



Planning Commission Agenda

Wednesday, August 2, 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 July 5, 2023 Minutes
- 5. Communications and Recognitions**
- 6. Public Hearing**
- 7. Business**
 - a. City Council Request for Commissions
- 8. Adjourn**


REQUEST FOR COMMISSION ACTION

Date: **8/2/2023**
Item No.: **4.a.**

Department Approval

Agenda Section
Review of Minutes

Item Description: Review July 5, 2023 Minutes

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Application Information

N/A

Background

N/A

Staff Recommendation

N/A

Requested Planning Commission Action

Review July 5, 2023 minutes and make a motion to approve subject to requested corrections.

Alternative Actions

N/A

Prepared by:

Attachments: 1. July 5, 2023 Minutes



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, July 5, 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, Matthew Bauer and Erik Bjorum.
11
- 12 **Members Absent:** None
13
- 14 **Staff Present:** City Planner Thomas Paschke, and Community Development
15 Director Janice Gundlach
16
- 17 **3. Approve Agenda**
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- 19 **MOTION**
20 **Member Schaffhausen moved, seconded by Member Kruzel, to approve the agenda**
21 **as presented.**
22
- 23 **Ayes: 7**
24 **Nays: 0**
25 **Motion carried.**
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- 27 **4. Review of Minutes**
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- 29 **a. June 7, 2023 Planning Commission Regular Meeting**
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- 31 Chair Pribyl indicated some comments were emailed by Commissioner McGehee to
32 staff. She noted she had a correction on line 120 on the first public hearing.
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- 34 **MOTION**
35 **Member Aspnes moved, seconded by Member McGehee, to approve the June 7,**
36 **2023 meeting minutes.**
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- 38 **Ayes: 7**
39 **Nays: 0**
40 **Motion carried.**
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5. Communications and Recognitions:

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

None.

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

None.

6. 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)

Chair Pribyl opened the public hearing for PF23-004 at approximately 6:33 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council on July 24, 2023.

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

Mr. Michael Stezler, President of the Congregation of Prince of Peace, addressed the Commission.

Member McGehee asked what the church’s extent of liability insurance is.

Mr. Stezler explained there is an umbrella policy containing hazard and liability through Church Mutual and there are specific clauses in it that cover this activity. The Church has assurances from the insurance company that their liability is covered. The Church does require its residents to have their own renter’s insurance and therefore are covered by risk and liability to the extent of what their renter’s policy provides.

Member McGehee asked if the Church has documentation of liability for the buildings but not for the keep up.

Mr. Stezler introduced Ms. Anne Krisnik who helped put together the permitting process.

Ms. Krisnik, Settled, explained she had a copy of the insurance policy if the Commission wanted to see it. The policy not only provides liability cover but also

88 has replacement cost for the individual micro units as well as the common areas of
89 the Church if anything is needed to be replaced due to some kind of damage.

90
91 Member McGehee noted it liked from the packet that was sent the liability covered
92 the structure and she was concerned about the people.

93
94 Ms. Krisnik indicated she would be happy to go over the policy after the meeting if
95 needed.

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97 Member McGehee indicated she had another question about the building code and the
98 certification. She explained the certification the applicant provided states there is a
99 governing statute in the State of Minnesota and there are NOAH certification and also
100 ANSI 119.5 and 119.5+ and the certification says that these structures are certified
101 per those requirements and organizations, and she wondered if there is any
102 documentation that says that any of these units vary from the requirements for
103 certification for either of those.

104
105 Ms. Krisnik explained the structures do meet that criterion with one exception, which
106 is what prompted the Interim Use in the first place and that is each Municipality gets
107 to create its own Code and in Roseville’s case, the Code the City created deals with
108 plumbing in a way that these units are not in compliance.

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110 Member McGehee explained she was not talking about plumbing; she was talking
111 about insulation.

112
113 Ms. Krisnik explained the insulation is actually well above the residential grade
114 required by both NOAH and ANSI standards.

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116 Member McGehee indicated the Noah certification only certifies R13 and R19 values
117 and is the only type of NOAH certifies so she wanted to know how the City is
118 supposed to be assured that the insulation actually exceeds that per State Law.

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120 Chair Pribyl thought the Commission could look at this after the meeting.

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122 Member McGehee continued her argument regarding what she understood to be the
123 standards of the State.

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125 Ms. Krisnik showed the certification of inspection from NOAH.

126
127 **Public Comment**

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129 No one came forward to speak for or against this request. With no one coming
130 forward to speak, Chair Pribyl closed the public hearing.

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132 **MOTION**

133 **Member Schaffhausen moved, seconded by Member Aspnes, to recommend to**
134 **the City Council approval of an Interim Use to Temporarily Regulate Two**

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Existing Mobile Residential Micro-Unit Dwellings on the Property at 2555 Victoria Street (PF23-004).

Member Schaffhausen thought this is a step in the right direction and something that is really needed and valuable for this community and she is grateful that this organization is stepping forward to do this.

Member McGehee indicated that she was going to take the other side and argued that it could be but as it is currently granted, it is not. She did not think there are proper safeguards in place, and she did not think that the City should allow this to go forward without challenge and that would be at the City Council level. She asked if it would be possible, she would like to add a fourth condition, that the City Council consider taking steps to get this particular Legislation brought into line so that Building Codes, safety and so on can be reviewed by the City, not by an arbitrary third party.

Chair Pribyl indicated she was not sure that is within the City’s jurisdiction, because this is a State item.

Member McGehee indicated this was a motion just to the City Council to review during the next six months and see if there is a way to bring this more in line with other structures within the City so that the City has more assurance of safety and habitable conditions for the residents of these micro units.

Member Schaffhausen appreciated that and respected where Member McGehee was coming from because what she hears is Member McGehee’s deep concern for the residents that are in this space and making sure that those residents are well cared for and in addition that that, she thought the Interim, what she has seen and read through it is that the Church is following the State requirements for that and those Laws will take effect in six months and that no amount of action on the City’s part will, the only thing the City will do is slow things down and that the Church will still have a chance to step in and implement these dwellings as it is defined by the State on January 1, 2024.

Member McGehee indicated she understood that.

Member Schaffhausen explained for the City to get in the way of and try to impede State Law and try and wrestle with it, what the City is saying is it respects and represent that the State is coming in this direction and the City is going to meet it and make sure that these kinds of structures the City will be ready for, and that the City is not slowing down the process. She indicated, for her personally, she is not interested in standing in the way of State Legislature and trying to over legislate in front of that to slow something down that is already on the way. She indicated she did not want to recommend an additional condition because of the State Legislature and the City is not in the position to go and legislate the State.

181 Member Aspnes asked staff if she read correctly that the City cannot legally put
182 requirements that are more stringent than the State Statute.

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184 Mr. Paschke indicated that is correct. He indicated the Planning Commission can
185 recommend to the Council, but the Council cannot adopt conditions that are more
186 enforceable than what the State Legislation currently lays out.

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188 **Ayes: 6**

189 **Nays: 1 (McGehee)**

190 **Motion carried.**

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192 **7. Other Business Heading Information**

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194 **City Council Request for Commissions**

195 Chair Pribyl indicated this item is to be discussion amongst the Commission over
196 the next month or two about what the Commission feels the Commission's roles
197 and responsibilities should be moving forward whether the roles and
198 responsibilities as laid out in the City Ordinances are as appropriate or whether
199 there are some things the Commission wants to suggest to the Council be changed
200 or tweaked. She indicated staff has provided a summary of the background on the
201 item.

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203 Chair Pribyl indicated the Planning Commission already has a fairly well-defined
204 scope of work based on State Statute but there are sections within the City's Code
205 that further lay out what the Planning Commission's role is within the City of
206 Roseville. She noted there are comments from Commissioner McGehee that were
207 sent with the packet and a desk handout has Commissioner Bauer's comments and
208 thoughts within the chapter of the Planning Commission in City Code.

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210 Chair Pribyl thought one way the Commission could organize discussion at this
211 meeting is to take a look at the comments, but she wondered if there was anything
212 else anyone wanted to add or other topics of discussion that warrant addressing.

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214 Chair Pribyl thought the one item on the list which is not a part of the discussion
215 for tonight, because there should be discussion on the Planning Commission role
216 to start, is specific items that might come up at potential Zoning Code changes.
217 She thought the Commission should focus tonight on the Planning Commission's
218 role.

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220 Member Bauer asked if the Zoning Code changes discussion could be moved to
221 next month's discussion.

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223 Chair Pribyl indicated that is correct.

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225 Member McGehee indicated through the Zoning Code, what she was referring to
226 was before she was on the Planning Commission there was discussion that came
227 up again and again regarding items such as the Tree Ordinance and when the

228 Commission sees something like that come up over and over then the
229 Commission needs to have a way to tell, the Commission is basically the public
230 hearing section, and the Commission needs to get information that they gather as
231 Commissioners to the Council and many times that would take the form of saying
232 The Commission thinks there should possibly be considered a Zoning Code
233 change or something. It is not changing the Zoning Code because that has to
234 come the other way, down from the top, but the Commission has to get it up to the
235 City Council who can authorize the Commission to then look at the potential of
236 changing something that they, as a group, see might be a problem. That is what
237 she was asking about in her letter, not that the Commission starts writing Zoning
238 Code here, but that the Commission picks the information that comes here and get
239 it up to the City Council.

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241 Chair Pribyl indicated that made sense. She thought that Commissioner McGehee
242 was proposing to discuss recommendations for specific changes to the Zoning
243 Code, but she was only giving an example of how the Planning Commission
244 should approach when issues come up that are repeated heard at the Commission
245 level.

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247 Member Schaffhausen wondered if there is a staff report that starts to aggregate
248 some of this information, as far as how the Commission actually starts to propose
249 Code changes up to the City Council, so the Council is aware of it.

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251 Ms. Gundlach reviewed the process and clarified the feedback loop with the
252 Planning Commission.

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254 Member Schaffhausen asked if there are other mechanisms of communication of
255 information from the Planning Commission that gets surfaced up to the City
256 Council, other than the yearly joint meeting.

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258 Ms. Gundlach explained the City Council gets all of the Planning Commission
259 minutes and routinely review those minutes to see what is going on. On really big
260 topics, it would not be really unusual for staff to share that information with the
261 City Manager who then disseminates it to the individual City Council members.

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263 Member McGehee explained that having sat on the other side of this for eight
264 years that feedback is not effective for the kind of things she was discussing. She
265 has not seen those issues come forward from the Planning Commission. She
266 explained the Commission does not have any way on the agenda to even discuss
267 issues amongst themselves, if a Commissioner thinks something should be
268 discussed.

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270 Member Schaffhausen indicated one of the reasons why she asked how things get
271 shuffled up to the City Council is because if thought about, how does the
272 Commission actually decide, as a group, decide what the Commission thinks is
273 important and one of the reasons what she was curious about is does staff keep a
274 log and record of the types of things, almost an excel file, because otherwise the

275 role of documentation for all the stuff that comes through the Commission falls on
276 one of the Commissioners to keep track of and then find a way to manage what is
277 most important. She thought that is creating an additional burden for a feedback
278 loop when really for the Commission, as a listening body, the Commissioners can
279 bring those individual opinions to that feedback loop session but at the end of the
280 day, the people that drive the conversation, in her opinion, are the community
281 members. She indicated her opinion matters less than a community member that
282 comes to the City Council and says something is really important to them. The
283 Commission might see some themes that come up and this is where Ms. Gundlach
284 will bring it to the City Manager and what the Commission might say is that the
285 Commission needs another feedback loop and that would be something for the
286 Commission to have as a discussion, what is that feedback loop and what is really
287 required. She asked if the Commissioners felt there is not enough of a feedback
288 loop.

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290 Member Bauer wondered if Section 2.207, more than the Commission as a
291 listening body. He reviewed the wording in the Code with the Commission and
292 indicated there is a process listed in the Code which the Planning Commission can
293 bring forth Zoning changes through the course of a public hearing and then
294 brought forth to the City Council. He explained reading that section of the Code
295 it seemed like the Planning Commission is more than just a listening body in that
296 the Commission is actually tasked with bringing forward stuff to the City Council.

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298 Member Schaffhausen thought that was a good point and she thought about the
299 number of times the Commission walked through stuff and the conversation is
300 how does it align with the Comprehensive Plan because when she thinks about the
301 volume of effort and energy that goes into the Comprehensive Plan, the Zoning
302 Code, that in her opinion, is the opportunity and the time to go and have those
303 conversations to do exactly what Commissioner McGehee is talking about and
304 once that comes into place then that is where the City has systems and processes
305 in place so it is not a random issue and that is the reason for the Code and the
306 reason for the Comprehensive Plan is that the City is kind of tracking along that
307 and finding deviations and then the more deviations that pop up, then it is
308 something that the Commission identifies as potential need but one deviation does
309 not mean a Zoning Code change or need.

310
311 Chair Pribyl indicated she was thinking the same thing. The City went through a
312 pretty extensive process of community engagement, updating the Comprehensive
313 Plan and getting that approved through the Met Council and then making all of
314 the Zoning Code changes that followed that through, with an outside consultant to
315 staff assisting throughout that entire process. Her personal concern with starting
316 to cherry pick would be that there would be unintended consequences of starting
317 to make a change that may then affect something that was approved in the
318 Comprehensive Plan, and it creates an entire cycle.

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320 Member Bauer asked what the process would be if a mistake is made by the City.
321 Would the City tell the residents that nothing could be done until the next
322 Comprehensive Plan is started.

323
324 Mr. Paschke explained he was not sure how the Commission would know a
325 mistake was made unless something came before the Commission a number of
326 times because one person may not like something or an outcome of something
327 does not mean it is a mistake. To determine what the mistake is would take
328 research an understanding how many times, whatever that item is, has been a
329 problem or problematic and then the Commission or staff would have to discuss it
330 with the City Council and determine whether or not the Council felt that there was
331 an error that required some form of a change in order to be less impactful but the
332 Planning Commission, as a body, is not going to perhaps know whether or not
333 something is a mistake for a long time. Things take years to determine whether or
334 not the way that it was originally set up is going to be problematic. He indicated
335 this needs to play out a long time. Regarding the point about the Commission, as a
336 body, being the body that does, for example, Zoning Code text amendments with
337 public hearings and it runs through a process. Generally speaking, that is correct,
338 however, that the whole process is either derived from staff working with things
339 or it comes from the Council. The current City Code does not state that the
340 Planning Commission is the body that initiates it, meaning that the Planning
341 Commission picks something and agree a change should be made, there are other
342 things that go into determining what really needs to be modified as it relates to
343 Comprehensive Plan and Zoning Code.

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345 Member McGehee indicated the Comprehensive Plan can be changed. There is a
346 Comprehensive Plan change process and she agreed that it is not up to the
347 Planning Commission to pick these things but her only point was to try to get
348 more than a once a year check in because she did not think it was sufficient and
349 that was her point and it does not have to be an in person meeting but if there
350 were a number of the Commission wanting the Council to be aware of something
351 that the Commission was hearing, as a group, without having it violate open
352 meeting law or anything else, just a way to have a discussion amongst themselves
353 of some of things that have happened and whether the Council acts on it, whether
354 the staff acts on it, is up to the Council and staff but in terms of the Planning
355 Commission's responsibility to take what the Commission hears and thinks. The
356 Commission serves as volunteers and all she was asking for is some sort of
357 mechanism where if there were a sufficient number of the Commission that
358 wanted the Council to just think about something, there would be a mechanism to
359 arrive at such a conclusion and pass it onto staff to pass to the Council.

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361 Member Aspnes thanked Commissioner's McGehee and Bauer for their thoughts
362 on this. Commissioner McGehee has much more experience in Roseville City
363 Government and on the Commission than she does and what she appreciated,
364 particularly, were Commissioner McGehee's thoughts about a few of the
365 meetings the Commission has had recently where a lot or a small number of lots
366 have come up available and a developer is building something new and it is not a

367 single lot, it is multiple lots and the builder has a meeting, an open house, with the
368 residents and the residents have given him their feedback, it comes before the
369 Planning Commission, the current residents of the neighborhood have attended
370 the meeting and given their feelings generally, not positive of wanting to move
371 forward with the project, and in the end the Planning Commission ends up
372 approving it and it goes to the City Council and she felt the residents were
373 disappointed in the process, by the looks on their faces. To Commissioner
374 McGehee's thoughts on this, is there a way in addition to the minutes that go to
375 the City Council, for the Commission to then add a Planning Commission
376 memorandum, indicating thoughts of the Planning Commission regarding this
377 issue.

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379 Member Kruzal assumed some of the City Council members watched the
380 Planning Commission meeting.

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382 Chair Pribyl indicated in the minutes the Council can see how many people have
383 spoken at the public hearing.

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385 Member Bjorum did not think it was the Planning Commission's job was
386 necessarily to listen to the residents state that they do not like the project, the
387 Commission's job is to make sure that the project before them meets the
388 requirements set forth in the Comprehensive Plan and the Zoning Code and all of
389 that stuff and it is unfortunate that it is not always the understanding but it is a
390 kind of a catch because if the resident does not understand the process set forth
391 the resident cannot come to the meeting and say they do not like it because there
392 is not much that the Commission is going to be able to do about it. The resident is
393 going to have to take it to the body that governs that part of it and tell the City
394 Council the reason why the residents do not like the project.

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396 Member McGehee indicated she got that, but she did not think it is reasonable to
397 expect residents, particularly without a newspaper, and not communication as the
398 City had in the past, to get together and come to the governing body with a
399 request for something specific. The residents each see their own neighborhood
400 and they see what happened there and yes, the resident cannot effect that because
401 they come to the Commission and it is already written in stone that this is the way
402 it has to be and then the next neighborhood comes to the Commission and they
403 have essentially the same issue with the same issues in the Code.

404
405 Member Kruzal thought it would go back then to what is written in the Code
406 because that is what the Planning Commission is governed by. Many times, the
407 Commissioners have been at the meeting thinking sometimes with their heart and
408 then another Commission explains the project is meeting all the checks and
409 balances and the criteria, so the Commission really does not have a choice. The
410 Commission's role is to look at the facts.

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412 Member McGehee agreed with what Commissioner Kruzal was stating but she
413 thought that when the Commission sees those things the Commission should be

414 able to take that over arching problem or not a problem with the Code, to the
415 Council and ask them to think about it based on the examples that the
416 Commission has seen.

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418 Member Schaffhausen indicated one of things she is struggling with as she listens
419 to this is what it assumes is that what the Commission is seeing is not instead a
420 response or reaction to change that people struggle with change in general, what
421 the Commission is assuming is that there is something wrong with what is coming
422 in front of them and therefore the Commission needs to document it and move it
423 in different direction versus there is a process in place and staff has done their job
424 going through the checks and balances and there have been times that staff has
425 found an issue once presented to the Planning Commission and puts a pause on
426 the item to fix the issue and then the project either comes back again or goes away
427 but what she is concerned about is that the Commission is putting their personal
428 weight on the frequency of some of these things and to Commissioner McGehee's
429 point, because they are individual, what the Commission is assuming is that they
430 see three things of the same thing and people do not like the fact that a duplex
431 gets to go next to them and there is a reason that in the Comprehensive Plan the
432 densities are increased to provide opportunities for increased housing in the City
433 of Roseville. She actually thought the duplex was good and the fact that three
434 groups of people do not like the duplex, she gets it, but it is what it is.

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436 Member McGehee did not think it conforms with what they say in the outset of
437 the Comprehensive Plan.

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439 Member Schaffhausen explained that was Commissioner McGehee's personal
440 opinion.

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442 Member McGehee agreed it was her personal opinion.

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444 Chair Pribyl stopped the conversation and thought the conversation was going off
445 point and wanted to reign the discussion back in.

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447 Member Bjorum thought the real issue to bring to the Council is that somehow
448 there has to be a way to notify people that the Planning Commission reviews this,
449 the City Council will review this portion of it and how the residents voice can be
450 heard at a Planning Commission and City Council meeting. He thought that is
451 where the disconnect happens and somehow needs to get played out.

452
453 Member Schaffhausen thought one of the simple spots for that is actually in how
454 the Planning Commission announces the meeting, technically, and could be a
455 wording change that would be needed.

456
457 Member Bjorum thought what everyone has been saying tonight is very much
458 personal opinion and the Planning Commission is not necessarily governed by
459 opinion the Commission is governed by legal documents and there is a lot of it
460 that he agrees with and some he disagrees with but that is his opinion and then the

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Commission will get down a black hole that the Commission is going to send their own opinions to the City Council, then as a resident of Roseville, it should be done outside of the Planning Commission and is not a part of the Planning Commission.

Member McGehee indicated she does do that, and it is fine with her because she does not have a “dog” in the fight.

Chair Pribyl indicated that it seems like there are a couple of issues that were talked about. One, is making sure that the public understands the Planning Commission’s role and maybe the Commission can discuss any additions that could be made to the public meeting rules that explains that and then the other is if there are items that come up in discussion, like the tree density the Commission talked about at several meetings, to be brought forward as a point of discussion at the joint meeting with the City Council.

Member Kruzel believed that most of this information about the Commission’s role is on the website and the rules as well.

Member Schaffhausen asked if the Commission could make some sort of an amendment or change to how the Chair opens the meeting, as far as the residents opportunity for voicing an impact, today this is what it means, tomorrow, this is where it mean elsewhere and that is where it states when it will go to the Council and then she also wondered if they could start to have something on where to go with more concerns or how can a resident make sure that their voice is heard. She wondered if the Commission can be proactive by using something like a QR Code.

Chair Pribyl indicated the Commission does offer the resident the opportunity to speak at the City Council meeting.

Member Aspnes agreed with Commissioner Bjorum’s comment on what the Commission’s role is and she did understand the role. Her concern is that the neighbors in these neighborhoods where the new building is taking place, the residents does not seem to understand and she wondered how the City can make that better, the resident does not understand the Commission’s role, the resident does not understand their responsibilities for sharing their voice with the appropriate bodies at the appropriate time. By the time the resident comes to the meeting it is too late, the Comprehensive Plan is done, the Zoning Code is done, the Building Codes are done, and the Planning Commission has a responsibility to act within all of that and she thought the Commission was doing that, but she thought the process of having the residents’ voices be heard is not there, or at least the resident’s do not feel it is there. She wondered how the City could get the information out to the residents in the right way to voice their concerns.

Member Bjorum thought that was the Commission’s job and their obligation to tell the residents the process.

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Member McGehee reviewed the previous Comprehensive Plan process that occurred. She indicated the vision for the plan was very poor, it was almost non-existent compared to other plans the City has had in terms of outreach and the community engagement. She indicated the combination of the poor outreach and turnout from the community for whatever reasons, it did not happen and the information about lot changes and zoning things are not in the community and the residents do not know what those changes were, and the changes are extremely significant. She noted that is the underlying problem and she does not know how to get that out and she agreed that the City needs to get that information out to the community, so residents know and that is what the subdivision problems have been.

Member Bjorum did not know how that reflects on the Planning Commission. He thought it seemed more like the City Council’s problem.

Member McGehee indicated it does not reflect on the Planning Commission except the Commission sees the results and the only thing she can say, as a person, to the Council, people do not know this is how the City can get a newspaper, so the information is not out there, and it causes problems. However, she does like some of the things in Commissioner Bauer’s handout.

Chair Pribyl explained the other thing she wrote down from the comments from Commissioner’s McGehee and Bauer is the Commission’s role has been to look at how a project meets the letter of the Zoning Code. What she is seeing in both comments is an interest in having some kind of a role in design review. An impact on the outcome beyond a thumbs up/thumbs down vote, so is there room to wiggle.

Member Bauer explained he was open to hearing from the Design Review Committee and looking at some of the prior meetings without adding any increased time to the developer or the property owner, a way of getting the application in front of the Planning Commission twice instead of just once and allowing for possible changes to be done to the project.

Chair Pribyl reviewed with the Commission what the City of St. Paul does for project applications and review.

Member McGehee did not see a reason why the City of Roseville could do the same thing that the City of St. Paul does with its project applications. She thought the Commission could hold the open house in order to see what possible issues could be and see if corrections could be made and possibly include other Commission’s for input and possible changes.

Ms. Gundlach reviewed the items the Commission discussed and possible items to discuss at the next Commission meeting. She noted on the City website there is a place where residents can send comments to the City Council. She also noted

555 staff does have a specific project communication loop for the City Council to see
556 and review. She indicated she would be hesitant to involve the Planning
557 Commission in the Development Review Committee because the purpose of that
558 is very technical in nature. She indicated community involvement is tough
559 everywhere with every type of development and participation is down
560 everywhere. The Comprehensive Plan and Zoning Code, those engagement
561 opportunities are very big picture and people have a hard time understanding how
562 that is going to affect them but when a project happens in their backyard the
563 resident understands very acutely how that is going to affect them and that is
564 when the resident comes to the City opposing the project. The Planning
565 Commission is one of the only Statutorily required Commissions because the
566 Commissioners deal with somebody's property rights. It is a very tough balance
567 in dealing with the residents and trying to get them to understand how it affects
568 them.

569
570 Member McGehee thought it would be nice to have a small opportunity to say
571 something ahead of time, before the project is in stone. She thought it would also
572 be a big deal for the community to feel that the Government did listen, and that
573 the City was trying.

574
575 The Commission and staff discussed different communication methods.

576
577 **8. Adjourn**

578
579 **MOTION**

580 **Member Aspnes, seconded by Member Bjorum, to adjourn the meeting at 7:54**
581 **p.m.**

582
583 **Ayes: 7**

584 **Nays: 0**

585 **Motion carried.**

586
587


REQUEST FOR COMMISSION ACTION

Date: **8/2/2023**
Item No.: **7.a.**

Department Approval

Agenda Section

Janice Gundlach

Business

Item Description: City Council Request for Commissions

1
2 **Application Information**

3 N/A

4
5 **Background**

6 The City Council has requested input from the Planning Commission regarding the City Code
7 chapter relevant to the Planning Commission's establishment, the Planning Commission's purpose,
8 scope, duties and functions, and meeting frequency, spacing and operational matters.

9
10 The Commission has engaged in two discussions regarding the City Council's request. A summary
11 of those discussions is as follows:

- 12 • June 7, 2023: Council member Etten attended the Planning Commission meeting and
13 introduced this topic. The letter provided as part of that discussion and the relevant City
14 Code sections describing the Planning Commission's responsibilities is included in
15 Attachment 1. Commission members were advised to put their thoughts in writing and send
16 to City staff for discussion at a future meeting. Meeting minutes are included in Attachment
17 3.
- 18 • July 5, 2023: The Commission discussed comments received by Commissioners McGehee
19 and Bauer, which are included in Attachment 2. After a lengthy discussion, the Commission
20 built consensus around three main issues to forward to the City Council, including: 1) adjust
21 announcement at Planning Commission meetings to better explain the Commission's limited
22 role in specific applications and the level of influence afforded to the Commission during the
23 public hearing/meeting process, 2) consider having an opportunity for more than one joint
24 meeting per year to discuss topics that may arise during the course of conducting regular
25 commission business, and 3) consider adding a 'sketch plan' process to allow for Planning
26 Commission input on projects before formal application and submittals are made. Chair
27 Pribyl provided written comments summarizing this discussion, which are included in
28 Attachment 2. Meeting minutes are included in Attachment 3.

29 The Commission should consider the three items outlined above and determine if these items
30 accurately reflect what the Commission wishes to bring forward to the City Council.

31
32 **Staff Recommendation**

33 Engage in a discussion regarding the Commission's feedback to the City Council regarding
34 the Commission's roles and responsibilities.

35
36 **Requested Planning Commission Action**

37 Engage in a discussion regarding the Commission's feedback to the City Council regarding
38 the Commission's roles and responsibilities.

39
40 **Alternative Actions**

41 none

42 **Prepared by:** Janice Gundlach, Community Development Director

- Attachments:**
1. City Council request for commissions_PC city code sections
 2. Commissioner comments
 3. PC Minutes Excerpts_June_July_commission role discussion

43

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.

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.

CHAPTER 202 PLANNING COMMISSION

SECTION:

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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 **no less than 5/7^{ths} a majority of its members total membership** are of the opinion that such hearing is not necessary or in the public interest. (Ord.

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.

Following a submitted written summary of the open house and prior to submission of an application for Comprehensive Plan Future Land Use Map Amendment the property owner will introduce the application to the planning commission during a normally scheduled meeting.

Following the introduction of the application the application may be submitted no later than 60 days. Requirements for such an open house are as follows:

- 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.
- Timing: The open house shall be held not more than ~~30~~ 60 days prior to the introduction of the application for Comprehensive Plan Future Land Use Map Amendment -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.
- 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.
- 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.

- 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. **This summary shall include a list of attendees with address and contact information desiring to have their attendance recorded.** (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)

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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)

From: [Michelle Baltus Pribyl](#)
To: [Janice Gundlach](#)
Subject: PC meeting notes
Date: Saturday, July 22, 2023 10:06:29 AM

Caution: This email originated outside our organization; please use caution.

Hi Janice,

I just realized I don't think I sent you my notes from our last meeting. These were the high points I wrote down. I suspect you have a similar list already:

- Clarification of planning commission role:
 - Possibly adjust announcement at planning commission meeting to better explain our limited role?
 - Consider clarifying level of influence on decisions via public meeting notifications
- Joint planning commission/city council meeting: Consider having an opportunity for more than one joint meeting per year to discuss topics
- Consider adding a 'sketch plan' process to allow for planning commission input on projects before formal submittals

I also just saw your email from last week on the demographics survey. I thought I had submitted that but it must not have gone through. My apologies!

Thanks,
Michelle

****EXCERPT FROM JUNE 7, 2023 MINUTES**:**

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

MOTION

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

Ayes: 6

Nays: 0

Motion carried.

****EXCERPT FROM JULY 5, 2023 MINUTES**:**

7. Other Business Heading Information

City Council Request for Commissions

Chair Pribyl indicated this item is to be discussion amongst the Commission over the next month or two about what the Commission feels the Commission's roles and responsibilities should be moving forward whether the roles and responsibilities as laid out in the City Ordinances are as appropriate or whether there are some things the Commission wants to suggest to the Council be changed or tweaked. She indicated staff has provided a summary of the background on the item.

Chair Pribyl indicated the Planning Commission already has a fairly well-defined scope of work based on State Statute but there are sections within the City's Code that further lay out what the Planning Commission's role is within the City of Roseville. She noted there are comments from Commissioner McGehee that were sent with the packet and a desk handout has Commissioner Bauer's comments and thoughts within the chapter of the Planning Commission in City Code.

Chair Pribyl thought one way the Commission could organize discussion at this meeting is to take a look at the comments, but she wondered if there was anything else anyone wanted to add or other topics of discussion that warrant addressing.

Chair Pribyl thought the one item on the list which is not a part of the discussion for tonight, because there should be discussion on the Planning Commission role to start, is specific items that might come up at potential Zoning Code changes. She thought the Commission should focus tonight on the Planning Commission's role.

Member Bauer asked if the Zoning Code changes discussion could be moved to next month's discussion.

Chair Pribyl indicated that is correct.

Member McGehee indicated through the Zoning Code, what she was referring to was before she was on the Planning Commission there was discussion that came up again and again regarding items such as the Tree Ordinance and when the Commission sees something like that come up over and over then the Commission needs to have a way to tell, the Commission is basically the public hearing section, and the Commission needs to get information that they gather as Commissioners to the Council and many times that would take the form of saying The Commission thinks there should possibly be considered a Zoning Code change or something. It is not changing the Zoning Code because that has to come the other way, down from the top, but the Commission has to get it up to the City Council who can authorize the Commission to then look at the potential of changing something that they, as a group, see might be a problem. That is what she was asking about in her letter, not that the Commission starts writing Zoning

Code here, but that the Commission picks the information that comes here and get it up to the City Council.

Chair Pribyl indicated that made sense. She thought that Commissioner McGehee was proposing to discuss recommendations for specific changes to the Zoning Code, but she was only giving an example of how the Planning Commission should approach when issues come up that are repeated heard at the Commission level.

Member Schaffhausen wondered if there is a staff report that starts to aggregate some of this information, as far as how the Commission actually starts to propose Code changes up to the City Council, so the Council is aware of it.

Ms. Gundlach reviewed the process and clarified the feedback loop with the Planning Commission.

Member Schaffhausen asked if there are other mechanisms of communication of information from the Planning Commission that gets surfaced up to the City Council, other than the yearly joint meeting.

Ms. Gundlach explained the City Council gets all of the Planning Commission minutes and routinely review those minutes to see what is going on. On really big topics, it would not be really unusual for staff to share that information with the City Manager who then disseminates it to the individual City Council members.

Member McGehee explained that having sat on the other side of this for eight years that feedback is not effective for the kind of things she was discussing. She has not seen those issues come forward from the Planning Commission. She explained the Commission does not have any way on the agenda to even discuss issues amongst themselves, if a Commissioner thinks something should be discussed.

Member Schaffhausen indicated one of the reasons why she asked how things get shuffled up to the City Council is because if thought about, how does the Commission actually decide, as a group, decide what the Commission thinks is important and one of the reasons what she was curious about is does staff keep a log and record of the types of things, almost an excel file, because otherwise the role of documentation for all the stuff that comes through the Commission falls on one of the Commissioners to keep track of and then find a way to manage what is most important. She thought that is creating an additional burden for a feedback loop when really for the Commission, as a listening body, the Commissioners can bring those individual opinions to that feedback loop session but at the end of the day, the people that drive the conversation, in her opinion, are the community members. She indicated her opinion matters less than a community member that comes to the City Council and says something is really important to them. The Commission might see some themes that come up and this is where Ms. Gundlach will bring it to the City Manager and what the Commission might say is that the Commission needs another feedback loop and that would be something for the

Commission to have as a discussion, what is that feedback loop and what is really required. She asked if the Commissioners felt there is not enough of a feedback loop.

Member Bauer wondered if Section 2.207, more than the Commission as a listening body. He reviewed the wording in the Code with the Commission and indicated there is a process listed in the Code which the Planning Commission can bring forth Zoning changes through the course of a public hearing and then brought forth to the City Council. He explained reading that section of the Code it seemed like the Planning Commission is more than just a listening body in that the Commission is actually tasked with bringing forward stuff to the City Council.

Member Schaffhausen thought that was a good point and she thought about the number of times the Commission walked through stuff and the conversation is how does it align with the Comprehensive Plan because when she thinks about the volume of effort and energy that goes into the Comprehensive Plan, the Zoning Code, that in her opinion, is the opportunity and the time to go and have those conversations to do exactly what Commissioner McGehee is talking about and once that comes into place then that is where the City has systems and processes in place so it is not a random issue and that is the reason for the Code and the reason for the Comprehensive Plan is that the City is kind of tracking along that and finding deviations and then the more deviations that pop up, then it is something that the Commission identifies as potential need but one deviation does not mean a Zoning Code change or need.

Chair Pribyl indicated she was thinking the same thing. The City went through a pretty extensive process of community engagement, updating the Comprehensive Plan and getting that approved through the Met Council and then making all of the Zoning Code changes that followed that through, with an outside consultant to staff assisting throughout that entire process. Her personal concern with starting to cherry pick would be that there would be unintended consequences of starting to make a change that may then affect something that was approved in the Comprehensive Plan, and it creates an entire cycle.

Member Bauer asked what the process would be if a mistake is made by the City. Would the City tell the residents that nothing could be done until the next Comprehensive Plan is started.

Mr. Paschke explained he was not sure how the Commission would know a mistake was made unless something came before the Commission a number of times because one person may not like something or an outcome of something does not mean it is a mistake. To determine what the mistake is would take research an understanding how many times, whatever that item is, has been a problem or problematic and then the Commission or staff would have to discuss it with the City Council and determine whether or not the Council felt that there was an error that required some form of a change in order to be less impactful but the Planning Commission, as a body, is not going to perhaps know whether or not something is a mistake for a long time. Things take years to determine whether or

not the way that it was originally set up is going to be problematic. He indicated this needs to play out a long time. Regarding the point about the Commission, as a body, being the body that does, for example, Zoning Code text amendments with public hearings and it runs through a process. Generally speaking, that is correct, however, that the whole process is either derived from staff working with things or it comes from the Council. The current City Code does not state that the Planning Commission is the body that initiates it, meaning that the Planning Commission picks something and agree a change should be made, there are other things that go into determining what really needs to be modified as it relates to Comprehensive Plan and Zoning Code.

Member McGehee indicated the Comprehensive Plan can be changed. There is a Comprehensive Plan change process and she agreed that it is not up to the Planning Commission to pick these things but her only point was to try to get more than a once a year check in because she did not think it was sufficient and that was her point and it does not have to be an in person meeting but if there were a number of the Commission wanting the Council to be aware of something that the Commission was hearing, as a group, without having it violate open meeting law or anything else, just a way to have a discussion amongst themselves of some of things that have happened and whether the Council acts on it, whether the staff acts on it, is up to the Council and staff but in terms of the Planning Commission's responsibility to take what the Commission hears and thinks. The Commission serves as volunteers and all she was asking for is some sort of mechanism where if there were a sufficient number of the Commission that wanted the Council to just think about something, there would be a mechanism to arrive at such a conclusion and pass it onto staff to pass to the Council.

Member Aspnes thanked Commissioner's McGehee and Bauer for their thoughts on this. Commissioner McGehee has much more experience in Roseville City Government and on the Commission than she does and what she appreciated, particularly, were Commissioner McGehee's thoughts about a few of the meetings the Commission has had recently where a lot or a small number of lots have come up available and a developer is building something new and it is not a single lot, it is multiple lots and the builder has a meeting, an open house, with the residents and the residents have given him their feedback, it comes before the Planning Commission, the current residents of the neighborhood have attended the meeting and given their feelings generally, not positive of wanting to move forward with the project, and in the end the Planning Commission ends up approving it and it goes to the City Council and she felt the residents were disappointed in the process, by the looks on their faces. To Commissioner McGehee's thoughts on this, is there a way in addition to the minutes that go to the City Council, for the Commission to then add a Planning Commission memorandum, indicating thoughts of the Planning Commission regarding this issue.

Member Kruzel assumed some of the City Council members watched the Planning Commission meeting.

Chair Pribyl indicated in the minutes the Council can see how many people have spoken at the public hearing.

Member Bjorum did not think it was the Planning Commission's job was necessarily to listen to the residents state that they do not like the project, the Commission's job is to make sure that the project before them meets the requirements set forth in the Comprehensive Plan and the Zoning Code and all of that stuff and it is unfortunate that it is not always the understanding but it is a kind of a catch because if the resident does not understand the process set forth the resident cannot come to the meeting and say they do not like it because there is not much that the Commission is going to be able to do about it. The resident is going to have to take it to the body that governs that part of it and tell the City Council the reason why the residents do not like the project.

Member McGehee indicated she got that, but she did not think it is reasonable to expect residents, particularly without a newspaper, and not communication as the City had in the past, to get together and come to the governing body with a request for something specific. The residents each see their own neighborhood and they see what happened there and yes, the resident cannot effect that because they come to the Commission and it is already written in stone that this is the way it has to be and then the next neighborhood comes to the Commission and they have essentially the same issue with the same issues in the Code.

Member Kruzal thought it would go back then to what is written in the Code because that is what the Planning Commission is governed by. Many times, the Commissioners have been at the meeting thinking sometimes with their heart and then another Commission explains the project is meeting all the checks and balances and the criteria, so the Commission really does not have a choice. The Commission's role is to look at the facts.

Member McGehee agreed with what Commissioner Kruzal was stating but she thought that when the Commission sees those things the Commission should be able to take that over arching problem or not a problem with the Code, to the Council and ask them to think about it based on the examples that the Commission has seen.

Member Schaffhausen indicated one of things she is struggling with as she listens to this is what it assumes is that what the Commission is seeing is not instead a response or reaction to change that people struggle with change in general, what the Commission is assuming is that there is something wrong with what is coming in front of them and therefore the Commission needs to document it and move it in different direction versus there is a process in place and staff has done their job going through the checks and balances and there have been times that staff has found an issue once presented to the Planning Commission and puts a pause on the item to fix the issue and then the project either comes back again or goes away but what she is concerned about is that the Commission is putting their personal weight on the frequency of some of these things and to Commissioner McGehee's point, because they are individual, what the Commission is assuming is that they

see three things of the same thing and people do not like the fact that a duplex gets to go next to them and there is a reason that in the Comprehensive Plan the densities are increased to provide opportunities for increased housing in the City of Roseville. She actually thought the duplex was good and the fact that three groups of people do not like the duplex, she gets it, but it is what it is.

Member McGehee did not think it conforms with what they say in the outset of the Comprehensive Plan.

Member Schaffhausen explained that was Commissioner McGehee's personal opinion.

Member McGehee agreed it was her personal opinion.

Chair Pribyl stopped the conversation and thought the conversation was going off point and wanted to reign the discussion back in.

Member Bjorum thought the real issue to bring to the Council is that somehow there has to be a way to notify people that the Planning Commission reviews this, the City Council will review this portion of it and how the residents voice can be heard at a Planning Commission and City Council meeting. He thought that is where the disconnect happens and somehow needs to get played out.

Member Schaffhausen thought one of the simple spots for that is actually in how the Planning Commission announces the meeting, technically, and could be a wording change that would be needed.

Member Bjorum thought what everyone has been saying tonight is very much personal opinion and the Planning Commission is not necessarily governed by opinion the Commission is governed by legal documents and there is a lot of it that he agrees with and some he disagrees with but that is his opinion and then the Commission will get down a black hole that the Commission is going to send their own opinions to the City Council, then as a resident of Roseville, it should be done outside of the Planning Commission and is not a part of the Planning Commission.

Member McGehee indicated she does do that, and it is fine with her because she does not have a "dog" in the fight.

Chair Pribyl indicated that it seems like there are a couple of issues that were talked about. One, is making sure that the public understands the Planning Commission's role and maybe the Commission can discuss any additions that could be made to the public meeting rules that explains that and then the other is if there are items that come up in discussion, like the tree density the Commission talked about at several meetings, to be brought forward as a point of discussion at the joint meeting with the City Council.

Member Kruzel believed that most of this information about the Commission's role is on the website and the rules as well.

Member Schaffhausen asked if the Commission could make some sort of an amendment or change to how the Chair opens the meeting, as far as the residents opportunity for voicing an impact, today this is what it means, tomorrow, this is where it mean elsewhere and that is where it states when it will go to the Council and then she also wondered if they could start to have something on where to go with more concerns or how can a resident make sure that their voice is heard. She wondered if the Commission can be proactive by using something like a QR Code.

Chair Pribyl indicated the Commission does offer the resident the opportunity to speak at the City Council meeting.

Member Aspnes agreed with Commissioner Bjorum's comment on what the Commission's role is and she did understand the role. Her concern is that the neighbors in these neighborhoods where the new building is taking place, the residents does not seem to understand and she wondered how the City can make that better, the resident does not understand the Commission's role, the resident does not understand their responsibilities for sharing their voice with the appropriate bodies at the appropriate time. By the time the resident comes to the meeting it is too late, the Comprehensive Plan is done, the Zoning Code is done, the Building Codes are done, and the Planning Commission has a responsibility to act within all of that and she thought the Commission was doing that, but she thought the process of having the residents' voices be heard is not there, or at least the resident's do not feel it is there. She wondered how the City could get the information out to the residents in the right way to voice their concerns.

Member Bjorum thought that was the Commission's job and their obligation to tell the residents the process.

Member McGehee reviewed the previous Comprehensive Plan process that occurred. She indicated the vision for the plan was very poor, it was almost non-existent compared to other plans the City has had in terms of outreach and the community engagement. She indicated the combination of the poor outreach and turnout from the community for whatever reasons, it did not happen and the information about lot changes and zoning things are not in the community and the residents do not know what those changes were, and the changes are extremely significant. She noted that is the underlying problem and she does not know how to get that out and she agreed that the City needs to get that information out to the community, so residents know and that is what the subdivision problems have been.

Member Bjorum did not know how that reflects on the Planning Commission. He thought it seemed more like the City Council's problem.

Member McGehee indicated it does not reflect on the Planning Commission except the Commission sees the results and the only thing she can say, as a person, to the Council, people do not know this is how the City can get a newspaper, so the information is not out there, and it causes problems. However, she does like some of the things in Commissioner Bauer's handout.

Chair Pribyl explained the other thing she wrote down from the comments from Commissioner's McGehee and Bauer is the Commission's role has been to look at how a project meets the letter of the Zoning Code. What she is seeing in both comments is an interest in having some kind of a role in design review. An impact on the outcome beyond a thumbs up/thumbs down vote, so is there room to wiggle.

Member Bauer explained he was open to hearing from the Design Review Committee and looking at some of the prior meetings without adding any increased time to the developer or the property owner, a way of getting the application in front of the Planning Commission twice instead of just once and allowing for possible changes to be done to the project.

Chair Pribyl reviewed with the Commission what the City of St. Paul does for project applications and review.

Member McGehee did not see a reason why the City of Roseville could do the same thing that the City of St. Paul does with its project applications. She thought the Commission could hold the open house in order to see what possible issues could be and see if corrections could be made and possibly include other Commission's for input and possible changes.

Ms. Gundlach reviewed the items the Commission discussed and possible items to discuss at the next Commission meeting. She noted on the City website there is a place where residents can send comments to the City Council. She also noted staff does have a specific project communication loop for the City Council to see and review. She indicated she would be hesitant to involve the Planning Commission in the Development Review Committee because the purpose of that is very technical in nature. She indicated community involvement is tough everywhere with every type of development and participation is down everywhere. The Comprehensive Plan and Zoning Code, those engagement opportunities are very big picture and people have a hard time understanding how that is going to affect them but when a project happens in their backyard the resident understands very acutely how that is going to affect them and that is when the resident comes to the City opposing the project. The Planning Commission is one of the only Statutorily required Commissions because the Commissioners deal with somebody's property rights. It is a very tough balance in dealing with the residents and trying to get them to understand how it affects them.

Member McGehee thought it would be nice to have a small opportunity to say something ahead of time, before the project is in stone. She thought it would also

be a big deal for the community to feel that the Government did listen, and that the City was trying.

The Commission and staff discussed different communication methods.

8. Adjourn

MOTION

Member Aspnes, seconded by Member Bjorum, to adjourn the meeting at 7:54 p.m.

Ayes: 7

Nays: 0

Motion carried.