



Planning Commission Agenda

Wednesday, July 5, 2023

6:30 PM

City Council Chambers

Members of the public who wish speak during public comment or an agenda item during this meeting can do so virtually by registering at www.cityofroseville.com/attendmeeting

(Any times listed are approximate – please note that items may be earlier or later than listed on the agenda)

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Review of Minutes**
 - a. Review June 7, 2023 Minutes.
- 5. Communications and Recognitions**
- 6. Public Hearing**
 - a. Request by Prince of Peace Lutheran Church for an Interim Use to temporarily regulate two existing mobile residential micro-unit dwellings on the property at 2555 Victoria Street (PF23-004)
- 7. Business**
 - a. City Council Request for Commissions.
- 8. Adjourn**


REQUEST FOR COMMISSION ACTION

Date: **7/5/2023**
Item No.: **4.a.**

Department Approval

Agenda Section
Review of Minutes

Item Description: Review June 7, 2023 Minutes.

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Application Information

N/A

Background

N/A

Staff Recommendation

N/A

Requested Planning Commission Action

Review June 7, 2023 minutes and make a motion to approve subject to requested corrections.

Alternative Actions

N/A

Prepared by:

Attachments: 1. June 7, 2023 Minutes



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, June 7, 2023 – 6:30 p.m.**

- 1 **1. Call to Order**
2 Chair Pribyl called to order the regular meeting of the Planning Commission meeting at
3 approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.
4
- 5 **2. Roll Call**
6 At the request of Chair Pribyl, City Planner Thomas Paschke called the Roll.
7
- 8 **Members Present:** Chair Michelle Pribyl, Vice-Chair Karen Schaffhausen, and
9 Commissioners Michelle Kruzel, Tammy McGehee, Pamela
10 Aspnes, and Erik Bjorum.
11
- 12 **Members Absent:** Matthew Bauer.
13
- 14 **Staff Present:** City Planner Thomas Paschke, Community Development Director
15 Janice Gundlach and Senior Planner Bryan Lloyd.
16
- 17 **3. Approve Agenda**
18
- 19 **MOTION**
20 **Member Aspnes moved, seconded by Member McGehee, to approve the agenda as**
21 **presented.**
22
- 23 **Ayes: 6**
24 **Nays: 0**
25 **Motion carried.**
26
- 27 **4. Review of Minutes**
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- 29 **a. April 5, 2023 Planning Commission Regular Meeting**
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- 31 **MOTION**
32 **Member Schaffhausen moved, seconded by Member Kruzel, to approve the**
33 **April 5, 2023 meeting minutes.**
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- 35 **Ayes: 6**
36 **Nays: 0**
37 **Motion carried.**
38
- 39 **5. Communications and Recognitions:**
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41 a. **From the Public:** *Public comment pertaining to general land use issues not on this*
42 *agenda, including the 2040 Comprehensive Plan Update.*

43
44 None.

45
46 b. **From the Commission or Staff:** *Information about assorted business not already on*
47 *this agenda, including a brief update on the 2040 Comprehensive Plan Update*
48 *process.*

49
50 None.

51
52 **6. Public Hearing**

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54 a. **Request by LHB and Ramsey County Property Management to Consider a**
55 **Zoning Code Text Amendment to §1001.10, Definitions, and the Table of**
56 **Allowed Uses (1007-2) of the Institutional District, and to Consider a**
57 **Conditional Use, all in Support of an Environmental Service Center at 1725**
58 **Kent Street (PF23-005)**

59 Chair Pribyl opened the public hearing for PF23-005 at approximately 6:34 p.m. and
60 reported on the purpose and process of a public hearing. She advised this item will be
61 before the City Council on July 10, 2023.

62
63 Chair Pribyl indicated she was going to recuse herself and turn over the management
64 of this item to Vice-Chair Schaffhausen. She indicated she works for the firm that is
65 doing the design on this building but is not personally involved.

66
67 City Planner Paschke summarized the request as detailed in the staff report dated June
68 7, 2023.

69
70 Member McGehee asked if there was a specific reason why staff chose to make this a
71 conditional use rather than permitted.

72
73 Mr. Paschke indicated the main reason for the conditional use over a permitted use
74 was when the initial discussion was brought to the Planning Commission there were
75 potential concerns or issues that were raised by Commissioners as it related to an
76 environmental service center and the number of uses. Staff chose to require the
77 conditional use because that is what the Planning Commission had recommended
78 back in 2022. He noted from his perspective it could have gone either way as it
79 related to being permitted but staff felt this was the best path to move forward.

80
81 Member McGehee noticed that the Director of Public Works had asked for the traffic
82 study, and she wondered if he was privy to the comments that have come in regarding
83 traffic.

84
85 Mr. Paschke explained he sent the Public Works Director the comments and he is the
86 one that forwarded those to the Ramsey County Traffic Engineer and received the
87 reply that is in the packet.

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Vice-Chair Schaffhausen asked if this site is currently being used for this purpose.

Mr. Paschke explained it is on an annual basis. For a certain number of days there is an interim use permit to allow for the household hazardous waste.

Vice-Chair Schaffhausen thought that was reason why the Planning Commission wanted the conditional use for this site.

Vice-Chair Schaffhausen invited the applicant to come up to speak .

Ms. Lydia Major, Landscape Architect with LHB explained she was at the meeting on behalf of Ramsey County. She added that Ramsey County has done extensive community engagement around both the idea of having an environmental service center and specifically having one at this site and the response has been very positive. This is a facility that will be an amenity to the community, that will help residents of Roseville and beyond and believe this location is very well intended to serve that. She indicated the traffic has increased in the area but does not seem to have a detrimental impact on Larpenteur and to the surrounding intersections. Landscaping will be done and will protect the park and the amenities in the park. The areas will be complimented with extensive native landscaping, pollinators, and other things that the community feels are very desired on this space. Ramsey County will also be doing its best with LHB to try to protect as many trees as possible in the front facing lot. In addition to that, the building space itself has the warehouse functions and collection functions that are expected but also has some community room and a reuse of free retail space where people can come and get paints and other materials that they would have otherwise go out and buy and they plan to incorporate the building design with the stormwater and other landscape so it is an integral indoor and outdoor space that is really a great amenity to Roseville and Ramsey County.

Public Comment

No one came forward to speak for or against this request. Chair Pribyl closed the public hearing.

MOTION

Member McGehee moved, seconded by Member Bjorum, to recommend to the City Council approval of a Zoning Code Text Amendment to §1001.10, Definitions, and the Table of Allowed Uses (1007-2) of the Institutional District, and to Consider a Conditional Use, all in Support of an Environmental Service Center at 1725 Kent Street (PF23-005).

**Ayes: 5
Nays: 0
Abstain: 1 (Pribyl)
Motion carried.**

135 **b. Request for Approval of a Preliminary Plat of Two Parcels as Six Lots with an**
136 **Existing Home Remaining on One of the Lots (PF23-001)**

137 Chair Pribyl opened the public hearing for PF23-001 at approximately 6:54 p.m. and
138 reported on the purpose and process of a public hearing.

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140 Senior Planner Bryan Lloyd summarized the request as detailed in the staff report
141 dated June 7, 2023.

142
143 Member McGehee wanted to be very clear with looking at the drawing and what Mr.
144 Lloyd has on the screen if it is overlapped on the map the middle area has nothing
145 now and will have nothing and will be the stormwater area and all of the trees on the
146 boundary will be removed.

147
148 Mr. Lloyd explained there are several trees in different areas that will be preserved
149 but with any redevelopment of a sight there will be a significant loss of existing tree
150 cover. The Zoning Code allows for that and requires replacement based on a certain
151 calculation that is established in the Zoning requirements. It is not without impact but
152 is allowed to proceed according to the normal standards. He explained he has had a
153 couple of conversations with some residents, and one was opposed to seeing new
154 homes, especially along the Skillman side. The other person he spoke with asked
155 more questions about the process and what is allowed and expressed some
156 disappointment.

157
158 Chair Pribyl asked if the applicant would like to add to the presentation.

159
160 Mr. Sean Keatts, Cara Builders, provided a presentation to the Planning Commission.

161
162 **Public Comment**

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164 Mr. Mike Beers, 608 Shryer, explained he has lived at his home for eighteen years
165 and he wondered how this is improving the quiet neighborhood. The five or six
166 homes being added do not really fit in the neighborhood scenario. Every house on the
167 north side of Shryer has the long yards and there is no access outside of Dale Street.
168 He wondered if there would be enough power for more homes. There are storm
169 sewer concerns, neighborhood concerns, increased traffic, he wondered how this is all
170 going to fit and how will it benefit the current neighbors. He wondered what this
171 would do to their taxes and is all of the concerns addressed being addressed in this
172 plan or just an opportunity for someone to make a bunch of money.

173
174 Ms. Jan Brudvig, 677 Shryer, explained she had some concerns because this is a very
175 quiet residential neighborhood and leads into Reservoir Park. This is not a thorough
176 street so bringing more traffic into the area really causes a lot of safety concerns for
177 her. There are a lot of beautiful trees that add to the neighborhood. She thought this
178 is a traffic concern.

179
180 Mr. Derek Hinrichs, 696 Shryer, asked what version of the City Code is being used to
181 get the 9,350-foot minimum for a lot. He also wondered regarding the two lots on the

182 far east side are approximately 9,350 feet, the absolute minimum and he thought the
183 builder could do better than the absolute minimum required by code.

184

185 Mr. Dave Kautz, 683 Shryer, indicated the owner at 691 Shryer recently tried to sell
186 his house and was not able to sell it and currently has a renter there and there are a
187 couple of other houses in the area where the same thing has happened. His concern is
188 if these houses do not sell, will there be a variety of renters in the neighborhood. The
189 other concern he has is how this will affect their tax base.

190

191 Ms. Roxanne Schultz, 702 Shryer, explained she lives on the reservoir side of Shryer
192 and wondered if there was a possibility that houses could be proposed to be put
193 behind her house on a reservoir property to change it since it is now called Reservoir
194 Woods Park.

195

196 Mr. Mike Collins, 2043 Alameda, explained his only concern was when he went to
197 the meeting to discuss the initial proposal the things, he took away from the meeting
198 were the developer was going to try to stick as close to the neighborhood that they
199 already have, and he thought this was as far away from the neighborhood that is there
200 right now. He enjoys looking at the property the way it is now because there are trees
201 all over and the deer are always there. It is a natural piece of land in the middle of the
202 City. He did not necessarily think having new houses in the neighborhood is a bad
203 thing, he just thinks the way it is setup is a little excessive. He thought two or three
204 lots would be a perfect scenario with keeping the backyard in line with the rest of the
205 streets or the houses on that street. He was not against improvement in the
206 neighborhood but something to consider.

207

208 Ms. Marlene Bartell, 683 Shryer, indicated her concern is she has a nice large lot in
209 the back and if this goes through there will be a large house right next to her. She
210 wondered how much of it would be by her property and would she be able to see the
211 trees and the deer.

212

213 Ms. Schultz stated when the developer had the first meeting the neighborhood was
214 under the impression that most of the trees would stay and if looking at the plans it
215 looks like all of the trees will be gone.

216

217 Mr. Lloyd answered resident questions regarding the Zoning Code. He also
218 addressed the concern about homes going in on the southside of Shryer, he indicated
219 in all likelihood there would not be any homes built in that area due to the Zoning
220 being Park and Recreation District and a lot of changes would need to occur for that
221 to happen.

222

223 Mr. Keatts explained at the open house there was discussion about tentative plans for
224 specific houses that would be on each lot. He did not have the exact plans yet
225 because it costs money to do those plans and his company is not at that stage yet. His
226 intention is to do the type of houses that closely match the area. At the open house he
227 pointed out trees that he thought would have to be removed but upon further
228 discussions with Mr. Lloyd and the Watershed District, that somewhat expanded and

229 at that time he did not have the Watershed District’s reviewal and what they wanted
230 with their diagrams. It does not behoove him to remove trees. He has done
231 developments in the past and his goal is to keep as many trees as he can. He was also
232 happy with the tree replacement program because he does not like driving through
233 new developments and seeing zero trees. This plan is a pretty aggressive plan, in his
234 opinion, he foresees not as many trees being removed. They are keeping as many
235 trees as possible along the western side as well as along the eastern side and as many
236 as possible on the Shryer Avenue side. Along Skillman there will be some trees
237 removed but if the Watershed District says the trees do not need to be removed in
238 northwest corner, for example, his company will not remove them. This is an
239 aggressive plan for removal, and he hoped that not as many trees would be removed.
240

241 Member McGehee noted the residents need to address the tax concerns to Ramsey
242 County because Roseville itself does not handle the taxes at all.
243

244 No one else wished to address the Commission. Chair Pribyl closed the public
245 hearing.
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247 **Commission Deliberation**

248
249 Member Aspnes asked if 711 Shryer actually three platted lots.
250

251 Mr. Lloyd explained that was correct. All three are the same size as each of the other
252 lots in the row and he believed all were seventy-five feet wide.
253

254 Member Aspnes asked if the existing house there now was across the plat lines and if
255 that house is being removed.
256

257 Mr. Lloyd explained that was all correct.
258

259 Member Aspnes asked if someone wanted to build three houses on the three lots
260 would they need to come to the Planning Commission.
261

262 Mr. Lloyd indicated the person would not, the fact that these three platted lots are
263 within one tax parcel is the result of a homeowner buying those three lots and asking
264 Ramsey County to combine them only for tax purposes, then instead of being taxed
265 for three separate lots the owner is taxed for only one parcel.
266

267 Member Bjorum indicated there was a question about utilities, he assumed that given
268 the power and sewer that would have supplied the three homes that could have been
269 built here, that the existing system could still handle five homes.
270

271 Mr. Lloyd indicated he expected that whatever is necessary to provide service will
272 have to be met but he was not sure what that would be.
273

274 Member McGehee thought the issue the people are bringing forward is one that the
275 Planning Commission has seen many times before where there are people with long

276 yards and suddenly a house is going against their backyard, in their backyard or so
277 close along the sides that it really changes the nature of the neighborhood and the
278 nature of what the homeowner had when the lot was purchased and it is not a matter
279 of something that the resident did, it is Zoning that the resident relied on. She thought
280 it is something worth looking at moving forward because there have been quite a few
281 of these types of issues before.

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The Commission asked staff about traffic concerns.

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Member Bjorum added that this is a preliminary plat hearing, and he did not see
286 anything from a legal standpoint that would allow the Planning Commission to deny
287 moving this forward in the process.

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MOTION

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**Member Bjorum moved, seconded by Member Schaffhausen, to recommend to
291 the City Council approval of a Preliminary Plat of Two Parcels as Six Lots with
292 an Existing Home Remaining on One of the Lots. (PF23-001).**

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Ayes: 6

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Nays: 0

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Motion carried.

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Chair Pribyl advised this item will be before the City Council on July 10, 2023.

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**c. Request for Approval of a Preliminary Plat of an Existing Parcel as Ten Lots for
301 Single-Family Attached Homes (Twinhomes) (PF23-002)**

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Chair Pribyl opened the public hearing for PF23-002 at approximately 8:00 p.m. and
303 reported on the purpose and process of a public hearing.

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Senior Planner Bryan Lloyd summarized the request as detailed in the staff report
306 dated June 7, 2023.

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Member Aspnes indicated she drove around this parcel and had some concerns about
309 the private drive only because of the amount of snow there was this past year, she
310 wondered where all of the snow will go.

311

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Mr. Lloyd indicated he did not know the answer but suggested there are large side
313 yards adjacent to Fry Street and maybe the owner would not be able to pile snow in
314 their drainage outlot but is a place where he would put it. Whatever provisions are in
315 the maintenance code, even though it is not a City street it still has similar sorts of
316 requirements for the maintenance and that sort of thing.

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318

Member Aspnes asked if the units will be rental units or owner-occupied dwellings.

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Mr. Lloyd explained that is not a question staff considers in subdivision requests. A
321 dwelling unit is a dwelling unit, a lot is a lot. In a subdivision like this the separate
322 parcels, the separate lots facilitates separate owners but does not prevent someone

323 from buying one or more of them and renting it rather than occupying it. The
324 transition from doing the development in a single parcel with the ten dwellings, which
325 in his mind would more likely be rentals, proceeding through the plat process like the
326 applicant is doing suggests the intent to sell them and purchased then by either
327 residents or someone who would rent them out.

328
329 Member McGehee explained since the City might require a homeowner's association,
330 she has seen homeowners' associations that specifically specify that the homes cannot
331 be rented for more than a year and is a condition that the City could apply, if the City
332 is the one requiring the homeowner's association.

333
334 Mr. Lloyd explained he was not sure that the City could require some tenancy
335 provisions in a homeowner's association. The City can regulate rentals through the
336 City's Rental Registration program of Rental Licensing program, but he did not
337 believe that the City has the ability to prohibit them.

338
339 Member McGehee indicated she was probably going to object to this on the basis of
340 traffic because there is the dense neighborhood that is very much landlocked,
341 particularly with the changes now on Snelling and only two exits coming out onto
342 Fairview. She thought both exits were very dangerous for access to this
343 neighborhood. The other thing is the City just added approximately four hundred
344 units just across from this and this is one of the parks that is expected to take some of
345 the influx of new people in the community. This particular park seems to her to be an
346 ideal space to add a little land rather than add more houses in an area that already has
347 a severe traffic access and exit problem and is quite a densely populated area now.

348
349 Mr. Lloyd explained in the process of reviewing this project the Parks and Recreation
350 Director indicated recently that the Parks Department did have the opportunity to
351 consider purchasing the entire parcel for additional park space and they declined to do
352 that at the time and there was serious consideration of acquiring dedication of land on
353 the northern side of this parcel to expand the park a little bit and the Parks and
354 Recreation Commission declined that as well. The final decision about land or cash
355 dedication lies with the City Council and can still make that choice. As far as what
356 the City Council has decided beyond that, the only thing that comes to his mind is
357 during the Zoning update process of a couple three years ago, he believed this was
358 one of the sites that got special focus on whether the zoning should be high density as
359 the adjacent assisted living facility is medium density or something else and the
360 ultimate decision at that point was for the medium density zoning that is in place
361 today.

362
363 Member McGehee did not think that was a problem but what she thought was a
364 problem was if the City polls its residents and the residents ask for something and
365 when the City has the opportunity to act on it, they don't as a City, and she thought
366 particularly to an extent where the residents really values the parks and speak to
367 everyone about the parks system. She thought it was unfortunate that a single person
368 or a small group of people could decide that they do not want to add this to the park
369 system when it was specified as an idea that people would really like.

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Member Schaffhausen indicated when she thinks about traffic in particular, Fairview is also within the purview of Ramsey County.

Mr. Lloyd indicated that was correct. He reviewed the traffic patterns and volumes with the Commission.

Member Aspnes explained she walked around the park today and noticed there is park access from southbound Snelling. She wondered about, in general, parking at the ball area in the park and she wondered where everyone can park. There are a few parking lots in the park and this particular site abuts the pool in the park. She noted the elevation of the site is higher than the park land to the north of it. There are some scruffy looking pine trees and wondered about screening from the backyards of the two proposed twinhomes on the north side. She would like to see some nice screening, so these homes do not look directly into the pool area. She also wondered about the outlot. She assumed any water runoff will not go down from the development into the park and that any access water from developing this will be controlled by the stormwater management.

Mr. Lloyd explained how stormwater management will work to control the water runoff.

Chair Pribyl asked if the applicant would like to come forward to answer questions.

Mr. Barry O’Meara came forward to answer questions.

Member Aspnes wondered where the snow will be stored if there is a lot of snow in the winter.

Mr. O’Meara explained they have taken snow removal into account when the land was developed. He noted by Code there could be fourteen to fifteen units on this land but because of the possibility of snow storage the units were cut back to ten. Snow should be able to be handled onsite and if not, the development will need to pay to remove it.

Chair Pribyl wondered if the townhomes will be sold or be rental units.

Mr. O’Meara explained the development was created in such a way that either having the townhomes as rentals or sold could be done. He stated the intent is to be flexible.

Public Comment

Mr. Arthur McWilliams, 2571 Fry Street, explained he lives by the kiddie pool and suspected this development will be good for the neighborhood overall. There will be nice new buildings in the neighborhood and in the long run might have a ripple effect and will be an improvement from what was previously there. Parking came up, which is his sole concern. He noted the parks gets a lot of use as well.

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No one else wished to address the Commission. Chair Pribyl closed the public hearing.

Commission Deliberation

Member Aspnes indicated she did not object to the twinhomes by themselves. Her concern is the City lost an opportunity to add to the park land, to this park which is really lovely. She can see some trees that have been planted in the park. She thought the park could use more parking so there is not so much traffic and parking on Fry Street.

Member Kruzel asked if staff knew why the Parks and Recreation Commission decided not to further investigate this or is that something that could be public knowledge.

Mr. Paschke thought when this property first went up for sale many years ago the Parks Department had a chance to buy it and chose not to and he believed the City was a part of that discussion.

Member McGehee indicated she personally would make findings that this plan has potentially very negative impact on the park because of the location, the oversite of the kiddie pool and the fact that people will be viewing this activity from their homes as well as the entire parking into the complex, the entire development is a problem, and this adds to it. She thought everything from snow removal to parking for those specific homes are inadequate and the homes having to have sprinkling system because there is not the kind of access for emergency vehicles that the City would normally require and the fact that this is a landlocked area with a very busy, highly used park with some amenities that are particular to this park and particular to Roseville in general where the City does not have them anywhere else and there are already parking problems around the parks, especially in the summer, and this is another example so she could not see in good conscious, herself in particular, could vote to support this proposal based on the issues that have been raised and to which there are not any answers. She would personally send this to the Council with those preliminary findings of hers as to why this particular proposal should not move forward.

Member Bjorum agreed with some of that. He did not want to penalize the developer for doing a nice job of developing this property. Doing what he deems best for the property, not going to the max density. He did not want to penalize him for planning this because there is a parking problem that he is trying to plan for and has said so and putting the burden of the neighborhood parking issue on his shoulders and this development, he thought this was set up as medium density development and he did not see an issue with what is on the plan and he did not see any legal ramification for the Planning Commission to deny moving this forward. He understood this is next to a very busy park and a very busy neighborhood, but he did not see the reason to penalize the developer for those issues on this.

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Member Aspnes thanked Member Bjorum for stating his reasons, there really is no legal reason.

Member Bjorum explained acknowledged all of the residents in the neighborhood that wrote in about parking issues and traffic issues but at the same time there is a containment design here for those units and development.

MOTION

Member Bjorum moved, seconded by Member Schaffhausen, to recommend to the City Council approval of a Preliminary Plat of an Existing Parcel as Ten Lots for Single-Family Attached Homes (Twinhomes) (PF23-002).

Ayes: 5
Nays: 1 (McGehee)

Member McGehee explained she would state again the reason that she stated previously as findings, and she believed that the City might want to revisit this at the Council level as a purchase and she did not believe that the developer should be penalized and lose money on this. To that regard she did not believe that the developer should be penalized financially but she thought the City Council should review this as something that they might want to revisit.

Motion carried.

Chair Pribyl advised this item will be before the City Council on July 10, 2023.

7. Other Business Heading Information

a. City Council Request for Commissions

Councilmember Etten was at the meeting to talk about a review that the City Council is asking all of the Commissions to do of their purpose, scope, and duties, understanding that this Commission is different so a lot of this Commission’s duties is laid out in State Statute and that is about all this Commission can do. He reviewed what the Council would like the Planning Commission to discuss and review over the next couple of months and bring back to the City Council.

Member McGehee indicated tonight she made some suggestions to go forward to the City Council and she asked what the best way is to get big picture things to transmit those to the City Council.

Councilmember Etten thought to start that it is a part of the Commission’s job, part of the advisory role to bring those issues forward to the City Council through a majority vote things the Commission feels the City Council should think about or address.

8. Adjourn

Regular Planning Commission Meeting

Minutes – Wednesday, June 7, 2023

Page 12

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MOTION

Member Aspnes, seconded by Member Bjorum, to adjourn the meeting at 8:38 p.m.

Ayes: 6

Nays: 0

Motion carried.



REQUEST FOR COMMISSION ACTION

Date: 7/5/2023

Item No.: 6.a.

Department Approval

Agenda Section

Janice Gundlach, Community Development Director

Public Hearing

Item Description: Request by Prince of Peace Lutheran Church for an Interim Use to temporarily regulate two existing mobile residential micro-unit dwellings on the property at 2555 Victoria Street (PF23-004)

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Application Information

Applicant: Prince of Peace Lutheran Church
Location: 2255 Victoria Street
Application Submission: June 2, 2023
City Action Deadline: August 1, 2023
Zoning: Institutional District

Background

The Request

Prince of Peace Lutheran Church is seeking an Interim Use to allow two existing mobile residential micro-unit dwellings to remain at 2555 Victoria Street until December 31, 2023. The units are currently prohibited under City Code because they are not served by municipal sewer and water utilities, which is required under current City Code and Zoning Code requirements. Rather, the mobile residential micro-unit dwellings rely on the adjacent church to meet needs not otherwise met by the units. A recently adopted State Law, named Sacred Communities and Micro-Unit Dwellings, regulating these mobile residential dwelling units, referred to as “micro-units” in “sacred communities” will go into effect on January 1, 2024. The State law outlines certain safety-related requirements and then requires municipalities to allow such units but prohibits municipal regulation. The requested Interim Use intends to ensure the soon to be effective health and safety standards are met for the existing mobile residential micro-units through December 31, 2023, at which point the State law will supersede City Code. Prince of Peace Lutheran Church, located at 2561 Victoria Street, is included in the Interim Use as the existing mobile residential micro-unit dwellings rely on the church for toilet, kitchen, laundry and bathing facilities.

What is an Interim Use? Certain land uses might not be consistent with the land uses designated in the Comprehensive Land Use Plan or might fail to meet all of the zoning standards established for the district within which they are proposed; some such land uses may, however, be acceptable or even beneficial if reviewed and provisionally approved for a limited period of time. The purpose of the Interim Use review process is to allow the approval of Interim Uses on a case-by-case basis; approved interim uses shall have a definite end date and may be subject to specific conditions considered reasonable and/or necessary for the protection of the public health, safety, and general welfare.

Level of Discretion in Decision Making: Actions taken on an Interim Use request are legislative;

36 the City has broad discretion in making land use decisions based on advancing the health, safety, and
37 general welfare of the community. However, because the Minnesota Legislature passed requirements
38 for Sacred Communities and Micro-Unit Dwellings (see Attachment 3), at the advice of the City
39 Attorney, the City should not use the Interim Use process to impose conditions more restrictive than
40 those that will go into effect on January 1, 2024. As such, the broad discretion typically provided
41 through an Interim Use review process is extremely limited with this application.

42 **Background**

43 Sometime in December of 2022, two mobile residential dwelling units (hereinafter referred to as
44 “micro-unit dwellings”) were placed on the 2.25-acre vacant parcel addressed 2555 Victoria Street N
45 immediately south, and in common ownership of Prince of Peace Lutheran Church located at 2561
46 Victoria Street N.

47 A “micro-unit”, as defined in the recently adopted legislation means a mobile residential dwelling
48 providing permanent housing within a “sacred community”. A “sacred community”, as defined in
49 the recently adopted legislation (and which Prince of Peace has established), is defined as a
50 residential settlement established on or contiguous to the grounds of a religious institution’s primary
51 worship location primarily for the purpose of providing permanent housing for chronically homeless
52 persons, extremely low-income persons, and designated volunteers.

53 The City of Roseville determined the micro-unit dwellings were prohibited under current City Code
54 and on February 1, 2023 and sent a letter notifying Prince of Peace of the staff determination the
55 units were not legal dwelling units under certain City Code and Zoning Code standards (see
56 Attachment 4). Prince of Peace appealed the staff determination and on March 6, 2023, the City
57 Council, acting as the Board of Adjustments and Appeals, held a public meeting on the appeal and
58 upheld the staff determination.

59 During this same time frame, the Minnesota State Legislature was considering legislation that would
60 require cities to allow such units and would establish statewide standards for sacred communities
61 and micro-unit dwellings. The legislation has since been adopted and becomes effective January 1,
62 2024. However, the Roseville City Council, in approving their resolution regarding the
63 determination of non-compliance, required Prince of Peace to obtain an approved Interim Use (IU)
64 to regulate the micro-unit dwellings through the end of the year.

65 **Review of Request**

66 In support of their request, Prince of Peace has provided a number of documents, which are found as
67 Attachment 5. Planning Division staff examined the following applicable and relevant issues related
68 to the Interim Use:

69 # of Units

70 Prince of Peace has installed two micro-unit dwellings. One is occupied by a person who is
71 considered chronically homeless. The other is occupied by persons who are fulfilling the
72 “designated volunteer” role. The term “designated volunteer” is defined in the Sacred Communities
73 and Micro-Unit Dwelling legislation and means persons who have not experienced homelessness
74 and have been approved by the religious institution to live in a sacred community as their sole form
75 of housing. Staff would note that in order to fully comply with the newly adopted State law, a third
76 micro-unit dwelling will have to be added to the site come January 1, 2024. This is because the law
77 says a sacred community must “have between one-third and 40 percent of the micro units occupied
78 by designated volunteers”. With only two units, one-half and 50 percent are occupied by designated
79

85 volunteers. While this may be acceptable from the City’s perspective for the purposes of processing
86 the Interim Use, as of January 1, 2024, Price of Peace will have to add a third micro-unit to the
87 sacred community and that micro-unit must be occupied by persons who will meet the definition of
88 being chronically homeless (per State law).
89



90
91
92 Setbacks: The two micro-unit dwellings are located near the west and north property lines of the
93 2555 Victoria Street property. The units are setback approximately 20 feet from the north property
94 line (side yard) and 50 feet from the west property line (rear yard). Per State Statutes micro-unit
95 dwellings must meet the setback standard imposed locally for manufactured homes and if such
96 standard does not exit, then a ten-foot setback is required. Roseville’s Manufactured Home Park
97 standards require a minimum 10-foot side yard setback (north and south), a minimum 15-foot rear
98 yard setback (west), and a minimum 50-foot setback from a public right-of-way (front yard). The
99 existing micro-unit dwellings comply with these setbacks.

100
101 Driveway Access & Parking: The site is accessible via an existing long driveway to/from Victoria
102 Street that includes a parking area at the terminus of the drive near the micro-unit dwellings, as well
103 as a small turn-around area about mid-way from the road to the terminus of the driveway, which
104 could serve as a turn-around for larger emergency vehicles such as a fire truck. The parking area
105 could accommodate approximately 6-8 vehicles.

106
107 Micro-Unit Dwelling Construction: The micro-unit dwellings are mobile dwellings constructed on a
108 trailer that is secured to the ground. The method of anchoring to the ground is defined in the
109 recently passed State legislation and must be inspected by a “qualified third-party inspector” (which
110 the applicant has provided). These units rely upon the main Church building for use of kitchen,
111 toilet, laundry and showers. The individual micro-unit dwellings are equipped with electricity in the
112 same manner as recreational vehicles would hook up to electricity. The construction of the units are
113 certified by the National Organization of Alternative Homes (certificates have been included in the
114 attachments). The recently passed State legislation outlines other specific technical requirements,

115 but also states that cities cannot impose permitting for the individual micro-units. Based on the
116 language of the State law and the information submitted by the applicant, the micro-units appear to
117 comply with the technical requirements. Prince of Peace has also submitted information confirming
118 they've secured insurance on the micro-unit dwellings, which is also a requirement under the State
119 law.
120



121
122
123 Other Items to Note:

- 124 i. Prince of Peace has partnered with Settled, who has provided occupant eligibility
125 certification in terms of meeting the definition of chronically homeless.
- 126 ii. Prince of Peace has provided certification for the micro-unit occupied by the designated
127 volunteer.
- 128 iii. Because the micro-unit dwellings are relying on the church for kitchen, toilet, bathing and
129 laundry facilities the church must contain the number and type of fixtures that would
130 otherwise be required for R-2 boarding houses. Prince of Peace submitted information
131 disclosing the number and type of fixtures within the church and indicates they meet the R-2
132 requirement.
- 133 iv. The materials submitted by Settled and Prince of Peace indicate the micro-units have a “dry
134 toilet” or “commode” and the waste produced by these toilets will be disposed of in the same
135 manner as diapers, which the MPCA indicated via email correspondence is acceptable.
- 136 v. Water used for cooking is disposed of in the church’s utility room.
- 137 vi. Residents of the micro-units have access to the church 24/7.
- 138 vii. Residents of the micro-units have signed leases, establishing expectations for conduct, which
139 is managed by Prince of Peace.
- 140 viii. The church is the emergency shelter.

141
142 **Review of IU Criteria**

143 As previously stated, given the recently passed State legislation allowing micro-unit dwellings in

144 Sacred Communities, and Prince of Peace’s compliance with the regulations in the newly passed
145 law, a typical Interim Use review is superseded by the State’s actions, giving the City little oversight
146 over this use. However, in the interest of providing a legislative means to permit the micro-unit
147 dwellings to remain until the State law goes into effect on January 1, 2024, Planning Division staff
148 considered the use against the IU findings. §1009.03 D of the City Code specifies that three specific
149 findings must be made in order to approve a proposed interim use:

- 150 1. **The proposed use will not impose additional costs on the public if it is necessary for the**
151 **public to take the property in the future.** This is generally intended to ensure the particular
152 interim use will not make the site costly to clean up if the City were to acquire the property
153 for some purpose in the future. In the case of the two micro-unit dwellings, should these units
154 need to be removed from the premises it would not take much effort as they are attached to a
155 trailer, and by their nature are “mobile”.
- 156 2. **The proposed use will not create an excessive burden on parks, streets, and other public**
157 **facilities.** The occupancy of two micro-unit dwellings will not create an excessive burden on
158 the adjacent Central Park; will not generate any traffic impacts to Victoria Street; and will
159 have little or no impact on public facilities, as currently proposed, given they have direct
160 access to a County roadway and are not connected to municipal utilities.
- 161 3. **The proposed use will not be injurious to the surrounding neighborhood or otherwise**
162 **harm the public health, safety, and general welfare.** These two micro-unit dwellings will
163 not be injurious to the surrounding neighborhood as the site on which the Sacred Community
164 lies is large at 2.25 acres in area, is adjacent to Prince of Peace Church to the north that lies
165 on over 6 acres of land, and abuts Central Park to the west and south therefore not in close
166 proximity any residential homes. Similarly, the two micro-units should not harm the public
167 health, safety, or general welfare of the adjacent community when all requirements under
168 State Statute are met.

169 170 171 172 173 174 **Staff Recommendation**

175 **Staff Comments and Recommendation**

176 As previously stated, on January 1, 2024, specific state regulations per the Sacred Communities and
177 Micro-Unit Dwellings legislation will go into effect. Once this legislation goes into effect, the City
178 cannot place more restrictive conditions on a sacred community or the micro-unit dwellings than
179 those stipulated in State law. At the advice of the City Attorney, between now and December 31,
180 2023, no conditions should be imposed by the IU that are more restrictive than State law. As such,
181 the Planning Division’s review of the proposal by Prince of Peace was based solely upon the
182 requirements provided in Sacred Communities and Micro-Unit Dwellings legislation.

183
184 Based upon the existing sacred community, its two micro-unit dwellings, and the requirements
185 recently adopted into State law that go into effect on January 1, 2024, the
186 Planning Division has determined no additional conditions should be imposed. However, the
187 Planning Division will note the existing sacred community will be required to add an additional
188 micro-unit dwelling by January 1, 2024, bringing the total to 3, to be compliant with State law. The
189 third micro-unit dwelling must be occupied by persons meeting the definition “chronically
190 homeless” per the Sacred Communities and Micro-Unit Dwellings legislation.

191

192 The Planning Division recommends approval of the requested IU with the following conditions:

- 193 1. The IU expires on December 31, 2023; and
- 194 2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023.
- 195 3. The Prince of Peace sacred community meets all requirements of the Sacred Communities
- 196 and Micro-Unit Dwellings legislation to go into effect on January 1, 2024.

197

198

199 **Requested Planning Commission Action**

200 **Suggested Planning Commission Action**

201 **By motion, make the following recommendations:**

202 A. By motion, recommend approval of a Interim use pursuant to §1009.03.D of the Roseville
 203 City Code for the existing sacred community and two micro-unit dwellings at Prince of Peace
 204 Lutheran Church for the property addressed at 2555 & 2561 Victoria Street based on the
 205 comments and findings of this report, and the following conditions:

- 206 1. The IU expires on December 31, 2023; and
- 207 2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023.
- 208 3. The Prince of Peace sacred community meets all requirements of the Sacred Communities
- 209 and Micro-Unit Dwellings legislation to go into effect on January 1, 2024.

210

211

212 **Alternative Actions**

213 **Alternative Actions**

- 214 a. Pass a motion to table the item for future action. An action to table must be tied to the need
- 215 for clarity, analysis, and/or information necessary to make a recommendation on the request.
- 216 b. Pass a motion recommending denial of the proposal. A motion to deny must include findings
- 217 of fact germane to the request.

218

219

Prepared by: Thomas Paschke, City Planner

- Attachments:**
- 1. PF23-004_PC_Attachment1
 - 2. PF23-004_PC_Attachment2
 - 3. PF23-004_Attachment3
 - 4. PF23-004_PC_Attachment4
 - 5. PF23-004_Attachment5

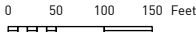
220

Attachment 1: Planning File 23-004



Data Sources
 * Ramsey County GIS Base Map [6/4/2023]
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

Disclaimer
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



Attachment 2: Planning File 23-004



Sec. 57. [327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.

Subdivision 1. Definitions.

(a) For the purposes of this section, the following terms have the meanings given.

(b) "Chronically homeless" means an individual who:

(1) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter;

(2) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least our separate occasions in the last three years; and

(3) has an adult head of household, or a minor head-of-household if no adult is present in the household, with a diagnosable substance use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of two or more of those conditions.

(c) "Designated volunteers" means persons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.

(d) "Extremely low income" means an income that is equal to or less than 30 percent of the area median income, adjusted for family size, as estimated by the Department of Housing and Urban Development.

(e) "Micro unit" means a mobile residential dwelling providing permanent housing within a sacred community that meets the requirements of subdivision 4.

(f) "Religious institution" means a church, synagogue, mosque, or other religious organization organized under chapter 315.

(g) "Sacred community" means a residential settlement established on or contiguous to the grounds of a religious institution's primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers that meets the requirements of subdivision 3.

Subd. 2. Dwelling in micro units in sacred communities authorized. Religious institutions are authorized to provide permanent housing to people who are chronically homeless, extremely low-income, or designated volunteers, in sacred communities composed of micro units subject to the provisions of this section. Each religious institution that has sited a sacred community must annually certify to the local unit of government that it has complied with the eligibility requirements for residents of a sacred community in this section.

Subd. 3. Sacred community requirements. (a) A sacred community must provide residents of micro units access to water and electric utilities either by connecting the micro units to the utilities that are serving the principal building on the lot or by other comparable means, or by providing the residents access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902. Any units that are plumbed shall not be included in determining the minimum number of fixtures required for the common facilities.

(b) A sacred community under this section must:

- (1) be appropriately insured;
- (2) have between one-third and 40 percent of the micro units occupied by designated volunteers; and
- (3) provide the municipality with a written plan approved by the religious institution's governing board that outlines:
 - (i) disposal of water and sewage from micro units if not plumbed;
 - (ii) septic tank drainage if plumbed units are not hooked up to the primary worship location's system;
 - (iii) adequate parking, lighting, and access to units by emergency vehicles;
 - (iv) protocols for security and addressing conduct within the settlement; and
 - (v) safety protocols for severe weather.

(c) Unless the municipality has designated sacred communities meeting the requirements of this section as permitted uses, a sacred community meeting the requirements of this section shall be approved and regulated as a conditional use without the application of additional standards not included in this section. When approved, additional permitting is not required for individual micro units.

(d) Sacred communities are subject to the laws governing landlords and tenants under chapter 504B. Subd. 4. Micro unit requirements.

(a) In order to be eligible to be placed within a sacred community, a micro unit must be built to the requirements of the American National Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical systems, and fire and life safety. A micro unit must also meet the following technical requirements:

- (1) be no more than 400 gross square feet;
- (2) be built on a permanent chassis and anchored to pin foundations with engineered fasteners;
- (3) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- (4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
- (5) have a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
- (6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
- (7) have minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square foot; and
- (8) have smoke and carbon monoxide detectors installed.

(b) All micro units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.

(c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain any permits or inspections required by the municipality or utility company for that connection.

(d) Micro units must comply with municipal setback requirements established by ordinance for manufactured homes. If a municipality does not have such an ordinance, micro units must be set back on all sides by at least ten feet.

February 1, 2023

Prince of Peace Lutheran Church
Attn: Pastor Peter Christ
2561 Victoria Street North
Roseville, MN 55113

RE: Interim Sacred Settlement

Dear Pastor Christ,

As you are aware, on or around December 20, 2022, City staff commenced communication with you regarding the placing of two micro housing units on the church property located at 2561 Victoria Street North. Be advised this letter refers to the units as “micro-units” residing in an “Interim Sacred Settlement” given the Memorandum of Understanding the church entered into with Settled uses this terminology.

Based on email, telephone and in-person communications, City staff understands the Interim Sacred Settlement and the two micro-units house two families, one considered a resource/intentional neighbor and one coming out of chronic homelessness. City staff further understands these families consider these micro-units their permanent housing, but have 24/7 access to the church for bathroom and kitchen facilities. Based on email communications from Settled dated January 4, 2023, it is their position that these micro-units are Recreational Vehicles. It should be noted that, although the units are being used as permanent housing, the definition of Recreational Vehicle under Minnesota State Statute and City Code describe such vehicles as “temporary.”

The property at 2561 Victoria Street North is in an Institutional Zone. The property to the immediate south, in common ownership with the 2561 Victoria Street North, is zoned Low Density Residential. The placement of the two micro-units is very near the shared property line between the two properties/two zoning districts. City staff has determined the placement and use of these micro-units is not in compliance with the City’s Zoning Code for either zoning district. The Institutional Zoning District does not permit residential uses nor recreational camping areas. The Low Density Residential Zoning District does offer a means to construct a development of “Dwelling, Courtyard Cottage” (also known as tiny homes), but does not allow a recreational camping area. The micro-units do not comply with the Zoning Code’s definition of dwelling so cannot be considered a legal use. Therefore, the two micro-units are not permissible to remain on the property. It should be noted that, in addition to zoning concerns, staff is concerned these micro-units may not meet basic safety, health, and occupancy requirements outlined within the Building Code, Fire Code, City Codes related to dwelling units having to be connected to City water and sewer, and other safety codes such as the Building Maintenance and Preservation Code.

Given the information contained herein, City staff offers three options:

1. Remove the micro units from the property,
2. Appeal the staff interpretation the two micro-units are not permitted to the City Council. An appeal request must be submitted to the City Manager **within 10 days of receiving this letter**, whereby the City Council will act on the appeal at a regularly scheduled City Council meeting to be held within 30 days of receipt of the appeal. The appeal process is specified in City Code Section 1009.08 (enclosed herein) and must be accompanied by a \$100 processing fee.



3. Initiate actions to construct a residential development under the “dwelling, courtyard cottage” (or tiny home) housing type on the southerly parcel that is zoned Low Density Residential. These actions will require compliance with the Building Code.

The City appreciates the church’s commitment to addressing chronic homelessness and intends to work cooperatively towards a solution achieving Zoning and/or Building Code compliance that addresses all public health, safety and welfare concerns. Please contact Janice Gundlach, Community Development Director via phone at 651-792-7071 or via email to Janice.Gundlach@CityofRoseville.com with questions or concerns.

Sincerely,
City of Roseville

A handwritten signature in blue ink that reads "Patrick Trudgeon".

Patrick Trudgeon
City Manager

Attachments:

cc. Appeals – 1009.08

1009.08: APPEALS

A. An appeal pertaining to a decision of the Variance Board or an administrative ruling of the Community Development Department regarding any interpretation of the intent of this Title, or any administrative action approving or denying an application or request related to any matter addressed in this Title may be filed by any property owner or their agent.

1. The appeal shall be submitted to the City Manager within 10 calendar days after the making of the order or decision being appealed.
2. The appeal shall state the specific grounds upon which the appeal is made.
3. The appeal shall be accompanied by the fee set forth in Chapter 314 of this Code.

B. When an appeal is filed, a public meeting regarding the matter shall be held before the City Council, acting as the Board of Adjustments and Appeals, at a regular meeting held within 30 days of the receipt of the appeal. The Board of Adjustments and Appeals will reconsider only the evidence that had previously been considered as part of the formal action that is the subject of the appeal. New or additional information from the appeals applicant(s) may be considered by the Board of Adjustments and Appeals at its sole discretion, if that information serves to clarify information previously considered by the Variance Board and/or staff.

1. Variance Appeals: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s), members of the Variance Board, and to all of those property owners within the public hearing notification area established in Chapter 108 of the City Code, as well as the owner of the subject property.
2. Administrative Deviation Appeals: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s) and all of those property owners who received notice of the original administrative deviation hearing, as well as the owner of the subject property.
3. Appeals of Administrative Decisions: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s) as well as the owner of the subject property.



PRINCE
of PEACE
Lutheran Church

Interim Use Permit Application

June 2, 2023



PRINCE
of PEACE
Lutheran Church

Interim Use Permit Submission

Key Documents

1. Interim Use Permit Application Form and attachments.
 - Application
 - Statement of Intent
 - Legal Description and PIN
 - Proposed Plan
 - Open House Summary
 - Open House Sign-in Sheets
 - Open House Comments
2. Background
3. Omnibus Jobs, Economic Development, Labor, and Industry Appropriations Bill, Article 11, Section 57 (pages 1, 116-119)
4. Bill status, showing signature of Governor Walz on May 24, 2023
5. Mission Statement, Prince of Peace Lutheran Church of Roseville
6. Roseville City Council Minutes, April 24, 2023, approving a Resolution related to the two units at Prince of Peace Lutheran Church.
7. Resolution 11977, "Resolution documenting the conditions recommended by staff related to approving the extension," adopted by the Roseville City Council on April 24, 2023
8. Key Project Contacts

Statutory Requirements

9. Certification of Occupant Eligibility, Dated May 23, 2023
10. Certification of Resident Approval
11. Percentage of Designated Volunteers as Residents
12. Sacred Community Requirements- Access to facilities
13. Email Exchange between Settled and Minnesota Pollution Control Agency regarding dry toilets.
14. Sacred Community Requirements – Insurance
15. Congregational Approval of Plan, Dated May 9, 2023
16. Sacred Community Requirements - Inspections
17. Certification for Unit 1
18. Certification for Unit 2
19. Certificates of Compliance for Both Units
20. Electrical Permit from the City of Roseville dated 11/4/2023. Completed inspection dated 11/18/23.
21. Status of Pin Footing



COMMUNITY DEVELOPMENT
2660 Civic Center Drive ❖ Roseville, MN 55113
Phone: (651) 792-7005

INTERIM USE APPLICATION

CITY CODE SECTION 1009.03
www.cityofroseville.com

- INITIAL APPLICATION FEE: \$1475**
- RENEWAL APPLICATION FEE: \$1025**

Fee should be made payable to City of Roseville upon submittal of completed application.

Please complete the application by typing or printing in ink. Use additional paper if necessary.

1. Property Owner Information:

Company name: Prince of Peace Lutheran Church of Roseville

Last name: _____ First name: _____

Address: 2561 Victoria Street North City/State/Zip: Roseville, MN 55113

Phone number: (651) 484-4144 Email address: mstetzler@gmail.com

2. Applicant Information: (if different from above)

Company name: _____

Last name: _____ First name: _____

Address: _____ City/State/Zip: _____

Phone number: _____ Email address: _____

3. Address(es) of Property Involved: (if different from above)

4. Zoning Designation: Low density residential

5. Comprehensive Plan Designation: Low density residential

6. Statement of Intent: Briefly describe what will be done on or with the property requiring the interim use approval and how long the use will continue.

See attached

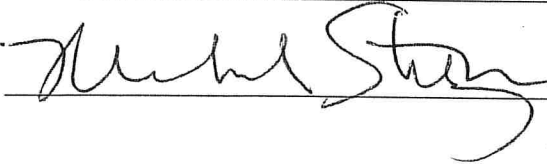
7. Additional Required Information:

- a. **Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved.
- b. **Proposed Plans:** In addition to a scaled site plan, a landscape plan, grading and drainage plan, photometric plan, traffic study, and exterior building elevation drawings showing building materials may also be required if deemed necessary by the Community Development Director. Plans for residential applications may be on 8½"x 11" or 11"x 17" paper. **For commercial applications, please provide 1 full-size copy of all plans in both electronic format (preferably PDF) and printed format.**
- c. **Open House Summary:** A written summary of at least one open house meeting is a required component of an interim use application.
- d. **Consultant Fees:** Whenever third party consultants are utilized in the preparation of application materials (e.g., a traffic study) or the City's review of an application (e.g., traffic study analysis), the applicant shall be responsible for paying the entirety of those costs.
- e. **Written Narrative:** The written narrative should thoroughly describe the proposal with particular attention to any modifications and limitations of the use that will be made to reduce its incompatibility with surrounding uses.

8. **Signature(s):** By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

Property Owner: Prince of Peace Lutheran Church

Date: _____

Applicant: 

Date: May 30, 2023

Interim use applications must be received by the close-of-business on the first Friday of each month; applications received after this date cannot be heard at the Planning Commission meeting of the following month.

PRINCE OF PEACE LUTHERAN CHURCH

15815

Bill #	Invoice #	Inv. Date	Comment	Amount
5319		5/31/2023	Interim Use Permit Applications	1,475.00
	Check # 15815		Check Date: 5/31/2023	1,475.00

Pay To: City of Roseville, 2660 Civic Center Drive, Roseville, MN 55113

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES AND ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW



PRINCE OF PEACE LUTHERAN CHURCH
 2561 VICTORIA ST., N.
 ROSEVILLE, MN 55113-3410
 651-484-4144

WELLS FARGO BANK, N.A.
MINNESOTA

15815

17-1/910

CHECK NO. 15815

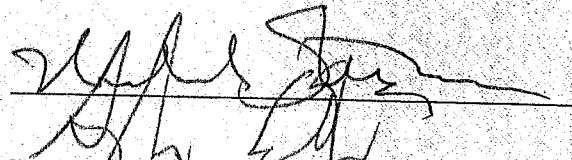
05/31/2023

One Thousand Four Hundred Seventy-Five Dollars and Zero Cents

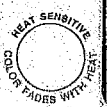
DATE

AMOUNT
1,475.00

City of Roseville
2660 Civic Center Drive
Roseville, MN 55113



 AUTHORIZED SIGNATURE



⑈015815⑈ ⑆091000019⑆ 3974479332⑈

BY THE ORDER

Statement of Intent

This project covers two Micro-units (tiny homes) no more than 180 square foot each, built on movable trailers and anchored to the church land to provide housing to three adults and one child, all known to the church community. Micro-units are built to an ANSI standard (a nationally recognized tiny home standard). The intended purpose is to provide community and housing for these individuals while the church members go through an internal process to determine how they can continue to serve the community with their resources.

To allow time for this discernment process and provide housing for these individuals as the process and transition occurs, this interim use permit would remain in effect for one year.

Property Description and PIN

Prince of Peace Lutheran Church of Roseville owns two adjoining parcels of property. Here are the details for both parcels:

2561 Victoria Street North

Parcel Description: SECTION 11 TOWN 29 RANGE 23 BEG AT SE COR OF N 848.07 FT OF NW 1/4 TH ...AND ESMTS) IN SEC 11 TN 29 RN 23*

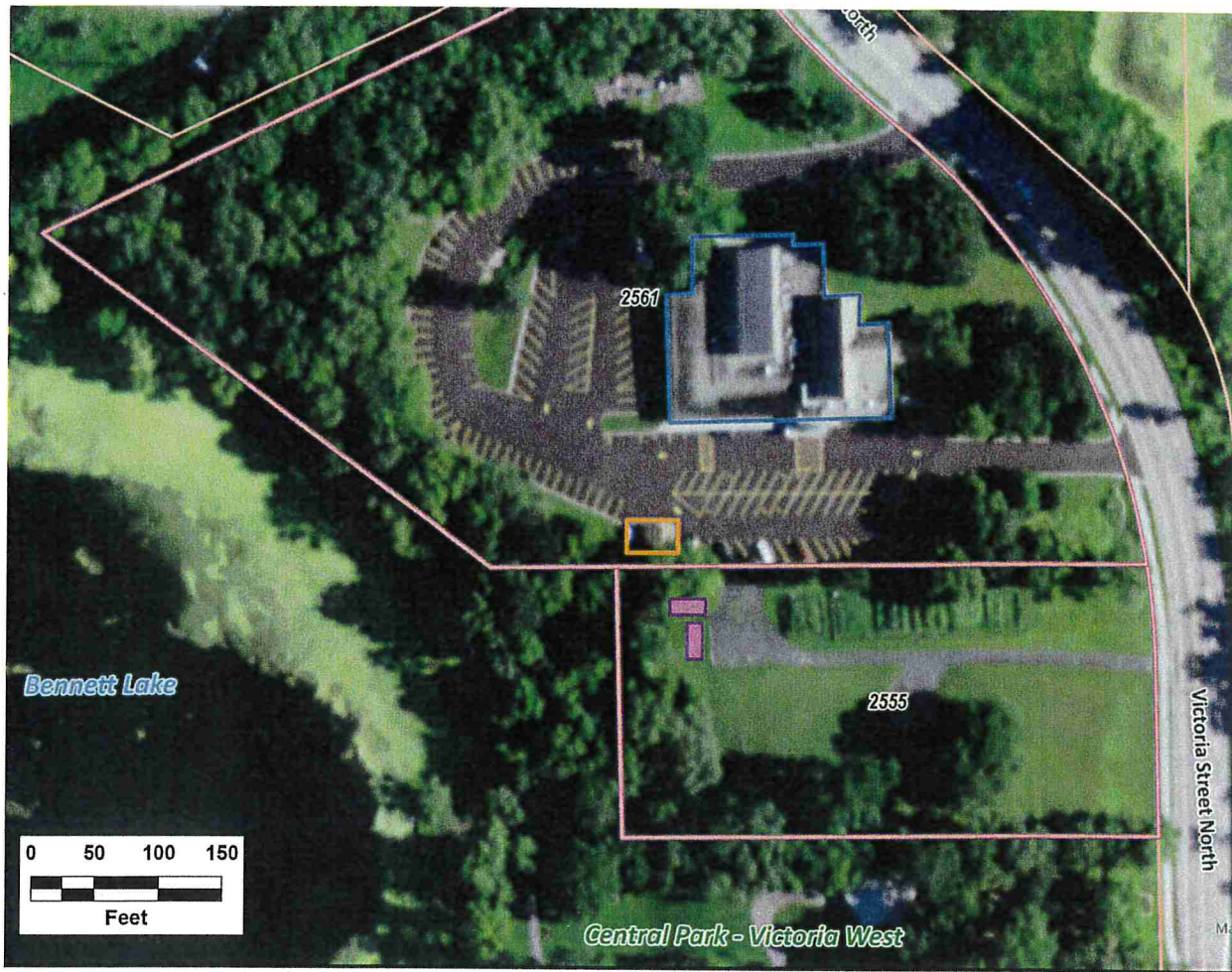
Parcel ID: 112923210005

2555 Victoria Street North

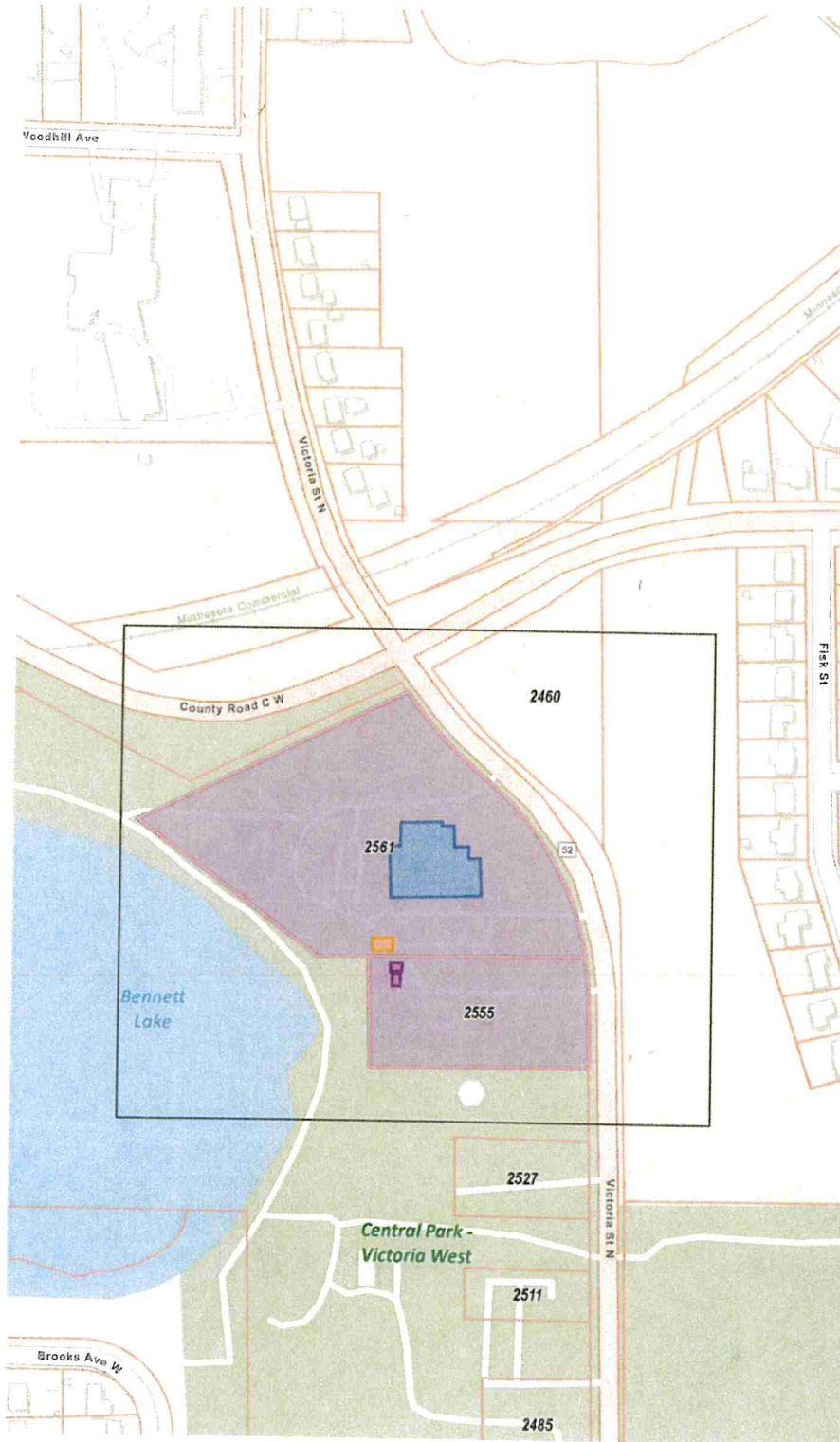
Parcel Description: SECTION 11 TOWN 29 RANGE 23 S 213 FT OF N 1061 07/100 FT OF E 461 FT ...TO ST) IN SEC 11 TN 29 RN 23*

Parcel ID: 112923210006

*The parcel descriptions are from the Ramsey County Assessor's Office.



This information is for environmental review purposes only.



PRINCE
of PEACE
Lutheran Church

Prince of Peace Lutheran Church

Property Layout

2561 Victoria St N
Roseville, MN 55113

- Church Footprint
- Maintenance Garage
- Sacred Settlement Home
- Prince of Peace Lutheran Church Parcel
- Roseville City Park
- Ramsey County Parcel



Details of our Open House – May 21, 2023

Prince of Peace Lutheran Church held an Open House on Sunday, May 21, from 6:00-8:00 pm, allowing neighbors and others to tour a tiny home built by Settled, see the property plan, visit the common space in the church building, and talk with representatives of both Prince of Peace and Settled about the proposed plan.

The open house overlapped with a parking lot carnival held from 4:00-6:00 pm. Church and community members gathered for games, food, crafts and activities. Attendance was strong and the event was enjoyed by many. We were very pleased that two Roseville police officers attended part of the carnival.

The Open House Sign-in Sheet has 26 signing in, representing 39 individuals. A copy is included in this packet. Hosts were available to welcome visitors, share with them the nature of the interim settlement, respond to questions and to show people around to the common room, the demonstration tiny home and to indicate the presence of cooking, bathroom and shower facilities available for the residents.

Those attending were invited to ask questions and share comments. Index cards and pencils were available for written comments. Questions focused mainly on the goals for the settlement and the history of how the Church came to this place. Comments were almost all affirming toward the work of providing housing for chronically homeless people and appreciation of the formation of community through the presence of an intentional neighbor who would live in a nearby tiny home and the involvement of the Church community.

The closest neighbors who attended the open house expressed interest, support, and encouragement, but also acknowledged “some concerns” and a desire to “stay informed and involved.”

The only negative comment came from a community member living a few blocks from the Church who wrote “I am concerned on the connection between the panhandling and homeless tents that are across County C. I am concerned that the trend is being influenced by your initiative. It is disturbing to be a tax paying citizen and have these

things in my back yard.” Prince of Peace has already addressed the issue of residents panhandling by including language in the Good Neighbor Agreement (a legally binding lease) that prohibits any solicitation within three miles of the church; violation could result in eviction.

However, the comment raises a valid concern about panhandling in our Roseville community. The exact location of the solicitations is unclear. The presence of tents, somewhat hidden in the brush and trees near the railroad tracks, is something that has recently been brought to the attention of Prince of Peace leadership by a community member asking that the Church provide help to one of the tent residents. Prince of Peace has not promoted the homeless tents in our area – instead it shows the reality of those experiencing homelessness and inspires the Church to respond.

The open house was an opportunity to interact with people from the community and also beyond. There is an interest in the project and affirmation for the goal of serving the homeless by building community.

<u>Name and Address</u>	<u>Phone # and Email</u>
"AARIEF FLASHINSKI 2730 Oxford St. N Roseville MN 55113	608-358-8822 aflashinski@gmail.com
ARJUN SETHI; JENNA SETHI; SOFIE SETHI; MICHA SETHI 2707 GALTIER STREET ROSEVILLE, MN 55113	651-329-4238 arjundsethi@gmail.com
CHRIS HENNINGSON AUREY HENNINGSON 63 Mid Oaks Lane Roseville, MN 55113	651-642-7080 Chenningson2@aol.com ahenningson@aol.com

Open House Sign In - 05/22/2023

<u>Name and Address</u>	<u>Phone # and Email</u>
Stephen + Antoinette Svom 1187 Highridge Ct. Maplewood, MN, 55109	218-296-1221 sasveom@gmail.com
Cyathia White & Paul Thomas 2489 Churchill St. Roseville, MN 55113	651-323-3343 csw2489@comcast.net
Campbell 703 Nebraska Ave E St. Paul, MN 55106	
Savita + Betchen Oberdorfer 3532 2773 Murray Street	
Jeri + Paul Jost 1460 Applewood Ct #214 Roseville 55113 651-484-4443	
Rod + Nancy Maeker 1235 Yada Place #585 Mpls 55403	612-310-9560 maekernancy@gmail.com
RAINER JAESCHKE 132 DEMONT AVE E UNIT 125 LITTLE CANADA, MN 55117	859-802-0569 RWJSCHOSS45@GMAIL.COM

Open House Sign In - 05/22/2023Name and AddressPhone # and Email

KRISTEN DONAUDSON
2597 FISK ST.

651-343-2187

kkeraneme.com

Brent + Diane Martin
2569 Fisk St.

651-483-0694

bdmartin1970@
comcast.net

Open House Sign In - 05/22/2023

<u>Name and Address</u>	<u>Phone # and Email</u>
D At & Russ Stolle 3099 AVON ST NO Roseville MN 55113	651-482-9343 prstolle@yahoo.com
Chelsea Stanton 167 McKnight Rd N Apt 306 St. Paul, MN 55119	chelsea.kay.stanton @gmail.com
Emily Allen 3900 Bethel Dr. #118 Arden Hills, MN 55112	651-356-4952 emil emilyjoyallen@yahoo.com
+ Gene Dwenda Gjerdingen 2553 Fisk St. Roseville Mn 55113	651-484-8343 gjerd001@umn.edu
Steve Barnier 4393 Arden View Dr Arden Hills, MN 55112	612-983-1249 stevenb019@yahoo.com
Jacob R. Sauer 1522 Carroll Ave St Paul, MN 55104	763-327-7106
Sari Gundersen 2451 Churchill St Roseville, MN 55113	sarisari@gmail.com

Open House Sign In - 05/22/2023

<u>Name and Address</u>	<u>Phone # and Email</u>
Tizy LaBarre 222 Duke St. St. Paul MN 55102	6512453879
KATY JANDA 733 EMERALD RIDGE ROSEVILLE MN 55113	651-278-0468 Katy.janda@gmail.com
ANN JANDA 731 EMERALD RIDGE ROSEVILLE MN 55113	A-JANDA@NORTHWESTERN.EDU
Ken Janda 731 Emerald Ridge Roseville, MN 55113	KJanda@northwestern.edu
Jack & Diane Paulson 2561 Fisk Street Roseville, MN 55113	jack.paulson@comcast.net djpaulson@comcast.net
Nick Lane 3455 Dale St. N Shoreview, MN 55126	612-356-3745 NickL1538@gmail.com
ERIC GUSTAFSON 733 Emerald Ridge Roseville MN 55113	651-208-1473 egustafson02@luthersem.edu

Comments Received at Open House – 05/21/2023

The tiny homes are a wonderful solution to the ongoing homeless problem.
Beats living out of a car or under the bridge or on the street.
And the community support through the church cannot be replicated!
The most important – the residents are happy!!!
Cynthia S. White

I'm so glad you are doing something for the homeless!!

It is a great concept. Doing work to help homeless people is wonderful.

This is a fantastic idea!! Thanks for being a piece of the kingdom here on earth.

I love God. (In child's print)

I love this. God bless you!

I am very interested by the model and concept. Homelessness is such a chronic and misunderstood issue. I'll be cheering for you from the sidelines of Fisk St across the pond. I do have some concerns, and would like to stay informed and involved – but I am overall supportive of the idea. It's important work, and I applaud you.
Kristen Donaldson

The Settled model allows churches to do what they do best: love their neighbors and create community. Tiny homes and cohousing at the church is better than people living in their vehicles!

This is a wonderful initiative! Christ in action, if you ask me! Keep up the good work.

Eric Gustafson 651-208-1473

The "Settled" Project is impressive in its goals and complexity. It seems like there is so much more involved. A place to live (a home) is only the beginning. Any additional support is certainly worthwhile given that homelessness is a growing societal condition.

I am concerned on the connection between the panhandling and homeless tents that are across County C.

I am concerned that that trend is being influenced by your initiative. It is disturbing to be a tax paying citizen and have these things in my back yard.

Harriet Flashinski 608 358-8822

I live in Roseville, and I strongly support the Little House concept in general and the Settled program in particular.

This is not a perfect solution to the problem of homelessness, but it is better by far than being homeless.

Kenneth Janda
731 Emerald Ridge
Roseville, MN 55113

Settled has been great for Prince of Peace and the community. Hope to keep it growing!

Vera and Paul Ista
Roseville 55113

Background

On April 24, 2023, the Roseville City Council approved a Resolution to stay the action of the Council (acting as the Board of Adjustment and Appeals) ordering removal of the two Micro Units providing housing on the property of Prince of Peace Lutheran Church.

That order is stayed until July 30, 2023 on the following conditions:

1. Prince of Peace hosts an Open House related to the Interim Use Application on or before May 21, 2023.
2. The "Sacred Communities and Micro-Unit Dwellings" bill currently before the Minnesota Legislature that requires cities to allow Micro-Unit Dwellings as permanent housing for "people who are chronically homeless, extremely low income, or designated volunteers," as defined in the bill, is adopted in its current form or in a similar form during the 2023 regular legislative session and signed into law.
3. Prince of Peace files an application for an Interim Use Permit no later than June 2, 2023.

Prince of Peace hosted an Open House on May 21, 2023. Information on that Open House is included in this Application. The "Sacred Communities and Micro-Unit Dwellings" bill was passed by the Legislature and signed into law by Governor Walz on May 24, 2023.

Prince of Peace Lutheran Church submits this Application for an Interim Use Permit in order to address the need for housing for persons moving out of chronic homelessness and to answer its call to love our neighbor.

Working with the nonprofit Settled, Prince of Peace will be using a "full community" model both providing shelter and meeting relational and social needs in a holistic manner. We recognize that most people without a home not only lack shelter, but also a community that cares about them. Prince of Peace will provide a place where everyone has purpose and each person has value, is celebrated, and functions according to their skills and gifts.

1.1 moves to amend S.F. No. 3035, in conference, as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1
1.4 LABOR POLICY

1.5 Section 1. Minnesota Statutes 2022, section 116J.871, subdivision 1, is amended to read:

1.6 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
1.7 the meanings given them.

1.8 (b) "Economic development" means financial assistance provided to a person directly
1.9 or to a local unit of government or nonprofit organization on behalf of a person who is
1.10 engaged in the manufacture or sale of goods and services. Economic development does not
1.11 include (1) financial assistance for rehabilitation of existing housing or; (2) financial
1.12 assistance for new housing construction in which total financial assistance at a single project
1.13 site is less than \$100,000; or (3) financial assistance for the new construction of fully
1.14 detached single-family affordable homeownership units for which the financial assistance
1.15 covers no more than ten fully detached single-family affordable homeownership units. For
1.16 purposes of this paragraph, "affordable homeownership" means housing targeted at
1.17 households with incomes, at initial occupancy, at or below 115 percent of the state or area
1.18 median income, whichever is greater, as determined by the United States Department of
1.19 Housing and Urban Development.

1.20 (c) "Financial assistance" means (1) a grant awarded by a state agency for economic
1.21 development related purposes if a single business receives \$200,000 or more of the grant
1.22 proceeds; (2) a loan or the guaranty or purchase of a loan made by a state agency for
1.23 economic development related purposes if a single business receives \$500,000 or more of
1.24 the loan proceeds; or (3) a reduction, credit, or abatement of a tax assessed under chapter

- 116.1 12 inches or less, or a grate area of two square feet or less, and are equipped with an ASME
116.2 stamped safety valve of adequate size, a water level indicator, and a pressure gauge;
- 116.3 (19) any pressure vessel used as an integral part of an electrical circuit breaker;
- 116.4 (20) pressure vessels used for the storage of refrigerant if they are built to ASME code
116.5 specifications, registered with the national board, and equipped with an ASME code-stamped
116.6 pressure-relieving device set no higher than the maximum allowable working pressure of
116.7 the vessel. This does not include pressure vessels used in ammonia refrigeration systems;
- 116.8 (21) pressure vessels used for the storage of oxygen, nitrogen, helium, carbon dioxide,
116.9 argon, nitrous oxide, or other medical gas, provided the vessel is constructed to ASME or
116.10 Minnesota Department of Transportation specifications and equipped with an ASME
116.11 code-stamped pressure-relieving device. The owner of the vessels shall perform annual
116.12 visual inspections and planned maintenance on these vessels to ensure vessel integrity;
- 116.13 (22) pressure vessels used for the storage of compressed air for self-contained breathing
116.14 apparatuses;
- 116.15 (23) hot water heating or other hot liquid boilers vented directly to the atmosphere; and
- 116.16 (24) pressure vessels used for the storage of compressed air not exceeding 1.5 cubic feet
116.17 (11.22 gallons) in volume with a maximum allowable working pressure of 600 psi or less.
- 116.18 (b) An engineer's license is not required for hot water supply boilers.
- 116.19 (c) An engineer's license and annual inspection by the department is not required for
116.20 boilers, steam cookers, steam kettles, steam sterilizers or other steam generators not exceeding
116.21 100,000 BTU per hour input, 25 kilowatt, and a pressure of 15 psig.
- 116.22 (d) Electric boilers not exceeding a maximum working pressure of 50 psig, maximum
116.23 of 30 kilowatt input or three horsepower rating shall be inspected as pressure vessels and
116.24 shall not require an engineer license to operate.

116.25 **Sec. 57. [327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.**

116.26 **Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have**
116.27 **the meanings given.**

116.28 **(b) Chronically homeless" means an individual who:**

116.29 **(1) is homeless and lives or resides in a place not meant for human habitation, a safe**
116.30 **haven, or in an emergency shelter;**

117.1 (2) has been homeless and living or residing in a place not meant for human habitation,
 117.2 a safe haven, or in an emergency shelter continuously for at least one year or on at least
 117.3 four separate occasions in the last three years; and

117.4 (3) has an adult head of household, or a minor head-of-household if no adult is present
 117.5 in the household, with a diagnosable substance use disorder, serious mental illness,
 117.6 developmental disability, post-traumatic stress disorder, cognitive impairments resulting
 117.7 from a brain injury, or chronic physical illness or disability, including the co-occurrence of
 117.8 two or more of those conditions.

117.9 (c) "Designated volunteers" means persons who have not experienced homelessness and
 117.10 have been approved by the religious institution to live in a sacred community as their sole
 117.11 form of housing.

117.12 (d) "Extremely low income" means an income that is equal to or less than 30 percent of
 117.13 the area median income, adjusted for family size, as estimated by the Department of Housing
 117.14 and Urban Development.

117.15 (e) "Micro unit" means a mobile residential dwelling providing permanent housing
 117.16 within a sacred community that meets the requirements of subdivision 4.

117.17 (f) "Religious institution" means a church, synagogue, mosque, or other religious
 117.18 organization organized under chapter 315.

117.19 (g) "Sacred community" means a residential settlement established on or contiguous to
 117.20 the grounds of a religious institution's primary worship location primarily for the purpose
 117.21 of providing permanent housing for chronically homeless persons, extremely low-income
 117.22 persons, and designated volunteers that meets the requirements of subdivision 3.

117.23 Subd. 2. Dwelling in micro units in sacred communities authorized. Religious
 117.24 institutions are authorized to provide permanent housing to people who are chronically
 117.25 homeless, extremely low-income, or designated volunteers, in sacred communities composed
 117.26 of micro units subject to the provisions of this section. Each religious institution that has
 117.27 sited a sacred community must annually certify to the local unit of government that it has
 117.28 complied with the eligibility requirements for residents of a sacred community in this section.

117.29 Subd. 3. Sacred community requirements. (a) A sacred community must provide
 117.30 residents of micro units access to water and electric utilities either by connecting the micro
 117.31 units to the utilities that are serving the principal building on the lot or by other comparable
 117.32 means, or by providing the residents access to permanent common kitchen facilities and
 117.33 common facilities for toilet, bathing, and laundry with the number and type of fixtures

- 118.1 required for an R-2 boarding house under Minnesota Rules, part 1305.2902. Any units that
118.2 are plumbed shall not be included in determining the minimum number of fixtures required
118.3 for the common facilities.
- 118.4 (b) A sacred community under this section must:
- 118.5 (1) be appropriately insured;
- 118.6 (2) have between one-third and 40 percent of the micro units occupied by designated
118.7 volunteers; and
- 118.8 (3) provide the municipality with a written plan approved by the religious institution's
118.9 governing board that outlines:
- 118.10 (i) disposal of water and sewage from micro units if not plumbed;
- 118.11 (ii) septic tank drainage if plumbed units are not hooked up to the primary worship
118.12 location's system;
- 118.13 (iii) adequate parking, lighting, and access to units by emergency vehicles;
- 118.14 (iv) protocols for security and addressing conduct within the settlement; and
- 118.15 (v) safety protocols for severe weather.
- 118.16 (c) Unless the municipality has designated sacred communities meeting the requirements
118.17 of this section as permitted uses, a sacred community meeting the requirements of this
118.18 section shall be approved and regulated as a conditional use without the application of
118.19 additional standards not included in this section. When approved, additional permitting is
118.20 not required for individual micro units.
- 118.21 (d) Sacred communities are subject to the laws governing landlords and tenants under
118.22 chapter 504B.
- 118.23 Subd. 4. Micro unit requirements. (a) In order to be eligible to be placed within a
118.24 sacred community, a micro unit must be built to the requirements of the American National
118.25 Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical
118.26 systems, and fire and life safety. A micro unit must also meet the following technical
118.27 requirements:
- 118.28 (1) be no more than 400 gross square feet;
- 118.29 (2) be built on a permanent chassis and anchored to pin foundations with engineered
118.30 fasteners;

- 119.1 (3) have exterior materials that are compatible in composition, appearance, and durability
 119.2 to the exterior materials used in standard residential construction;
- 119.3 (4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in
 119.4 ceilings, as well as residential grade insulated doors and windows;
- 119.5 (5) have a dry, compostable, or plumbed toilet or other system meeting the requirements
 119.6 of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other
 119.7 applicable rules;
- 119.8 (6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as
 119.9 applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard,
 119.10 current edition;
- 119.11 (7) have minimum wall framing with two inch by four inch wood or metal studs with
 119.12 framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels,
 119.13 with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square
 119.14 foot; and
- 119.15 (8) have smoke and carbon monoxide detectors installed.
- 119.16 (b) All micro units, including their anchoring, must be inspected and certified for
 119.17 compliance with these requirements by a licensed Minnesota professional engineer or
 119.18 qualified third-party inspector for ANSI compliance accredited pursuant to either the
 119.19 American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.
- 119.20 (c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain
 119.21 any permits or inspections required by the municipality or utility company for that connection.
- 119.22 (d) Micro units must comply with municipal setback requirements established by
 119.23 ordinance for manufactured homes. If a municipality does not have such an ordinance, micro
 119.24 units must be set back on all sides by at least ten feet.
- 119.25 **EFFECTIVE DATE.** This section is effective January 1, 2024.
- 119.26 Sec. 58. Minnesota Statutes 2022, section 572B.17, is amended to read:
- 119.27 **572B.17 WITNESSES; SUBPOENAS; DEPOSITIONS; DISCOVERY.**
- 119.28 (a) An arbitrator may issue a subpoena for the attendance of a witness and for the
 119.29 production of records and other evidence at any hearing and may administer oaths. A
 119.30 subpoena must be served in the manner for service of subpoenas in a civil action and, upon
 119.31 motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the
 119.32 manner for enforcement of subpoenas in a civil action.

Office of the Revisor of Statutes

SF 3035 Status in the Senate for the 93rd Legislature (2023 - 2024)

Current bill text: 4th Engrossment
 Add SF 3035 to MyBills
 Version List
 Long Description

Companion: HF3028
 Companion Text
 House Search
 Committee Hearings and Actions

Revisor number: 23-02739
 Session Law Chapter: 53

Senate Counsel & Research Summary
 Fiscal Notes

Description

Omnibus Jobs, Economic Development, Labor, and Industry appropriations

Authors (2)

Champion; Mohamed

House Authors (2)

Hassan; Xiong

Actions

Separated Chronological

Senate

03/22/2023	Introduction and first reading	pg. 2200 Intro
03/22/2023	Referred to Jobs and Economic Development	
04/03/2023	Author added Mohamed	pg. 3006
04/11/2023	Comm report: To pass as amended and re-refer to Finance	pg. 3727a 1
04/11/2023	Rule 12.10: report of votes in committee	pg. 3810
04/13/2023	Comm report: To pass as amended	pg. 4811a 2
04/13/2023	Second reading	pg. 4954
04/14/2023	Special Order: Amended	pg. 5106 3
04/14/2023	Third reading Passed	pg. 5129 vote: 35-31
04/25/2023	Returned from House with amendment	pg. 5878
04/25/2023	Senate not concur, conference committee of 5 requested	
04/26/2023	Senate conferees Champion; McEwen; Mohamed; Hauschild; Gustafson	pg. 6084
04/27/2023	House conferees Hassan; Xiong; Nelson, M.; Berg; Olson, L.	pg. 6542
05/15/2023	Conference committee report, delete everything	pg. 7922c
05/15/2023	Motion to reject CC report, did not prevail	pg. 8149 vote: 33-34

05/15/2023	Point of order pertaining to Jt rule 2.06, put to the body	pg. 8149
05/15/2023	Point of order well taken	pg. 8150 vote: 55-9
05/15/2023	Returned to Conference Committee	pg. 8150 vote: 56-8
05/16/2023	Conference committee report, delete everything	pg. 8220 4
05/16/2023	Motion to reject CC report, did not prevail	pg. 8447 vote: 33-34
05/16/2023	Senate adopted CC report and repassed bill	pg. 8448 vote: 34-32
05/16/2023	Third reading	pg. 8448 vote: 34-33
05/17/2023	House adopted SCC report and repassed bill	pg. 8921
	Presentment date 05/23/23	
House		
04/17/2023	Received from Senate	pg. 5323
04/17/2023	Senate file first reading, referred to Ways and Means	pg. 5324
04/20/2023	Committee report, to adopt as amended	pg. 5749a
04/20/2023	Second reading	pg. 5877
04/20/2023	House rule 1.21, placed on Calendar for the Day Monday, April 24, 2023	pg. 5880
04/24/2023	Amended	pg. 6784a
04/24/2023	Point of order raised, ruled well taken	pg. 6786
04/24/2023	Amended	pg. 6787a
04/24/2023	Point of order raised, ruled well taken	pg. 6799
04/24/2023	Third reading as amended	pg. 6799
04/24/2023	Bill was passed as amended	pg. 6800 vote: 69-61
04/26/2023	Senate refuses to concur, conference committee of 5 requested	pg. 7099
04/26/2023	Senate conferees Champion; McEwen; Mohamed; Hauschild; Gustafson	pg. 7100
04/26/2023	House accedes, conference committee of 5 to be appointed	pg. 7100
04/26/2023	House conferees Hassan; Xiong; Nelson, M.; Berg; Olson, L.	pg. 7138
05/16/2023	Senate adopted conference committee report, bill repassed	pg. 8277 vote: 34-33
05/16/2023	Conference committee report, delete everything	pg. 8277c
05/16/2023	Motion to adopt conference committee report	pg. 8470
05/16/2023	Motion to return bill to conference committee	pg. 8471
05/16/2023	Motion did not prevail	pg. 8471 vote: 61-68
05/16/2023	Motion to adopt conference committee report question recurred	pg. 8471
05/16/2023	Motion prevailed	pg. 8471 vote: 68-61
05/16/2023	Third reading as amended by Conference	pg. 8473

05/16/2023

Bill was repassed as amended by Conference

pg. 8473 vote: 70-61

Presented to Governor 05/23/23

Governor approval 05/24/23

Chapter number 53



PRINCE
of PEACE
Lutheran Church

MISSION

We are claimed, gathered, and sent to build the Church and love the World.

VISION

Our vision is for a vibrant community that seeks a transformational relationship with God, our neighbors, and one another, while responding authentically, creatively, and justly to the most compelling needs of our community.

VALUES

- We welcome all of God's children through open doors to be in **RELATIONSHIP** with one another and with God in ever deepening ways.
- We respond with **GENEROSITY** to the world, reflecting the abundance of God's love present in our lives and made available to all.
- **CARING** for each other, our neighbors and all of God's creation as we are inspired to offer genuine compassion and love.
- We nurture the **FAITH** given to each of us, listening for how God's story informs our own and practicing our response.
- We are always **LEARNING**, remaining curious about God's ever-changing world and our place within it.

STATEMENT OF WELCOME

Prince of Peace Lutheran Church commits to live as a community of people seeking reconciliation and wholeness in our lives together and in our outreach to the world. We also commit to the work of anti-racism, liberation, social and environmental justice for all of God's beloveds. We affirm the sacredness of people of all sexual orientations, gender identities, and gender expressions; the sacredness of all those who have experienced exclusion because of race, ability, age, religious belief, or culture; the sacredness of those who wrestle with addiction, physical or mental health, imprisonment, socio-economic circumstances, or anything that too often divides us. You are absolutely invited to join us in this lifelong journey. We welcome all who are seeking God's love and grace. We need each other and our sincere hope is by being in community together we will know the Kingdom of God in Christ has come near.



Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, April 24, 2023

1. Roll Call

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Strahan, Etten, Schroeder, Groff, and Roe. City Manager Patrick Trudgeon and City Attorney Rachel Tierney were also present.

2. Pledge of Allegiance

3. Approve Agenda

Councilmember Schroeder requested removal of Item 10b (Approve St. Paul Regional Water System (SPRWS) Contract Amendment No. 3) from the Consent Agenda for separate consideration.

Etten moved, Groff seconded, approval of the agenda as amended.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

4. Public Comment

Mayor Roe called for public comment by members of the audience on any non-agenda items. No one appeared to speak.

5. Recognitions, Donations, and Communications

a. Proclaim Asian American and Pacific Islander Heritage Month

Mayor Roe read the Asian American and Pacific Islander Heritage Month Proclamation.

Strahan moved, Etten seconded, proclaiming May 2023 Asian American and Pacific Islander Heritage Month.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

b. Proclaim Mental Awareness Month

Mayor Roe read the Mental Awareness Month Proclamation.

Groff moved, Schroeder seconded, proclaiming May Mental Awareness Month.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

c. Proclaim Older Adults Month

Mayor Roe read the Older Adults Month Proclamation.

Etten moved, Schroeder seconded, proclaiming May Older Adults Month.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

d. Proclaim Poppy Days

Mayor Roe read the Poppy Days Proclamation.

Schroeder moved, Groff seconded, proclaiming May 19, 20 and 21, 2023 Poppy Days.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

e. Recognize Out-Going City Commissioners

Assistant City Manager Rebecca Olson introduced the out-going City Commissioners.

Mayor Roe and the City Council recognized out-going City Commissioners:

Finance Commission: John Murray and Sandra Klein-Hegge

Human Rights, Inclusion & Engagement Commission: Keith Allen, Etienne Djevi, Paul Haas, David Sindiga

Parks & Recreation Commission: Greg Hoag and Michelle Lenhart

Planning Commission: Julie Kimble and Emily Leutgeb

Public Works, Environment and Transportation Commission:

Nancy Misra and Shane Spencer

Mayor Roe presented Parks & Recreation previous Commissioner and Chair, Greg Hoag, with a certificate of service.

6. Items Removed from Consent Agenda

a. Approve St. Paul Regional Water System (SPRWS) Contract Amendment No.

At the request of Mayor Roe, City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Councilmember Schroeder indicated she wanted this item considered separately because she wanted to make some comments. She knew that buying the City's water from the City of St. Paul is the only option but she did want to point out that St. Paul's rate on the base cost is going up fifty percent in the next five years. It is based mainly on St. Paul having some capital expenses that are coming and unlike Roseville, who tends to put money away in the Capital Fund to pay for these things over time, it appears that St. Paul did not do that. So the rates have to be raised more dramatically in a shorter period of time. She wanted to make sure that the residents are aware that it is because of that reason the residents' water bills have been going up and not so much what Roseville has been doing. Not only is the base cost going up but the water usage or the volume is also going up forty percent and again, that is because of the City of St. Paul. She explained the cost is going up steeply in the next five years, and it is because of the capital piece that St. Paul is looking for.

Mayor Roe noted this is not necessarily a surprise to City leaders and officials. The water utility was before the Council approximately a year and half to two years ago, introducing the council to the project that St. Paul Regional Water was looking to undertake at their facility. It is an important upgrade in terms of the ability to keep the water clean and safe for everyone to drink. He explained the City of St. Paul is financing the project through bonds, and it is the cost to pay back the bonds that is the primary contributor to the change in rates.

Public Comment

Mayor Roe offered an opportunity for public comment with no one coming forward.

Groff moved, Strahan seconded, adoption of Resolution No. 11978 entitled, "Resolution Approving Amendment No. 3 to Contract for Water Services Between the Board of Water Commissioners of the City of St. Paul and City of Roseville, Minnesota."

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

7. Business Items

a. Convene as the Board of Appeals

- a.i. Consider an Extension of the May 5, 2023, Compliance Date for Removal of Two "Micro-Units" at 2555 Victoria Street N**
City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Chair Roe clarified the interim use conditions in the Resolution with staff.

Mr. Trudgeon explained from the staff's perspective, they did not feel that the interim use process can be supported if there is no State Law change. If there is a State Law change, then discussion can begin about the terms of the interim use based on the criteria. If the law did not pass, he thought staff has to look at that a little bit differently, given there is no ability for them to deviate from State Law, State Building Code, and City Code without lots of changes into their Code, as well as the State Building Code. If all of the conditions are not met, then the stay would end, and enforcement would begin.

Boardmember Strahan asked who the open house is for and who will be advertised in that because clearly, where that is, there are no other homes directly within the five-hundred-foot radius.

Mr. Trudgeon explained as a part of the interim use process, it is required under the Code for the proposer to hold an open house. He reviewed the open house protocols the City takes to communicate to surrounding residents.

Boardmember Strahan asked if people outside of that area were welcome to attend and have a voice involved with that.

Mr. Trudgeon indicated anyone can attend the open house.

Boardmember Etten explained in the proposed Legislation, there are a number of Building Code and Safety pieces to that. He wondered if staff could report on what is in place, just based on what the units are right now and what needs to still be done. He noted it is really under the proposed Legislation, Subdivision 4.

Mr. Trudgeon stated his understanding that not much of anything proposed in the legislation has been met currently as of today. He would say there is a provision for water and kitchen facilities that can be on adjacent properties, which is listed in Legislation, and what has been used to date in the current situation. But as far as anchoring, meeting certification for electrical and insulation and all of those things, that has not occurred. As noted in the submittal requirements, Prince of Peace, are working on a schedule and will submit it by June 2, 2023 as a part of their Interim Use on their schedule to get those improvements made. He also knew there have been ongoing conversations as recently as today with Settled and Contractors with the City's Building Official and Community Development Director about attempting to meet those standards and those conversations are ongoing.

Boardmember Etten asked if the insulation and wall structures are not for sure right now.

Mr. Trudgeon indicated he was not sure staff understands what is there because it has not been inspected and something staff would need to verify throughout the process.

City Building Official Dave Englund explained the City has not received anything specific to the construction of these units. Staff is waiting to see if these are in line with the proposed Legislation, if those standards have been met, and staff has been told that it would be coming.

Boardmember Groff asked if the way this is written those requirements would have to be met before the Interim Use would be approved.

Mr. Englund indicated that was correct.

Boardmember Strahan explained in the definition of a Sacred Community, it indicates providing permanent housing for chronically homeless persons and the last time they spoke there was uncertainty on the part of the church that this was a permanent situation. The church was still looking at this as temporary and had not decided so that is definitely an area of concern. She wondered if staff has heard anything to the contrary or if these conditions were met, would that constitute what is deemed a permanent structure.

Mr. Trudgeon explained it could potentially be considered permanent if the State Law passed. It is currently not considered permanent until the law has passed and up until then, it does not meet the Code requirements for permanency for residents.

Boardmember Etten asked if there was any clarity from the public safety folks about meeting the access requirements for emergency vehicles.

Mr. Trudgeon explained the Fire Department and Police Department are aware of the units and he has not heard any concerns expressed but that is something that would be looked at very thoroughly as a part of the Interim Use process.

Boardmember Strahan asked where the RV that is located on the church property but has not been mentioned in any of this, fall into any of this, as far as permanent housing, semi-permanent housing. She also asked where the City stands because at the time when this was last reviewed, the RV was seen as a couple day use. But it has been months now and continues to be there. She wondered if that is figuring into the greater evaluation of the housing on this lot.

Mr. Trudgeon thought that was a separate matter.

Chair Roe recalled from past discussion that the City does not necessarily regulate the private parking of RVs on property.

Mr. Englund indicated that was correct, not on commercial property.

Mr. Michael Stetzler, Prince of Peace Congregational President and Mr. Steve Smith, member of the Prince of Peace congregation and Chair of Campus Planning Task Force, addressed the Board about the proposed Interim Use extension.

Chair Roe asked if there was any urgency in moving forward with providing some sort of emergency toilet facility in the units if the access to the church is not fast enough.

Mr. Stetzler explained there are discussions and plans under way to come up with options, as described in State Legislation, to provide a drier compostable toilet in the facilities. There is no plan to plumb these at the present time, it is not required in State Law, and access to the plumbing inside the church building is quite sufficient now, according to the residents.

Public Comment

Chair Roe offered an opportunity for public comment with no one coming forward.

Groff moved, Roe seconded, adoption of Resolution No. 11977 entitled, "Resolution documenting the conditions recommended by staff related to approving the extension."

Council Discussion

Boardmember Groff thanked staff, the congregation, and their leadership for working together on finding something that will go forward. He thought moving forward as described in the information is the right way to go. He also thought the stipulations would help everyone in this case.

Boardmember Strahan indicated she supported the adjustments made knowing that the State is moving forward but she wanted to make sure that the parameters set forward are fulfilled. She was concerned about making sure that the City especially look into the water and such since some of the reports the City originally had were that the folks were using kitty litter in their units. Whether or not that was true, she wanted to make sure they are providing a location that is humane for people as well. She thought as long

as they follow the timeline and if by chance the State does not move forward, the City can address that then.

Boardmember Etten indicated he did have some concerns with the motion and was not sure how to vote yet, but the Board is being asked to essentially reverse its decision from six weeks ago. Clearly, the biggest thing that has changed is the State has moved forward with legislation and it looks like it may pass, which would change the game, is very important, and a part of his decision making. The proposed legislation would allow something similar to but not exactly what is happening there. At this point, the City Council has no more conclusive changes or improvements to the conditions of the people living in those units. Inspections and upgrades have not been done. It is all proposed and is going to happen in the future. For him, his hesitancy is that the City does not have anything to hold onto right now. He has real concerns about the safety and the health of the folks living in those units and is allowing them to continue without any of those changes in any definitive time frame, suggested time frames but nothing firm. He was concerned that was an important concern for the City Council to have. It should be noted that the resident was offered permanent housing that meets current Code and chose to not take that housing twice. He thought that was another important piece because this is not putting someone out on the street. This is someone who has been offered safe, affordable housing and has chosen a different path so the City has to think about that.

Boardmember Schroeder explained she does have some concerns as well when it comes to what has been done, noting that since this came before the City previously, it seems like the timeline is a little longer than she is comfortable with. She noted some things that could have been worked on a little more rigorously since the last time the Board met, which was a little concerning to her. She thought Boardmember Etten made a good point, the City did offer housing twice. She thought if the person would have taken that it would have solved the problem because then there is not someone living there and it would have bought more time because there would be no one living there. She had concern as to whether the existing housing units met the insurance requirements in the proposed State law because not having insurance was a great risk to those involved. She was also very aware of the Legislation coming down from the State and their outlines so to her, that was the piece that could be a game changer but that will not become a law until 2024 so there are a lot of things that need to be done long before that becomes law. She was glad staff put the conditions in there and felt those conditions were good.

Chair Roe explained he did not disagree with concerns of the Boardmembers and agreed with some of them. He thought in practical

terms, if there is an Interim Use approved, that approval would apparently be by the end of the stay of enforcement, which would be July 30th, and provide for five months of the Interim Use being in effect before the law goes into effect. He thought that helped in terms of some concerns that have been raised. He supposed as a condition of extending the enforcement, the Board could decide to include a condition for time frame on other things but he was not sure completely how that might work and what kind of authority the City would have to do that so he would defer to the City Attorney if the Board wanted to look into that. He did believe that the State Law was the game changer in this because it is actually doing something that cities do not like the State to do, which is to actually supersede local control over these types of issues. Given the fact that there is a State Law under consideration and that the City has some processes in place that can ultimately put some of these requirements into place for people, it gives him more hope in terms of supporting this. He completely understood the notion that there would be a lot less pressure on the process if the homes were not occupied and that was a part of the objective of the approach the Board took at the last meeting. Circumstances do change and understanding of the ground around them certainly can become clearer and is part of his change in thinking towards supporting the Resolution.

Mr. Stetzler explained the units and the residents have been fully insured since the inception of the project. Prince of Peace carried the insurance before anyone moved in. Secondly, with respect to offering other housing, he explained this approach to homelessness is based on community first or full community. It is not just a house, it is a full community and what the City is asking them to do is too sever the familial relationship, at this point, relationships that make this work. That is why Prince of Peace is so adamant about this being a faith-based project. The church provides community. Another house, someplace in St. Paul is not that community.

Boardmember Groff thought the Board and City needed to remember that just because something is offered, people have a choice. He thought that as a governing body to just say the person was offered something and should have taken it, is not giving the person the correct respect in this situation.

Chair Roe thought the thing everyone is concerned about is the quality of life of individuals that are being provided housing, whether it is in Roseville or anywhere else. He did know that some of the offerings that may be out there for temporary shelter or others may not be as desirable and may not have the same kind of support built in. The City has to weigh that against the issues of safety, health, and those things for the residents because the City does not want to be in the position of supporting something that is not adequate in addressing people's needs. He thought it was fair to say that in the interim period- between today and any approval

of an Interim Use for the site, the City is not going to be completely satisfied in that regard. If the Board goes ahead with this motion, he thought that should be acknowledged. The ultimate goal is once again to have completely safe, completely healthy, and completely dignified and appropriate housing for every individual.

Boardmember Etten acknowledged everything Chair Roe said and indicated he understands there are different forms of housing and they want to make sure to be respectful of that. He appreciated the concept behind the Sacred Settlement and creating a broader home community, addressing health and safety are other things. He did not want to push anyone's timeline yet there is a health and safety issue right now and that is his concern, as a governing body that the City does have to balance these things. He noted that sometimes, the City has to do one thing to make sure everyone is safe until the other processes go through.

Boardmember Schroeder appreciated the applicant answering her questions regarding insurance and she absolutely understood the value of community. That is the thing to have to help people, no matter what the issues are, mental health, homelessness, whatever, so the community piece is very important. She explained the City is trying to balance with the zoning regulations that have been put in their charge to enforce. She thought it was good that staff are collaborating with the applicant to ensure that things move forward. She also thought, for herself, once the church gets to its process of deciding if this is the route Prince of Peace wants to take, that will make things much cleaner and easier moving forward.

Roll Call

Ayes: Strahan, Schroeder, Groff, and Roe.

Nays: Etten

a.ii. Adjourn Board of Appeals & Reconvene as the City Council

Recess

Mayor Roe recessed the meeting at approximately 7:03 p.m., and reconvened at approximately 7:08 p.m.

b. Review and Consider an Ordinance Amending City Code Chapter 309: Massage Therapy

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Mayor Roe thought it was important to note the City has general transfer language for all licenses in the City Code already. He indicated that to him, the provisions

for transfer that might be specific to particular licenses is if there are provisions beyond what is just the general requirements in the General Transfer section.

Councilmember Schroeder indicated under 309.6, it talks about the valid photo and then specifically it states, "police officer". She wondered if it should say "police officer or City staff". She asked if it would be possible there might be someone other than a police officer going in and asking for the information.

Mr. Trudgeon explained that was not a bad suggestion; staff was just replicating the existing language. He thought "or other representative of the City", might be a better term to use instead of "City staff", if the Council wanted to cover everything.

Councilmember Schroeder stated all of the amendments made by staff made sense to her.

Councilmember Etten explained in 309.6A, "on the premises at which therapist is employed", is talking about where this license needs to be put and it was brought up by public comment as well as his thoughts on this, that posted could be considered a public place. But, he wondered if the following language could be added on line 235 "...in public view on the premises at which the therapist is employed".

Councilmember Strahan indicated she had a question about the 8 a.m. start time and if there was something specifically that made the start time 8 a.m. because some doctors office open at 7 a.m.

Mr. Trudgeon explained there is no reason for the time other than replicating what was in the Code before and the restrictions. The same span of hours were kept. He thought maybe 8 a.m. is more office hours but understood her point about the medical situation.

Councilmember Strahan asked if staff has found any more information about where the State is related to massage therapist licensing.

Mr. Trudgeon explained he did not check today but last week, there still was not a committee hearing scheduled. He thought it is probably not going to be put in the Omnibus bill. He was tracking the Omnibus bill and did not see it in there either so right now, staff did not expect it to pass in this session.

Mayor Roe explained another item brought up by the public comment was the six hundred hours training and whether that needed to be at a single institution so the Council may want to think about that to discuss.

Public Comment

Mayor Roe offered an opportunity for public comment.

Mr. SchaOn Blodgett, South McCarrons Boulevard

Mr. Blodgett explained he has a private practice in Little Canada. He has been in this industry for over fourteen years and has over two decades of education in this field. He is currently the chair of the advisory board for the Integrative Health and Healing Degree Program at Anoka Ramsey Community College and he has also taught Natural Health classes at Normandale College, been on the Editorial Board for Yoga Magazine and a columnist for Natural Awakenings Twin Cities. He stated the following opinion are his personal opinions and he is not representing any organization. He noted he sent an email, and noted it was important that some things that could fall under massage, detailed in his email, might be First Amendment Right violations as there are many spiritual, cultural, and religious practices not being acknowledged or allowed so far under the City Code without having an artisan license. Some other issues with the proposed law changes in 309.03 does not allow for naturopathic doctors, which are registered, not licensed, in the State of Minnesota or traditional naturopaths to utilize massage techniques even though this is completely within their scope of practice. Under 309.06b, the City requiring a massage therapist to produce a photo ID upon demand by a police officer, yet, two things, would that not be a violation of the Fourth Amendment unless the officer has a reasonable suspicion of a crime. Next, it is very common knowledge that minorities are told over and over again and coached not to show an ID to an officer.

Mr. Blodgett asked why the City is even burdening the Roseville Police Department with enforcing this when massage therapy is already regulated under Minnesota Statute 146a. That law actually offers more consumer protections than the current or proposed Roseville law. In the State Regulation, practitioners must provide a client bill of rights, detailing educational background, giving more credibility than any license would and how to report complaints to the Minnesota Department of Health. The State Law already outlines personal interactions in that clients have the right to expect courteous treatment free from verbal, physical or sexual abuse. He asked if it was fiscally responsible for the City to be burdened with the expense of this when it already has that provided on the State side. The City Code is meant to have a strict enforcement of massage yet does not actually meet that objection. Some things that could be added are things that Minneapolis has done on the business licensure sign. Things like requiring a site plan, a business plan, bank records with explanation of source of funds, tax records, information on each partner in the business, samples of advertising materials and more. Those are things that are used to detect possible issues of human trafficking and prostitution, not included in the Roseville City Code. Additionally, Minneapolis does not place any unneeded burdens on the therapists and on 146a to regulate the therapist's side as it likely does not meet the criteria of regulation of Minnesota Statute 214.001 subdivision 2, paragraph one and three and hence likely why it has not been licensed on the State side for the last twenty plus years that it has been attempted. It has

failed the test every time on the State side, and it seems the State finds that the 146a is more effective. As such the Roseville City Code seems to attempt to preempt and does not compliment or further the law but ignores and conflicts with 146a, which does, in fact, regulate massage Statewide.

Ms. Jennifer Cunningham, 2191 Snelling Avenue North

Ms. Cunningham explained she is a sole establishment proprietor and questioned if she was using her establishment personally and need to hire in someone else to work so she could do an offsite massage, would she be able to hire someone out to do that? She indicated she has clients now that are no longer able to come in to see her because they are elderly and still want to have massage so she wondered if she will be able to take care of these clients off site or in hospice. If this passes, she is afraid she will not be able to do massage off site.

There were no other commenters, so Mayor Roe closed the public comment and turned discussion over to the Council.

Mayor Roe explained anyone performing massage therapy in Roseville would need a massage therapist license from the City so hiring any additional people or bringing someone in to cover would need to be licensed as well. He thought the Council would have to talk about medically directed massage therapy. He noted if a therapist is already regulated to do medically directed massage therapy, the person should be able to continue to do that. He thought the City did want to restrict the provision of commercial massage therapy for non-medical purposes to massage therapy establishments and if the primary purpose of that is otherwise, it becomes very difficult to regulate that activity.

City Attorney Tierney stated this was a better question for a doctor, but she believed if a doctor were to prescribe a massage, whether it be for rehabilitation or mental health or comfort and at the direction of a doctor, it would meet the requirements of the Ordinance.

Councilmember Schroeder thought they needed to be careful with just saying "a doctor", it should be "a medical doctor", because with hospice there might be a nurse practitioner.

Mayor Roe indicated that is already addressed in the language.

Councilmember Schroeder indicated she just wanted to clarify that.

Mayor Roe explained he talked to City Attorney Tierney about MN Statute 146a, naturopathic type practitioners, and he asked her to review this, where the City is at regarding this, and where reference needs to be made in the City licensing scheme.

City Attorney Tierney reviewed the State role regarding Statute 146a in regard to City regulations, indicating her belief that City regulations as they exist and are proposed do not conflict with the provisions of chapter 146A.

Mayor Roe explained it was brought up about a possible violation with the First Amendment. He explained he presumed that if massage is not being offered for sale under the First Amendment, that probably does not require a license anyway because the City is regulating a commercial activity. But in the other sense, he wondered if there was concern here with respect to First Amendment type massage.

City Attorney Tierney explained it is hard for her to answer such a general question. She stated that even under the First Amendment, when talking about expressive activity and City regulation, it starts at the beginning, which is what expression it is and what is the context of that restriction. She explained it needed to be found out whether this would be some sort of a time, place, and matter restriction because she was pretty sure massages do not take place in a traditional public forum. To the extent that they did take place in a traditional public forum, under where the venue is, the City could still regulate with sufficient reasons. But, she did not think the City is regulating the forum. Rather, she thought the City was regulating in its police power, as a health regulation and in general, First Amendment activities are not implicated. That said, provided that the City did not enforce, intentionally, a regulation to limit speech, she thought the City would be okay, noting that will be something that needs to come to them and to be looked at for the particular situation. She explained that such a general statement is hard to speak to directly.

Mayor Roe believed that while the Fourth Amendment protects unreasonable search and seizure, as a part of the City's policing powers for health and safety, the exchange with the people who get the licenses is that licensees can be required to provide that information as a condition of the license.

City Attorney Tierney confirmed that was correct and the reason is to make sure that the individual who engaged in the license activity at that moment was the individual who is on the license.

Mayor Roe indicated the Council could decide if they want to add requirements that might be in other cities, licensing setups, and that can be done as part of this or at another time.

Councilmember Strahan explained her understanding was the City already has a licensing ordinance in place and the Council was just adjusting some of the licensing requirements.

Mayor Roe indicated that the City does already have a licensing scheme in place now.

Councilmember Strahan wanted to make it clear to the public that the regulations are already in effect and the Council is just adjusting and making amendments to an existing structure within the City.

Mayor Roe explained the Council talked about changing exception number two in 309.03 and he thought there was still a bit of a problem with it, which is the reference to being licensed by the Board of Medical Practice. That is because when looking at the different types of practices that are listed, these are actually licensed by specific boards for those practices, such as physical therapy. He was double checking the language in State Statute about that because he wanted to be sure. He thought the Council may want to change it to say something to the effect of "licensed by a State Board governing the medical practice", and then may actually want to look at actual listings of specific practices.

Councilmember Strahan asked if it should say "a Minnesota State Board" as opposed to just "a State Board".

Mayor Roe thought because the City was in Minnesota that would be apparent, but he deferred comment to City Attorney Tierney.

City Attorney Tierney thought when she wrote this, the other licenses all fell into the Department of Health, which is the issuing authority. But for medical doctors, it is actually the Board of Medical Practice and that is why she singled out the Board of Medical Practice.

Mayor Roe liked the fact that the practices are still listed.

Mr. Trudgeon indicated he meant to remove those when he made his edits. He noted Attachment C, which is the clean version, does not have practices listed.

Mayor Roe thought the notion of striking out the requirement that the treatment be administered on the premises of a medical or health business, which is under the City's exemptions, does not seem to allow that exempted behavior to happen in people's homes. He asked if the Council was okay with striking out that it has to be on medical premises.

The Council agreed to strike out that wording.

Mayor Roe summarized the changes during this discussion were that transfer was removed altogether and the Council wants to look at adding the wording "in public view", on 309.06a and on 309.06b, noting the Council could leave "police officer" in or replace that with "City enforcement official".

Mr. Trudgeon explained the wording could be that or "representative of the issuing authority or designee or City Police Department" in 309.06c.

Councilmember Etten indicated the wording should be changed in 309.06c to reflect the wording and then copied into 309.06b.

Councilmember Strahan asked, in light of City Attorney Tierney's comment about massage being performed in public, what about people in the middle of Rosedale Mall providing massage.

Mayor Roe explained that was specific to the First Amendment aspect.

Councilmember Strahan indicated she understood that but asked if those folks are held to any of those requirements.

Mayor Roe explained if there is a kiosk in the mall providing massage service then they need to be licensed by the City and would have the same requirements.

Mr. Trudgeon indicated such a business is licensed.

Schroeder moved, Etten seconded, enactment of Ordinance No. 1631 entitled, "An Ordinance Amending Title 3 Chapter 309 of the Roseville City Code to Amend Requirements for Massage Establishment and Massage Therapist Licenses" as amended in the discussions made by Council.

Roll Call

Ayes: Willmus, Strahan, Etten, Groff and Roe.

Nays: None

Groff moved, Schroeder seconded, publication of Summary Ordinance No. 1632 entitled, "Approving Publication of an Ordinance Summary of the Amendment to Title 3, Section 309 of the Roseville City Code in Order to Amend Certain Requirements for Massage Establishment and Massage Therapist Licenses".

Roll Call (Super Majority Required)

Ayes: Willmus, Strahan, Etten, Groff and Roe.

Nays: None

c. Discuss Commission Interview Process

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Mayor Roe thought it might make sense to organize the discussion around the different steps taken during the interview process. He indicated the first step is the application process then the interview process as well as sub steps within that. He

thought it made sense to have a separate application for reappointment that specifically gets to questions that relate to reappointment.

Mayor Roe asked if there was any objection to looking at a separate application procedure for reappointment.

The Council agreed with that.

Mayor Roe suggested using the questions that were used during the interview process for reappointment. He thought it would be appropriate if staff drafted a reappointment application and brought that back to the Council for approval.

Councilmember Strahan stated it would be nice for the reappointment application to have separate questions, shorter questions, and speak to what the applicant learned or highlight accomplishments.

Councilmember Schroeder indicated while looking at the procedure statement of reappointments in the document, it says that if the person wants to reapply, those most recent applicants being longer than three years will be asked to submit a new application. She wondered what would happen if the person only served two years.

Mayor Roe thought this could be amended. He also thought the application process related to if there are not two times the number of openings worth of applicants could be amended. He noted there is always the option to not reopen the position, but he wondered if it made sense to relook at the policy and maybe amend it to be instead of two times the number of applicants, to be two more than the number of vacancies. He wanted to give the Council some more flexibility instead of always feeling boxed in and thought that slightly relaxing the standard might make sense.

Councilmember Etten felt that the Council has the discretion to do that, if needed. He indicated he was not ready to get into special calculations or anything like that.

Mayor Roe asked if there were any comments on the front end of the process.

Councilmember Etten would like to see questions within the application itself for new Commission applicants that have changed from a year ago. He noted there was a question in the application before that was very helpful to him when people were answering it. He would like to look back and compare those.

Councilmember Strahan explained she would also appreciate having input from Assistant City Manager Olson on the application process as far as making sure the questions would be appropriate to ask a job applicant. There are certain things in a job application that should not be asked because that information could be seen as discriminatory if the person was not selected. She would like to make sure that the

City is being respectful and asking best practice questions in the application process.

Mayor Roe explained the only other thing related to the application process is if the Council wanted to look at any kind of change to the policy as it relates to the process to interview reapplication people. He asked if the Council wanted to look at any of that process.

Mr. Trudgeon explained his only comment is that if interviewing re-application candidates is done at that stage, it can be fairly disruptive to get everybody together. If the Council thinks they want to occasionally do that, maybe make that automatic so staff can build it into the process. He always goes back to the "why", why would the City want to do it or not do it.

Councilmember Groff explained the reason why he would want to do it is because as a Councilmember, he values these people's opinions, and the Council does not have very much interaction with them. It is his one chance in two or four years to connect with them and also give the Commissioner the chance to talk to the Council one-on-one about their experiences while on the Commissions. He did not think it would take that much longer, noting it went pretty smoothly this time.

Councilmember Etten agreed and thought there could be value to that, but he did not personally want to make it automatic as a part of the City Code.

Councilmember Groff agreed with the point of not having it automatic.

Councilmember Schroeder thought it was helpful to talk to the people as well, but she wanted to be sensitive to letting people know why the Council is doing it. She did not want the Commissioners to feel like the Council was looking to replace them.

Councilmember Strahan thought it was easier to ask everyone to come back and reinterview rather than one or two people because then those people will wonder why the Council wants to interview them for the position and feel singled out.

Council consensus was therefore not to change the policy related to interviewing applicants for re-appointment as it is currently written.

Mayor Roe indicated the next step is the interview process. He asked for thoughts from the Council.

Councilmember Etten explained one of the recently used potential interview questions was: "what do you believe should be the focus of the Commission", noting ideally there is already a scope for the Commission so the Council is not really asking that but rather something along the lines of "what part of the work this

Commission most excites you or do you feel you can contribute to the most". He suggested something along those lines because it gets to the work of the Commission so people can show understanding of what that Commission does, maybe what the person is passionate about, and why the person would be doing that versus asking what the Commission should be doing. He appreciated the potential question list and felt that was good. He did not feel the Council should always be frozen by that but should start with that as the initial framing.

Councilmember Strahan agreed with Councilmember Etten in order to show their understanding. She thought it was nice to send out the information in advance to have a good understanding of what the Commission does. She noted one question that came up a couple of times that she thought was concerning was "how would you change..." because she did not want to usurp the leadership of the department heads and make it seem like somehow the Commissioners had an authority over staff to make changes that they could not actually implement.

Councilmember Schroeder thought part of this is when looking at the chapters that are written for each of the Commissions, some are not clear on what the Commission does. When someone does research on the Commission for the interview, the Council can see why some of the applicants' answers come across somewhat the way they are. She thought the City was going to think about recrafting how the descriptions are written.

Mayor Roe stated it was helpful to make sure the materials the City gives to the prospective applicants are as good as possible in terms of how it relates to the scope, duties, and functions of the Commissions.

Councilmember Etten thought the information given to the Commissioners is a tremendous improvement and so much better than what was available a year or two ago.

Mayor Roe thought the big question regarding the interview process is the where, how, and when. He wondered if the interviews should be live or recorded.

Councilmember Strahan explained she enjoyed being at Cedarholm, but it has a lot to do with her saying there are a lot of City spaces and an opportunity to go out into the spaces and be a part of them. She thought in that space, there is the opportunity for recording the interviews. She stated it has been good to pull the interviews out of the City business because it gives the individual more dedicated time than when on zoom. She appreciated the extra day outside of the Council meetings, liked having the interviews elsewhere, noting it reminds people that there are other City buildings.

Councilmember Schroeder liked the idea of doing the interviews separate from the Council meetings and thought it makes it less stressful. She did not like going to

the other locations and felt the atmosphere was loud, confusing, and the camera sitting in the open felt intrusive. She thought being at the Council Chambers would be better with everyone sitting at the table with more hidden cameras so the interviewee would be more in the environment that they would be doing if appointed and give them more of a flavor for that scene. She thought it seemed disrespectful to the applicants with all of the other stuff going on versus a quiet environment at City Hall. She also thought if the interviews could be done at City Hall, sitting at the table on a different day than the Council meetings, it would be ideal.

Mayor Roe liked the idea of having the interviews on a different night rather than on a Council meeting night. He thought the interviews could be held at City hall at the table to make a more welcoming and user friendly environment. There is also the technical ability to do the video and he thought the interview meetings should be live.

Councilmember Groff explained he did not have strong feelings one way or the other on the location. He did not have trouble with the noise in the other building and that a round table is better than a square one. He also thought the sound was better at City Hall and it is important to video tape the interviews because of City policy and also, he was not able to make one of the meetings and he was able to listen to it.

Councilmember Etten agreed with the discussion about having the interviews at City Hall and at the table for the reasons mentioned. He noted this is where the Commissions would do their work and the meetings would be recorded and online. If the person were interviewing for a job that would be different, but these are interviews for community-based commissions. He thought the city hall cameras were less intrusive than the ones that were set up at different locations.

Councilmember Schroeder explained the City is always talking about communication and being transparent and when talking about the Commissioners as ambassadors, the public needs to have the right to see who is applying so people who do not attend the meetings should be able to see the process and the interviews.

Mayor Roe noted staff could include a link to past interviews for the applicants to see how the process works and become familiar with it.

The Council thought that would be a good idea.

Mayor Roe stated the Council consensus was to have the interviews on a different night as well as bringing the interviews back to City Hall.

Councilmember Strahan stated one thing that would be really helpful is if the Chairs of the Commissions provide the Council with information sooner about their

people, as far as reappointment as that would help the Council decide if the person should be reappointed or not.

Mayor Roe explained there will be no changes to the appointment policy at this time. He recapped the follow up items for staff including applications, back for Council consideration of the draft, reappointment application, as well as looking at tweaking the new appointment application, looking at the previous one, and changing the interview process to City Hall but on a different meeting date than the City Council, and doing interviews live.

d. Discussion on City Commission Scope, Duties, and Functions

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Councilmember Etten thought some of the Commissions are feeling neglected and that they do not have a lot of work, or it is the wrong work, or the Commission could do the same work in six meetings rather than eleven or twelve meetings. He thought the City should look at ways to do this work in new ways. He would like to take this out to Commissions first to look at the scope, duties, and functions of each Commission to see how it fits, if it should be changed, and what recommended changes would the Commissions want. He would want each Commission to be a deep part of the process. He reviewed the time frame he came up with.

Mayor Roe thought this parallels the last meeting where the Council talked about looking at job descriptions and things like that for employees of the City. He noted there was an opportunity to match that with the Commissions. He also thought the three-month time frame worked well because the first month could be the first look at this with general thoughts and ideas, the second month could be refining it and brainstorming, and the third and final month would be putting it all together. He thought it would be helpful to give as much guidance to the Commissions and their staff liaisons as possible as to how this should proceed and what the end product ought to be with some broad parameters.

Councilmember Schroeder stated the Commissions are like having in-house consultants and auditors in a way, which can be powerful assets. But like any consultant or auditor, if the Council does not define the project and purpose, the City does not get the results the Council is looking for. She agreed with Councilmember Etten that the Council should let the Commissioners and Commissions come up with some ideas yet with that, the Council also needs to figure out what the City wants out of it. She asked what does the Council want the Commissions to advise them on. She would also like to see this be more of a universal way the City does this because some Commissions have a few pages for scope and duties, and some have a few sentences.

Councilmember Strahan thought the Council should take one of the Commissions' scope and duties that is written well and use it as a template. She agreed moving the start of this discussion back to the Commissions is the respectful thing to do. She thought it would also be helpful to hear from the Commissions' point of view and what the Commission thought would be an ideal number of members or an ideal number of meetings and how often the Commission should meet with the City Council. She saw this process as being a lot longer than three months. She thought this should allow three months for the Commissions to get the information back to the Council and at that point, the Council would synthesize and build from there so by Spring 2024 the new scope, duties, and functions would be ready to put into place.

Councilmember Groff stated all of the discussion was good and all the Commissions should be more standardized. He did not want to narrow down the descriptions of the scope, duties, and functions so specific that in five years there are questions as to why a Commission is doing what it states.

Mr. Trudgeon stated after listening to the conversation, it makes sense and is very clear to go back to the Commissions to talk about their role and scope and what the Commission is doing. He indicated after that process, staff will work on the Ordinance but his biggest concern is making sure the Council is clear on what is being asked of the Commission to do. He noted what will happen otherwise, is the staff liaisons will ask those questions and if staff does not understand what they are asking for, or if the question is very open, the Commission is going to struggle. He thought this was something that should come back to the Council with some very specific, written out questions or thoughts in order to have that conversation, and Ms. Olson and he can report back to the staff liaisons about what the Council is looking for.

Mayor Roe thought it might be helpful to have a Council subcommittee of a couple Councilmembers that can collaborate with staff to draft something up to bring back to the rest of the Council and go through it at the next discussion. He suggested Councilmember Etten, who brought this up, along with another Councilmember.

Councilmember Schroeder indicated she could help out.

Mr. Trudgeon indicated this item could come back to the May 15, 2023 meeting if the information is ready.

8. **Council Direction on Councilmember Initiated Agenda Items**
9. **Approve Minutes**
10. **Approve Consent Agenda**

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated April 24, 2023 and related attachments.

Groff moved, Strahan seconded, approval of the Consent Agenda including claims and payments as presented and detailed.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

a. Approve Payments

ACH Payments	\$1,540,899.59
106286-106380	193,192.68
TOTAL	\$1,734,092.27

b. Removed for separate consideration.

c. Approve Metropolitan Council Easement Agreement. Resolution No. 11979

d. Receive First Quarter Financial Report

e. Approve Agreement with Municode for Recodification, Supplementation, and Online Hosting

11. Future Agenda Review, Communications, Reports, and Announcements – Council and City Manager

City Manager Patrick Trudgeon reviewed the May 8, 2023 City Council meeting, and the May 15, 2023 EDA and City Council meeting.

12. Adjourn


Etten moved, Schroeder seconded, adjournment of the meeting at approximately 9:04 p.m.

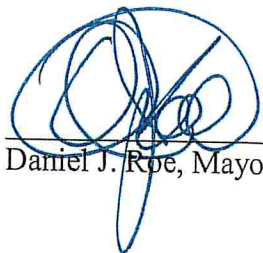
Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

ATTEST:


Patrick J. Trudgeon, City Manager


Daniel J. Roe, Mayor

45 WHEREAS, there is currently a bill proposal before the Minnesota state legislature titled "Sacred
46 Communities and Micro-Unit Dwellings," Senate File 1384, Section 57, which would require
47 cities to allow similar Units under certain conditions; and
48

49 WHEREAS, such legislation, if adopted and approved, would take effect on January 1, 2024; and
50

51 WHEREAS, Prince of Peace has stated they are willing to comply with the terms of such
52 legislation; and
53

54 WHEREAS, in order to address the fact that the zoning code does not allow for such Units, City
55 Staff has recommended that Prince of Peace submit an application for an Interim Use Permit; and
56

57 WHEREAS, Prince of Peace has taken the first step to obtain such a permit, that being an
58 application for an Open House on May 21, 2023; and
59

60 WHEREAS, Staff has recommended that the imposition of the Board's order to remove the Units
61 continue to be stayed while the legislation is being considered and Interim Use Permit application
62 is being processed;
63

64 NOW, THEREFORE, BE IT RESOLVED; that the imposition of the Board's order to remove the
65 Units is stayed until July 30, 2023 on the following conditions:
66

- 67 1. Prince of Peace hosts an Open House related to the Interim Use Application on or before
68 May 21, 2023.
69 2. The "Sacred Communities and Micro-Unit Dwellings" bill currently before the Minnesota
70 Legislature that requires cities to allow Micro-Unit Dwellings as permanent housing for
71 "people who are chronically homeless, extremely low income, or designated volunteers,"
72 as defined in the bill, is adopted in its current form or in a similar form during the 2023
73 regular legislative session and signed into law.
74 3. Prince of Peace files an application for an Interim Use Permit no later than June 2, 2023.
75

76 AND BE IT FURTHER RESOLVED, that the stay of imposition of the Board's order will be
77 terminated if any of the above-stated conditions is not met.
78

79 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
80 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
81 , and Mayor .

82 and the following voted against the same:
83

84 WHEREUPON said resolution was declared duly passed and adopted.
85

Key Project Contacts

Prince of Peace Representative

Michael Stezler, Congregational Council President
mstezler@gmail.com, (651) 347-7732

Settled Representatives

Gabrielle Clowdus, CEO | gabrielle@settled.org, (512) 788-0344

Anne Krisnik, Lobbyist | akrisnik@gmail.com, (651) 276-8148

General Contractor: Brandon Overholt | overholtent@gmail.com, (417) 343-5468

Settled Legal Representation: Eric Galatz | eric.galatz@stinson.com, (612) 819-4871

Settled.

Sacred Community - Certification of Occupant Eligibility

I, Gabrielle Clowdus, certify that the residents of the Sacred Community located at Prince of Peace Lutheran Church of Roseville, 2561 Victoria Street North Roseville, Minnesota 55113 meet the eligibility requirements of Minnesota Statute Section 127.30 (to become effective January 1, 2024).

To be eligible as chronically homeless, residents must meet the following criteria:

Chronically homeless" means an individual who:

- (1) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter;*
- (2) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last three years; and*
- (3) has an adult head of household, or a minor head-of-household if no adult is present in the household, with a diagnosable substance use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of two or more of those conditions.*

To be eligible as designated volunteers, residents must meet the following criteria:

{p}ersons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.

Number of homes for persons who have been chronically homeless:	1
Number of designated volunteer homes:	1



Gabrielle Clowdus, CEO, Settled

05.23.23



PRINCE
of PEACE
Lutheran Church

Certification of Resident Approval

I, Michael Stetzler, President of the Congregational Council, certify that the Beary Family has been approved by Prince of Peace Lutheran Church as designated volunteers for the residents of the Sacred Community located at:

Prince of Peace Lutheran Church of Roseville
2561 Victoria Street North
Roseville, Minnesota. 55113

To be eligible as designated volunteers, residents must meet the following criteria:

{p}ersons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.

They are occupying Unit 2.

By 
Michael Stetzler
Congregational Council President

Date May 30, 2023

Percentage of Designated Volunteers as Residents

Minnesota Statute Section 127.30 will require that Sacred Communities have between one-third and 40 percent of the micro units occupied by designated volunteers. The settlement at Prince of Peace has two homes, meaning 50% of the homes are occupied by designated volunteers.

In discussions with City of Roseville staff, Prince of Peace said it was willing to meet the requirements of the statute as contained in bill form. However, compliance would require bringing another Micro Unit to its property to meet the percentage requirement for designated volunteers. Prince of Peace is willing to add another home during the duration of this Interim Use Permit if the City required it.

City Staff indicated that it did not want Prince of Peace to add another home in order to meet this requirement during this interim period.

Sacred Community Requirements - Access to facilities

Prince of Peace provides the residents access to permanent common kitchen facilities.

It also provides common facilities for toilet and bathing with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902.

The following facilities are available for use in the church building:

Toilets for women	7
Toilets for men	5
Family bathroom	1
Showers for women	2
Showers for men	2

Email Exchange between Settled and Minnesota Pollution Control Agency regarding dry toilets

Larry - - - is an engineer volunteering with Settled to develop a toilet that is sanitary, effective, cost-effective and easy to maintain. After developing a toilet for use in the Micro Units, he contacted the Minnesota Pollution Control Agency to verify that use of a commode using absorbent material would meet Minnesota requirements for waste management.

This is that email exchange verifying this method is lawful.

From: Parr, Scott (MPCA) <scott.parr@state.mn.us>
Date: Mon, Apr 24, 2023 at 3:22 PM
Subject: RE: Commode use
To: Larry - - -, Meredith Campbell, (Settled) <Meredith.s.blake@gmail.com>
Cc: Kroening, Heidi (MPCA) <heidi.kroening@state.mn.us>, Montgomery, Brandon (MPCA) <brandon.montgomery@state.mn.us>

Larry, after internal discussions on this issue, we do not disagree with your interpretation that Minnesota statutes and rules would allow the use of commodes in Minnesota, in the manner you described, in the same way that diapers are allowed.

Thanks for the discussions as we worked through this issue. If you have any further questions, feel free to contact me.

Scott E. Parr
Environmental Specialist
Solid Waste Program
Resource Management and Assistance Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
651-757-2638

From: Larry - - -
Sent: Friday, April 21, 2023 1:14 PM
To: Parr, Scott (MPCA) <scott.parr@state.mn.us>; Meredith Campbell, (Settled) <Meredith.s.blake@gmail.com>
Subject: Commode use

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi Scott,

After reviewing the applicable Minnesota law for infectious waste, we are interpreting this law to allow for the use of commodes in Minnesota in the same way that diapers are allowed and not considered as infectious waste.

In particular, the commodes that we are referring to use absorbent materials to absorb the liquid waste the same as modern diapers do, or dry and package the waste in Mylar containers to substantially reduce the volume.

Please advise.

--Larry - - -

NOTICE: This email (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. This email may be confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply back to the sender that you have received this message in error, then delete it. Thank you

Sacred Community Requirements – Insurance

Prince of Peace Church has insurance in an amount adequate to cover the costs of replacing the two Micro Units, providing furnishings, and rebuild any portions of the church building that are used by the sacred community residents as their common house.

Policy Details:

Insurer: Church Mutual Insurance
Insured: Prince of Peace Lutheran Church of Roseville
Policy Number: 0116735 25-473682
Effective Date: 11/25/2022



By formal action of the Prince of Peace Congregation Council on May 9, 2023, the following plan for two Micro Units located on church property has been approved:

Disposal of water and sewage from Micro Units;

- ❖ Residents have full access to the church building for bathrooms, showers, cooking or other purposes.
- ❖ Residents are provided access to a bottle filling station 24/7 in the church building less than 200 feet from each Micro Unit. Residents use this water in the Micro Units for drinking, cooking or washing. Water is captured in a tank below the sink.
- ❖ Residents discharge any wastewater (greywater) from the Micro Units in the church's utility room.
- ❖ Residents have full access to the church building for bathrooms, showers, cooking or other purposes. Each Micro Unit has a dry toilet, known as a commode. Residents generally use these for emergencies. The commode contains a plastic bag and absorbent material (e.g., sawdust or liquid-absorbent crystals like those found in diapers). To dispose of waste, the bag is securely closed and deposited in the trash.
- ❖ There is no septic tank drainage from the Micro Units.

Parking, lighting, and access to units by emergency vehicles;

- ❖ Parking - Resident parking is available within the church parking lot.
- ❖ Lighting - Each Micro Unit has an exterior light by the front door. The church building entrances have exterior lights that illuminate the parking lot when it is dark.
- ❖ Pathway - The church parking lot will be maintained year-round and provides a pathway from the homes to the church building.
- ❖ Emergency vehicle access - Emergency vehicles may access the community by entering the church parking lot. The Micro Units are located 25' and 50' off the parking lot. Each Micro Unit is labeled by number (1 and 2) on-site for ease of identification

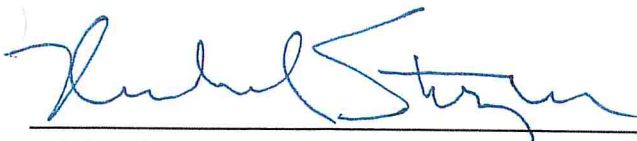
Protocols for security and addressing conduct within the sacred community

- ❖ Security - Residents have unique keys to their Micro Units. Residents have a key to the Common House (church building) and may access it 24 hours a day.
- ❖ Addressing conduct - All residents are required to sign a lease that includes a community policy setting forth expectations for conduct. These are based on best practices from tiny home communities around the country for the formerly homeless.

The Prince of Peace Member Team is responsible for addressing issues and assuring the community is functioning well. Its duties include review of any congregation or community concerns and addressing them. Residents that violate these expectations may be subject to eviction.

Safety protocols for severe weather

- ❖ Emergency shelter for inclement weather is located in the basement of the church building which is accessible to residents 24 hours a day.
- ❖ Once weather allows, each Micro Unit will be secured to the ground with a Diamond Piers product following the manufacturer's instruction and inspected by an Engineer.



Michael Stetzler, Congregational President
Prince of Peace Lutheran Church or Roseville, MN

5/10/2023

Date

Sacred Community Requirements -Inspections

The statute requires that “all micro units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI [American National Standards Institute] compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.”

The two units at Prince of Peace have been inspected by a third party inspector with NOAH, the National Organization of Alternative Homes.

NOAH is accredited by the ANSI National Accreditation Board (ANAB) pursuant to ISO/IEC 17020.

Using the ANSI standards, NOAH has certified that each of the Micro Units placed at Prince of Peace Lutheran Church has passed inspection. Those certifications are included in this application.

The Micro Units have the following VIN numbers:

Unit 1: 3CV1C2529N2634291

Unit 2: 3CV1C2529N2634292

Certification of Inspection

I, Anthony Probita, am an inspector with the National Organization of Alternative Homes (NOAH). I have inspected the following unit at the request of Settled:

Unit 1

I certify that this unit meets the American National Safety Institute Standards (ANSI) Code 119.5.

I further certify that the unit meets the following technical requirements:

- Is no more than 400 square feet;
- Is built on a permanent chassis;
- Has exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- Has a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
- Has a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
- Has either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
- Has minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 43 pounds per square foot; and
- Has smoke and carbon monoxide detectors installed.

I further certify that I have reviewed the plans for anchoring the units to pin foundations with engineered fasteners. It is my understanding that the installation is in process. As prepared, the plans for how installation will be completed meet the statutory requirements. I have not inspected the installed pin footings.

Certified this date: June 1, 2023

By Anthony Probita

Certification of Inspection

I, Anthony Paolillo, am an inspector with the National Organization of Alternative Homes (NOAH). I have inspected the following unit at the request of Settled:

Unit 2

I certify that this unit meets the American National Safety Institute Standards (ANSI) Code 119.5.

I further certify that the unit meets the following technical requirements:

- Is no more than 400 square feet;
- Is built on a permanent chassis;
- Has exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- Has a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
- Has a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
- Has either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
- Has minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center; or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 43 pounds per square foot; and
- Has smoke and carbon monoxide detectors installed.

I further certify that I have reviewed the plans for anchoring the units to pin foundations with engineered fasteners. It is my understanding that the installation is in process. As prepared, the plans for how installation will be completed meet the statutory requirements. I have not inspected the installed pin footings.

Certified this date: June 1, 2023

By Anthony Paolillo

Certification of Inspection

I, Anthony Prohilla am an inspector with the National Organization of Alternative Homes (NOAH). I have inspected the foundation and anchoring of the following units located at Prince of Peace Church in Roseville, Minnesota at the request of Settled:

Unit 1

Unit 2

I certify that both of these units are properly anchored to pin foundations with engineered fasteners and meet the statutory requirements.

6/22/23
Date

Anthony Prohilla
Inspector

Tony Padilla

Inspector Signature:

Date Issued: 04/21/2022



Certificate of Compliance

NOAH Certification Seal Number

A-001920

VIN

3CV1C2529N2634291

Builder

Woodland Hills Church

NOAH Certification represents the Tiny House on Wheels bearing this NOAH Certification Seal has successfully passed inspection at specific phases of construction to the ANSI+ for Tiny Houses on Wheels. The ANSI+ includes safety, structural & energy efficiency standards currently used by the Recreational Vehicle & Home Building industries: The ANSI+ is comprised from ANSI 119.5, (American National Institute) NFPA 1192 National Fire Protection Agency NFPA & 70 (National Electric Code).

NOAH Certification is a voluntary program for builders to demonstrate compliance with safety, construction & energy efficiency standards for Tiny Houses on wheels & foundation. The builder certifies compliance

1576 Bella Cruz Dr #425, | The Villages, FL 32159 | 866-664-NOAH (6624) | www.NOAHcertified.org

Tony Padalka

Inspector Signature: _____

Date Issued: 04/21/2022



Certificate of Compliance

NOAH Certification Seal Number

A-001921

VIN

3CV1C2520N2634292

Builder

Woodland Hills Church

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City of Roseville
 2660 Civic Center Dr
 Roseville, MN 55113

Tel: (651) 792-7080
<http://www.cityofroseville.com/ePermits>

Permit Number:

Attachment 5
E22-1057

Permit Type:

**Contractor Electrical
 Permit**

Date Issued:

11/4/2022

PERMIT

Address: 2561 Victoria St N

Property ID:

Owner Name: Prince of Peace Lutheran Church

Owner Phone: Home: 651-484-4144 Cell: Work:

Rough-In Required: No

Final Inspection: Will Call

Description of Work: Upgrade existing panel feed to 200A. Run new 100A feeder to existing shed with new panelboard and associated circuits.

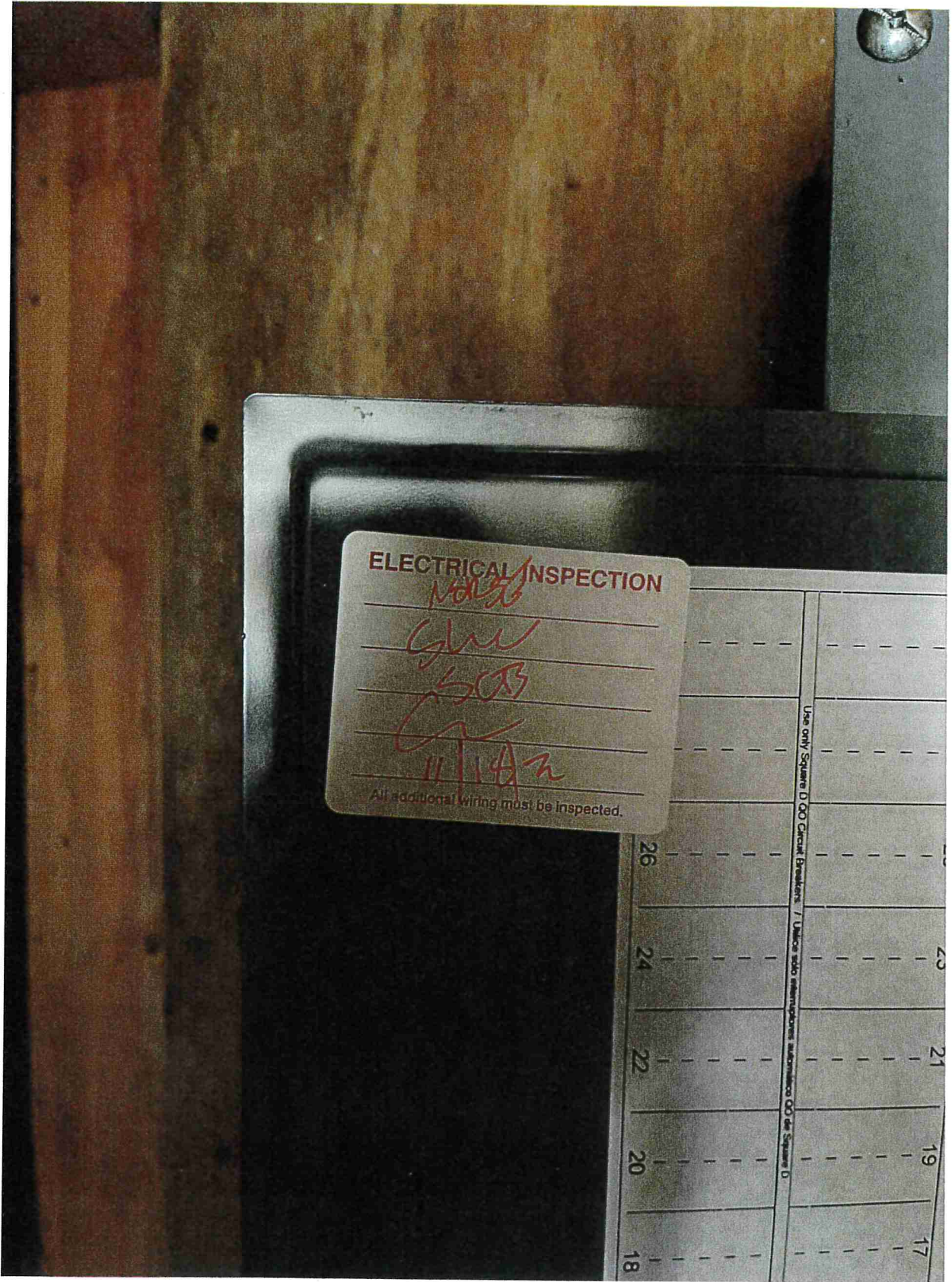
Applicant	Fee Description	Fee Amount
Matthew Baird Norse Electric 6501 Green Valley Road RAMSEY MN 55303 Phone: License: EA701979	Electrical Permit Fee	\$80.00
	State Electrician License Verification Fee	\$1.00
	Processing Fee	\$2.00
	State Surcharge	\$1.00
		\$84.00
AGREEMENT AND SWORN STATEMENT The work for which this permit is issued shall be performed according to: (1) the conditions of this permit; (2) the approved plans and specifications; (3) the applicable City approvals, Ordinances and Codes; and (4) the State Building Code. This permit is for only the work described and does not grant permission for additional or related work that requires separate permits. This permit will expire and become null and void if authorized construction is not commenced within 180 days, or if construction is suspended for a period of 180 days at any time after work has commenced. The applicant is responsible for assuring all required inspections are requested in conformance with the State Building Code.		

For electrical inspections, call Tokle Inspections at 763-754-2983 or visit <http://tokleinspections.com>

INSPECTIONS

Inspection Type	Date	Inspector	Comments
Rough-In			
Final			

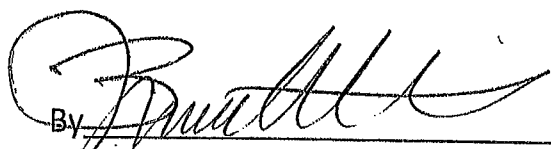
This card must be posted and visible at all times until work is complete.



Sacred Community – Status of Pin Footings

The language of Minnesota Statute Section 127.30 will require that all Micro Units be built on a permanent chassis and anchored to pin footings with engineered fasteners.

I have completed work installing the pin footings and anchoring them to Units 1 and 2 at Prince of Peace. Once an inspection is completed, Prince of Peace will provide a copy of the Inspection Report to the City of Roseville.

By 

Brandon Overholt
General Contractor, Settled

6-2-2023

Date




REQUEST FOR COMMISSION ACTION

Date: **7/5/2023**
Item No.: **7.a.**

Department Approval

Agenda Section

Janice Gundlach, Community Development
Director

Business

Item Description: City Council Request for Commissions.

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Application Information

N/A

Background

Council member Etten attended the June 7, 2023 Planning Commission meeting and introduced this topic. During that discussion, Commissioners were advised to send comments to staff, which would then be provided to the full Commission for discussion. Commissioner McGehee provided comments, which are attached for review. The Commission should engage in discussion surrounding any proposed changes to the Planning Commission's roles and responsibilities to be forwarded to the City Council for future consideration.

Staff Recommendation

Engage in a discussion surrounding the Commission's roles and responsibilities and begin to form consensus surrounding any amendments to be forwarded to the City Council for future consideration.

Requested Planning Commission Action

Review the attached letter from the City Council as well as comments from fellow Commissioners regarding a review and update of City commissions. Engage in a discussion surrounding any proposed amendments to the Commission's roles and responsibilities to be forwarded to the City Council for future consideration.

Alternative Actions

N/A

Prepared by: Janice Gundlach, Community Development Director

- Attachments:**
1. City Council Request for Commissions
 2. Commissioner McGehee Suggestions for Discussion

Commissioners,

In April the City Council decided to pursue a review and update for our City Commissions. The Council feels any review and update must include the input of the members of the Commissions.

Commissions are an important part of the governance of the City by providing vital information and recommendations to the City Council. In recent years, some commissions have come to the Council asking about changes in name, purpose, scope and duty, and meeting schedule.

The purpose of this review by Commissioners is to flesh out potential changes that can improve the Commission experience for members and ensure Commissioners are making a positive impact on the governance of the City of Roseville and their community in general.

As part of your work:

- Examine sections of Roseville City Code Chapters 201-208 that are relevant to your Commission
- Review your Commission's Purpose, Scope, Duties and Functions
- Consider your number of Commissioners, frequency and spacing of meetings and other aspects of the operation and work of your Commission that you feel would enhance the quality of meetings, engagement of Commissioners and the community, and strengthen information coming to the City Council.

For each of these areas think about these questions:

- What is good
- What needs to be changed
- What might be removed
- What might be added to better serve the community

It is possible some Commissions will have very few recommended changes and that is OK. Some or all of this work may not be relevant for Commissions such as the Planning and the Police Civil Service Commissions that have statutory guidelines that must be followed.

Commissioners should try to align their format with a clear Purpose statement, membership, an outline of the Scope of the Commission's work including enumerated Duties and Functions, and meeting requirements (see city code Chapter 201).

Here is our current timeline:

1. Commission review and recommendations, May 2023 to August or September 2023,
2. Council consideration, September and October, 2023
3. Final Council passage of updates, November/December 2023

CHAPTER 202 PLANNING COMMISSION

SECTION:

- 202.01: Establishment and Membership
- 202.02: Meetings and Reports
- 202.03: Preparation of Comprehensive Plan
- 202.04: Procedure for Adoption of City Comprehensive Plan
- 202.05: Adoption of City Comprehensive Plan by City Council
- 202.06: Means of Executing Plan
- 202.07: Zoning Code and City Comprehensive Plan

202.01: ESTABLISHMENT AND MEMBERSHIP:

A City Planning Commission for the City is hereby established, which shall be subject to Chapter 201 of the City Code. The Planning Commission shall be the City planning agency and shall have the powers and duties given such agencies generally by Minnesota Statutes, sections 462.351 through 462.364, as amended, and as conferred upon it by this Chapter. (Ord. 194, 4-19-1955; 1995 Code)

The Planning Commission shall consist of seven members appointed by the City Council.

202.02: MEETINGS AND REPORTS:

The Commission shall hold at least one regular meeting each month. It shall keep a record of its resolutions, transactions, and findings, which shall be a public record. (Ord. 194, 4-19-1955; 1995 Code)

202.03: PREPARATION OF COMPREHENSIVE PLAN:

It shall be the function and duty of the Planning Commission to prepare and recommend a Comprehensive City Plan for the development of the City, including proposed public buildings, street arrangements, public utility services, parks, playgrounds and other similar developments, the use of property, the density of population and other matters relating to the development of the City. Such Plan may be prepared in sections, each of which shall relate to a major subject of the plan, as outlined in the Commission's program of work. (Ord. 194, 4-19-1955; 1995 Code)

202.04 PROCEDURE FOR ADOPTION OF CITY COMPREHENSIVE PLAN:

The Planning Commission may, at any time, recommend to the City Council, the adoption of the City Comprehensive Plan, any section of it or any substantial amendment thereof. Before making such recommendation to the City Council, the Planning Commission shall hold at least one public hearing, as provided for in Chapter 108 of this Code. The recommendation by the Planning Commission to the City Council shall be by a resolution of the Commission, approved by the affirmative votes of not less than 5/7^{ths} of its total membership. The Commission may from time to time recommend minor amendments to the City Comprehensive Plan or any section thereof without the public hearing mentioned herein providing that a majority of its members are of the opinion that such hearing is not necessary or in the public interest. (Ord. Page 105 of 109

1175A, 11-25-1996)

If an amendment to the Comprehensive Plan Future Land Use Map is requested by a property owner, the applicant shall hold an open house meeting with residents and property owners in the vicinity of the affected property prior to submitting an application for the amendment.

Requirements for such an open house are as follows:

- A. Purpose: To provide a convenient forum for engaging community members in the development process, to describe the proposal in detail, and to answer questions and solicit feedback.
- B. Timing: The open house shall be held not more than 30 days prior to the submission of an application for Comprehensive Plan Future Land Use Map Amendment approval and shall be held on a weekday evening beginning between 6:00 p.m. and 7:00 p.m. and ending by 10:00 p.m.
- C. Location: The open house shall be held at a location in or near the neighborhood affected by the proposed amendment, and (in the case of a site near Roseville's boundaries) preferably in Roseville. In the event that such a meeting space is not available the applicant shall arrange for the meeting to be held at the City Hall Campus.
- D. Invitations: The applicant shall prepare a printed invitation identifying the date, time, place, and purpose of the open house and shall mail the invitation to the recipients in a list prepared and provided in electronic format by Community Development Department staff. The recipients will include property owners within 500 feet of the project property, members of the Planning Commission and City Council, and other community members that have registered to receive the invitations.
- E. Summary: A written summary of the open house shall be submitted as a necessary component of an application for Comprehensive Plan Future Land Use Map Amendment approval. (Ord. 1362, 3-24-2008)

202.05: ADOPTION OF CITY COMPREHENSIVE PLAN BY CITY COUNCIL:

Upon receiving a recommendation from the Planning Commission for the establishment or amendment of a plan, the City Council shall follow procedure as set forth in Chapter 108 of this Code. The City Council may adopt such plan or amendments by a majority vote of its members or by a larger majority if required by statute. (Ord. 1175A, 11-25-1996)

202.06: MEANS OF EXECUTING PLAN:

Upon the adoption of the City Plan or any section thereof, it shall be the duty of the Planning Commission to recommend to the City Council reasonable and practicable means for putting into effect such Plan or section thereof in order that the same will serve as a pattern and guide for the orderly physical development of the City. Such means shall consist of a zoning plan, the control of subdivision plats, a plan for future street locations, etc. (Ord. 194, 4-19-1955)

202.07: ZONING CODE AND CITY COMPREHENSIVE PLAN:

The Planning Commission may, upon its own motion or upon instruction by the City Council, prepare revisions to the Zoning Code and/or Plan for the City. Before recommending such Code and/or Plan to the City Council, the Planning Commission shall hold at least one public hearing as provided for in Chapter 108 of this Code. The same procedure shall apply for the preparation of any overall street plan or acquisition of lands for public purposes. (Ord. 1175A, 11-25-1996) (Ord. 1481, 07-20-2015)

Memo

To: Roseville City Council
 From: Tammy McGehee
 Date: June 20, 2023
 RE: Suggestions for Discussion

The Planning Commission is a state mandated advisory body, but its role is defined by the municipality. As presently defined, the Planning Commission has a very large role in the Comprehensive Plan, but not in any actual planning. The format and process presently in place is one whereby already vetted projects that have been defined by Community Development to meet all City requirements are brought to the Commission to be upheld as proper and legal. By the time a project has reached the Commission, the 60 day clock has begun and staff has found it to fit the code legally.

The result of this current process is that the “public hearing” is a dishonest exercise through which no substantial modification can be made. This leads to, and has led to, massive ill-will on the part of residents who come forward with reasonable ideas and suggestions but whose efforts and time are dismissed because there is no real leverage to make a course correction.

Furthermore, when a series of these events occurs where even reasonable suggestions cannot be incorporated, the Commission has no mechanism to discuss ways to propose and discuss alterations to the zoning code and or process to make modifications to improve the process and outcomes in the future.

During my tenure thus far, I would like to see the following items discussed by the Planning Commission as part of the Council outreach which was presented by Councilman Etten at the last meeting.

1. Discuss adding a line item at the end of the agenda where Commission members can have topics or items placed on the following month’s agenda for discussion—similar to that on the Council agenda.
2. Discuss changing the process to add a period of discussion between the Commission and a developer regarding a proposed plan. This proposed meeting would follow the open house so that resident input would be considered and discussed prior to the item entering into the formal 60 day consideration. For example, the Fed Ex parking lot project was a perfect case in point where the ability of the residents and commissioners to communicate directly with the developer made all the difference!
3. Discuss defining the role of the Planning Commission with respect to planning related topics. This would include things like the “Master Plans” and associated planning, i.e. Comprehensive Plan, Pathway Master Plan, Park Master Plan, Campus Master Plan, etc. This provides a resident

based entity to advise the Council and to see how these parts fit together to realize a vision for the community.

4. Discuss possible “visioning” process and its role and timing in the Comprehensive Planning process.
5. Discuss the Planning Commission role in the visioning process.
6. Discuss consideration of having the Design Review Committee (DRC) include members of the Planning Commission. As it is presently structured, it is far too opaque from any resident, advisory, or decision making bodies.
7. Discuss revising our subdivision zoning rules to make the size of the resulting subdivided lots no smaller than the average lot size of all lots touching a 500’ radius around the proposed subdivided lot.. This plan results in a gradual move to increased density and smaller lots, but it is more measured and does not immediately dramatically change a neighborhood. It is this dramatic change to a neighborhood created by our current subdivision zoning that has been the cause of the many negative reactions by residents and neighborhoods.

Finally, a thought on density we should all consider. During my tenure on the Council I recall that what the Council initially requested of staff was an “update” to the 2030 Plan. As we know, that was not what happened. Because of this change, the visioning that was done for Roseville 2025 was not used as a vision basis and there was no new visioning done.

For these reasons the current 2040 Comprehensive Plan, because of the lack of using any previous visioning as a basis for the plan, became simply representative of a bit of Council suggestions, lots of work by the previous Planning Commission, and a final document prepared largely by Community Development. What emerged in the 2040 Comprehensive Plan final document was a shocking deviation in our previous zoning—with little public input or discussion and no real need. Without a local newspaper or active visioning, residents are simply unaware of these changes. We are now the only northern suburb without any “single family” R-1 zoning!

The Planning Commission has been dealing with this shift in policy for the past two years and has seen the resulting very unfortunate changes to neighborhoods, green space, tree canopy, impervious surface, and resident dissatisfaction with city government. The latter, resident disgust, anger, and sense of disenfranchisement, has become clear in public hearings related to our new lot sizes and its role in replacing lots and homes in long time R-1 areas with twin homes, duplex homes, or in some cases small lot HOA developments. There are several examples of which you are aware --the McCarrons development, County Road B, and Old Highway 8 in the past 18 months.

And the issues continue. In the June packet one resident wrote that a developer was advertizing on a website, “coming this summer – 4 brand new rambler homes in the heart of Roseville!” The

resident then raised this question, “Had the subdivision of the plot already been approved or was the letter asking for feedback we received just a formality?” In the same packet another resident posits, “We understand that increased density is a part of Roseville’s 2040 plan....”

General “increased density” was not a goal that was not debated on the Council nor was it vetted in the Community during the planning for the 2040 Comprehensive Plan. It is an idea that is not popular with residents in Roseville as evidenced by residents coming forward to the Planning Commission. And, it is becoming increasingly clear that many of these changes are simply increasing the rental burden of the city. While rental property is an essential part of our housing mix, just as with too much of anything, it changes the character of the community as a whole and very strongly impacts many of our existing neighborhoods.

While I am a supporter of areas of manufactured homes and tiny homes, which we have not sought to review or discuss, there is no way or need for us to provide any more “homes” in Roseville. In fact, as we look forward to water shortages, climate change, droughts and deluges, heat islands, tax burdens, etc., and sustainability in general, preserving our larger lots, encouraging smaller impervious footprints, permeable driveways and walks, bee lawns, and protection and encouragement of our city’s tree canopy, etc. is what we should be focusing on. These are the programs and actions of the smart cities all across the globe.

Roseville is “perfectly positioned” with location, great variety of housing types, styles, lot sizes and price ranges, access to good public transportation, mix of residential, commercial, and industrial employers, and strong park system. If we build on this excellent foundation for the future, we would encourage natural areas, protect our wetlands, lakes, and ponds, and reshape our streets as they are resurfaced to provide the old swales to recharge the ground water rather than carrying our debris, fertilizer, pesticides, and herbicides, and our precious water to the Mississippi River. We could encourage home ownership rather than rental to provide true diversity and equity. There are many areas of our code that are in directly in conflict with true equity, resilience, and sustainability.

We have met all the Metropolitan Council’s requirements for both density and affordable housing through 2040. Instead of simply doing more of what we already have in sufficient quantity, let us all engage in new visioning and planning to insure that Roseville remains a community that is safe, healthy, sustainable, and resilient.

This takes planning on a larger scale than putting an OK on proposals developers bring forward. I hope we can begin to discuss changes and ways to make this larger type of planning possible.