



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, February 1, 2023 – 6:30 p.m.**

1. Call to Order

Chair Kimble 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 Kimble, City Planner Thomas Paschke called the Roll.

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

Members Absent: None.

Staff Present: City Planner Thomas Paschke, and Community Development Director Janice Gundlach.

3. Approve Agenda

MOTION

Member Pribyl moved, seconded by Member Kruzel, to approve the agenda as presented.

Ayes: 7

Nays: 0

Motion carried.

4. Review of Minutes

a. January 4, 2023 Planning Commission Regular Meeting

MOTION

Member Pribyl moved, seconded by Member Bjorum, to approve the January 4, 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. Continued Business

- a. **Continuation to Consider a Request by AUNI Holdings in Coordination with FedEx for a Conditional Use to Allow a Parking Lot as a Principal Use at 2373 and 2395 County Road C2 (PF22-015)**

Chair Kimble opened the public hearing for PF22-015 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 February 27, 2023.

City Planner Paschke summarized the request as detailed in the staff report dated February 1, 2023.

Member Pribyl explained a couple of things the Commission talked about last time were increasing the setbacks on the north and west, which she understood has been done and also a consideration of how far employees need to walk to get to the other parcel and it seems like unless there is a grading reason or preservation of trees that the parking could not be moved further east, there might be an opportunity to do that. In her notes from the property owner last time, she thought that the need was for 160 to 180 parking spaces for employees, and this greatly exceeds that, so she did not know if that was 160 to 180 at one time and this is accounting for shift changes or why there are over 240 parking spaces.

Mr. Paschke stated some of these questions are better answered by the applicant. He further indicated his recollection regarding the previous discussion during the meeting was FedEx needing around two hundred or more parking spaces for employees. He further clarified the previous plan did not account for employee only as it was incorrect in its inclusion of van parking, thus the reason the item was tabled; this is the current plan being forwarded to the Planning Commission for consideration.

Member Aspnes noticed that this went from fifty-three vans and 135 employee spots to 243 employee spots. She also thought that now the parcel to the east is now included in this plan but is not referenced in the application but from the diagram that is shown it looks like this parking lot is going to be in that parcel and then the walkway is going to go across it. She wondered if all three of these parcel are going to be combined.

Mr. Paschke stated all three parcels were included in the initial proposal, with the proposed storm water ponds on the eastern parcel. He also indicated the applicant still

needs to address whether the parcels will be combined or platted as there are side yard setback requirements between the three lots.

Member Aspnes indicated the walkway is an incredibly steep change in elevation from the parking lot to the FedEx lot on the east. She wondered if that will be handicap accessible.

Mr. Paschke was uncertain, however stated the discussion last time around, even though it is shown in the current proposal, was that all the handicap parking was going to be available at grade next to the building. He further indicated he is not sure if the walkway is handicap accessible but assumed if the applicant is providing handicap spaces and individuals using these stalls need to get to the building, that the sidewalk will have to be handicap accessible in order to meet Federal Law.

Member Aspnes asked if by law, the parking lot has to have handicap parking.

Mr. Paschke explained that if it is tied to the business and the business can prove adequate handicap parking, handicap parking might not be required within this parking lot; this is typically worked out through the permitting process and how the project would be reviewed against those Codes and Ordinances as well as whether or not the sidewalk or a different route is handicap accessible in order to meet the law.

Member Aspnes indicated the three lots sit very high and she wondered if this will be the elevation for this parking lot. She wondered if the elevation will be brought up or down to make the parking lot level because right now it would not be.

Mr. Paschke explained staff does not know the specifics regarding the lots grading, however he assumed the applicant will need to remove and/or reshape the property to a point where it can be effectively used by employees and properly drains into the stormwater management system. He added, this is something the applicant would do after receiving the permits and approval.

Member Aspnes concurred that putting the parking lot as far east as possible seems to be the best to keep it away from the remaining properties that are going to be there on the west.

Chair Kimble asked if the applicant was at the meeting. It was noted the applicant was online.

Mr. Scott Pieper, CEO of the AUNI Holdings addressed the Commission. He stated regarding the increase in parking spaces, when he had the engineer look at the plans, they were originally shooting for a two hundred number and visiting with the FedEx people they do not know for sure what the minimum or maximum could be so the question was raised back to him about what would be the most that could be put there that would be approved. He had the engineer use the setbacks shown in the drawing and developed a plan using the square footage accordingly. He noted it does not need to remain that number but is the directive he received from FedEx.

Mr. Pieper explained there is handicap parking outside on the north end with new sidewalks in place there, as well as there are thirty-five spots inside the building, which he believed six of those are handicapped. The parking lot would be in compliance with whatever is needed. He did not believe in their mind that the parking lot would need to

be handicap accessible for this project. That does not mean that it does not have to be to meet Code.

Chair Kimble asked if there is any ability to push the parking lot further to the east.

Mr. Pieper thought the idea here for him is to show what the intent could possibly be and to find out the City's position on it so that they could actually move forward with a project which would be getting a civil engineer involved to find out what it is actually going to entail. That all has to be worked out to see if it would be feasible from an economic standpoint as well.

Member McGehee recalled that light consideration was important to the surrounding properties and she really appreciated the forty-foot buffer and the preservation of trees. In thinking of the one residential home to the west, she wondered whether the grading being considered had to be done since the parking lot was already lower than the surrounding properties. She wondered if the parking slots facing the west property could be reoriented to face east. She suggested this might avoid the any additional work by the developer and possible tree loss while still meeting the request by the neighboring property owner to the west for less light from the lot and cars shining onto his property.

Mr. Pieper understood Member McGehee's concerns and explained that maybe this is a scenario where the north/south lanes have to be pushed over to the west a shade and taking a couple off one way or another and adding a third row that would point to the east so the lights would be shining out into the parking lot.

Member Bjorum noted that last meeting there was a conversation about whether the lot or lots were going to be secured with gates and fencing and he wondered if that has been removed because this is just employee parking or are there still going to be gated entry points and fencing around the lot.

Mr. Pieper explained typically with what he has seen with the FedEx Corporation is typically their parking lots are always fenced. He thought this might be the exception but he thought their rules are pretty hard and fast about how they like to maintain their employee's property.

Mr. Pieper explained regarding the steep bank and the potential sidewalk going down, the way the building is set up you cannot get in the building unless a person goes through security which is all on the north end of the building. As this berm goes to the north it starts tapering down significantly and his guess is once a civil engineer is involved the sidewalk will more than likely go down the berm to the north and gradually tapering down because that is where the employee enters the building.

Chair Kimble noted the Commission received a bench handout, written communication from Mr. Donald Broman, member on the ownership committee for the Aquarius Apartments next door.

Public Comment

Mr. Frank Yaquinto, 2405 West County Road C2. He gave the Commission a handout. He explained he was concerned about how many shifts there will be because the lights from vehicles could be shining in his windows all the time. He was also concerned with the traffic impact on County Road C2 as well as the number of trips coming and going daily. There is no indication of any of this. He noted this is in direct conflict of the 2040

Comprehensive Plan, specifically Chapter 5 as it relates to protecting existing legally established single family homes. He was also concerned about possible drop in his property value and he would like a letter from the Roseville City Attorney stating this will not negatively affect his property value. He was also concerned about possible emissions from the vehicles would affect the air quality in the area. He wondered if anyone has compared the applications and did the Planning Commission meet to discuss the significant change in the number of parking spaces. He requested the Roseville City Attorney give him a written opinion on this parking change and that the City of Roseville has applied to all State Laws governing the due process notification of neighbors. He noted that no one from AUNI Holdings or FedEx has talked to him. He explained under the new zoning, since his home was built, the value of his home will be that of the land only and he wondered who would buy a single family home that has been zoned out by Conditional Use granted to an International Corporation, FedEx. Those uses that would apply to his lot are unachievable. He indicated if he demolished his house he would not meet the current zoning setbacks, parking, etc. for any of the uses because his lot is too small. He noted Mr. Paschke is not requiring a light plan and if approved this lot will be lit up like Rosedale. He indicated Mr. Paschke does not think these effects his quality of life. He explained as a taxpaying citizen of the City he would offer his home for sale to the City after the City Attorney renders his opinion as well as an independent appraiser. If approved the City's sanctions will significantly alter his way of life. He noted he is a Vietnam Era Veteran with disabilities.

Chair Kimble asked if any of the items mentioned were discussed at the last meeting.

Member McGehee thought there was discussion on the need for a berm but she did not think there was discussion regarding the decrease in value of surrounding property because this is the only remaining single family dwelling left. She understood from Mr. Pieper that there will be some effort to screen headlights within the parking lot.

Member Pribyl thought there will be screening required so some of that could be potentially fencing, if the grade does not allow for blocking the headlights.

Mr. Paschke stated he believes the staff report does provide information about a number of items of concern needing to comply with City Code. Because there are residential properties adjacent to this site this development is required to provide a buffer area screen that includes a specific setback and that the proposal is greater than that that requirement (10 feet). The Code also requires an opaque screen, whether that be landscape, wall or fencing. As part of staff's review of a formal plan submittal he would review the proposal based on all of the engineering that occurs and its design to determine where all the screening is necessary in order to screen the adjacent properties. Parking lot lighting is also a requirement and staff's goal here is no different than any project that has required parking lot lighting, to work with those people designing it to have the least impact on the adjacent properties. This project has a number of things that are not shown on the proposed plan that are required by City Code.

Chair Kimble asked if it would be the intent of staff, if this were to be approved, to keep the property owners aware of what is happening and updated throughout the process.

Mr. Paschke indicated it was his intent to do that.

Member Bjorum noted that the number of spaces in the parking lot is not dictated by the Conditional Use. The only maximizing or minimizing of that lot is based on whatever the required setbacks are or anything along those lines.

Mr. Paschke indicated Commissioner Bjorum's assessment is correct as it relates to a parking lot as a principal use.

Member Bjorum asked if the City does not have control over the size of the parking lot, it is really for the Conditional Use, if the use meets the requirements of the lot.

Mr. Paschke stated that is not necessarily true. He indicated that if the Planning Commission felt that they did not want to have a parking lot that had more than the number of parking stalls shown the Conditional Use could state a maximum parking of 243 parking stalls or less, then the applicant is locked into that number as the maximum number of stalls that they can place within the area. He believed the Planning Commission could also add a condition that stipulates a minimum setback from the adjacent residential property lines, whether it is the forty shown on the plans or greater, then this condition would need to be met by applicant and worked through in order to design the parking lot. There are things that the Planning Commission has within its purview because they are germane to the request and they do potentially pose impact to the adjacent properties.

Member Kruzal asked if staff knew how many shifts there might be.

Mr. Paschke indicated he did not know how many shifts FedEx was looking to run. He further stated when staff reviewed this proposal it reviewed this project against those impacts that could be just as great if some other uses were developed on this property, which the City cannot control. From that standpoint, there is nothing in the Code that limits a business having more than one shift, or limiting hours of operation, which in turn could create additional traffic movements and more vehicles on the road. He further stated staff reviewed this application as a parking lot with 243 parking spaces because there is nothing in the Code to direct otherwise.

Member McGehee asked what Mr. Paschke knew about parking lot lighting.

Mr. Paschke explained there are some areas within Roseville where staff has worked with the developers or property owners to install lower lights to provide the necessary lighting and safety. There are also ways to put shields on the back of the lights, which has been fairly common in some of the City's adjacent residential projects. There is also fencing and other things that can be put in to also assist in mitigating the lighting to some degree.

Staff discussed with the Commission potential impacts to adjacent properties.

Mr. Don Broman, Aquarius Apartments, explained the property line is incorrect in the drawing because it is going through their parking lot. He indicated everything he has seen since 1970 shows the line six feet off of the parking lot. He explained his letter dated January 25, 2023 indicates he is in favor of a forty foot setback and he would love to have the development built so the natural trees remain. He noted there are one hundred residential units in the building and felt this was a good compromise. He agreed it was kind of difficult to spend the money on a site survey if you do not have the money. To him, a forty foot setback is adequate because it would leave the woods between the properties intact and all those residents that walk by there would not be looking at a

parking lot with 243 cars in it. The thing that he has a concern with is he talked last month about a berm going along their driveway with landscaping and plants. He showed a photo of the area and indicated the area is a low area where the pond is going in and Aquarius Apartments spent a lot of money to try to mitigate the moisture that is already coming off the adjacent lot and coming down the east side of the their building to get the drainage down. He would like to make sure that the proposed ponding does not create water issues on their property.

Mr. Broman read his letter to the Commission for the record.

Mr. Broman thought the applicant needed to look at where the sidewalk is placed as well as where the employees would be walking to get into the building. He explained he would like to have assurance from the City Planners that the water from this property is not going to flow to their property and cause additional drainage issues. He noted the residents would still like to see an opaque fence as well as a light study done. He would also like to have safety reviewed.

Chair Kimble closed the public hearing at 7:40 p.m.

Commission Deliberation

Mr. Paschke reviewed the drainage requirements on a parcel during development.

Member McGehee suggested a requirement for the number of parking stalls.

Member Bjorum agreed and thought the previous proposal of 183 parking stalls was adequate and could be a requirement.

Chair Kimble indicated this item has been discussed at two meetings with a lot of discussion and she wondered if someone would like to make a motion with any recommendations or conditions.

Member Aspnes indicated she would like to make a couple of suggestions but not as a motion. She agreed it was a good idea to cap the number of stalls in this parking lot so that it does not end up taking the absolute maximum amount of impervious surface that is allowed considering the grade of this lot, the wetlands, the neighbors to the north and west that will still be there. She also thought it was a good idea to make a condition of approval the setbacks be the forty on the west and north, at least that at minimum and that there should be a condition to save as many large trees as possible on the site along the lot lines especially. She also wanted to ensure that the lights are not an issue and that the City can do what it can to mitigate the light coming from the property.

Mr. Paschke reviewed with the Commission the lighting requirements and noted as far as the trees, he agreed with the Commission but the City does not have a requirement to preserve any trees and it becomes very difficult to stop a development from removing trees.

Mr. Paschke reviewed potential conditions to the motion with the Commission including a maximum number of parking stalls, minimum setback of forty feet to the north and west as well as additional compliance with tree preservation and lighting conditions.

Chair Kimble explained two of the conditions are compliant with City Code which they have to comply with so why these would be conditions. She thought there are two conditions, the cap on stalls and the forty foot minimum requirement on the two and all

the conditions staff lists, she did not know what else there is because the process is going to drive the rest of it.

Member Pribyl thought maybe there could be a condition that parking stalls do not face immediately to the west.

Member Aspnes wondered if it could be worded that the parking lot design has cars not pointing west.

Ms. Gundlach reviewed the changes to the conditions in the staff report clarifying condition 5 to include compliance with section 1011.04, tree preservation and restoration; adding a seventh condition that states “the total number of stalls shall not exceed 220 and no stall shall be directed towards the property to the west”; and she also explained a new condition eight would also be added stating “parking lot setbacks to the north and west shall be a minimum of forty feet”.

MOTION

Member McGehee moved, seconded by Member Bjorum, to recommend to the City Council approval of a Conditional Use for 2373 & 2395 County Road C2, allowing surface parking as a principle use on the subject properties based on the comments, findings, and six conditions stated in this report, adding conditions 7 and 8 as discussed. (PF22-015).

Ayes: 7

Nays: 0

Motion carried.

7. Adjourn

MOTION

Member Pribyl, seconded by Member Aspness, to adjourn the meeting at 7:59 p.m.

Ayes: 7

Nays: 0

Motion carried.