evening."

▪ **Page 1, line 36 (Bull)**

"City Planner Collins" should be changed to "Community Development Director Collins."

▪ **Page 6, line 265-266 (Bull)**

Typographical Correction: "Recommendation A would take the longest..." should be changed to "Recommendation C would take the longest..."

**Ayes: 7**

**Nays: 0**

**Motion carried.**

Chair Murphy requested Community Development Director Collins communicate with the minute taking service that more detail is needed.

**4. Communications and Recognitions:**

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

None.

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

Member Kimble referred to the homework they were to do from the last meeting and inquired if new information was available or if they were supposed to pull the spreadsheet from the meeting packet.

Ms. Collins stated the intent was for the Commission to use the materials from the packet, but she can provide an electronic copy.

The Commission agreed an electronic copy would be helpful.

**5. Public Hearing**

**a. PROJ0017-Amdt32: Request by the City of Roseville to consider the inclusion of multiple-family residential housing in the Commercial and Mixed-Use Districts, specifically the Regional Business District.**

Chair Murphy opened the public hearing for PROJ0017-Amdt32 at approximately 6:38 p.m. He advised this item will be on either the September 11 or 18, 2017 City Council agenda.

City Planner Paschke summarized the request as detailed in the staff report dated August 2, 2017. He reported this is a text amendment request by the City Council to consider modifications to Table 1005-1 for inclusion of multi-family residential use in Commercial and Mixed-Use Districts, and specifically the Regional Business (RB) district. He referred to the lines “Dwelling, multi-family (upper stories in mixed-use building)” and “Dwelling, multi-family (8 or more units per building)”, and suggested under RB-1 and RB-2, it be changed from not permitted (NP) to permitted (P). These represent a denser development within the Regional Business areas and highly dense Commercial districts.

Mr. Paschke reported after review of the current table uses, the Planning Division recommends that dwelling unit, multi-family (upper stories in mixed-use building) in the Neighborhood District be changed from permitted to conditional. A mixed-use building with commercial on the bottom and residential on top could have some potential impacts for adjacent properties, because these areas are typically adjacent to single-family residential properties. Staff recommends this use should also be conditional in the Community Business district as well.

Mr. Paschke reported contrary to what was recommended by the City Council, they also recommend permitting residential in both Regional Business districts. They see it as similar to office buildings being built within that same district, where their impacts may not seem to be fitting for a conditional use. When they looked at where their Regional Business district was and the type of uses there, it seemed to be more appropriate for it to be permitted than conditional.

Regarding the dwelling, multi-family (eight or more units per building) use, Mr. Paschke explained they changed it from not permitted in a Community Business district to conditional, and permitted it in both Regional Business districts. Staff felt if a conditional use was allowed in a Neighborhood Business district, it should also be allowed in a Community Business district because of the similar impacts and where they are located.

The recommended changes reported on by Mr. Paschke are provided in the following chart below:

	NB	CB	RB-1	RB-2	
<b>Residential-Family Living</b>					
Dwelling, one-family attached (townhome, rowhouse)	NP	NP	NP	NP	
Dwelling, multi-family (3-8 units per building)	NP	NP	NP	NP	
Dwelling, multi-family (upper stories in mixed-use building)	<del>P</del> <b>C</b>	<del>P</del> <b>C</b>	NP <b>P</b>	NP <b>P</b>	
Dwelling, multi-family (8 or more units per building)	C	<del>NP</del> <b>C</b>	NP <b>P</b>	NP <b>P</b>	
Dwelling unit, accessory	NP	NP	NP	NP	Y
Live-work unit	C	NP	NP	NP	Y

Mr. Paschke stated greater discussion with the City Council will be required regarding the procedures section of the City Code. They will need to determine whether they want to have any specific standards or limitations on density within these areas and consider specific conditions for each individual project.

Mr. Paschke advised line 35-36 in the meeting packet should read, “multi-family (eight or more units) should be ~~conditional~~ permitted, as there may be a site...”

Chair Murphy inquired what the “Y” was for in the chart in the meeting packet.

Mr. Paschke responded the “Y” refers to the standards being somewhere else in the code.

Member Kimble inquired how this text amendment relates to the Comprehensive Plan work and new classifications.

Mr. Paschke responded it will bridge the gap between what is currently being discussed to what may occur a few years from when the Comprehensive Plan is adopted when they revise the zoning code and districts.

Member Kimble referred to the area of Lexington and Larpenteur and pointed it is zoned Community Business. She stated it reminds her of the Grand Avenue area and inquired why they would not allow townhomes or rowhouses in that area.

Mr. Paschke responded from a Regional Business standpoint, it is not a redevelopment project and would be added into the mix of what is currently there. He agreed that residential uses would be very well supported in the area at Lexington and Larpenteur, and could be more of a larger redevelopment project. However, he sees it more as being reguider and rezoned than having it as a use that is allowed in the zone.

Member Kimble stated in relation to their discussion around senior housing and access to amenities, that area may potentially be an interesting fit.

Member Brown referred to Table 1005-1, and inquired what “accessory” and “live-work unit” referred to.

Mr. Paschke explained a live-work unit is where a person has a business on the lower level and then resides in the rest of the building. There are none around yet, but they wanted to include it as an option moving forward for the smaller neighborhood business areas. Dwelling unit accessory is something that is supported in low density residential and would be something similar to a mother in law apartment. It would not be supported in the business districts because it is specifically tied to single-family residential.

Member Sparby stated the motion in the Council minutes seemed to reflect support in amending the table to include conditional use. However, when he watched the meeting, it sounded more like they just passed it off to the Planning Commission to take a look at.

Ms. Collins explained that a text amendment has to go to the Planning Commission for consideration and then to the City Council for approval. The Council provided their ideas and staff sees this as an opportunity to look at the Commercial districts and explore all the various family living uses.

Mr. Paschke stated the Council has not taken formal action on amending the table yet and they would like to see the not permitted changed to conditional for both the dwelling, multi-family (upper stories in mixed-use building) and dwelling, multi-family (eight or more units per building).

Member Sparby requested additional clarification between the two types of residential uses referred to by Mr. Paschke.

Mr. Paschke explained in a mixed-use project with residential above a mix of uses, the main level is going to be office or retail and the stories above will be residential. In the other use of eight or more units per building, it will be an apartment complex with eight units or more, which is only residential.

Member Daire referred to the email provided to them from the Mayor, and inquired if they are to regard it as a question for consideration or an instruction. He pointed out the vote on the Council's recommendation was unanimous.

Chair Murphy responded the job of the Planning Commission is to hold the public hearing and the Council cannot take action on amending the table until after it takes place. It is up to the Council to choose whether or not they follow the recommendation of the Planning Commission. When he received the memo, he took it as a direct follow up from their joint meeting with the City Council where they asked for more feedback after City Council meetings and the mayor was just providing that information.

Ms. Collins advised the Planning Commission to try to take an objective look at the land use table, and based on the family living categories, determine where it makes sense, and articulate the rationale for it. The Council will be very interested in the Planning Commission's discussion and recommendation moving forward. She stated it would be beneficial to evaluate each district, discuss if the use should be permitted, and then document why.

Chair Murphy referred to dwelling, multi-family (3-8 units per building), and inquired why they are not permitted in any district.

Mr. Paschke responded he would need to have the standards to figure out why. There is nothing that would compel him to change the number of units and he sees them as being more smaller scale and suited for areas other than what the current table supports.

Chair Murphy inquired if someone wanted to build an eight-unit building, he would argue it would not be allowed based on line two of the table; However, on line four, it would be allowed. He inquired if they should change line two include "3-7 units".

Mr. Paschke recommended they keep line two to read "3-8 units" and change line four to read, "more than eight".

Member Bull agreed that the Mayor's memo was not clear and he thought they were changing the table from not permitted to conditional. He also mentioned it is hard to have a public hearing with no public present. He inquired if the districts that are recommended to go from permitted to conditional were causing any issues.

Mr. Paschke stated they were not causing any issues because they have not had a proposal for an apartment complex for many years. In an effort to be more sensitive to the neighborhoods where the zoning districts are, the conditional use process might

prove beneficial in requiring certain mitigations and lessening impacts to them. They are sensitive to those areas and are trying to be transparent and involve the broader community in the process.

Member Kimble commented the Council discussed in the Community Mixed Use (CMU) districts that multi-family was conditional. She inquired what it would say if this were carried across to cover CMU 1 through 4.

Mr. Paschke stated he did not know because there is a separate chart for all its uses, it is not linked to these districts, and they have their own regulating plans.

Member Kimble stated she understands it is not connected, but it may be helpful to understand it. If it were conditional use, there could be a broader discussion on greenspace and pathways. She understands this is difficult because there may be one site and to require green connectivity would not make sense if there is nothing to connect to. The Council's point of a conditional use permit is that there might be something available that enhances the overall master plan. While it is good to look at these districts one by one, it is also beneficial to look at Roseville as a whole to see how it is all fitting together.

Member Gitzen commented conditional use seems to be the middle ground between permitted and not permitted use.

Mr. Paschke agreed, but a conditional use permit can be denied if it cannot meet the conditions that are there, or additional conditions can be put in place. With any conditional use on the chart, they will have to think of specific conditions they will require the projects to go through, along with density maximums and minimums. He provided the example of pedestrian connections, which is reviewed with every project to minimize conflict.

Ms. Collins stated residential conditional use permits may be more complicated to define. She suggested they begin by sorting through where they would allow multi-family housing without conditions. She suggested they begin by looking at Regional Business, which includes Rosedale Mall and the car dealerships along Long Lake Road, north of County Road C.

In response to Member Daire, Ms. Collins stated she sees conditional use as an allowed use, as long as certain conditions are satisfied.

Member Kimble inquired what other work needs to be done after they complete this first step.

Mr. Paschke responded they will need to flush out specific conditions for the proposed changes and place them in the code. They will set standards for all the different residential they support going into the Commercial districts. Examples of this might include greater setbacks, maximum number of units allowed or height requirements.

Member Kimble inquired what would happen if they went with the proposed chart and changed it to conditional use, but then realized there are not any additional conditions that made sense.

Chair Murphy commented there does not have to be additional conditions with conditional use.

Mr. Paschke advised within the code there are certain set of general standards and conditions that a project has to meet.

Member Gitzen referred to dwelling, multi-family (upper stories in mixed-use building), and inquired why they were and not permitted before the recommended change to permitted.

Mr. Paschke responded it was determined that allowing it as a permitted use within the Community Mixed Use district made better sense. If an area was zoned Regional Business, they would come back and reguide and rezone it to Community Mixed Use. The areas of higher intensity commercial uses are now seeing mixed-use projects or just standalone multi-family housing being built as a part of them for many different reasons. The Council felt it was appropriate to make these changes to be consistent with this trend as well as with the Planning Commission's discussions about going to all mixed-use and supporting housing in those districts. This becomes a bridge for where they are at today to where they will be in the next three years.

Ms. Collins stated in the past 10 years, mixed-use development is a more recent phenomenon with Cities trying to create more flexibility in their City code to allow mixed-use development. The original intent may have been to preserve Commercial districts, but that is changing.

In response to Member Sparby's question about conditions, Mr. Paschke explained general conditions or criteria in an area would have to be achieved after they analyzed the project. After these are met, each project would have certain other conditions that are applied to it given its location and many other factors, and it would allow staff or the Planning Commission to recommend them. It is a way to set standards that become the condition. For example, in a Community Business district, a density limit or setback requirements may be needed.

### **Public Comment**

With no one coming forward to speak for or against this request, Chair Murphy closed the public hearing at approximately 7:26 p.m.

### **Commission Deliberation**

Member Bull asked Member Kimble if she feels the lower density residential uses should be conditional or permitted, based on development trends she may be aware of.

Member Kimble responded they are typically seeing more dense developments. However, with seniors there might be some situations where they might have lower density in some districts that would make a lot of sense. She suggested they be conditional versus not permitted because they would be unique.

Member Kimble commented she agreed it is not developer friendly to have conditional use permits because it is open ended. When she thinks of Rosedale, she can see housing permitted there, but it would be a major shift. Starting with conditional in the Regional Business district may make sense because it is a bridge for things to start coming in and would allow for people to comment on it.

#### **MOTION**

**Chair Murphy moved, seconded by Member Gitzen, to recommend to the City Council adoption and changes to Table 1005-1 to have all red “P” changed to “C”, and (8 or more units per building) be changed to (more than 8 units per building).**

Chair Murphy commented conditional use allows additional input from the community and concerns to be addressed through the conditional use process. He does not see it as a terrible burden on a developer, and if it is, they can make changes going forward.

Member Gitzen stated he supported the motion because he agrees with both Chair Murphy and Member Kimble.

Member Brown agreed with the other Members and stated what makes Roseville unique is it is centrally located, people want a home and some land, and Roseville is not an urban sprawl. Going forward, she would like to see thoughtfulness with issuing permits, and they should proceed carefully with how it is built out around the Rosedale area.

Member Daire commented at Rosedale, JC Penny is going for structured parking instead of surface parking. It is a short step to surround Rosedale with structured parking and have residential over it. He agreed they need to be cautious with the conditional use designation. It is a more gradual shift and convenient bridge between what is and what will be. He also encouraged Members to begin thinking if structured parking would be a better use of space.

Member Sparby commented he agrees with other Members. He inquired about the wording preference in the motion related to the number of units per building.

Mr. Paschke suggested it read “more than eight”.

Member Sparby requested a friendly amendment to the motion to have it read “more than 8 units per building”. Chair Murphy and Member Gitzen agreed.



Member Bull commented he is not strongly opposed to the motion versus what staff recommended as a permitted use. He likes the permitted use in Regional Business because he wants to be sensitive to any extra steps they are going to put developers through. They put significant amount of time and money into developing plans before they come to the City and it staggers what they can do if they are required to go through a conditional use permit process. He will support the motion, but suggested to the Council they consider Regional Business-1 and Regional Business-2 as a permitted use.

Member Daire stated with the way the City sets up land use patterns, they are advertising for certain uses. If conditional use means they are open to it, it opens to door to creative connections between commercial, residential, and parking ramp developers. It shows they are willing to talk about options, and that they are cautious about what is going in there and how it is put together.

Member Kimble commented from a developer's standpoint, permitted is easier. However, she supports the conditional use designation because there are some major areas that need further discussion.

**Ayes: 7**

**Nays: 0**

**Motion carried.**

Chair Murphy reminded Members of the joint meeting with the Public Works Environment and Transportation Commission on August 22 at 6:30 p.m. He encouraged Members to reply to Ms. Collins if they plan to attend the meeting.

**6. Adjourn**

**MOTION**

**Member Bull moved, seconded by Member Kimble adjournment of the meeting at approximately 7:44 p.m.**

**Ayes: 7**

**Nays: 0**

**Motion carried.**