



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, October 4, 2023 – 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, City Planner Thomas Paschke called the Roll.

Members Present: Chair Michelle Pribyl, Vice-Chair Karen Schaffhausen, and Commissioners Michelle Kruzel, Tammy McGehee, Pamela Aspnes, Matthew Bauer, and Erik Bjorum.

Members Absent: None.

Staff Present: City Planner Thomas Paschke, Community Development Director Janice Gundlach and Senior Planner Bryan Lloyd

3. Approve Agenda

MOTION

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

Ayes: 7

Nays: 0

Motion carried.

4. Review of Minutes

a. August 2, 2023 Planning Commission Regular Meeting

Chair Pribyl noted Member McGehee sent some changes to staff before the meeting.

MOTION

Member McGehee moved, seconded by Member Schaffhausen, to approve the August 2, 2023 meeting minutes.

Ayes: 7

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. **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 asked 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.

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

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

Public Comment

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

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

Commission Deliberation

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

MOTION

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

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

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

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

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

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

Ayes: 7

Nays: 0

Motion carried.

7. Discussion Regarding Joint Meeting with the City Council

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

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

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

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

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

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

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

Member McGehee explained it is not pointless, but the residents who come to the meetings often say this when they leave because the Commission has not been able to do anything. We need to have residents understand that all the Commission can do is to tell residents that the matter will be referred to the City Council; the Commission has to follow the code and if a proposal meets the code there is nothing the Commission can do. She has seen little, with the exception of the FedEx parking lot, anything that has come to the Commission that has not already been established to fit the code.

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

Member McGehee agreed and thought they needed to make sure the statement is positive indicating that the Commission has the opportunity to pass it along emphasizing what the Commission can do instead of what the Commission cannot do.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Member McGehee indicated she took offense at the implication that everybody in Roseville is just a NIMBY (Not In My Back Yard) when they raise objections. Regarding some of these infill projects, Member McGehee said she would like to know the exact definition that the City is using for "missing middle". She asked what is the goal of some of the infill and what is "missing middle" housing.

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

Member McGehee indicated price is not a consideration.

Ms. Gundlach indicated that was correct.

Member McGehee thought it seemed like what the City is doing and has been doing in this process of infill is increase the few, decrease the number of affordable units, in particular the one they did on Highway 8. If the person actually develops as he said he intended, he took two affordable, single family lots and produced eight units, all of which were \$420,000 or greater, which is not affordable so as the City goes through this process, one of things she is concerned about is reducing the naturally occurring affordable housing that the City does have and replacing it with infill projects that are greater in price. If the City is talking about having a variety of options and a place where everybody can live then there has to be some affordable housing and she thought the City should offer some affordable housing that is other than high density, multi-family rental property. She is only talking about this because she thought that if it is a City goal to have a variety of housing options she questioned whether this type of project is moving the City toward that goal because this particular project simply took a single family affordable home and replaced it with a multi-family option at a much higher price.

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

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

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

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

Member McGehee explained that she still has a concern that it is in fact a reasonable time, after five large projects over the past two years, to at least give an assessment of how those have turned out because some of these developments, such as the one on County Road B, could have been a nice location for a missing middle project but it did not turn into one and so when the Commission was talking about cottage style developments and so on, the kind of things the City does not have, she has not seen that the City has gotten anything like that. She is still concerned about the fact that the City policy is actually taking away some of the affordable housing possibilities. This policy appears to be putting in things that are little different than what the City already has. She did not see any reason why not to touch base with the Council on these items and issues.

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

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

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

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

Member Schaffhausen agreed with that and indicated she did not think the Commission had enough information. She thought at this time to go back and revisit work that has

already been done that there is one real example of is probably not in the best interest of time and/or energy at this moment.

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

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

Member Kruzel indicated either that or the website.

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

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

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

Member Kruzel thought that is what is driving this because people do not know until it affects them.

Member Aspnes liked the idea of amending item one to include the why. Why the Commission is asking for this is the Commission feels like the communication to public about the Planning Commission's role and about changes that are happening in their

neighborhood is not sufficient and the Commission would like to get some direction on how to improve that.

Ms. Gundlach summarized what she understood the Commission would like to discuss with the Council and noted she would get information out to the Commission for feedback before the October 16th joint meeting.

8. Adjourn

MOTION

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

Ayes: 7

Nays: 0

Motion carried.