



## Planning Commission Agenda

Wednesday, January 3, 2024

6:30 PM

City Council Chambers

*(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 October 4, 2023 Minutes.
5. **Communications and Recognitions**
6. **Public Hearing**
  - a. Troy's Automotive LLC requests a Zoning Code text amendment to Table 1005-1, Table of Allowed Uses, to support "motor vehicle repair, auto body shop" as a Conditional Use in the Neighborhood Mixed-Use District
7. **Business**
8. **Adjourn**

  
**REQUEST FOR COMMISSION ACTION**

Date: **1/3/2024**  
Item No.: **4.a.**

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Department Approval

Agenda Section  
Review of Minutes

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**Item Description:** Review October 4, 2023 Minutes.

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- 1
  - 2 **Application Information**
  - 3 N/A
  - 4
  - 5 **Background**
  - 6 N/A
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  - 8 **Staff Recommendation**
  - 9 N/A
  - 10
  - 11 **Requested Planning Commission Action**
  - 12 Review the October 4, 2023 minutes and make a motion to approve subject to
  - 13 requested corrections.
  - 14
  - 15 **Alternative Actions**
  - 16 N/A
  - 17
  - 18
- Prepared by:**
- Attachments:**    1.    October 4, 2023 Planning Commission Minutes



**Planning Commission Regular Meeting  
City Council Chambers, 2660 Civic Center Drive  
Draft Minutes – Wednesday, October 4, 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, Community Development Director  
15 Janice Gundlach and Senior Planner Bryan Lloyd  
16
- 17 **3. Approve Agenda**  
18
- 19 **MOTION**  
20 **Member Bjorum moved, seconded by Member McGehee, to approve the agenda as**  
21 **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. August 2, 2023 Planning Commission Regular Meeting**  
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- 31 Chair Pribyl noted Member McGehee sent some changes to staff before the meeting.  
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- 33 **MOTION**  
34 **Member McGehee moved, seconded by Member Schaffhausen, to approve the**  
35 **August 2, 2023 meeting minutes.**  
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- 37 **Ayes: 7**  
38 **Nays: 0**  
39 **Motion carried.**  
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- 41 **5. Communications and Recognitions:**

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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. **Text Amendment: The City of Roseville requests a text amendment to Zoning Code §1001.10, Definitions, to include “Micro-Unit” and “Sacred Community” definitions and an amendment to §1011.12 (Additional Standards for Specific Uses in All Districts) to include “Micro-Unit Dwellings in Sacred Communities” subject to requirements outlined in Minnesota State Statutes 327.30**

Chair Pribyl opened the public hearing at approximately 6:34 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council on October 23, 2023.

City Planner Paschke summarized the request as detailed in the staff report dated October 4, 2023.

Commissioner McGehee ask if the City received any clarification regarding Roseville’s building inspector’s ability to inspect the micro-unit dwellings per State Law.

Community Development Director Gundlach explained the law specifically states that the City cannot inspect the individual micro-units, staff can only require the certifications that the micro-units are built to the standards that are outlined in the Statute.

Commissioner McGehee added she understood but wondered if there is any reason Roseville, and/or other cities, have not moved to ask this be changed in order for the units to be properly inspected. Her research seemed to indicate the units’ insulation specifications do not match what is called out by the State and, in fact, the insulation is less than those standards, and there seems to be a disconnect between what the State is requiring and how these are inspected.

Community Development Director Gundlach explained staff has a lot of concerns about how the legislation was written and the lack of City oversight it provides. However, the legislature ultimately passed the legislation and the City’s role is to implement it locally. She indicated her belief that communities were just now starting to understand the impacts of this legislation.

87 Member McGehee indicated it was her understanding that Prince of Peace was not  
88 entirely sure they wanted to continue this project and if that is the case, then this is  
89 supposed to be a permanent settlement and the people are supposed to be able to find  
90 permanent housing. She asked if there was any recourse if the community such as  
91 Prince of Peace brings people in and establishes something and then decides not to  
92 continue with it.

93  
94 Ms. Gundlach explained over the weekend Prince of Peace’s congregation did vote to  
95 move forward with a permanent sacred settlement and so they will have to bring a  
96 third unit onto their property in order to comply with the State Law and will have to  
97 have that unit occupied by somebody who is chronically homeless, as defined in the  
98 law. She indicated the law does not talk at all about what happens when these sacred  
99 communities go away. In Roseville, the City struggled with what if the church votes  
100 not to pursue the permanent sacred settlement, what happens to the two existing units  
101 with people who have made these units their homes and that was something the City  
102 was going to have to figure out if Prince of Peace opted not to move forward with the  
103 permanent sacred settlement.

104  
105 **Public Comment**

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107 No one came forward to speak for or against this request.

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109 Chair Pribyl closed the public hearing at 6:43p.m.

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111 **Commission Deliberation**

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113 Member McGehee indicated she would move to approve this because it has clearly  
114 been vetted with the Council already and she was amused to find that the  
115 requirements for the setbacks here are greater than they are for single family homes.  
116 She thought this was fine, given what the Commission has.

117  
118 **MOTION**

119 Member McGehee moved, seconded by Member Bjorum, to recommend to the City  
120 Council approval of the following Micro-Unit definition amending §1001.10  
121 (Definitions) of the Roseville City Code:

- 122
- 123 • Micro-Unit – A mobile residential dwelling providing permanent housing within  
124 a sacred community that meets the requirements of Minnesota State Statutes  
327.30, subdivision 4.

125 And to recommend to the City Council approval of the following Sacred  
126 Community definition amending §1001.10 (Definitions) of the Roseville City  
127 Code:

- 128
- 129 • Sacred Community – a residential settlement established on or contiguous to the  
130 grounds of a religious institution’s primary worship location primarily for the  
131 purpose of providing permanent housing for chronically homeless persons,  
132 extremely low-income persons, and designated volunteers that meet the  
requirements of Minnesota State Statute 327.30, subdivision 3.

133 And to recommend to the City Council approval of the following text  
134 amendment to §1011.12 (Additional Standards for Specific Uses in All Districts)  
135 of the Roseville City Code:

- 136 • G.2 - Micro-Unit Dwellings in Sacred Communities subject to requirements  
137 outlined in Minnesota State Statutes 327.30.

138 **Ayes: 7**

139 **Nays: 0**

140 **Motion carried.**

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142 **7. Discussion Regarding Joint Meeting with the City Council**

143 Community Development Director Janet Gundlach summarized the request as detailed in  
144 the staff report dated October 4, 2023.

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146 Ms. Gundlach recapped the items for the Planning Commission to discuss with the City  
147 Council.

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149 Chair Pribyl indicated the Commission has talked about the purpose, scope, duties, and  
150 functions of the Planning Commission at a couple of different meetings at length. She  
151 asked if there was anything the Commission sees that may be missing.

152

153 Member McGehee asked if the Commission could have something that could be read that  
154 tells all the people that to show up is a worthless activity because that is how that is going  
155 to come across, but that staff does something in the newsletter that explains this. She  
156 thought the City has gotten away from providing knowledge. The City used to have  
157 something that was run and was called Roseville University or something where people  
158 who wanted could come and learn how the government worked. She thought it would be  
159 nice if some of that made its way back into the newsletter, on this issue in particular.  
160 How the hearings work, how the Planning Commission works, how the citizen can come  
161 forward and bring issues forward because she thought without a newspaper that  
162 information is lost.

163

164 Chair Pribyl asked if Member McGehee was suggesting in lieu of number one or in  
165 addition to number one.

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167 Member McGehee indicated in addition to number one, she would question how it is  
168 worded because they are now telling people when there is a room full of people coming  
169 who are really wanting to be heard and really thinking they can do something because  
170 this is now their public hearing opportunity and she thought at the very beginning of the  
171 meeting it should be stated that the Planning Commission really can not do anything  
172 because all the Commission do is pass their concerns along to the City Council. She was  
173 not sure how the wording of that is going to be and she was not sure how the impact  
174 would be to a room full of people who made an effort to come to the meeting.

175

176 Chair Pribyl disagreed that the Planning Commission's work was pointless.

177

178 Member McGehee explained it is not pointless but the people who come to the meeting,  
179 what do they say when they leave. The Commission has not been able to do anything,  
180 and all the Commission can do is to tell them that it will be referred to the City Council  
181 and the Commission has to follow the code and if it meets the code there is nothing the  
182 Commission can do. She has seen little, with the exception of the FedEx parking lot,  
183 anything that has come to the Commission that has not already been established to fit the  
184 code.

185

186 Chair Pribyl thought a question could be added about a suggestion to add discussion or  
187 explanation in the newsletter if others agree that it would be helpful and then keep their  
188 idea in the memorandum of some statement at the beginning of the meeting.

189

190 Member McGehee agreed and thought they needed to make sure the statement is positive  
191 that the Commission does have the opportunity to pass it along and to emphasize what  
192 the Commission can do instead of what the Commission cannot do.

193

194 Chair Pribyl asked if there were any other questions or concerns the Commission wanted  
195 to raise with the City Council.

196

197 Member Bauer explained regarding the concerns the Commission had of what residents'  
198 concerns were such as lot sizes and recent zoning, he tried to capture in the notes he made  
199 and handed out to the Commission as something to bring forth to the Council. He  
200 explained he tried to capture what they have heard from residents, both on this  
201 Commission and through individual contact. He explained the two areas he points out  
202 are the change in zoning from R-1 to the low-density zoning and the other one is the  
203 change in lot sizes as well and the ability to split them. He asks in his document that the  
204 Council task the Planning Commission to work to find a solution that is more in line with  
205 what residents have and their concerns and to come up with a recommendation.

206

207 Chair Pribyl asked Mr. Gundlach for some guidance on this because the City did just go  
208 through a process of Comp. Plan Amendment and updates and Zoning Code updates  
209 based on the community process. She wondered if there were any thoughts on bringing  
210 this forward to the City Council at this time after having just gone through that process.

211

212 Ms. Gundlach explained she obviously has her professional opinion that she would offer.  
213 The purpose of the joint meeting with the Planning Commission, City Council is for the  
214 Planning Commission to bring items forward to the City Council so she certainly does  
215 not want her professional opinion to affect whether or not this is something a majority of  
216 the Commission wants to bring forward for discussion at the joint meeting but this whole  
217 conversation about minimum lot sizes is something the City has been discussing, not just  
218 since the last Comprehensive Plan, but prior Comprehensive Plans. It is her  
219 understanding from Mr. Paschke and Mr. Lloyd that there is lots of this data that has been  
220 presented to the Planning Commission and the City Council in the past about minimum  
221 lot size requirements. That is not a new topic, and the Comp. Plan was just  
222 amended...updated and then the Zoning Code was just amended in November of 2021,  
223 after an extensive public comment period, not just at the Comprehensive Plan stage but at  
224 the Zoning Code update stage. She could certainly appreciate that people do not

225 necessarily comment until something is in their backyard and then there are concerns but  
226 that is not how land use is sort of set up. The same thing goes for the changes to the LDR  
227 and LMDR zoning. Those changes were made in specific response to the Comprehensive  
228 Plans demand for more missing middle housing. There were lots of conversations about  
229 how to achieve more missing middle housing and the decision was made that doing the  
230 LDR and LMDR changes were the most efficient way in order to try and achieve some of  
231 those desired outcomes that were outlined in the Comprehensive Plan which were  
232 established by the public through a public input process.

233  
234 Ms. Gundlach explained she understood how Commissioner McGehee does not like how  
235 the engagement period went with the Comprehensive Plan and staff can debate those  
236 merits, but these specific issues were addressed as part of the recent Comp. Plan update  
237 and the Zoning Code update which is not even two years old at this point.

238  
239 Chair Pribyl indicated that was her thought and concern as well. The City has just gone  
240 through the process of getting to this point and she could understand residents' concerns.  
241 There are concerns anytime any kind of development is proposed, it is a change. This has  
242 been a process and she wondered if others felt that this should be brought forward to the  
243 City Council.

244  
245 Member Bauer wondered why the Commission would not bring resident's concerns that  
246 have been seen forward to the City Council. He indicated the City Council is aware of  
247 this because they have heard the same thing the Commission has heard and seen. He  
248 explained this is not some new information that the City Council is receiving, everything  
249 that the Commission passes goes to the City Council for actual voting and same  
250 conversations are had. Since everyone is aware of this, why would there not be  
251 conversations about it during a joint meeting with the City Council.

252  
253 Member Schaffhausen asked with this process being less than two years old, meaning  
254 that many of these conversations, including density and lot size, again, the merit of  
255 discussion as far as the degree of engagement can be discussed. She wondered what the  
256 normal process is because once it is done, the Commission understands it is an iterative  
257 process and that it will be done again so what is normal when they have parking lot items,  
258 things that come back to revisit every Comprehensive Plan, what is the timeline for a  
259 process to take feedback like this in, and the only thing she struggles with, it says  
260 residents, she is always looking to find out who the residents are, what is the population  
261 size that has the issues and then how does the City manage that because it is kind of  
262 vague according to Commissioner Bauers' statements.

263  
264 Ms. Gundlach indicated she did not know if there is a "normal" sort of timeline or  
265 process. In order to go back and undo the LDR, LMDR, and minimum lot size  
266 requirements, that is a Zoning Code text amendment which includes a public hearing, and  
267 the City would have to re-engage with the community on the reasons that the City is  
268 making those changes and why. She always says the Zoning Code is a living, breathing  
269 document and there is no rule of thumb that once a change is made another change cannot  
270 be made within a set number of years. She indicated this is a living, breathing document  
271 and it can be changed and evolve as much as the City thinks is necessary in order to



272 fulfill the goals that are outlined in the Comprehensive Plan. The question would be  
273 whether these changes were made in an effort to fulfill the goals of the Comprehensive  
274 Plan. If the Commission wants to make changes to these sections, she encourages there  
275 to be a discussion about are these changes not fulfilling the goals of the Comprehensive  
276 Plan, and if they are not, then what else does the Commission want to do to fulfill the  
277 goals of the Comprehensive Plan that these changes were attempting to fulfill. Are those  
278 goals in the Comprehensive Plan no longer valid. That process is much more involved  
279 because the Met Council gets involved any time the City wants to amend its  
280 Comprehensive Plan. She also noted that there have been a couple of projects, infill plats  
281 are always controversial and she knows that people have come to these meetings upset  
282 about some of the projects that have materialized as a result of some of those infill  
283 projects but to think that those people would not have come forward and not wanted  
284 those projects even if the City had not made those changes to the minimum lot size  
285 requirement in the LDR and LMDR standards, she thinks that is false. The residents  
286 would come forward even if these changes had not been made because those were infill  
287 projects. People get used to those lots in that manner and they would have been  
288 concerned about the changes happening in their neighborhood. Those are her  
289 professional opinions, based on what she has seen in her twenty years of doing this but,  
290 again, the purpose of the joint meeting is for the Commission and Council to have these  
291 conversations. There is no rule of thumb about when these issues can be revisited but she  
292 encouraged the Commission to talk about the goals that these issues were trying to  
293 achieve and if the Commission has enough information or data to suggest that these goals  
294 are not sufficient to achieve what the Commission is trying to achieve and that is why the  
295 Commission wants to pursue these changes.

296  
297 Member Bjorum explained to add to that, in looking through the packet and based on the  
298 information the Commission has gone through for all of the updates made, he did not see  
299 these things as problems. He did not see the addition of five thousand new duplexes or  
300 tri-plexes in the community as a problem. He saw this as a first ring suburb where  
301 density is always going to be a hotly contested item and people are going to move here  
302 and there have to be opportunities for everyone and just because some of these projects  
303 that have come forward to them have been infill projects, he did not see these as  
304 problems and neighbors are going to get upset when something gets built in their  
305 backyard, it is just a fact of nature. None of this information, to him, is negative to the  
306 community. It is all a part of growth and a part of increasing density in a major suburb of  
307 the metropolitan area.

308  
309 Chair Pribyl explained honestly looking at the sentence “current zoning would allow the  
310 addition of over five thousand new duplexes and tri-plexes”, she thought it was highly  
311 unlikely that there would be a proposal in which all of these lots would be converted from  
312 single family to something else.

313  
314 Ms. Gundlach explained she did not have the opportunity to look at the handout from  
315 Member Bauer until now and the five thousand number, staff actually did look into what  
316 they thought staff would actually see in terms of housing growth by allowing duplexes,  
317 two family units in the City’s single family district, and with the help of family housing  
318 fund and analysis of other ordinances throughout the entire United States, she believed

319 the number was one hundred seventy-one is what they thought would be seen in terms of  
320 overall unit growth by allowing two family units in the City's single family district.  
321 There was a lengthy analysis and discussion about that when staff was going through this  
322 change and staff moved that information forward to the City Council. She knows there is  
323 a lot of conversation about what is going on with the City of Minneapolis'  
324 Comprehensive Plan, not at all comparable to what the City did in Roseville for a number  
325 of reasons but that is one of the big reasons Minneapolis, at least in the information that  
326 was available publicly did not look at the density impact of those changes. Roseville did  
327 and staff came up with a number of one hundred seventy-one additional units over like  
328 fifteen years based on the allowance of duplexes in their low-density residential  
329 neighborhoods and that is because it is just not practical for people to tear down a  
330 perfectly good single-family home, which is still what the market demands, and to  
331 replace it with a two-family unit. She also noted that one thing that was overlooked in  
332 this analysis is that the lot area was the only thing looked at, one of the huge contributing  
333 factors is lot width. The City did not change its lot width requirement and there are a lot  
334 of lots that meet the City's minimum lot size requirements, but they do not meet the  
335 City's minimum lot width requirement and that impacts their ability to take advantage of  
336 some of these changes in terms of adding a duplex in a lot that is currently being used for  
337 single family housing.  
338

339 Member McGehee indicated she was going to take some offense that everybody feeling  
340 that everybody in Roseville is just the knot in her backyard. Some of these infill projects,  
341 what she would like to know is the exact definition that the City is using for missing  
342 middle. What is the goal and what is missing middle housing.  
343

344 Ms. Gundlach explained missing middle housing is housing that is between a single-  
345 family home and an apartment building. Two, three, four-unit housing types.  
346

347 Member McGehee indicated price is not a consideration.  
348

349 Ms. Gundlach indicated that was correct.  
350

351 Member McGehee thought it seemed like what the City is doing and has been doing in  
352 this process of infill is increase the few, decrease the number of affordable units, in  
353 particular the one they did on Highway 8, if the person actually develops as he said he  
354 was, they took two affordable, single family lots and produced eight units, all of which  
355 were \$420,000 or greater, which is not affordable so as the City goes through this  
356 process, one of things she is concerned about is reducing the affordable, naturally  
357 occurring affordable housing that the City does have and replacing it with infill projects  
358 that are greater in price. If the City is talking about having a variety of options and a  
359 place where everybody can live then there has to be some affordable housing and she  
360 thought the City should offer some affordable housing that is other than high density,  
361 multi-family rental property, which is what the City has done. She is only talking about  
362 that because she does not think as a goal of having a broad range of variety of housing,  
363 she was not sure that this moving the City any closer to that because she thought more  
364 and more with this plan the single family, or house on a lot, will be converted into  
365 multiple family but at a much higher price.

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Member McGehee indicated she did have one other thing which she wondered could be discussed. The Commission has not worked on anything regarding code on sustainability issues, if any come up out of the PWETC. She explained there also seems to be a movement, at least in a couple of suburbs, to completely stop having drive-throughs and the City is passing numbers upon numbers of drive-through's and she is not exactly sure why some of the other large suburbs like Edina and St. Louis Park are getting away from that.

Chair Pribyl thought regarding sustainability, the Planning Commission worked for quite a while on the Phase Two Zoning plan looking at potential of adding the points option for increased sustainability and the City Council elected to not pursue that but discussing whether there is something that the Council would like the Commission to look at to try to promote some of those ideas in a different way.

The Commission concurred.

Member Bjorum thought drive-throughs were an interesting topic.

Chair Pribyl thought it could be an environmental issue with cars idling while waiting in a drive-through.

Member McGehee indicated she did not know the reason for the other communities not allowing drive-through businesses and maybe the City Council would want the Commission to look at this or assign it to staff to check out.

Member Aspnes thought it was a good idea to bring this up to the City Council in the joint meeting to get direction.

Ms. Gundlach explained to the Commission how she could write up something to direct sustainability with drive-through businesses as an example for the meeting.

Member Aspnes explained the packet that Commission Bauer brought to the meeting, she has not had time to really evaluate this, and she was not comfortable because it is a work product from Member Bauer and not a work product of the Planning Commission, so she was not comfortable with calling it a work product of the Planning Commission and bringing it forward to the City Council in its current form.

Member Bauer indicated that was not his intention.

Member Aspnes explained a couple of the comments in the packet about the residents being greatly upset, there were some residents who chose to attend meetings here and voice their concerns were upset but she did not know if that honestly reflects all of what Roseville residents think about it. As Ms. Gundlach explained, typically until it happens in an area around where you live, people do not tend to pay much attention to it so she was not surprised that the residents finding it within the five-hundred-foot area, the infill

412 projects, replating of a couple, that they would have concerns about it. She did not know  
413 if she was ready to characterize the fact that all residents feel that way.

414  
415 Member Bauer indicated the work he did here was merely for this Commission and  
416 definitely his thoughts. He indicated he did not have any expectations that this packet, as  
417 is, would be brought forward to the City Council. He explained some of the things that  
418 the Commission could study such as lots that are available for duplexes and if the City  
419 would want them all to be duplexes.

420  
421 Ms. Gundlach reviewed some of the item's staff reviewed regarding the LDR and LMDR  
422 zoning changes.

423  
424 Member McGehee explained she still has a concern that it is a reasonable time after the  
425 five project over the past two years that have been done to at least give an assessment of  
426 how those have turned out because some of these developments, such as the one on  
427 Bounty Road B, could have been a nice location for a missing middle project but it did  
428 not turn into one and so when the Commission was talking about cottage style  
429 developments and so on, the kind of things the City does not have, she has not seen that  
430 the City has not gotten anything like that and she is still concerned about the fact that the  
431 City is taking away some of the affordable housing possibilities and when the City is  
432 putting things in they are not really putting in anything that, when talked about, was  
433 supposed to be a little different than what the City had. She did not see any reason why  
434 not to touch base with the Council on these items.

435  
436 Member Bauer indicated one of the reasons why he brought this forward and why he  
437 would like to talk about it with the City Council is because there is conflicting  
438 information out there and like staff pointed out the changes were made because the  
439 residents in the community were looking for this middle housing, maybe that was true,  
440 but at the same time there are reviews from Envision Roseville and others saying to  
441 preserve existing neighborhoods and the character of neighborhoods so there is this  
442 conflicting information.

443  
444 Member Bjorum argued that it was not his concern yet because it is so young, and the  
445 City just passed this with only five projects to come through.

446  
447 Ms. Gundlach explained the City really has had only one project, if looking at the  
448 preliminary plats listed on this, only one of them is a project where they were proposing  
449 two family units where under the previous code, they only would have allowed single  
450 family. The rest of these were already zoned for medium density, missing middle  
451 housing types.

452  
453 Member Bjorum explained he was not willing to go back and revisit all of this work now  
454 because of a couple of issues that have come up during projects where neighbors were  
455 upset. At this point he did not see the issue or the concern that it needs to be revisited  
456 and redone.

457

458 Member Schaffhausen agreed with that and indicated she did not think the Commission  
459 had enough information. She thought at this time to go back and revisit work that has  
460 already been done that there is one real example of is probably not in the best interest of  
461 time and/or energy at this moment.

462  
463 Member Kruzal explained because the City does not have the data yet, that people, unless  
464 it affects them or is in their backyard, are not heard from. She thought the community  
465 needs to find a way to voice their opinions to the City before the projects come up.

466  
467 Member McGehee wondered if the Commission should talk to the Council about putting  
468 something into the newsletter about this.

469  
470 Member Kruzal indicated either that or the website.

471  
472 Member Schaffhausen explained for accessibility, the newspaper is not the best  
473 mechanism for delivery because it actually limits, depending on who has issues, she  
474 indicating she has been dealing with accessibility in communications pretty deeply for the  
475 past two years and the volume of readership has gone down and the number of times that,  
476 the reason why newspapers in particular, the one in Roseville went away is because  
477 readership is down. She appreciated the request, as far as if something could be put in  
478 the newsletter because it feels tangible, but she would go back to the City has some  
479 resources and data points with Envision Roseville, what are the residents asking for with  
480 regard for what they want and where can the City put that information that will be of  
481 most value to them. She usually likes to design an outcome or communication with,  
482 around her customer versus her personal preference. If that is something that the  
483 Commission thinks is of value, she would go back and find some resources that tell them  
484 what the Roseville residents are, where they go for information, what they are looking  
485 for, and if this actually meets this requirement.

486  
487 Member McGehee thought that was a waste of time. She thought the City has a vehicle  
488 that is already in place that they can use that the Commission knows is at least presented  
489 to everyone in the community and the City does not have to ask the residents to read it  
490 anymore than the resident has to get a computer or ask them to know how to use it. She  
491 thought education should be in every possible venue, but she did not think the City needs  
492 to have a study on how to do it.

493  
494 Member Bjorum thought both of those points were valid and wondered if the first bullet  
495 point could be modified to say that The Commission feels like the public hearing and  
496 meeting process is not well understood and could they get a section in the reader that  
497 explains that as a start and look for other opportunities to share that same information in  
498 other locations and ask the Council for help in how to get that information into other  
499 resources.

500  
501 Member Kruzal thought that is what is driving this because people do not know until it  
502 affects them.

503

504 Member Aspnes liked the idea of amending item one to include the why. Why the  
505 Commission is asking for this is the Commission feels like the communication to public  
506 about the Planning Commission’s role and about changes that are happening in their  
507 neighborhood is not sufficient and the Commission would like to get some direction on  
508 how to improve that.

509  
510 Ms. Gundlach summarized what she understood the Commission would like to discuss  
511 with the Council and noted she would get information out to the Commission for  
512 feedback before the October 16<sup>th</sup> joint meeting.

513  
514 **8. Adjourn**

515 **MOTION**

516 **Member Kruzel, seconded by Member Aspnes, to adjourn the meeting at 7:46**  
517 **p.m.**

518  
519 **Ayes: 7**

520 **Nays: 0**

521 **Motion carried.**  
522  
523  
524

  
**REQUEST FOR COMMISSION ACTION**

Date: **1/3/2024**  
Item No.: **6.a.**

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Department Approval

Agenda Section  
Public Hearing

*Janice Gundlach*

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**Item Description:** Troy’s Automotive LLC requests a Zoning Code text amendment to Table 1005-1, Table of Allowed Uses, to support "motor vehicle repair, auto body shop" as a Conditional Use in the Neighborhood Mixed-Use District

---

1  
2 **Application Information**

3 **Applicant:** Troy Miller  
4 **Location:** 2171 Hamline Avenue  
5 **Application Submission:** December 5, 2023  
6 **City Action Deadline:** February 3, 2024  
7 **Zoning:** Neighborhood Mixed-Use (MU-1) district

8  
9 **Background**

10 Troy Miller is the owner of Troy’s Auto Care, an automotive repair business located at 2171  
11 Hamline Avenue. This property, located at the northwest corner of Hamline and County Road B,  
12 was originally constructed in 1959 and has always been a motor fuel and automobile service  
13 station. Mr. Miller is interested in constructing additional service bays to keep pace with the growth  
14 of his business. However, the use of the property as motor vehicle repair is not permitted under the  
15 table of allowed uses for properties with a zoning classification of Neighborhood Mixed-Use (MU-  
16 1). Because Mr. Miller’s use was established before the current zoning classification (or even  
17 zoning classifications of the recent past), the existing use is considered legal nonconforming and  
18 cannot otherwise be expanded, unless in a conforming manner. Therefore, Mr. Miller is requesting a  
19 Zoning Code Text Amendment in support of permitting “motor vehicle repair, auto body shop” as a  
20 Conditional Use (CU) in the MU-1 District.

21  
22 While not necessarily related to Mr. Miller’s request to construct additional service bays, but related  
23 to the overall uses conducted on the property, it should be mentioned that “motor fuel sales (gas  
24 station)” is already a CU in the MU-1 district and Mr. Miller’s business includes fuel  
25 sales. However, there is no approved CU on file for this property for fuel sales given this use was  
26 also established before the current zoning, and so it is also considered legal nonconforming. If this  
27 request is approved, Mr. Miller would be advised to apply for a CU for both “motor fuel sales (gas  
28 station)” and “motor vehicle repair, auto body shop”, which, if approved, would bring the site into  
29 compliance with current code requirements.

30  
31 Below is an extract from Table 1005-1, outlining the uses in question and where they are not  
32 permitted (NP), conditionally permitted (C), or permitted (P). The first column is for the MU-1

33 district of which Mr. Miller’s property lies. Additionally, below the table are the specific  
 34 conditional use standards and criteria of §1009.02.D that would apply if the use were revised from  
 35 NP to C:  
 36

	<i>MU-1</i>	<i>MU-2A</i>	<i>MU-2B</i>	<i>MU-3</i>	<i>MU-4</i>	<i>Standards</i>
<i>Motor fuel sales (gas station)</i>	<i>C</i>	<i>NP</i>	<i>C</i>	<i>P</i>	<i>P</i>	<i>Y</i>
<i>Motor vehicle repair, auto body shop</i>	<i>NP</i>	<i>NP</i>	<i>C</i>	<i>C</i>	<i>P</i>	<i>Y</i>

37  
 38 **24. Motor Fuel Sales, Motor Vehicle Repair, Body Shop:**

39 *a. Pump Islands and Canopies: The centerline of pump islands (or the outer edge of a pump island*  
 40 *canopy, if present) shall be a minimum of 25 feet from a property line.*

41 *b. Driveways: Driveways shall be located a minimum of 50 feet from the street right-of-way lines of*  
 42 *the nearest intersection.*

43 *c. Outdoor Display Sales Area: All outdoor display sales areas shall be limited to 250 square feet,*  
 44 *shall not be located in pump area, and shall require an Outdoor Display Sales Permit and site plan*  
 45 *to be approved by the Community Development Department.*  
 46

47 **Review of Request**

48 In 1959, under the initial zoning for the Village of Roseville, the property was given the zoning  
 49 classification of General Business District (B3), where automobile repair and repair garages were  
 50 permitted uses. It is not clear how motor fuel sales were allowed, as fuel and ice sales were only  
 51 found in the Retail Business (B2) district as a special use permit in the same Code. However, by  
 52 1995 the zoning code identified both automobile repair and fuel and ice sales as conditional uses in  
 53 the B3 district, which at that point continued to be the zoning designation of this property. Up until  
 54 this point in time, the site would have been deemed a legal pre-existing non-conforming use and  
 55 under City Code and State Statute allowed to “continue, including through repair, replacement,  
 56 restoration, maintenance, or improvement, but not including expansion.”  
 57

58 In 2010, as a component of a major update to the zoning code to ensure consistency with the 2030  
 59 Comprehensive Plan, the subject property was rezoned to Neighborhood Business (NB) district  
 60 where “motor vehicle repair, auto body shop” (as it is called today) was made a prohibited use in the  
 61 NB district, while “motor fuel sales (gas station)” was made a conditional use. Then, in November  
 62 2021, the City completed another zoning code update for consistency with the 2040 Comprehensive  
 63 plan whereby the NB district changed to Neighborhood Mixed-Use (MU-1). At this time, no  
 64 changes were made to the use table, which continues to identify “motor vehicle repair, auto body  
 65 shop” as NP, not permitted and “motor fuel sales (gas station)” as C, conditional use.  
 66

67 Given Mr. Miller wants to expand his motor vehicle repair business by adding service bays, yet the  
 68 zoning code does not permit motor vehicle repair, the applicant has two options available for the  
 69 City to consider. The first is to seek a guide plan change and rezoning from MU-1 to Corridor  
 70 Mixed-use (MU-3), which is the closest (compared to MU-1) zoning district that supports motor  
 71 vehicle repair. The second is to seek an amendment to Table 1005-1 in support of “motor vehicle  
 72 repair, auto body shop” as a conditional use. In recognition of these options, and the fact the City  
 73 just completed the 2040 Comprehensive Plan and Zoning Code updates, Planning Division staff  
 74 advised the applicant that re-guiding and rezoning the property was not an advisable path  
 75 forward. As such, the applicant submitted an application to seek a text amendment in support of  
 76 “motor vehicle repair, auto body shop” as a conditional use, which, if approved, would allow



77 expansion of the existing business. While staff has recommended the zoning code text amendment,  
78 should a rezoning and guide plan change be preferred over the text amendment by the Planning  
79 Commission and/or City Council, such path could still be pursued. Staff supposes a third option  
80 does exist, which is to do nothing, and that would result in Mr. Miller being unable to expand his  
81 business as expansion of a non-conforming use is not allowed under city code or State law.

82  
83 The purpose of the conditional use process is to “ensure that proposed conditional uses will satisfy  
84 applicable standards and criteria established for the protection of the public health, safety, and  
85 general welfare.” Planning Division staff believe this option and process is an acceptable method for  
86 supporting this type of use in the MU-1 district, especially when conditions can be added to mitigate  
87 potential impacts or “to enhance compatibility with surrounding uses.”

88  
89 It is important to note that by revising the code to allow “motor vehicle repair, auto body shop” as a  
90 conditional use in the MU-1 district, every MU-1-zoned property would have an ability to apply for  
91 the conditional use. However, approval for any given property seeking a Conditional Use for motor  
92 vehicle repair, auto body shop would depend on the ability to comply with the required conditions.  
93 Further, any MU-1 site seeking this change in use or new use will be required to comply with all  
94 design standards of the Mixed-Use Districts (1005.02) and those specific to the Neighbor Mixed-Use  
95 district (1005.04).

96  
97

## 98 **Staff Recommendation**

99 Planning Division staff recommends approval of a zoning code text amendment to Table 1005-1  
100 (Mixed-Use District Table of Uses) to change “motor vehicle repair, auto body shop” from NP, Not  
101 Permitted to C, Conditional Use for the MU-1 district.

102

## 103 **Requested Planning Commission Action**

104 By motion, recommend approval of an amendment to Table 1005-1 (Mixed-Use District Table of  
105 Uses) to change “motor vehicle repair, auto body shop” from NP, Not Permitted to C, Conditional  
106 Use for the MU-1 district.

107

## 108 **Alternative Actions**

- 109 1. **Pass a motion to table the item for future action.** An action to table consideration of the  
110 requested zoning code text change must be based on the need for additional information or  
111 further analysis to reach a decision on one or both requests. Tabling may require extension of  
112 the 60-day action deadline established in Minn. Stat. 15.99 to avoid statutory approval.
- 113 2. **Adopt a resolution denying the requested zoning code text change.** A denial must be  
114 supported by specific findings of fact based on the Planning Commission’s review of the  
115 application, applicable zoning regulations, and the public record.

116

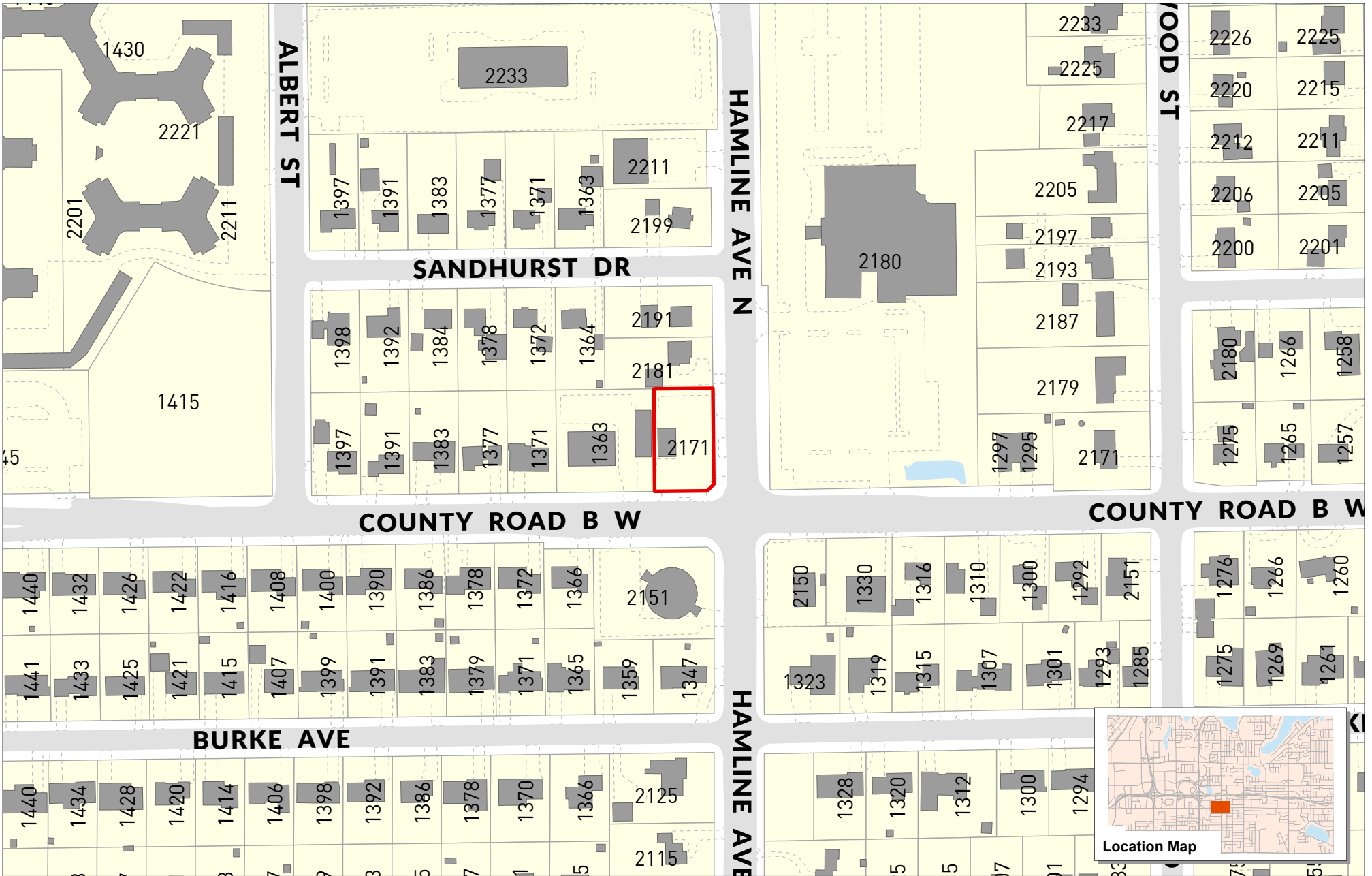
117

**Prepared by:** Thomas Paschke, City Planner

**Attachments:** 1. Map  
2. Aerial Photo

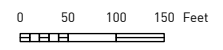
118

# Attachment 1: Planning File 23-015



**Data Sources**  
 \* Ramsey County GIS Base Map (12/5/2023)  
 For further information regarding the contents of this map contact:  
 City of Roseville, Community Development Department,  
 2660 Civic Center Drive, Roseville MN

**Disclaimer**  
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# Attachment 2: Planning File 23-015

