

1. Call to Order. The regular meeting of the City Council of the City of Rogers was called to order by Mayor Ihli on Tuesday, April 23, 2019 at 7:00 p.m. at Rogers Community Center, 21201 Memorial Drive, Rogers, MN, 55374.

Council present: Mark Eiden, Bruce Gorecki, Rick Ihli, Shannon Klick, and Darren Jakel.

Staff present: Paul Byun, Deputy Clerk/Communications Coordinator; Bob Vose, City Attorney; Lisa Herbert, Finance Director; Stacy Scharber, Assistant City Administrator; John Seifert, Public Works Director; Steve Stahmer, and City Administrator; Bret Weiss, City Engineer; Mike Bauer, Recreation & Facilities Director; and Jason Ziemer, City Planner/Community Development Coordinator; and Jason Foster, Police Chief.

2. Open Forum

Jean and Bob McFarlane, lived in Rogers for nine years. Two and half years ago, started working on mural. Worked with Lions Club and Rotary Club, has donated funds for paint. Asking for some City donations to cover cost of paint for large mural in Rogers.

Ihli, we will discuss it with staff and get back to you.

3. Presentations

None.

4. Approve Agenda

The agenda was set as submitted.

5. Consent Agenda

- 5.1** Approval of April 9, 2019 City Council Meeting Minutes
- 5.2** Approval of Bills and Claims
- 5.3** Approve Dayroom Lease Contract with North Memorial Health Care
- 5.4** Approve Resolution No. 2019-34, A Resolution Authorizing Application and Execution of Volkswagen Settlement On-Road Replacement Grant
- 5.5** Accept Improvements and Approve Final Payment for the Rogers Drive Reconstruction Project (Phase 2)
- 5.6** Approve Resolution No. 2019-35, A Resolution Granting Approval of a Special Home Occupation for the Purpose of Conducting an At-Home Salon at 13145 Basswood Lane
- 5.7** Approval of a Massage Therapist License for Kari Montague
- 5.8** Approval to Replace the HVAC Equipment at the Rogers Fire Station and Community Room

Klick moved, Gorecki seconded a motion to approve the consent agenda. Motion carried 5-0.

6. Public Hearings

- 6.1 Public Hearing to Consider the Vacation of Public Road Rights of Way and Easement for Portions of Northdale Boulevard and Approval of Resolution**

No. 2019-33, A Resolution Vacating Public Road Rights-Of-Way and Easement for Portions of Northdale Boulevard

Seifert, the Council previously authorized the publication for the vacation of portions of Northdale Boulevard. The City has worked with affected property owners to the s-curve portion of Northdale Boulevard in exchanging necessary construction limits to improve the roadway section. The improved portion of road right-of-way will allow as part of the exchange to turnback excess right-of-way and easement for portions of Northdale Boulevard. The City Engineer has reviewed the public road rights-of-way and easement of Northdale Boulevard and has found no public purpose.

Mayor Ihli opened the public hearing at 7:12 p.m. No persons addressed the Council. Gorecki moved, Eiden seconded a motion to close the public hearing at 7:13 p.m. Motion carried 5-0.

Ihli moved, Klick seconded a motion to approve Resolution No. 2019-33, A Resolution Vacating Public Road Rights-Of-Way and Easement for Portions of Northdale Boulevard. Motion carried 5-0.

7. General Business

7.1 Items Related to a Request form Capitol Beverage LP, 20240 South Diamond Lake Road:

- **Approve Resolution No. 2019-36, A Resolution Approving a Conditional Use Permit for Outdoor Storage of Trucks and Trailers at 20240 South Diamond Lake Road**
- **Approve a Permanent Access Easement as Granted by Capitol Beverage LP, 20240 South Diamond Lake Road**
- **Approve a Permanent Trail Easement as Granted by Capitol Beverage LP, 20240 South Diamond Lake Road**

Ziemer's presentation highlights:

Application

- Conditional Use Permit: Outdoor Storage of Trucks & Trailers

Timelines

- Submittal: 03/04/2019
- 60 day review: 05/26/2019
- Planning Commission: 04/16/2019
- City Council: 04/23/2019

Proposed Development

- Expansion of existing facility at 20240 South Diamond Lake Road
- Project received previous approvals (2017)
 - Variance: Front yard parking of trucks & trailers
 - Variance: Reducing parking setbacks
 - Site Plan
 - Conditional Use Permit: Outdoor Storage of Trucks & Trailers
- Conditional Use Permit approval has since expired [§125-34(d)(7)]
- Variances & Site Plan approvals still in effect; no expiration by Code or Resolution

- Property owner providing trail easements
- City providing access easement for 2nd driveway; aligns with George Weber Drive

Application

- Re-approval of Conditional Use Permit
 - CUP consistent with approved Variances
 - CUP consistent with previously approved/expired CUP

Action Item

- Planning Commission recommended approval of CUP for Outdoor Storage of Trucks & Trailers
- Condition(s)
 - CUP shall only apply to parking of trucks & trailers; no outdoor storage of equipment &/or materials
 - Parking may not encroach into setbacks & only in places defined by CUP
 - Only trucks & trailers related to business in 19 spaces; no employee or public parking
 - Only designated parking spaces may be used for loading/unloading for business-related purposes
 - Must be maintained & debris free at all times
 - Area must be screened according to approved Site Plan

Ihli, we always like to hear that our local businesses are expanding.

Gorecki moved, Eiden seconded a motion to approve Resolution No. 2019-36, A Resolution Approving a Conditional Use Permit for Outdoor Storage of Trucks and Trailers at 20240 South Diamond Lake Road. Motion carried 5-0.

Gorecki moved, Klick seconded a motion to approve the Ingress/Egress Access and an Easement for the Purpose of a Trail Along South Diamond Lake Road from Capitol Beverage LP, 20240 South Diamond Lake Road. Motion carried 5-0.

Gorecki moved, Klick seconded a motion to approve the Development Agreement between the City of Rogers and Capitol Beverage, LP. Motion carried 5-0.

7.2 Items Related to a Request from U.S. House Corporation, dba Lennar:

- **Approve an Amendment to the Master Planned Unit Development Agreement with U.S. Housing Corporation, dba Lennar, for the Laurel Creek Development**
- **Approve Ordinance No. 2019-03, An Ordinance Amending the Zoning Map of the City of Rogers Rezoning 19645 Territorial Road from Rural Estate 5 Acres (RE-5) to Planned Unit Development (PUD)**
- **Resolution No. 2019-37, A Resolution Amending the Preliminary Plat for Laurel Creek**
- **Resolution No. 2019-38, A Resolution Granting Approval of the Preliminary Plat for Laurel Creek 4th Addition**

Ziemer's presentation highlights:

Application

- Amendment to Laurel Creek Master Planned Unit Development (PUD) Agreement
- Amendment to Laurel Creek Preliminary Plat
- Preliminary Plat for Laurel Creek 4th Addition
- Final Plat

Timelines

- Submittal: 03/04/2019
- 60 day review: 06/07/2019
- Planning Commission: 04/16/2019
- City Council: 04/23/2019
- Final Plat & Phase 4 Development Agreement: 05/14/2019

Land Use & Zoning

- Land Use: Single Family (2 to 5 units/acre) & Mid Density (5 to 10 units/acre)
- Zoning: Planned Unit Development (PUD)

Previous Approvals

- Development
 - 475 Unit Mixed Residential Development
 - Increased total unit count subject of proposed PUD Amendment
 - Originally five (5) phases (2017-2022)
 - Housing option types: townhomes, fourplexes & small lot detached single-family homes & villas
 - Previous Approvals
 - Phase 1 approved 07/25/2017: 79 units
 - Phase 2 approved 02/13/2018: 136 units
 - Phase 3 approved 12/26/2018: 86 units
 - Phase 4 current application: 5 units

Action Items

- Planning Commission recommended approval of the following:
 - Amendment to Laurel Creek Master PUD Agreement
 - Amendment to the Laurel Creek Preliminary Plat
 - Rezoning of Subject Property from RE-5 to PUD
 - Preliminary Plat for Laurel Creek 4th Addition
- Condition(s)
 - None

Ihli moved, Klick seconded a motion to approve an Amendment to the Master Planned Unit Development Agreement with U.S. Housing Corporation, dba Lennar, for the Laurel Creek Development. Motion carried 5-0.

Ihli moved, Klick seconded a motion to approve Ordinance No. 2019-03, An Ordinance Amending the Zoning Map of the City of Rogers Rezoning 19645 Territorial Road from Rural Estate 5 Acres (RE-5) to Planned Unit Development (PUD). Motion carried 5-0.

Ihli moved, Klick seconded a motion to approve Resolution No. 2019-37, A Resolution Amending the Preliminary Plat for Laurel Creek. Motion carried 5-0.

Ihli moved, Klick seconded a motion to approve Resolution No. 2019-38, A Resolution Granting Approval of the Preliminary Plat for Laurel Creek 4th Addition. Motion carried 5-0.

7.3 Approve Resolution No. 2019-39, A Resolution Approving the Site Plan for a 9,600 Square Foot Building, Parking Lot and Trails for Lions Central Park

Ziemer's presentation highlights:

Application

- Site Plan

Timelines

- Submittal: 03/04/2019
- 60 day review: 05/26/2019
- Planning Commission: 04/16/2019
- City Council: 04/23/2019

Land Use & Zoning

- Land Use: Parks / Open Space
 - 2040 Comprehensive Plan incorporates Park as part of the Downtown Focus Area
- Zoning: Single-Family Residential (R-2)

Site

- Adjacent to Downtown
- Park Area: 8.5 Acres
 - Park current encompasses eight (8) separate lots; to be re-platted as one (1) parcel

Proposed Project

- Construct 9,600 square foot park building
- Building is part of larger Master Plan for Park

Site Plan

- Lot Coverage: 57,930 sf or 15.65% (entire site w/building & parking)
 - Maximum in residential districts: 75%
- Parking
 - 23 on-site parking spaces; two (2) accessible spaces
 - 82 total parking spaces (w/shared parking)
- Site
 - Condition: provide architectural elevation & rendering plans for review/approval of materials
 - Condition: provide lighting & photometrics plan
 - Addressed all other Commission conditions

Action Item(s)

- Planning Commission recommended approval of Site Plan
 - Six (6) conditions of approval
- Remaining conditions
 - Revise Site Plan to provide lighting plan for trails & parking lot; include photometrics
 - Submit detailed Architectural Plan, including elevations and renderings to show type of materials & colors

Klick, timeline? Seifert, construction project will take July- August project to be done by November hopefully.

Klick moved, Gorecki seconded a motion to approve Resolution No. 2019-39, A Resolution Approving the Site Plan for A 9,600 Square Foot Building, Parking Lot and Trails for Lions Central Park. Motion carried 5-0.

7.4 Consider Support for MWF Properties for Multi-Family Development on Commerce Boulevard

Jason Aarsvold, Ehlers, the request is necessary for the project to move forward. The \$600,000 request to Hennepin County can be paid off in 15 years vs. 26 years.

Klick, \$600,000 is the expectation for the funding?

Aarsvold, yes, if funding is approved from the county.

Gorecki, total value of project?

Aarsvold, development cost is \$16 million, assessed value is \$8.5 million.

Jakel, can we bridge the gap by lowering the number of amenities provided?

Aarsvold, when we see development costs too low it catches our attention.

Aarsvold, right now is the time that many developers are applying for tax credits.

Gorecki, if there is a drop in costs is there a possibility for an adjustment to the TIF agreement?

Aarsvold, yes, you can include a provision to adjust the TIF agreement.

Gorecki, is it common?

Aarsvold, it is common for market rate development. There usually isn't leftover money at the end of the project.

Ihli, apprehensive about \$600,000 and TIF.

Gorecki, we definitely need to get some affordable housing in the city. Maybe the \$600,000 isn't the right number but signing a letter of support isn't locking in that number.

Jim Kelly, affordable housing?

Aarsvold, this is affordable work housing. For one bedroom it costs about \$885-\$1062. \$1061-\$1273 for a 2 bedroom. It is less than market rate but still close.

Ryan Schwickert, MWF Properties, rent limits are accurate but they are limits and we don't always charge the maximum. Tax credits subsidize about 70% of the costs.

Schwickert, \$400,000 is the appropriate amount after discussing it with Hennepin County.

Schwickert, to address question on reduced amenities, after research on shared laundry amenities, the costs would be higher to have shared laundry even though there are less units per floor.

Ziemer, I understand concern on public subsidy. Everyone will benefit, maybe not today.

Building affordable work housing might attract workers that come into the city to work.

Gorecki moved, Jakel seconded a motion to direct city staff to draft resolution and letter of support, supporting MWF Properties application for funding assistance to Hennepin County/ MHFA. Motion carried 3-2; Klick and Ihli voting no.

7.5 Approval of Site Grading for Reservoir Fields

Seifert, this item is the next step for the Reservoir Fields project. Last fall we applied for the Hennepin County Youth Sports grant for two new multi-purpose fields, irrigation well, and parking lot. In February, the City Council approved a contract with Hennepin County and included in the total project is the contributions from private partnerships (ISD 728 and Rogers Youth Lacrosse). Staff has solicited bids to complete mass grading.

Rick, how many fields? Seifert, two full size fields for soccer and lacrosse.

Bauer, mostly for lacrosse, this is why the school district wanted to get involved. This year a girl's lacrosse team was added.

Eiden moved, Klick seconded a motion to approve the scope of services from Fehn Companies, in the amount of \$59,078, for site grading at Reservoir Fields. Motion carried 5-0.

8. Other Business

None.

9. Correspondence and Reports

9.1 March 2019 Financial Reports

10. Adjourn

Mayor Ihli adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Paul Byun
Deputy Clerk/Communications Coordinator