



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, September 4, 2024 – 6:30 p.m.**

1. Call to Order

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

2. Roll Call

At the request of Chair Pribyl, Community Development Director Gundlach called the Roll.

Members Present: Chair Michelle Pribyl, and Commissioners Michelle Kruzel, Tammy McGehee, Pamela Aspnes, Matthew Bauer, and Erik Bjorum

Members Absent: Vice-Chair Karen Schaffhausen

Staff Present: Community Development Director Janice Gundlach and Senior Planner Bryan Lloyd

3. Approve Agenda

MOTION

Member McGehee moved, seconded by Member Bjorum, to approve the agenda as presented.

Ayes: 6

Nays: 0

Motion carried.

4. Review of Minutes

a. August 7, 2024, Planning Commission Regular Meeting

MOTION

Member Bjorum moved, seconded by Member Kruzel, to approve the August 7, 2024, meeting minutes.

Ayes: 6

Nays: 0

Motion carried.

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. **Consider a Request to Subdivide a Parcel from the West End of the Roseville Covenant Church Property and Re-Guide and Rezone it for Low-to-Medium-Density Residential Development (PF24-004)**

Chair Pribyl opened the public hearing for PF24-004 at approximately 6:37 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council on September 23, 2024.

Senior Planner Lloyd summarized the request as detailed in the September 4, 2024, staff report. He noted three community members reached out to City staff with concerns and opposition to this proposal.

Member Bauer asked if the Commission follows staff recommendation of allowing this MDR and guiding it LDR for the Comprehensive Plan would the 3.6 max allowed be correct?

Mr. Lloyd indicated that was correct. He noted mathematically it would be an 8-unit-per-acre density maximum of about 20,000 square feet would be approximately 3.6 units.

Member McGehee indicated the City does not have any obligation to change the Comprehensive Plan and change the zoning and can remain institutional.

Mr. Lloyd noted that was correct.

Member McGehee explained she drove by this area and it is a heavily apartment/duplex area and this is one of the only places with large mature trees which is noted in the report. It seemed to her that people do use that and it does provide privacy for the residential neighborhood.

Chair Pribyl explained regarding cash in-lieu-of parkland, this is an unusual proposal because proposals coming before the Commission are usually from a developer, and in this case, it is the church coming forward to plat a separate lot but is not proposing to do the development and it is unlikely conceivable that the lot will not be sold in the immediate future and have it developed and yet the church is being tasked with

paying the cash in-lieu-of parkland fee, assuming it will be developed. She wondered if that was automatic. She wondered if that should be assigned to the church or a future developer.

Mr. Lloyd explained the typical procedure is once the City is ready to release the plat documents to be recorded at Ramsey County, that is when the applicant pays the park dedication fee and is required. There have in the past been some mechanisms by which park dedication was required at a plat approval but not collected until a builder acquired a property and began building. That was before his time working for the City. He did not think it would be surprising for the church to pass that cost along to a potential buyer. There is no mechanism to delay the initial payment.

Mr. John Holter, Business Administrator at Roseville Covenant Church was at the meeting for questions.

Member McGehee asked why the church was selling that particular parcel.

Mr. Holter explained the church does not have a use for it and there is a building to maintain with a lot of costs associated with it.

Member Aspnes asked if the church had been approached by anyone interested in purchasing the land.

Mr. Holter indicated no one has contacted them and realized it could be a while before the property is sold.

Public Comment

No one came forward to speak for or against this request. The public hearing was closed at 7:01 p.m.

Commission Deliberation

Member McGehee thought this seemed premature to change the Comprehensive Plan at this time and to rezone this. She did not see a need. She did not see development there allowing for anything except more problems with stormwater runoff and the boundary is very close to the pond next door already. She indicated she was strongly leaning towards leaving it as institutional for several reasons but did not think there was a particular reason to rezone it. She did not think this seemed reasonable at this time to her.

Member Bjorum indicated he did not have a problem with rezoning this site and felt it would help with the housing needs in the City and a good use for a duplex or even a triplex in an area that already has developed land and this fits within the context of that neighborhood.

Member Aspnes thought this was a tough position to be in. She was all for the trees and made a huge difference to the environment. She did not think the City would create a heat island there the City allows the church to utilize their land in a way that when it was originally laid out, they had not anticipated. There is a pond in the middle of it which the church probably could not extend their parking lot down there and maybe the church does not need that big of a parking lot. The City has more people that need more places to live. She likes the idea of a duplex. She noted a single-family home is not necessarily affordable to everybody whereas a townhome or duplex is an affordable housing option for them. She would also like to give the landowner the ability to do what they want to with their land without a lot of interference and she felt like telling the church that they cannot take this small parcel and use it to their benefit isn't the right thing to do. There are many mature trees in the area directly north of the church which is a very well-established neighborhood. Maybe with the reduction of the trees, new trees will be able to be planted where they will be beneficial. She agreed with Member Bjorum and thought this would be a benefit rather than a detriment.

Member Kruzel concurred with Members Aspnes and Bjorum. She indicated she would hate to see a church suffer as well if needed funds down the road for something needed to be done. This could help a family move into the City and school district and may enhance the quality of life.

MOTION

Member Bauer moved, seconded by Member Aspnes, to recommend to the City Council approval of the proposed amendment to the 2040 Comprehensive Plan Future Land Use Map Re-Guiding the Western 120 Feet of the Subject Property from Institutional Land Uses to Low-Density Residential Land Uses, Based on the Content of the RPCA, Public Input and Planning Commission Deliberation (PF24-004).

Ayes: 5

Nays: 1 (McGehee)

Motion carried.

MOTION

Member Bauer moved, seconded by Member Kruzel, to recommend to the City Council approval of the Proposed Amendment to the Zoning Map Rezoning the Western 120 Feet of the Subject Property from the Institutional District to the Low-to-Medium Density Residential District, Based on the Content of the RPCA, Public Input, and Planning Commission Deliberation. (PF24-004).

Ayes: 5

Nays: 1 (McGehee)

Motion carried.

MOTION

Member Bauer moved, seconded by Member Bjorum, to recommend to the City Council approval of the Proposed Roseville Covenant Church 2nd Addition Plat, Creating Lot 1, Block 1, as a Developable Lot for Future Residential Development and Preserving the Church and its Associated Improvements on Lot 2, Block 1, Based on the Content of the PRCA, Public Input, and Planning Commission Deliberation, with Conditions:

- a Pursuant to the memo from Public Works staff in Attachment 4 of this PRCA, the applicant shall:**
 - i Dedicate easements as indicated in the preliminary plat; and**
 - ii Provide an Operations and Maintenance Plan, and record an Operations and Maintenance Agreement in favor of the City, pertaining to the maintenance of the private stormwater management BMPs.**
- b Pursuant to the memo from Parks and Recreation staff in Attachment 4 of this PRCA, the applicant shall:**
 - i Dedicate cash in lieu of parkland in the amount of \$8,500 prior to filing the plat at Ramsey County; and**
 - ii Pay additional park dedication fee(s) for each dwelling unit beyond the first two prior to the issuance of building permits. The amount of such additional park dedication fee shall be determined by the amount per unit specified in the City Fee Schedule in effect at the time of the building permit application.**

Ayes: 5
Nays: 1 (McGehee)
Motion carried.

7. Other Business Heading Information

- a. Receive Presentation Regarding Local Sales Tax Ballot Referendum**
City Manager Patrick Trudgeon gave a presentation to the Planning Commission regarding the Local Sales Tax Ballot Referendum.

Member McGehee asked what will happen with the Geothermal the City has now that is being used in the Public Works Building. She wondered if this would be transitioned into the new dance studio building.

Mr. Trudgeon indicated the City would like to continue with sustainability efforts across all of the buildings. The City has not gone into depth on how that would happen because a lot of things will be torn down but will need to keep that in mind and make sure those are connected to Geothermal as much as possible.

Member McGehee asked if there will be solar on the new facilities.

Mr. Trudgeon indicated that was correct but discussion has not occurred yet.

Member Kruzal indicated that knowing much of Roseville has an aging population and not everybody she knows or on her block would know to go to the City website to learn more about this so how is there being engagement without swaying people's minds about this item? She wondered how the City is getting the information out to the community.

Mr. Trudgeon explained one way is to go out and talk about this to groups. The City has, in the last two newsletters and the one coming up, that there is information regarding this item. He noted the City is also planning on doing a direct mailer to all of the households reminding them that the question will be on the ballot.

The Commission thanked Mr. Trudgeon for the presentation.

b. Discuss Cannabis Regulatory Decisions that will Inform Future Draft Ordinance

Community Development Director Gundlach updated the Planning Commission on Cannabis Regulatory decisions and asked the Commission to discuss and give staff feedback on the draft Licensed Activities table, suggesting where various licensed cannabis activities should be located within the City and providing answers to the three questions outlined in the City Attorney memo dated July 26, 2024.

City Attorney Rachel Tierney was at the meeting to answer questions.

Member Bauer explained with the attachment he asked if there were some areas staff felt confident were the right assignment or some areas where staff is still uncertain.

Ms. Gundlach explained the retail uses are very obvious and that they should be in zoning districts that allow more retail-generated uses. All the retail/commercial zones are the MU zones. She indicated going towards the cultivators or manufacturers' staff did not want to allow those in the low-intensity MU districts and make more sense in the City's industrial districts and maybe conditionally make sense in some of the other districts.

Chair Pribyl indicated Cannabis is different from most retail stores and she wondered if the districts where it is being shown are the same where liquor stores are permitted. She would consider those to be similar.

Mr. Lloyd indicated that was correct. It would be in the same districts as liquor stores and tobacco stores.

Ms. Gundlach continued with her presentation on imposing buffers for cannabis businesses.

Member McGehee indicated she would not be opposed to having these types of buffers within the City for this type of business.

Member Aspnes indicated she would also be in favor of having a buffer zone.

Member Bauer asked if all of these businesses would be required to have licenses or if it is that something the City Council will be taking up and deciding.

City Attorney Tierney indicated all of these businesses require a State license. She indicated part of the challenge of all of this is the City's ability to regulate is extremely limited. All of these businesses can only operate with a State license. The City Council will determine whether or not to require a local registration. The businesses have to have a local registration either through the City and if the City does not want to do it then the County will have to do it.

Member McGehee knew there was a problem with liquor licensing and there are not many people who are State qualified liquor license people to go around to look at tabs, tax stamps, etc., she wondered if the City is anticipating that the State is going to take some significant role in approving and seeing that the materials being sold meet their criteria.

City Attorney Tierney explained the Office of Cannabis Management is charged with responsibility for the majority of inspections, including the type just described. The only type of inspection that would fall to the City would fall to the City only if the City decided to do the registration and that would be an annual compliance check like the tobacco and liquor compliance checks that the City does. If the City does not register, then this would fall onto the County as their responsibility to do the checks.

City staff discussed the number of cannabis businesses allowed in different areas and buffer zones in the City with the Commission.

Ms. Gundlach continued with the presentation regarding imposing buffers between other cannabis businesses.

The Commission discussed possible odors from cannabis businesses and possible remedies.

Ms. Gundlach summarized the Commission felt specifically with cultivator and manufacturer cannabis businesses there may be a reason to impose a buffer between those to be able to readily detect who is creating an odor problem if there is one.

Member Bjorum indicated he did not know how much waste is caused by a business like this either.

Ms. Gundlach thought that the water was also a source of odor. She indicated staff would need to look into that.

Ms. Gundlach concluded her presentation by reviewing the hours of operation.

Member McGehee indicated she would not be in favor of having these open until 2:00 a.m. and would prefer the hours of 10:00 a.m. to 9:00 p.m.

The Commission concurred with Member McGehee.

8. Commissioner-Initiated Items

None.

9. Adjourn

MOTION

Member Aspnes, seconded by Member Kruzel, to adjourn the meeting at 8:37 p.m.

Ayes: 6

Nays: 0

Motion carried.