



**Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, August 18, 2014**

1. Roll Call

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Laliberte, McGehee, Willmus, Etten, and Roe. City Manager Pat Trudgeon was also present. Mayor Roe noted that Councilmember Etten had previously advised he would be unable to attend tonight's meeting due to other commitments. City Attorney Mark Gaughan was also present.

Housing & Redevelopment Authority (HRA) Interviews

Interviews of four candidates for HRA applicants were held at approximate ten minute intervals.

2. Approve Agenda

Councilmember Willmus apologized for any miscommunication on the part of the City Council, and clarified that there would be no action taken tonight on those items listed in Agenda Item 14, Business Items – Presentations/Discussions. Councilmember Willmus noted that the City Council would be discussing those land use items, and taking public comment only, but not taking any action.

Mayor Roe thanked Councilmember Willmus for the clarification.

Willmus moved, McGehee seconded approval of the agenda as presented.

Roll Call

Ayes: Laliberte, McGehee, Willmus, and Roe.

Nays: None.

3. Public Comment

Mayor Roe called for public comment by members of the audience on any non-agenda items. No one appeared to speak.

4. Council Communications, Reports, and Announcements

Mayor Roe announced that applicants were being sought for youth members of the City's Park & Recreation Commission for a one-year term concurrent with the school year. Mayor Roe noted that the application deadline was August 29, 2014; with additional information available on the City's website or by calling City Hall at 792-7093.

Mayor Roe noted a date change for the August Finance Commission meeting from August 12, 2014 to August 21, 2014 at 6:30 p.m.

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Mayor Roe provided a brief update on the status of cable franchise renewal negotiations to-date; with the formal renewal case moving forward to the Administrative Law Judge Department of Administrative Hearings pending assignment. Regarding the potential divesting by Comcast of the Twin Cities cable subscriber network if and when the Time/Warner merger takes place, Mayor Roe advised additional information would be available at a later date.

5. Recognitions, Donations and Communications

6. Approve Minutes

Comments and corrections to draft minutes had been submitted by the City Council prior to tonight's meeting and those revisions were incorporated into the draft presented in the Council packet.

a. Approve August 11, 2014 Regular Council Meeting Minutes

McGehee moved, Willmus seconded, approval of the Meeting Minutes of August 11, 2014 as amended.

Corrections:

- **Page 8, Line 29 (McGehee)**
Remove "to 40%" from the sentence.
- **Page 11, Line 41 (McGehee)**
Correct to read: "...in excess of 24% increase alone; and since *[then]* had been openly..."
- **Page 15, Line 40 (McGehee)**
Remove "by" from the sentence.
- **Page 28, Line 14 (McGehee)**
Correct "sued" to "used."

Roll Call

Ayes: Laliberte, McGehee, Willmus, and Roe.

Nays: None.

7. Approve Consent Agenda

8. Consider Items Removed from Consent

9. General Ordinances for Adoption

10. Presentations

11. Public Hearings

- a. Consider a Small Brewer Off-Sale Intoxicating Liquor License, an On-Sale and Sunday Brewer's Taproom License and an Outside Sales and Consump-**

tion Endorsement for Blume Brauhaus, LLC (Bent Brewstillery) locate at 1744 Terrace Drive

City Manager Pat Trudgeon summarized the request for this license transfer from the current license holder, Pour Decisions, for the remainder of 2014, as detailed in the Request for Council Action (RCA) dated August 18, 2014.

Mayor Roe recognized the applicant in the audience.

At the request of Councilmember Laliberte, Mr. Trudgeon clarified that the only new application was for outside sales.

Mayor Roe opened and closed the Public Hearing at approximately 6:55 p.m. for the purpose of considering the liquor licenses; with no one appearing for or against.

12. Budget Items

13. Business Items (Action Items)

- a. Approve/Deny a Small Brewer Off-Sale Intoxicating Liquor License, an On-Sale and Sunday Brewer's Taproom License and an Outside Sales and Consumption Endorsement for Blume Brauhaus, LLC (Bent Brewstillery) locate at 1744 Terrace Drive**

Willmus moved, Laliberte seconded, approval of the requested liquor licenses for the remainder of calendar year 2014; subject to the completion of a criminal background check.

Roll Call

Ayes: Laliberte, McGehee, Willmus, and Roe.

Nays: None.

Mayor Roe wished the applicant well in their endeavor opening August 21, 2014, as well as with their sales at this year's Minnesota State Fair booth.

14. Business Items – Presentations/Discussions

- a. Community Development Department Update on Rental License Program Activities through August 1, 2014**

Community Development Director Paul Bilotta and Permit Coordinator Don Munson were present for this update.

Mr. Bilotta introduced this item, stating that after only two months employed by the City of Roseville, he was very favorably impressed by how well-thought out this program was and the lack of complaints received to-date from multi-family rental property owners, managers and/or tenants.

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Mr. Munson reviewed the rental license program activities through August 1, 2014, as detailed in the RCA dated August 11, 2014. Mr. Munson noted that staff was finding a rental rate of between 90% and 95% in existing multi-family buildings, indicating a very low vacancy rate in Roseville; and with 164 total buildings to be inspected, staff anticipated being finished in November of 2014. Of the 373 units inspected to-date, Mr. Munson advised that only one serious health issue had been found, with most other issues small and easily fixed; yet with a few significant health and safety hazards needing immediate correction. Mr. Munson noted that over 200 correction notices had been issued; and to-date, little pushback from property owners had been received, with many expressing surprise that they had overlooked those issues prior to inspections. Mr. Munson suggested that this indicated their general acceptance of the program and inspection staff, with most property owners doing their own pre-inspection and self-policing the buildings themselves, based on a list of typical violations provided by Roseville staff to those owners.

Mr. Munson noted that this first inspection cycle was intended more as an educational effort versus penalty process, in order to familiarize property owners; however, he advised that the follow-up procedures would then change after that initial license period. Mr. Munson noted that it was always and would continue to be staff's intent to reinforce past communications that the City prefers to work cooperatively with property owners and managers in this effort.

Mr. Munson estimated that approximately 1/3 of the initial inspection process was complete, but since some of the buildings yet to be inspected may prove more problematic, staff may find more difficulties and code violations. Mr. Munson noted it was encouraging to see some property owners proactively initiating improvements to their building(s) in anticipation of an upcoming inspection. Mr. Munson advised that staff intended that the conclusion of the first year's inspection cycle would be completed by February of 2015.

Discussion between staff and Councilmembers included types of violations; and fairly quick response time by property owners/managers in correcting violations.

Councilmember McGehee expressed her appreciation of the program, opining that it was proceeding so well due to the tremendous amount of forethought in developing the program by HRA Executive Director Jeanne Kelsey, the HRA, and apartment building owners providing feedback; and expressed her delight that the program was going so well.

Mr. Munson concurred, opining that Ms. Kelsey had done a good job writing the ordinance, and that it was being well received.

Councilmember Willmus offered thanks to the Minnesota Multi-Family Housing Association for their collaborative efforts in developing this licensing inspection program.

Mayor Roe concurred, noting that they had also provided significant input in development of the rental registration for smaller units as well.

Councilmember Laliberte also concurred, opining that it was great news that violations were being resolved fairly quickly; and questioned if there was any requirement for resolving certain issues in a certain amount of time.

Mr. Munson advised that it was dependent on the particular violation: if a life safety issue, then immediate resolution was required, and for maintenance issues, typically thirty days, with some longer depending on the situation. Mr. Munson advised that staff intended to re-inspect for those more generic violations during the slower winter inspection season; but noted typically a staff finds a property owner already having assigned a maintenance person to address the issue while inspection staff was still on-site. Also, as Dave, the staff inspector, returned to a site, he observed some of those issues already being taken care of.

With Councilmember Laliberte noting the difficulty in evaluating some resolved issues outside during winter months, Mr. Munson admitted that maybe so; however, he noted the limited staff and time available to keep costs in line with the budget limitations.

Regarding sump pumps discharging ground water into the city sanitary sewer system, increasing treatment costs for the City and residents, Mr. Munson advised that inspection staff was coordinating those findings with the City's Engineering Department for follow-up as well.

Mayor Roe noted this inflow is a problematic issue that had been of concern for the City for many years and the impact of multi-family buildings may not have been fully appreciated until these inspections began.

At the request of Mayor Roe, Mr. Munson advised that most residents were generally accepting of inspection staff, but clarified that staff was not taking any pictures to maintain tenants' privacy; as well as those tenants having the choice of whether or not to be present during the inspection. With staff attempting to be sensitive to tenants, Mr. Munson noted that there had been no issues to-date.

Mr. Bilotta suggested this also was due to the personality of the inspector as well.

Mayor Roe noted that original concerns raised by tenants and their fear of being kicked out of their units for violations had been addressed through clear explana-

tions and outreach efforts; with Mr. Bilotta concurring, and also noting that tenants were alerted ahead of time before unit inspections.

Mayor Roe thanked staff for their hard work, and for providing this program status report; anticipating their final report on the initial inspection cycle at a later date.

Recess

Mayor Roe recessed the meeting at approximately 7:18 p.m. and reconvened at approximately 7:24 p.m.

b. Request by Community Development Department for Approval of a Comprehensive Land Use Plan Map Change and Zoning Map Change at 1633 – 1775 Terrace Drive, 2830 Fairview Avenue, 2822 – 2837, 2825, and 2805 – 2823 Fairview Avenue

Mayor Roe introduced this item, as detailed in the RCA dated August 18, 2014; and Mr. Bilotta again clarified that this was intended for discussion only and no action at this meeting; and reviewed community meetings held to-date, and recent formation of the Langton Lakes Neighborhood Association, many of whom were present in tonight's audience.

City Manager Trudgeon noted two bench handouts, *attached hereto and made a part hereof*, consisting of two e-mails from residents providing their thoughts and concerns about the proposed rezoning. Mr. Trudgeon noted that tonight's discussion was a continuation of past City Council discussions on how best to rezone the Twin Lakes Redevelopment Area, revised as part of the 2009/2010 community visioning and Comprehensive Plan update processes. Mr. Trudgeon clarified that the area north of Terrace Drive was still considered a part of the Twin Lakes area, but had previously held High Density Residential (HDR) zoning designation to provide a buffer on both sides of Fairview Avenue, but was now being considered for Community Mixed Use (CMU) designation. Most recently, Mr. Trudgeon noted the sale of and changed use of the former Aramark building, and processing and approval of an Interim Use Permit, and request for rezoning to CMU by the new owners. Mr. Trudgeon noted that this occurred while the City Council continued their discussions over the last year to determine the best classification for this area, and suggested CMU designation on a preliminary basis, but not yet finalized. Mr. Trudgeon noted the need to look at long-range plans and what is best for the neighborhood now and in the future. Mr. Trudgeon advised that staff as seeking City Council direction before proceeding with a formal process necessary for any zoning and/or land use designation change.

Mayor Roe clarified that the City Council had initiated the process of changing zoning designation for this area from HDR to CMU based on those City Council discussions prior to tonight; and suggested individual Councilmembers provide their perspective and any additional background on the suggested CMU designation for the benefit of those residents who may not already be aware of those past discussions.

Councilmember McGehee stated that she came into this discussion and initial zoning designation change from HDR to CMU as she saw it as a better option than HDR knowing the land and that neighborhood to the north quite well. However, Councilmember McGehee further stated that, one thing that had become obvious to her over the past year was that her view of CMU was nothing like how it was being defined to her now. Therefore, Councilmember McGehee stated that she was no longer much in favor of a zoning designation of CMU in that location; and in her review of previous City Council discussions and the intent being protection of the neighborhood and lake, she found Low Density Residential-2 (LDR-2) as a more favorable zoning designation, allowing for townhomes or some type of housing to provide a buffer going forward into the residential neighborhood, while adding other options to existing housing stock. Councilmember McGehee suggested a process similar to the Dale Street Project to achieve additional density, but including the neighborhood into those discussions to find the best fit for all parties involved. Councilmember McGehee stated that she was excited to see the Langton Lake Neighborhood Association formed allowing for more collaboration between developers, residents and all concerned through cooperative efforts and compromises, allowing for a sense of ownership in that participation.

When looking back to those City Council discussions over the last few years, Councilmember Willmus stated that their reaching out for feedback from the business community during part of those discussions may have steered zoning designation guidance from HDR to CMU. However, as stated by Councilmember McGehee, Councilmember Willmus noted his interest in finding a solution that would create a better transition between owner/occupied housing north of this area; opining that he would be willing to entertain a designation of Low or Medium Density Residential (LDR or MDR). Also, as came up in recent neighborhood meetings initiated by Ms. McCormick, the process and post card notice needed to provide more information than currently given and clarification on how and when the public should provide their feedback or make a statement. Councilmember Willmus opined that this additional discussion provided an opportunity to step back and hear from neighbors before moving forward. Regarding Councilmember McGehee's interest in a neighborhood or community process similar to that used for the Dale Street Project, Councilmember Willmus noted that it was a different scenario since the City had ownership of that property, making it easier to pursue the planning process versus this situation with multiple property owners involved and each having different perspectives. However, Councilmember Willmus expressed his interest in hearing from residents on abutting properties.

Based on previous discussions, Councilmember Laliberte stated that she did not feel strongly that the zoning designation should remain HDR; and also was cognizant that while the goal was for redevelopment of this area of Roseville, the City did not own the properties and therefore would be unable to make all the decisions or reach all of the City's goals given that status. However, Councilmember

Laliberte noted that discussions to-date with property owners had proven helpful, as long as residents were now given the same opportunity for interaction with the City Council. Councilmember Laliberte clarified that she continued to have concerns with the area being completely zoned for multi-residential areas, and would be open to CMU or a mix so residents would benefit and have some interaction with the zoning designation as a buffer. While sharing concerns about what would develop and how it would impact abutting residential neighborhoods, Councilmember Laliberte suggested that this was the start of that conversation.

Mayor Roe noted that the objective in looking at zoning designation revisions from HDR to CMU was based on HDR being too restrictive with only one basic use permitted, with the CMU discussion centered on providing additional flexibility, which he considered as the key phrase; and not to have the zoning driven by developers or property owners, but addressing the City Council's desire to deal with existing viable concerns in some of those buildings (e.g. practicalities of the former Aramark property) and other areas that may not develop as multi-family uses and recognizing that the marketplace will dictate development over time. Mayor Roe stated that through the proposed rezoning of that area the intent was that it provided the ability for the marketplace to be productive along with prompting development sooner rather than later. Mayor Roe advised that the key for him is the discussion of the next item on tonight's agenda, the actual language of zoning text; opining his desire for buffers and safeguards to address impacts from one zoning designation to another. Mayor Roe stated that he was not opposed to CMU zoning designation as long sufficient safeguards are provided and in place to protect adjacent neighborhoods, which would be clarified in the text of the zoning code. Mayor Roe stated that if the property was rezoned, his approach would be to seek appropriate language to ensure those protections while allowing for flexibility in developments.

Councilmember Willmus reported that one concern of residents was that uses be owner-occupied as part of the transition or buffer area; and questioned how that could be accomplished with CMU zoning designation, leading him back to his preference for LDR or MDR zoning designation.

Councilmember McGehee reported that she'd seen other communities where CMU allowed for condos above retail, both owner-occupied. Councilmember McGehee stated that she continued to have a different take on the options available in this area, while recognizing the clear need to give land owners their rights to develop their property, it wasn't necessary to allow them carte blanche, but to allow for a collaborative and cooperative process. However, Councilmember McGehee noted development to-date of some things that weren't particularly envisioned in the past as the zoning code at that time was to flexible or lax, and the City had given away its ability to negotiate that development. As the City Council moved forward, Councilmember McGehee cautioned that the zoning code should allow for the ability to have standards or guards in place to address any po-

tential development seen to have a negative effect on the preferred goals for that area. Councilmember McGehee stated that she was not opposed to CMU, but so far she had yet to see any use in CMU that she was looking for. Councilmember McGehee also expressed her interest in regulating maps for smaller areas versus one map for the overall area; or in the absence of a regulating map if not pursued, a designated use on the south side of Terrace Drive for a use similar to CUM, with owner-occupied residential on top and shops or retail uses on the lower level. Councilmember McGehee noted the disappointment of residents in the recent Applewood Pointe development in not having those service and small retail shops available and within walking distance of their units and pathway access around Langton Lake as they had originally envisioned. In reviewing the various areas on the south side of Terrace Drive and larger parcels facing County Road C, Councilmember McGehee opined that they should have a different zoning that further north, based on different access and clientele, while still sheltering residential neighborhoods without piecemeal zoning.

Mayor Roe clarified that the current regulating map would no longer be applicable as part of this proposal, but replaced by lot coverage, buffer zones, and setback requirements in zoning text and applying throughout the CMU zoning designation as similar with other zoning districts throughout the City. In terms of zoning differently in different areas, Mayor Roe noted that the proposal as provided by map in Attachments A and B to the RCA was the result of a City Council exercise completed several months ago, with one zone (CMU) allowing different uses in various areas to mitigate impacts to adjacent properties, and opined that this to him appeared to be the direction of the City Council as a whole. From his perspective, Mayor Roe stated that he was not so much concerned for owner-occupied uses, but to provide a higher quality or more upscale rental property for young professionals before stepping into home ownership, as indicated by the HRA's most recent market research results. Mayor Roe opined that that had some real potential and appeared to be a missing piece in the Roseville rental housing market, whether that was a multi-story building or something different. However, Mayor Roe stated that he was not opposed to the possibility of a rental use north of Terrace Drive.

Councilmember Laliberte stated that, along that same line, she would not be opposed to market rate rentals, even if not owner-occupied, as she agreed that was something missing in the current housing stock. However, Councilmember Laliberte opined that she would want to talk about building height as she wanted to ensure the privacy of single-family residential adjacent to a taller building.

Mayor Roe clarified that Councilmember McGehee was specifically referencing south of Terrace Drive in her most recent comments.

Councilmember McGehee agreed, and suggested if such a use was permitted on the south side of Terrace Drive, it should be somewhat more removed, suggesting

it would be more appropriate for LDR facing the single-family neighborhood and Oasis Pond.

Regarding the need to add height for a rental housing use, Councilmember Laliberte – referencing the Dale Street Project – noted that unless you went tall, some of the financials wouldn't work; creating the need for caution and reality as part of the regulations. Councilmember Laliberte opined that if the City Council created zoning that caused developers to remain uninterested, they hadn't solved any redevelopment issues. Councilmember Laliberte further opined the need to be aware that if someone came in with a one-level rental development proposal, it probably couldn't work financially.

Mayor Roe opined that just such a situation was intended to be addressed through the flexibility in CMU zoning designation to allow different levels of use and development. Mayor Roe admitted that he still didn't know if there were any non-residential uses that would work on the corner of Fairview Avenue and Terrace Drive, but based on a scale of intensity and the type of use, that needed to be figured out as zoning flexibility was looked at in order not to be so universal to end up with undesirable development(s).

Specific to the Dale Street Project, Councilmember Willmus opined that what made it work was the owner-occupied aspect. Councilmember Willmus stated that, when looking at market rate rental housing, it was very cyclical, and redevelopment needed to consider needs now, over the next 5-10 years, but also look at zoning and development of these same types of property in the next 20-30 years. Councilmember Willmus opined that whether it will continue at market rate would depend on the economy or type of housing needed at that time, and could not be guaranteed to always remain at market rate, with a need to bear that in mind when making determinations.

Mayor Roe opined that, if developments were built to a certain level of build quality, their long-term future would not necessarily be problematic; however, he agreed that there was no question that some things had been let go in some areas of Roseville.

Public Comment

Mayor Roe reviewed protocol for public comment, and focused on the context of this discussion specific to the proposed change in zoning designation on the sites indicated and public feedback on that proposed rezoning.

Doug Younker, 2852 Wheeler Street

Mr. Younker noted that he was approximately 200' from this property being discussed; but he did share concerns about the potential for a rental building five stories high looking into his backyard. Mr. Younker opined that CMU should be further reviewed, as he found it too wide-ranging and broad, and seemed to be more favorable for development and promoting more businesses, opening flood gates

for a lot of concerns, including height, as well as environmental issues such as odors and noise. Mr. Younker opined that a buffer would only allow 100' from his back yard, and asked that the zone be modified before being approved as CMU. While not necessarily being against CMU, Mr. Younker opined that he didn't think HDR was proper zoning either and needed more adjustment. Mr. Younker expressed his appreciation for the City Council recognizing what brought these concerns to the neighborhood's attention.

Lisa McCormick

Ms. McCormick noted that her property abutted the area proposed for rezoning, and thanked the City Council for their enlightening discussions to-date. As a younger resident coming into Roseville, Ms. McCormick admitted that there were generally more similarities in those coming into Roseville now and long-term residents; and opined that the City's park system was the gem of Roseville, as well as the community being nationally known for its retail area. However, Ms. McCormick opined that community and its development was more than just about location, but providing safe pleasant and stable neighborhoods, which she found to be part of the genius of earlier developers and leaders in the Roseville community, in allowing for retention of natural parks and development of residential areas around those amenities. Ms. McCormick opined that most of the residents in tonight's audience were 10-20 year residents in the neighborhood, having raised families there and their family history was interwoven with the City's park system. Therefore, Ms. McCormick opined that it would be a disservice to not take community needs into consideration in considering this zoning, and expressed her appreciation – as well as that of the neighborhood – for the City Council's openness in this process.

Regarding that rezoning, Ms. McCormick noted that the neighbors had been asked what they'd like to see, and while their desires were well demonstrated and diverse, it didn't clarify what needed to be there. While the business community had been asked to the table, and the City Council remained undecided, Ms. McCormick noted that the residents had not had a voice to-date.

Ms. McCormick suggested that a Charrette process be utilized as the most beneficial discussion and creating an atmosphere where decisions would not be made in a vacuum. With apparent interest from developers being received by the City and the potential for Bus Rapid Transit (BRT) on Snelling Avenue, and continued growth of the University of Northwestern-St. Paul, Ms. McCormick noted the many factors needed to be considered in this area, including existing traffic issues along Fairview Avenue. Ms. McCormick opined that to state the area should be rezoned CMU now, without having those additional discussions and considering all factors, would be unrealistic. Since becoming aware of this potential rezoning, Ms. McCormick noted that the neighborhood had been very active, with an increase from 80 to 123 residents now on NextDoor.com, following the Vogel Sheetmetal case and Interim Use permit approval.

Ms. McCormick referenced, and submitted to City Manager Trudgeon, a petition signed by 123 neighbors, *attached hereto and made a part hereof*, in support of owner-occupied housing to ensure care and pride of ownership in how the area develops. However, Ms. McCormick noted that residents remained reasonable and open to change, but were not clear on what that change may be with the proposed rezoning to CMU, and were all open and agreed on their desire to be involved in the decision-making process. Regarding the April open house (Attachment C), Ms. McCormick identified make-up of the eight people attending, with only two of those abutting property owners due to a lack of information prior to the open house. Ms. McCormick noted that the Sherman Apartment Complex project had not been brought up either, and as an attorney specializing in transactional practice and multi-contractual negotiations, it required building relationship through many complex issues. Similarly, Ms. McCormick opined that it would take an entrepreneurial spirit to resolve this issue, but with all pieces in place, she remained positive of the overall outcome, with all parties interested in making it happen, and excited about the results as people remained open and receptive to a good conclusion for all.

Ms. McCormick noted that seventeen properties shared a common, abutting boundary, and all but one of those property owners signed the petition, indicating that 94% were not in favor of the propose CMU zoning, and desired input before a decision was made. Ms. McCormick further noted that St. Paul Fire and Marine owned several parcels, along with Vogel Sheetmetal, and expressed interest and excitement to see what they were willing to do in collaboration, with their properties currently non-conforming uses grandfathered in. Ms. McCormick stated that she'd reviewed a similar strip of land, currently zoned MDR and along County Road C, known as Westwood Village, consisting of owner-occupied condos, opining that this was one option that had not yet been explored along Terrace Drive.

Ms. McCormick stated that the more she read about CMU, the more concerned she became that 300' was not a sufficient buffer, when a use such as WalMart could be considered a permitted use in CMU zoning, which would not be acceptable to her personally. Ms. McCormick further stated that, the proposed text amendments were not acceptable to her as they provided an inadequate buffer; and while not opposed to rentals, residents would seek a requirement for a management agreement to be signed by a developer of such a use. In her online search of unit comparables, Ms. McCormick referenced surveys of Snelling Apartments, with those apartments receiving at low rating of 7% based on fair housing and other studies which indicated size and management generally determined whether a housing project or complex could be developed. Since that apartment complex was another Sherman Associates development, Ms. McCormick advised that Sherman admitted management at that complex was problematic and they were working to resolve it. Given that example, Ms. McCormick

opined that the City seeking contractual assurances of Sherman was not too much to ask.

Specific to the road issue, Ms. McCormick reiterated that traffic was a grave problem, and lots of development was being proposed all at once. Ms. McCormick opined that even considering rezoning before text amendments was confusing the issue, since the City Council was well aware of zoning, traffic and other existing issues. Ms. McCormick suggesting providing an alternative ready to go with protections in place to accomplish objectives and implement everything, not simply changing and backfilling later, which she found ineffective and unwise, and opined that it was certainly contrary to the past history of the Roseville City Council.

Regarding waiving the Environmental Assessment Worksheet (EAW), Ms. McCormick questioned under what conditions that could be done and if guidelines had been developed to say when and when that was not appropriate. Ms. McCormick opined that in a development district this size, an EAW should not be that difficult or delay things to any great extent; and asked that the City Council not consider waiving the EAW requirement, in the interest of protection the parks and lakes that are interwoven throughout the community. Ms. McCormick opined that with environmental issues not always being readily evident, you couldn't unring the bell in the future without years of remediation efforts, and urged the City Council to be careful of that.

In addressing the Fairview traffic issue again, Ms. McCormick opined that with any increase in density, and clear channels for Cleveland and Snelling Avenues, and with the area gearing up for more transportation along Snelling Avenue, there should be more funding made available and collaboration among agencies to address transportation issues, including along Fairview Avenue, which was already a known problem. While the physical layout and road constraints could not be changed, Ms. McCormick opined that consideration should be given as more traffic was generated to route it more toward Cleveland Avenue and/or County Road C in an effort to protect the gateway into the residential area.

Ms. McCormick thanked staff and Councilmembers for clarifying that they would not be taking any action tonight; opining that she was heartened by the response from neighbors she had met, and was encouraged by what people could do when they came together. However, Ms. McCormick referenced the skepticism and concern she'd also heard from many residents in their neighborhood who had no clear understanding of this intended rezoning, and their unwillingness to speak up now as they had been disillusioned in the past when they'd sought information or spoken up, and often were met with various acronyms thrown around by staff that were confusion or unknown to them, and remained unexplained. Ms. McCormick noted, as an example, the post card notice sent out to residents that could not be understood; and offered her services as a volunteer to develop clearer notices and

communication efforts. In her review of past meeting minutes, Ms. McCormick note that this was apparently not a new issue, and suggested it may be worth looking into by the City Council and staff.

Ms. McCormick concluded by thanking the City Council for letting residents have their say.

Kathleen Erickson, 1790 Centennial Drive

Ms. Erickson thanked the City Council for allowing residents a voice in the process; and specifically thanked Mr. Bilotta and Councilmember Willmus for meeting with their neighborhood group on such short notice. Ms. Erickson expressed her pride in neighbors who responded to recent meetings, including tonight's meeting, and thanked the City Council for allowing their feedback, and to Councilmember McGehee for fielding questions and comments before and after meetings to-date.

Ms. Erickson referenced her written memorandum sent earlier today, and as a twenty-nine year resident at this address, also referenced her and neighbors attendance in the past in speaking at this type of a meeting, and their negative reception and perception of being demeaned or put down. When she went door to door with the previously referenced petition, Ms. Erickson noted that many of the comments she heard were that it wouldn't do any good, or residents stating their intent to never attend another City Council meeting again after their past experiences. Ms. Erickson reiterated her appreciation to the City Council in welcoming them and allowing them to speak, noting that they all loved their community and the small town feel of Roseville and the importance of their community.

Ms. Erickson expressed her stand on the proposed CMU zoning designation as being too broad as addressed by Ms. McCormick. Ms. Erickson noted the desire of residents to trust that their best interests were being looked out for; and noted a difference in attitude in working with staff and the City Council during their interactions related to the Vogel Sheetmetal operation. Ms. Erickson reviewed some issues in the past with the former Aramark operation and their pursuit of some improvements that would have negatively impacted abutting residential properties, which were found to be not even permitted by the City when residents checked with staff. Based on that example, Ms. Erickson noted the caution of residents in recognizing that there may be good intentions in protecting residents, but it was often hard to monitor every situation.

Ms. Erickson stated that she supported owner-occupied housing under MDR zoning designation, as proposed in the plan across Fairview Avenue, which she understood to be totally rental, opining that it would better interface with their single-family neighborhood and another zoning designation would not provide a similar buffer.

In supporting Ms. McCormick's recommendations regarding better communication and clearer notice, and using the public hearing held regarding the Vogel Sheetmetal proposal as an example, Ms. Erickson advised that when receiving the post card and references to Interim Permits and/or Conditional Uses, they were not aware of the actual purchase of the property by Vogel Sheetmetal and potential long-term impacts to abutting properties or they would have attended to ensure quality of life answers were addressed.

Ms. Erickson recognized that residents didn't control the process, but she stated that residents were interested in Roseville continuing to be a good place to live and continue as a well-planned-out community with well-transitioned land uses.

Lacy Kapaun, 1840 County Road C-2

Living adjacent to Fairview Avenue, Ms. Kapaun stated her number one concern was traffic; opining that the more things developed, the more concerned she became. As the mother of a two-year old, Ms. Kapaun expressed her concern with the already constantly busy Fairview Avenue, and while willing to hear options for other development in the area, some of the possibilities she'd heard from neighbors caused her alarm. However, before their development, Ms. Kapaun stated that neighbors wanted to be aware of what was proposed for development. Ms. Kapaun opined that traffic was already unbearable and adding any more traffic was her main concern.

Ms. Kapaun opined that the lakes in Roseville were wonderful, and that was her family's reason for staying in Roseville, even though moving to another community may have been more convenient, but the central location of Roseville and its parks were wonderful and a main draw for them. However, adding so many developments around Langton Lake was of great concern to her, and she wanted to know about any other potential developments that residents may not have heard to-date; and to have an opportunity to know what was going on before it happened, allowing residents to provide feedback to the City Council.

John Easterling, 1850 County Road C-2

As a twenty-six year resident of Roseville, originally from California, and on the faculty of the University of Northwestern, Mr. Easterling expressed his enjoyment of being a Roseville resident, as well as both he and his wife working in Roseville and attending church in Roseville. Mr. Easterling stated that he believed in pride of ownership of their neighborhood.

While having no current complaints with the warehouse use abutting their property north of Terrace Drive, Mr. Easterling spoke in support of LDR or MDR zoning, recognizing that over time things may change. Mr. Easterling further spoke in support of owner-occupied housing, as it meant people would take more pride in and be a part of the neighborhood, opining that was what made Roseville so special.

Mr. Easterling did express concern with traffic on Fairview Avenue, opining that housing developments needed to stay as far away from there as possible, so as not to further aggravate north/south traffic and current back-ups from County Road C-2 to Lydia in peak afternoon hours. Mr. Easterling also spoke to the wonderful parks in Roseville, and the need to keep them safe and good for families as an on-going community and neighborhood amenity.

Brooke Tosey, 1766 Millwood Avenue

Ms. Tosey referenced her previous e-mails to Councilmembers; and expressed her appreciation of tonight's discussion and various viewpoints. Ms. Tosey noted that everyone felt passionate about their neighborhood, but also noted the health of any neighborhood was also important to the entire community, as well as keeping high valued homes and excellent school districts, and a variety of housing types and styles. In listening to earlier discussions, Ms. Tosey opined that the real value to the community in maintaining neighborhoods, was to retain current housing types. Ms. Tosey opined that a number of neighbors felt comfortable with mid-level residences or potentially HDR, with possible CMU, and while many are comfortable with those uses already there, she expressed her appreciation for the City Council's willingness to better define CUM, which was what many neighbors were looking for, a clearer understanding. Ms. Tosey expressed concern, shared by many, that the zoning or CMU designation could be changed with no idea of what could happen next, but if a plan was in place for what could be done under CMU and clear guidelines, she opined that more were likely to be in favor of those uses if it was a good match for the neighborhood. Ms. Tosey opined that she would appreciate that type of pattern, standards or a regulating plan before any zoning changes were considered.

Todd Cummings, 1800 County Road C-2

When getting together as a neighborhood, Mr. Cummings said his first thought was which neighbor would stand up and say "not in my neighborhood," but he noted that no one had done so. Mr. Cummings opined that most embraced this proposed rezoning to some degree, recognizing that the whole area has been an eyesore for a number of years and slowly but surely, positive improvements were occurring. While not living on Terrace Drive, but sharing empathy for those residents, but also cognizant of the need to develop this area, Mr. Cummings noted the need for redevelopment and embrace change without asking for too much.

Mr. Cummings questioned if traffic studies would support traffic being bad 24/7 or only during certain times, recognizing that it was truly awful at times, based on moving from four to two lanes and the configuration of County Road D, and other problematic east/west routes, and the few opportunities to resolve the issues. Mr. Cummings opined that by adding only one apartment complex that exited on Fairview it would still add such a dynamic to an already crowded area, and create even more back-ups and frustration for vehicles on Fairview Avenue that would

cause those drivers to seek alternate routes, whether Millwood or Terrace, creating another awful situation for residents in that area.

Mr. Cummings also thanked the City Council, expressing his favorable impression with how they were approaching this, opining that he found it refreshing, and that he found it great to see a City Council that was really participating and allowing residents to provide their feedback.

With no one else coming forward to speak, Mayor Roe closed public comment for further City Council discussion; and asked residents to stay tuned for additional discussion tonight about zoning language and the process going forward.

Based on tonight's comment, Councilmember McGehee offered information on the difference in Interim Use and Conditional Use applications; and agreed that notices may not be as clear as they could be. Regarding water testing at Langton Lake, Councilmember McGehee reviewed her volunteer work on those efforts, and her support of continuing EAW's to address drainage and flow into area water bodies, and the need to retain both the wildlife and water corridor as development proceeded. Councilmember McGehee opined that it was important to appreciate all parks, but Langton Lake Park needed special attention.

Mayor Roe clarified that the requirement for an EAW did not prevent illegal dumping.

Councilmember Laliberte agreed that it was difficult to understand the post card notices sent out, and used an example from her personal experience upon which to base that judgment. Councilmember Laliberte suggested that the City's newly-formed Community Engagement Commission look at all City notices and the process to engage neighborhoods overall.

Mayor Roe noted that this was already included in the Commission's charge, as a recommendation of the prior Civic Engagement Task Force.

c. Discuss Proposed Amendments to the Zoning Ordinance for the Twin Lakes Redevelopment Area

Community Development Director Bilotta provided a brief summary of past discussions on proposed amendments to the zoning ordinance specific to the Twin Lakes Redevelopment Area, as detailed in the RCA dated August 18, 2014. Mr. Bilotta's summary included the difference and confusion between "regulating Plans" and Planned Unit Developments (PUD's) as a tool; their flexibilities and controls; current regulating plans in place as part of the zoning ordinance itself and difficulties with that current structure; typical modifications to regulating plans similar to PUD's when outside that structure; and regulating plans that may have been used for past development plans compared to current and/or future development projects.

Mr. Bilotta suggested a review of how those regulating plans are currently laid out in ordinance and recommendations for how they can be revised to allow more flexibility in those plans. Regarding timing of this review, Mr. Bilotta noted that there were a number of developers in the area east of Fairview Avenue, which didn't have a regulating plan and requiring a Conditional Use application that hindered their land use. Also, Mr. Bilotta noted that some developers who have been waiting long-term for resolution of these issues, specifically in the Twin Lakes Redevelopment Area, who may be able to speed things up by initiating a potential project and allow for public engagement and give the City Council a wide-ranging altitude for zoning as a mechanism, with many elements involved.

Mayor Roe clarified his interpretation of regulating maps versus a regulating plan, which he considered a terminology for a plan to refer to something like the Twin Lakes Master Plan, which was originally incorporated into the Comprehensive Plan, creating its own set of difficulties. Mayor Roe cautioned that the City not end up with too many loose strings; however, he admitted he was intrigued by the Comprehensive Plan also talking about small area regulating plans for CMU, which was exactly what he envisioned when the Comprehensive Plan update was completed and adopted in 2010. With a developer creating a plan and submitting it to the City for review and approval, Mayor Roe opined that this made the most sense to him as a mechanism to get a plan in place, but not have it be part of the Comprehensive Plan or Zoning Code, but serving as a regulating authority for that type of development. However that could be accomplished, Mayor Roe stated that he would like such a process to be pursued.

Councilmember McGehee concurred, opining that this was what she was referring to as well, seeing it less as a developer coming forward with a regulating plan, but the City and landowner working cooperatively ahead of time.

Mayor Roe noted that while a two-way process had been discussed, he preferred to associate it as a three-legged stool process: the developer/property owners, the city, and the neighborhood, with all making compromises throughout the process.

Mr. Bilotta noted that, in defining the character of a area, the regulating plan also defined it for adjacent neighborhoods, as talked about tonight, and based on particular uses as the regulating plan allowed areas of scale and intensity in those uses depending on the character of that specific area, while defining it and allowing property owners flexibility of how to accomplish it while providing assurances to residential property owners of what would or could happen adjacent to them.

Mayor Roe opined that this should help to address some of the concerns being expressed. In addressing the whole buffer area issue, Mayor Roe referenced an earlier submission he'd provided for draft language for buffer zones, similar to that in place around the Har Mar Mall and tied to 24-hour uses, probably addressing concerns of those adjacent neighbors (e.g. buffering, landscaping, screening,

proximity to adjacent properties, etc.). Mayor Roe opined that he found that an interesting approach, and questioned why it should be limited to that area, but could be provided in other CMU areas as well as a base for the entire area with the regulating plans addressing specifics for each development.

Councilmember Willmus opined that he found that suggestion an interesting an valid perspective, but also noted his interest in learning more from staff on how to incorporate with residents in the room as this process was revisited. Councilmember Willmus spoke in support of a process similar to the extent done on the Dale Street Project on the front end, with neighborhood work sessions to glean more feedback before taking the next step of plan review, and let adjoining neighbors hash out the details beforehand.

Mayor Roe noted a similar process was used with the multi-family licensing situation, in having another leg of the stool at the table, opining that it made sense to have everyone communicating, which he noted had been the intent of the original Twin Lakes stakeholder group.

Councilmember Laliberte opined that she liked the idea as a first step; and spoke in support of stepping back to determine if the current process was the best way and the steps were appropriate, a way of self-policing the process.

Mayor Roe concurred, noting that part of what was initially driving the zoning change was the Vogel Sheetmetal property; and in his mind, he wasn't yet prepared to act on their zoning request without knowing how and where the CMU was at.

Councilmember McGehee opined that she liked the idea of having all three legs of the stool present when developing a regulating map; but questioned if it made sense to continue the current process in developing a regulating plan for this large area including nearby residential areas as well as surrounding businesses who want to know what may develop next to them.

Mayor Roe suggested that the process could grow from the entire Twin Lakes area (e.g. James Addition) or perhaps through smaller groups, opining that he was open to discussion.

Councilmember McGehee opined that as the City got more pedestrian and bicycle friendly and more hotels were built, more parks and amenities should be included in various areas (e.g. James Addition and access to Rosedale for residents at Applewood Point) with the overarching idea for more small retail and industrial developments in those areas.

For clarification, City Manager Trudgeon reviewed staff's directive:

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- Some type of small area regulating plan or map, preferably using different terminology than “regulating;”
- Break up smaller areas (e.g. north of Terrace Drive) and allow input in any or all areas, with a mechanism in place for the City to initiate it, but due to developer interest, received their input as well as part of the three-legged stool process;
- Attempting to bring information together with defined steps by those three parties before a staff recommendation came to the City Council level; and
- Review the current ordinance and make staff recommendations to the City Council on revised, additional or stricken language and development of a CMU ordinance, and in the meantime use the current ordinance as applicable

Mr. Bilotta noted that this was time sensitive as there were interested developers out there, and there was a need for the open ability for a private property owner to propose something. Mr. Bilotta suggested that, if such a proposal came forward quickly, it come forward to the City Council in work session format with the developer’s proposal of how they anticipate preparing their site to move forward, allowing for public participation as a primary concern of the City Council throughout that interim process and with any future proposals going forward.

Mayor Roe concurred, opining that it made sense, and expressing his concern that this not be perceived by property owners/developers as yet another shift of gears by the City to continue costing them money by having to hold their properties.

Councilmember McGehee sought a clear differentiation from the current open developer house process to make sure developers and property owners understood that this was a collaborative process.

Mr. Bilotta noted that, while nothing had been submitted at this point, if the market could provide a development project that balanced the goals of the City and intents of the area, a project may come forward in accordance with tonight’s discussion.

Councilmember Laliberte concurred with comments of Mayor Roe in making sure Roseville did not have the reputation for not allowing developers to accomplish anything, but to keep the door open for proposals.

Councilmember McGehee expressed her appreciation for the changed atmosphere from past Council’s and this Council in managing a municipal government that was receptive to residents and the business community; and expressed her excitement in having these sessions and people seeing the changes being made.

Mr. Bilotta note that one thing to understand was that the Twin Lakes Master Plan and related process was originally set up for one large Master Developer to devel-

op; but clarified that that market was no longer there, and with changes to legislation about such master developments, tax increment financing, and other land use laws, this created part of the problem in the past.

For the benefit of staff and the audience, City Manager Trudgeon again reviewed the direction for staff to pursue:

- There was a large interest in exploring ways – whether through a Charrette process of development of small regulating plans – for certain areas;
- Given that emphasis, any potential rezoning request remains stagnant unless project specific, and may never come to fruition depending on the results of this process;
- The specific zoning for Terrace Drive, since under no 60-day rule, was set aside at this time, and may come back at a later date or may not; in addition to consideration of CMU designated zoning for this area.

By consensus, the City Council as a whole agreed to this staff directive.

As the Terrace Drive area was currently under discussion, Councilmember Laliberte questioned if it would go through that small area process, providing a summary for the rest of the Twin Lakes Redevelopment Area, or also be put on hold until small area plans are divided up.

City Manager Trudgeon responded that staff was fully aware of where development pressures were occurring and would try to get several work sessions together to discuss a plan. Mr. Trudgeon noted that a regulating plan was already in place west of Fairview, but not east of Fairview Avenue or north and south of Terrace Drive.

In her effort to keep people dialoguing, Councilmember Laliberte questioned what else was in limbo.

Mayor Roe opined that, if something needed to get done quickly, the onus was on the developer to run the process and developers could speed up the process if sufficiently interested in getting things done.

Councilmember McGehee opined that, in the not too distant future, the CMU document should be reviewed as it was overarching for this entire area; and allowing for a determination on what worked and what was or was not permitted; and for specific consideration of language (e.g. higher impervious surface requirements due to the proximity to lakes; the use table itself, etc.)

Councilmember Willmus noted that tonight was the first work session in a long time, something a number had been looking forward to for a while; and gave credit to City Manager Trudgeon and Community Development Director Bilotta for making that happen.

Mr. Trudgeon recognized Mr. Bilotta's background and his recommendation for this format in a less formal way to make wishes known; and expressed his appreciation of the audience and their participation. Mr. Trudgeon asked that residents continue to recognize the different atmosphere of their local government and staff, and stick with them moving forward in a positive way, with different people in a different place, making that difference.

While many local governments hold work sessions, some have them in another room and off camera and no opportunity for public participation; however, Mayor Roe noted that is nohow the City of Roseville intended to hold work sessions.

15. City Manager Future Agenda Review

City Manager Trudgeon distributed upcoming draft agendas.

16. Councilmember-Initiated Items for Future Meetings

17. Adjourn

Willmus moved, McGehee seconded adjournment of the meeting at approximately 9:02 p.m.

Roll Call

Ayes: Laliberte, McGehee, Willmus, Etten, and Roe.

Nays: None.

Daniel J. Roe, Mayor

ATTEST:

Patrick J. Trudgeon, City Manager