

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: January 31, 2022
Item No.: 7.d

Department Approval

Janice Gundlach

City Manager Approval

Samir T. Magan

Item Description: Joint meeting with the Planning Commission to discuss next phase of Zoning Code updates

BACKGROUND

The City Council and Planning Commission are being asked to engage in a joint meeting to build consensus surrounding what the Section 2 updates to the Zoning Code should focus on. The following meetings have led to this joint meeting request:

December 8, 2020 – the City Council approved a Professional Services Agreement with HKGi regarding updating the City’s Zoning Code. The Scope of Work for this project was split into two phases: 1) required updates (Section 1), and 2) optional updates (Section 2).

September 1, 2021 – the Planning Commission held a discussion prioritizing 3-5 priority topics for the Section 2 updates to the City’s Zoning Code. Because the original Scope of Work outlined revisions that “could” be considered, and because other topics arose throughout the Section 1 updates, a priority discussion was necessary given budgetary and timeline constraints, as well as how best to utilize the consultant’s expertise.

November 8, 2021 – the City Council adopted Ordinance 1606, completing the mandatory/required updates to the Zoning Code (referred to as the Section 1 updates), which ensure consistency with the City’s 2040 Comprehensive Plan.

The original Scope of Work is provided as Attachment A. Staff would note the list of Section 2 topics outlined in the Scope of Work were items that “could” be considered and were not necessarily items that would be undertaken as a part of the overall project scope. It was recognized that as the Zoning Code update process unfolded priorities may change and/or new topics may reveal themselves. In order to ensure the City completed the updates that were required in a timely manner, the scope was split into two phases.

Before the Planning Commission begins the Section 2 update process, staff would like the City Council and Planning Commission to engage in a joint meeting in order to align priorities for this next phase of updates. Staff would offer the following, in terms of prioritizing focus for the Section 2 updates:

- Some of the requested updates are updates staff can pursue without the help of a consultant, so these items could be delayed to a later time in order to best utilize the expertise of HKGi.
- The sustainability and racial equity topics were topics under which the consultant proposals were scored against, so while HKGi is working on the project, it is suggested these areas be given higher priority.

- Many of the housing type and dimension standard updates completed in the Section 1 phase relate to racial equity and inclusion in zoning.
- Because the Section 1 updates commenced a month later than anticipated, required more public engagement than was originally planned, and because both the Planning Commission and City Council required additional unscheduled meetings to get through the Section 1 topics, the original timeline from HKGi’s proposal was extended. The Section 1 updates were originally scheduled to conclude by the end of May. This additional five months also extinguished budget that otherwise would have been available for the Section 2 updates.

During the September 1, 2021 Planning Commission discussion, the Planning Commission built consensus surrounding the following priorities for the Section 2 updates (in order of importance):

1. Update Chapter 1017: Shoreland, Wetland and Storm Water Management (update to meet the DNR’s current model shoreland ordinance and include the Chapter 1017 items outlined in the original Scope of Work).
2. Sustainability: Because the Building Code does not allow the City to require buildings to exceed the minimum requirements under the Building Code, the idea is to create a variety of sustainable options could be implemented to unlock certain zoning incentives, such as a density bonus, reduced setbacks, etc.
3. Racial equity & inclusion: The Commission recognized that many of the housing type and dimension standard updates included in the Section 1 process had a racial equity and inclusion component and if the Council adopted all of the Commission’s recommendations, this topic may have less priority, or may even fall out of the Section 2 phase. As the Council is aware, all of the Planning Commission’s recommendations were adopted. Also, there are several planning working groups that are studying this issue and it may serve the City better to wait until these groups conclude their work.

The City Council should evaluate the three priority topics outlined above and determine if there is consensus with the Planning Commission, before commencing on the Section 2 updates.

Lastly, there have been many items, both in the Scope of Work and new items identified as the Section 1 updates unfolded, that still need to be done. Staff isn’t suggesting these updates be abandoned. Instead, we’d like to best utilize HKGi’s expertise on the Section 2 updates, then once the Section 2 process is complete, staff can pursue the other more technical/housekeeping amendments that remain.

POLICY OBJECTIVE

Ensure compliance and consistency between the City’s 2040 Comprehensive Plan and the City’s Zoning Code.

BUDGET IMPLICATIONS

The original Scope of Work with HKGi was for \$79,000 and \$1,000 of reimbursable expenses for a total of \$80,000. Given the additional resources that were put towards the Section 1 updates, approximately \$9,000 remains in the original budget. Given the list of priority items the Planning Commission identified, staff asked HKGi to prepare an estimate to see what the remaining budget would cover and/or how much additional budget would be needed to complete the tasks. This memo is provided as Attachment B. Based on this estimate, the remaining budget could likely fulfill item 1 (updating Chapter 1017). If the Council agreed that item 2 should be pursued at this time, an additional \$15,000 would need to be added to the budget. HKGi did not estimate additional cost for item 3 (racial equity & inclusion) given the Council adopted all the Commission’s housing type of dimension amendments as a part of the Section 1 updates.

75 Regarding the additional budgetary request of \$15,000, the Council may recall that the four consultants
76 who responded to the original Scope of Work had a price that ranged from \$77,500 to \$95,000. Staff
77 provided that original scoring sheet for reference as Attachment C. The consultant with the lowest
78 price lacked in the engagement, equity & inclusion, and sustainability experience. The other two
79 consultants (WSB & Stantec) lacked expertise in the equity & inclusion and sustainability topics.
80 Even when adding the additional \$15,000 of cost to the overall project (bringing it to \$95,000), the
81 total cost remains comparable with the other two consultants. And, the level of expertise HKGi has
82 brought to the project remains superior to the other consultants who bid on the Scope of Work. Given
83 this, staff would recommend the City Council authorize staff to work with HKGi on an amendment to
84 the Professional Services Agreement, adding the scope of work and cost outlined in Attachment B.
85 The additional \$15,000 of cost would be paid for from the Community Development Fund.

86 **STAFF RECOMMENDATION**

87 Staff recommend the following:

- 88 1. Hold a joint meeting with the Planning Commission and confirm the Section 2 updates should
89 include the two topics identified in lines 41-47 of this RCA (updating Chapter 1017 &
90 Sustainability), and
- 91 2. Direct staff to engage with HKGi on an amendment to the Professional Services Agreement to
92 expand the budget for the project by \$15,000. Such amendment would be placed on a future
93 City Council agenda.

94 **REQUESTED COUNCIL ACTION**

95 Hold a joint meeting with the Planning Commission and confirm the Section 2 updates should include
96 the two topics identified in lines 41-47 of this RCA (updating Chapter 1017 & Sustainability), then

97 By motion:

98 Direct staff to engage with HKGi on an amendment to the Professional Services Agreement, for future
99 authorization by the City Council, to expand the budget for the project by \$15,000.

Prepared by: Janice Gundlach, Community Development Director, 651-792-7071

Attachments: A: Zoning Code update's original Scope of Work
B: HKGi supplemental work scope for phase 2
C: Original consultant scoring/evaluation summary

SCOPE OF WORK: Zoning Code Update – summary of revisions and/or requested actions

The City of Roseville’s 2040 Comprehensive Plan was authorized by the Metropolitan Council on April 22, 2020 and subsequently adopted by the Roseville City Council on May 4, 2020. In order to ensure consistency between its 2040 Comprehensive Plan and Zoning Code, the City must now undertake certain amendments to its Zoning Code. The purpose of this document is to identify the range of Zoning Code actions that are *required* to ensure consistency with the 2040 Comprehensive Plan, as well as various revisions that *could* be undertaken as part of the larger update, but are not necessarily required.

SECTION ONE: The following outlines revisions that are *required* in order to ensure consistency with 2040 Comprehensive Plan:

- Develop a BRT (bus rapid transit) overlay zoning district to allow density increases within one (1) mile of Roseville’s two BRT stations (Rosedale Center & Har Mar Mall).
- Ensure the density ranges (minimum/maximum densities) within residential zoning districts is consistent with the Comprehensive Plan.
- Convert and/or rename several existing zoning districts to 1) comply with the mixed use allowances outlined in the Comprehensive Plan, and 2) to re-describe uses focusing on scale and intensity within employment areas, including:
 - Regional Business 1 & 2 (RB) zoning designation to “Core Mixed Use 1 & 2”.
 - Neighborhood Business (NB) zoning designation to “Neighborhood Mixed Use”.
 - Community Business (CB) zoning designation to “Corridor Mixed Use”.
 - Office/Business Park (O/BP) zoning designation to “Employment”.
 - Office/Business Park – 1 (O/BP) zoning designation to “Employment Center”.
 - Formally rezone all affected parcels to the new Zoning District*

<i>Parcel</i>	<i>Existing Zoning District</i>	<i>Proposed Converted Zoning District</i>
Many	Regional Business (RB 1)	Core Mixed Use 1
Many	Regional Business (RB 2)	Core Mixed Use 2
Many	Community Business (CB)	Corridor Mixed Use
Many	Neighborhood Business (NB)	Neighborhood Mixed Use
Many	Office/Business Park	Employment
Many	Office/Business Park -1	Employment Center

- Beyond the rezonings identified in the preceding table, initiate individual parcel rezonings (identified herein as an Attachment) to ensure consistency between the 2040 Comprehensive Plan and the City’s official Zoning Map.*

* It shall be recognized open house discussions on these rezonings occurred during the comprehensive planning process and will not occur again as part of the rezoning actions identified in this Scope of Work as the City is now obligated to proceed. The customary Planning Commission public hearing will be necessary, including mailed public hearing notifications/invitations.

SECTION TWO: The following outlines revisions that *could* be considered as part of the Zoning Code update but are not necessarily needed to ensure consistency with the 2040 Comprehensive Plan:

- Identify incentives for incorporating sustainability measures
- Identify items related to racial equity and inclusion issues
- Address pronoun use throughout Title 10
- Allow increased MDR density by conditional use, like what is allowed in the HDR districts
- Require covered parking for multi-family housing (For example: .5-1 stall / dwelling unit)
- Landscaping & Screening in All Districts (1011.03) – reduce tree requirements for multi-family residential (one tree/dwelling unit too many – multiple variances granted)
- Chapter 1017 (shoreland, wetland and storm water management)
 - Revise wetland setbacks to align with Rice Creek Watershed District regulations
 - Update shoreland ordinance to comply with state/DNR model ordinance – at a minimum we need to add language concerning Shoreland Alteration & Vegetation Alterations in Shoreland Areas, which was inadvertently deleted some time ago
- Definitions – what’s missing/needs revision? Refer to use tables of all zoning districts. Example: “Bed and Breakfast Establishment” definition needs revision so as not to be confused/conflicted with a rental home and/or rental bedroom that is otherwise governed under Title 9 of the City Code. May also need to add a lodging use and/or revise the lodging definition to address home rentals, including prohibition on commercial events within home rentals.
- Consider revising the Conditional Use requirement in the Community Mixed Use Districts regarding multi-family uses of 3 units/building or greater to a higher density threshold
- From the Council’s list of “Items for Future Scheduling”:
 - Consider increased green space requirements for MDR and HDR (caution: must consider balance between the need for green space, its impact on lower overall densities, density commitments made within the Comprehensive Plan, and the demand and affordability of housing units)
 - Are the current minimum residential lot sizes appropriate in all districts?
 - Screening requirements for solar arrays
 - Institutional zoning district amendments to address existing and potential range of housing types (i.e. convent, rectory, day care/Montessori schools, affordable housing)

PROCESS: The City of Roseville’s Community Development Department seeks interested consultants to work collaboratively with City staff to accomplish the above list of Zoning Code Amendments.

The intent under this Scope of Work is for the consultant to research and prepare the necessary code amendment language, with input and feedback provided by City staff, and for City staff to manage/oversee the process and advance such code amendments through the Planning Commission and City Council approval processes. Responses to this Scope of Work should include coordination with City staff for public engagement efforts, including online engagement should in-person meetings not be practical due to the ongoing pandemic. The estimated cost to complete the work outlined herein should be provided in two parts: 1) Section One, and 2) Section Two. The items outlined in Section One are to

ATTACHMENT A

be completed first, recognizing there may be some overlap between the amendments in both sections. The timeframe for completion of Section One is May 31, 2021 and Section Two is December 31, 2021.

Questions should be directed to Community Development Director Janice Gundlach at 651-792-7071 or via email to Janice.Gundlach@CityofRoseville.com. Responses to this Scope of Work should be submitted to the City of Roseville, Community Development Department, Attn: Janice Gundlach, 2660 Civic Center Drive, Roseville, MN 55113, **by 4:30pm on Friday, November 6, 2020.**

ATTACHMENTS: Individual Parcel Rezoning
City Code, Title 10, [Zoning](#)
2040 Comprehensive, [Land Use Chapter](#)

Individual Parcel Rezoning
(that are not rezonings solely due to a converted Zoning District)

<i>Parcel</i>	<i>Existing Zoning</i>	<i>Proposed Rezoning</i>
2025 County RD B West	LDR-1	MDR
2533, 2599 & 2609 Snelling Curve	MDR	LDR-1 or LDR-2
1880 Lexington AVE	HDR-1	LDR-1
3040 Old Highway 8	HDR-1	LDR-1
2134 Cleveland AVE N (Midland Gardens Park)	LDR-1	PR
2560 Fry ST	NB	MDR
1380, 1480, 1454, 1450, 1430, 1408 County RD C West	HDR-1	Employment (E-1)
2940 & 2960 East Snelling Service DR	Office	Neighborhood Mixed Use (MU-1)
2797 & 2845 Hamline AVE	HDR-1 & NB	Community Mixed Use (CMU-2)
2959 Hamline AVE & PID 13-29-23-24-0025 (unaddressed parcel off N McCarrons)	LDR-1	PR
3205, 3207, 3209, 3211, 3213, 3215, 3217, 3219, 3221, 3223 Old 8 NW	HDR-1	MDR
2417, 2405, 2395, 2373, and unaddressed parcel ID's #'s 05-29-23-23-0064 & 05-29-23-24-0015 County RD C2 West	HDR-1	Corridor Mixed Use (CMU-3)
161 Elmer ST (only that part E of undeveloped Albemarle ROW)	CB	MDR
2237 & 2245 Dale ST	Institutional	MDR
2360 Lexington AVE N	HDR-1	Neighborhood Mixed Use (MU-1)
2112 Dale ST N	LDR-1	Neighborhood Mixed Use (MU-1)
1700 Hamline AVE N	LDR-1	Neighborhood Mixed Use (MU-1)
1716 Marion ST	HDR-1	PR

MEMORANDUM

TO: Janice Gundlach, Roseville Community Development Director
FROM: Jeff Miller, HKGI
DATE: January 25, 2022
SUBJECT: **Proposed Work Scope for Phase 2 of Zoning Code Update**

Janice –

Based on the original Zoning Code Update Phase 2 work scope, zoning updates adopted as part of Phase 1, and the priorities identified by the Planning Commission, we have prepared the following proposed work scope for Phase 2. We would review proposed revisions with the Planning Commission (PC) and City Council (CC) for both Task 1 and Task 2 at the same time. We anticipate that changes to the two ordinance sections may impact each other so review and analysis should be coordinated prior to reviewing with the PC and CC.

Proposed Work Scope

1. Shoreland, Wetland and Storm Water Management Ordinance

Task 1 will primarily involve Section 1017 – Shoreland, Wetland, and Storm Water Management, but could also involve related ordinances.

- a. Prepare draft amendments based on MN DNR and watershed district regulations
- b. Review with staff
- c. Revisions
- d. Present to PC
- e. Revisions
- f. Prepare for MN DNR review
- g. Revisions
- h. Update to CC

2. Sustainability Related Standards and Incentives

Task 2 will primarily involve Section 1011 – Property Performance Standards, including sub-sections 1011.03 (Landscaping and Screening), 1011.10 (Solar Energy Systems), and a potential new sub-section for sustainability incentives. It could also involve the zoning districts' sub-sections related to improvement area/impervious surface standards and the MU-2 tree requirements.

- a. Clarify topics and review City's existing ordinances, policies, and programs
- b. Research precedent ordinances
- c. Prepare draft sustainability ordinances
- d. Review with staff
- e. Revisions
- f. Gain input from stakeholders
- g. Present Task 1 and 2 to PC
- h. Revisions
- i. Update of Task 1 and 2 to CC

3. Final Section Two Zoning Code Amendments and Adoption

- a. Prepare public hearing draft of Zoning Code
- b. Meeting with staff
- c. Conduct PC meeting and public hearing
- d. Prepare final Zoning Code
- e. Conduct CC meeting and code adoption

Estimated Cost

Task 1:	\$5,000
Task 2:	\$12,000
Task 3:	\$6,700
Reimbursable Expenses:	<u>\$300</u>
Total:	\$24,000

Please review our proposed work scope and estimated cost and let me know if you have any questions and/or concerns. These two topic areas are complex, so we are providing our best estimate of what this work could cost. In particular, the sustainability incentives topic will involve new ideas, innovative zoning methods, research of precedents/best practices, and likely a fair amount of discussion, so we are estimating costs to cover this type of effort. If this estimated cost does not fit with the City’s budget for this project, we are open to discussing ways to reduce the effort and cost of Task 2.

Thanks for inviting HKGi to collaborate on shaping Phase 2 of the Zoning Code Update project. We look forward to continuing to work with you on improving the City’s Zoning Code.

Totals

<i>Proposer</i>	<i>Sec. 1 \$</i>	<i>Sec. 2 \$</i>	<i>Gen. Understanding</i>	<i>Team Qualifications</i>	<i>Engagement</i>	<i>Equity & Inclusion Exp.</i>	<i>Sustainability Exp.</i>	<i>Timeline</i>	<i>Total</i>
NAC	0	0	15	30	3	3	3	7	61
WSB	0	0	30	15	30	15	15	15	120
Stantec	0	0	15	20	30	11	20	16	112
HKGi	0	0	30	30	30	30	30	25	175

Scoring: 1 thru 10
 1=below expectations
 5=meets expectations
 10=exceeds expectations

NAC Section 1 cost = \$26,500
 Section 2 cost = \$51,000
Total = \$77,500

WSB Section 1 cost = \$35,000
 Section 2 cost = \$50,000-\$60,000
Total = \$85,000-\$95,000

Stantec Section 1 cost = \$77,200*
 Section 2 cost = \$10,000*
 *many references to additional services charged at hourly rates
Total = \$87,200

HKGi Section 1 cost = \$49,200
 Section 2 cost = \$29,800
Total = \$79,000

Evaluator Name: Janice

<i>Proposer</i>	<i>Sec. 1 \$</i>	<i>Sec. 2 \$</i>	<i>Gen. Understanding</i>	<i>Team Qualifications</i>	<i>Engagement</i>	<i>Equity & Inclusion Exp.</i>	<i>Sustainability Exp.</i>	<i>Timeline</i>	<i>Total</i>
NAC			5	10	1	1	1	5	23
WSB			10	5	10	5	5	5	40
Stantec			5	5	10	1	5	5	31
HKGi			10	10	10	10	10	10	60

Scoring: 1 thru 10
 1=below expectations
 5=meets expectations
 10=exceeds expectations

Evaluator Name: Thomas

<i>Proposer</i>	<i>Sec. 1 \$</i>	<i>Sec. 2 \$</i>	<i>Gen. Understanding</i>	<i>Team Qualifications</i>	<i>Engagement</i>	<i>Equity & Inclusion Exp.</i>	<i>Sustainability Exp.</i>	<i>Timeline</i>	<i>Total</i>
NAC			5	10	1	1	1	1	19
WSB			10	5	10	5	5	5	40
Stantec			5	5	10	5	5	1	31
HKGi			10	10	10	10	10	5	55

Scoring: 1 thru 10
 1=below expectations
 5=meets expectations
 10=exceeds expectations

Evaluator Name: Bryan

<i>Proposer</i>	<i>Sec. 1 \$</i>	<i>Sec. 2 \$</i>	<i>Gen. Understanding</i>	<i>Team Qualifications</i>	<i>Engagement</i>	<i>Equity & Inclusion Exp.</i>	<i>Sustainability Exp.</i>	<i>Timeline</i>	<i>Total</i>
NAC			5	10	1	1	1	1	19
WSB			10	5	10	5	5	5	40
Stantec			5	10	10	5	10	10	50
HKGi			10	10	10	10	10	10	60

Scoring: 1 thru 10
 1=below expectations
 5=meets expectations
 10=exceeds expectations