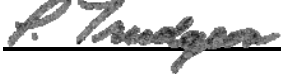


**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

DATE: 7/9/2012

ITEM NO: 12.a

Department Approval



City Manager Approval

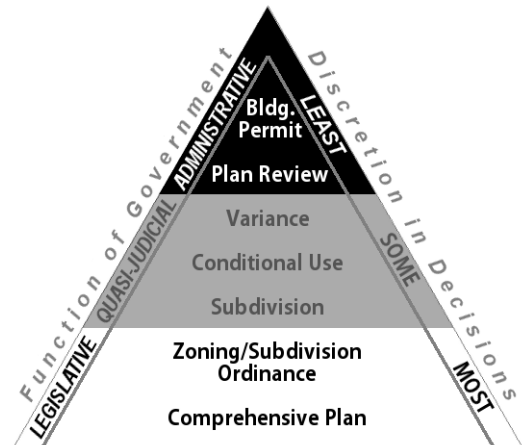


Item Description: Request by Wal-Mart Stores, Inc. for approval of a **preliminary plat** of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue (PF12-001).

**Application Review Details**

- Public hearing: February 1, 2012
- RCA prepared: June 29, 2012
- City Council action: July 9, 2012
- Action deadline (extended by applicant): July 9, 2012

Action taken on a plat proposal is **quasi-judicial**; the City's role is to determine the facts associated with the request, and apply those facts to the legal standards contained in State Statute and City Code.



**1.0 REQUESTED ACTION**

Wal-Mart Stores, Inc., in conjunction with Roseville Properties and University Financial Corporation, current owners of the subject properties, seeks approval of **preliminary plat** for the portion of Twin Lakes sub-area 1 bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue.

**2.0 SUMMARY OF RECOMMENDATION**

The Planning Division concurs with the Planning Commission, which voted (5-1) to recommend approval of the proposed PRELIMINARY PLAT; see Section 8 of this report for the detailed recommendation.

**3.0 SUMMARY OF SUGGESTED ACTION**

By motion, approve the proposed PRELIMINARY TWIN LAKES 2<sup>ND</sup> ADDITION PLAT, pursuant to Title 11 (Subdivisions) of the City Code; see Section 9 of this report for the detailed action.

## **4.0 BACKGROUND**

- 4.1 The subject property has a Comprehensive Plan designation of Community Mixed Use (CMU) and a corresponding zoning classification of Community Mixed Use (CMU) District. The PRELIMINARY PLAT proposal has been prompted by plans to develop an approximately 160,000-square-foot Walmart store in the eastern portion of the site and two smaller future developments on the western side of the property, along Cleveland Avenue. When exercising the so-called “quasi-judicial” authority when acting on a plat request, the role of the City is to determine the facts associated with a particular request and apply those facts to the legal standards contained in the ordinance and relevant state law. In general, if the facts indicate the applicant meets the relevant legal standard, then they are likely entitled to the plat approval, although the City is able to add conditions of approval to ensure that the likely impacts to roads, storm sewers, and other public infrastructure on and around the subject property are adequately addressed.
- 4.2 While the City Council is only responsible for reviewing and acting on the proposal to rearrange the parcel boundaries of the subject property rather than approving or denying the overall development or the use itself, a rendering of the overall development concept has been submitted to assist Public Works Department staff with understanding what will be required for adequate storm water management; the concept rendering is included with this report as Attachment C.
- 4.3 This application, in conjunction with a final plat application and development agreement, was first brought to the City Council on May 25, 2012; an excerpt of the meeting minutes are included with this report as Attachment . At that time, the Council tabled the item in order to take up the PRELIMINARY PLAT application first so as to avoid possible legal complications resulting from taking concurrent action on a preliminary and final plat.
- 4.4 Regardless of whether the proposed plat is approved, any future land use of the property must either be a permitted use or receive any necessary zoning approvals; approval of the PRELIMINARY PLAT does not change the zoning requirements pertaining to land uses.

## **5.0 PLAT ANALYSIS**

- 5.1 Plat proposals are reviewed primarily for the purpose of ensuring that all proposed lots meet the minimum size requirements of the zoning code, that adequate streets and other public infrastructure are in place or identified and constructed, and that storm water is addressed to prevent problems either on nearby property or within the storm water system. As a plat of a commercial property, the proposal leaves no zoning issues to be addressed since the Zoning Code does not establish minimum lot dimensions or area. The proposed PRELIMINARY PLAT is included with this report as Attachment D.
- 5.2 Roseville’s Development Review Committee (DRC), a body comprising staff from various City departments, met on January 12 and January 19, 2012 to discuss the application. The DRC did not have any major concerns about the proposed PRELIMINARY PLAT, but representatives of the Public Works Department have been working with the applicant to address the typical public needs related to rights-of-way on adjacent roadways as well as the overall site grading and storm water management.
- 5.3 The PRELIMINARY PLAT includes a City-owned 4,643-square-foot (approximately 0.11-acre) rectangle projecting south from the Mount Ridge Road/Twin Lakes Parkway roundabout. Most of this “disposal area” can be simply sold to the applicants if the City Council decides to do so; the terms of such sale would be included among a development

agreement that would accompany a future application for final plat approval. The western 10 feet of this area is, however, encumbered by a particular roadway easement associated with (but legally independent from) the former Mount Ridge Road right-of-way in this location. The dedicated Mount Ridge Road right-of-way was vacated in 2009 but, owing to confusion over legal subtleties, the roadway easement on the 10-foot strip within the disposal area was not vacated. If the City Council sees fit to sell the disposal area to the applicants, formal vacation of the 10-foot strip will be the subject of a future application.

- 5.4 Roseville's Parks and Recreation Commission reviewed the proposed PRELIMINARY PLAT against the park dedication requirements of §1103.07 of the City Code, beginning on December 6, 2011 and continuing the discussion on January 3, 2012; the minutes of the Commission's discussions are included with this report as Attachment E.

## 6.0 PUBLIC COMMENT

- 6.1 The duly-noticed public hearing for the PRELIMINARY PLAT application was held by the Planning Commission on February 1, 2012; the approved minutes are included with this report as Attachment F. After taking public testimony, the Planning Commission discussed the application and voted 5-1 to recommend its approval.
- 6.2 Email communications about the proposal received by the time this report was prepared are included as Attachment G; no phone calls have thus far been received. In addition to the written comments, an individual came to the Community Development counter to express her support for the proposal. Because many of the comments express opposition that is primarily grounded in concern about Wal-Mart's corporate practices or preference for a higher quality retailer or some other development type, it seems worth noting that cities do not have the ability to discriminate between retailers or development types—whether the reasons to discriminate are superficial or significant—in zoning districts where a proposal represents a permitted type of land use.

## 7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 – 6 of this report, Planning Division staff concurs with the recommendation of the Planning Commission to approve the proposed PRELIMINARY PLAT, pursuant to Title 11 of the Roseville City Code, with the condition that a development agreement be executed in conjunction with the approval of a subsequent FINAL PLAT application.

## 8.0 SUGGESTED ACTION

**By motion, approve the proposed TWIN LAKES 2<sup>ND</sup> ADDITION PRELIMINARY PLAT pursuant to Title 11 of the City Code** for the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue, including the 4,643-square-foot rectangle of land that is the subject of the disposal request, based on the comments and findings of Sections 4 – 6 and the recommendation of Section 7 of this report.

**Prepared by:** Associate Planner Bryan Lloyd  
**651-792-7073 | [bryan.lloyd@ci.roseville.mn.us](mailto:bryan.lloyd@ci.roseville.mn.us)**

|              |                      |                                            |
|--------------|----------------------|--------------------------------------------|
| Attachments: | A: Area map          | E: Parks and Recreation Commission minutes |
|              | B: Aerial photo      | F: Minutes from 2/1/2012 public hearing    |
|              | C: Concept rendering | G: Public comments                         |
|              | D: Preliminary plat  | H: Minutes from 5/21/2012 Council meeting  |

# Attachment A for Planning File 12-001



Prepared by:  
Community Development Department  
Printed: January 25, 2012



## Site Location

Comp Plan / Zoning  
Designations  
LR / LDR-1

## Data Sources

\* Ramsey County GIS Base Map (1/3/2012)  
For further information regarding the contents of this map contact:  
City of Roseville, Community Development Department,  
2660 Civic Center Drive, Roseville MN

## Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 100 200 Feet



mapdoc: planning\_commission\_location.mxd



# Attachment B for Planning File 12-001



Prepared by:  
Community Development Department  
Printed: January 25, 2012



Site Location

## Data Sources

\* Ramsey County GIS Base Map (1/3/2012)

\* Aerial Data: Pictometry (4/2011)

For further information regarding the contents of this map contact:  
City of Roseville, Community Development Department,  
2660 Civic Center Drive, Roseville MN

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0 50 100 150  
Feet







PRELIMINARY PLAT DATA TABLE

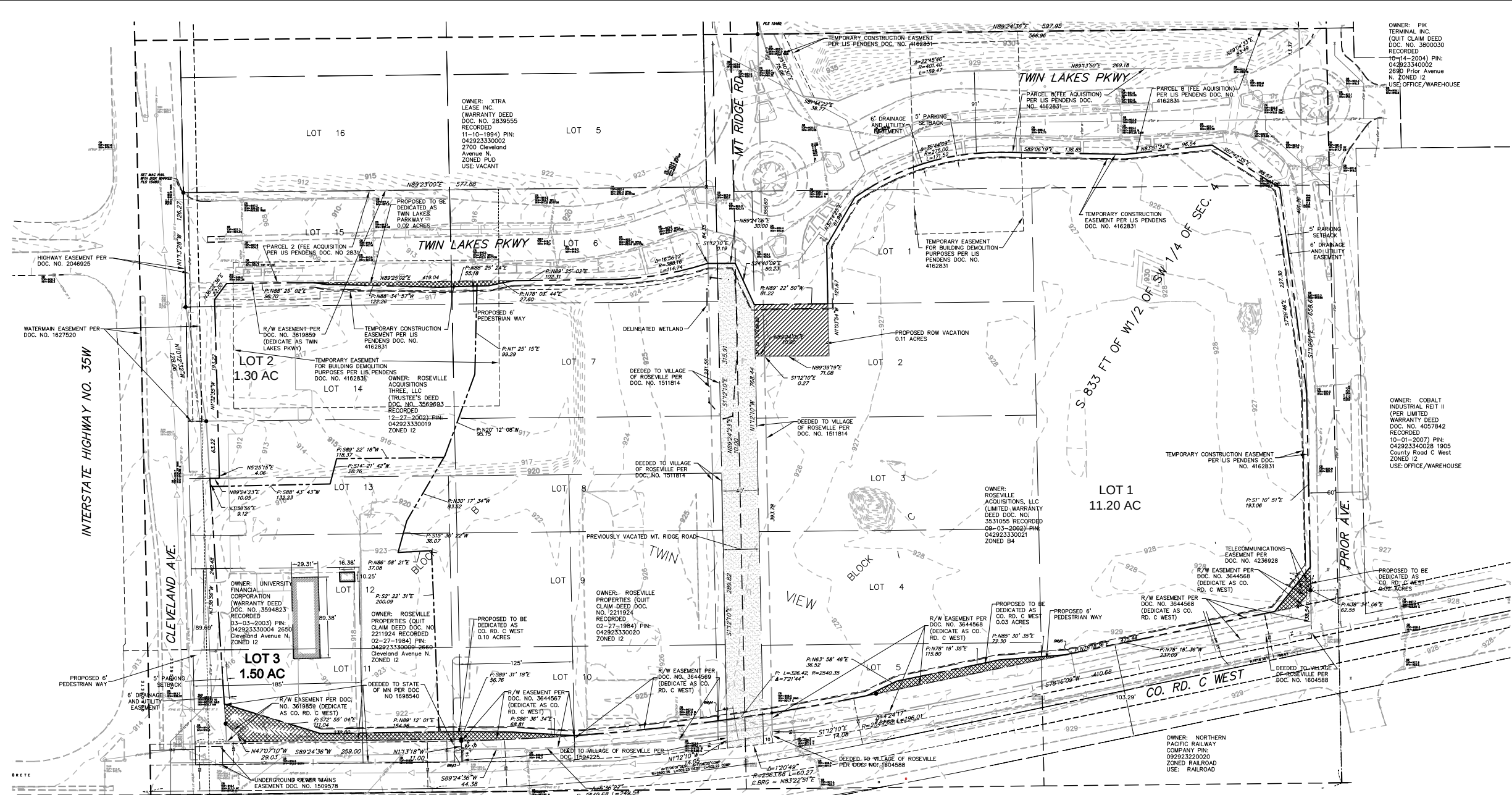
|                            |                 |
|----------------------------|-----------------|
| TOTAL SITE AREA:           | 14.10 AC        |
| LOT 1:                     | 11.12 AC        |
| LOT 2:                     | 1.32 AC         |
| LOT 3:                     | 1.51 AC         |
| ROW DEDICATION:            | 0.15 AC         |
| PLAN LAND USE DESIGNATION: | RETAIL BUSINESS |
| EXISTING ZONING:           | B4, I2          |
| PROPOSED ZONING:           | CMU             |
| TOTAL WETLAND AREA:        | 0.11 AC         |
| DATE OF SURVEY:            | 1/12/11         |

  
**Kimley-Horn  
and Associates, Inc.**  
2550 UNIVERSITY AVE. WEST, SUITE 238N  
ST. PAUL, MINNESOTA 55114  
TEL. NO. (651) 645-4197  
FAX. NO. (651) 645-5116

  
**ROSEVILLE, MN  
MASTER PLAN**  
DECEMBER 2011

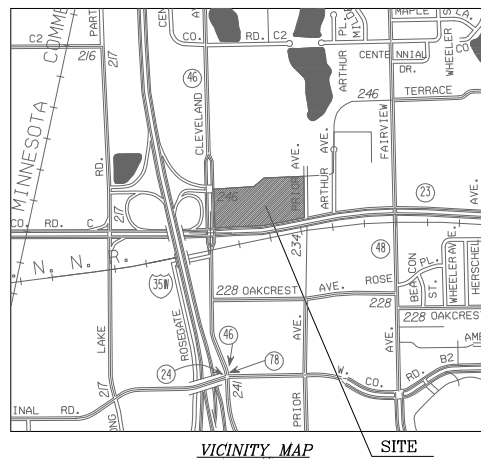


This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kinney-Horn and Associates, Inc. shall be without liability to Kinney-Horn and Associates, Inc.



PRELIMINARY PLAT  
TWIN LAKES 2ND ADDITION  
TOWNSHIP 29, RANGE 23, SECTION 4  
ROSEVILLE, RAMSEY COUNTY, MINNESOTA

| <u>PRELIMINARY PLAT DATA TABLE</u> |                 |
|------------------------------------|-----------------|
| TOTAL SITE AREA:                   | 14.18± AC       |
| LOT 1:                             | 11.20± AC       |
| LOT 2:                             | 1.30± AC        |
| LOT 3:                             | 1.50± AC        |
| ROW DEDICATION:                    | 0.18± AC        |
| ROW VACATION:                      | 0.11± AC        |
| PLAN LAND USE DESIGNATION:         | RETAIL BUSINESS |
| EXISTING ZONING:                   | B4, I2          |
| PROPOSED ZONING:                   | CMU             |
| TOTAL WETLAND AREA:                | 0.11± AC        |
| DATE OF SURVEY:                    | 1/12/11         |

VICINITY MAP

SITE

LEGEND:

BEARING AND LENGTH OF PROPOSED  
PROPERTY LINE WHEN DIFFERING FROM  
EXISTING PROPERTY LINE

LENGTH, RADIUS, AND ANGLE OF  
PROPOSED PROPERTY LINE WHEN  
DIFFERING FROM EXISTING PROPERTY LINE

BEARING AND LENGTH OF EXISTING  
PROPERTY LINE

LENGTH, RADIUS, AND ANGLE OF  
EXISTING PROPERTY LINE

PROPOSED PROPERTY LINE

EXISTING PROPERTY LINE

EXISTING SECTION LINE

EXISTING PROPERTY ADJUSTMENT

EXISTING LOT LINE

EXISTING EASEMENT

DRAINAGE AND UTILITY EASEMENT

WETLAND DELINEATION  
EXISTING CURB

PROPOSED CURB

EXISTING BUILDING

EXISTING WATER PIPE

EXISTING STORM SEWER  
EXISTING STORM MANHOLE

EXISTING SANITARY SEWER  
EXISTING SANITARY MANHOLE

EXISTING CONTOUR

ROW DEDICATION

### PREVIOUSLY VACATED POSITION

Page



## Attachment D

A horizontal number line with tick marks at 0, 60, and 120. The segment from 0 to 60 is labeled "SCALE" below the line. The segment from 60 to 120 is labeled "FEET" below the line.

OWNERS  
ROSEVILLE PROPERTIES  
ROSEVILLE ACQUISITIONS, LLC  
ROSEVILLE ACQUISITIONS, THREE, LLC  
2575 FAIRVIEW AVENUE NORTH, #250  
ROSEVILLE, MINNESOTA 55113

UNIVERSITY FINANCIAL CORPORATION  
2650 CLEVELAND AVENUE  
ROSEVILLE, MINNESOTA 55113

CIVIL ENGINEER  
WILLIAM D. MATZEK, P.E.  
KIMLEY-HORN AND ASSOCIATES, INC.  
2550 UNIVERSITY AVE. W., SUITE 238  
SAINT PAUL, MINNESOTA 55114  
(651)645-4197  
FAX (651)645-5116

SURVEYOR  
MARK S. HANSON, P.L.S.  
SUNDE LAND SURVEYING  
9001 EAST BLOOMINGTON FREEWAY (35W) SUITE 118  
BLOOMINGTON, MINNESOTA 55420-3435  
(952)881-2455  
FAX (952)888-9526

HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY PLAT  
TWIN LAKES 2ND  
ADDITION

**Walmart**  ROSEVILLE, MN  
CLEVELAND AVE & CR C  
STORE # 3404-05  
RAMSEY COUNTY MINNESOTA

DATE  
02/17/2010

|             |
|-------------|
| PROJECT NO. |
|-------------|

|              |
|--------------|
| 116199000    |
| SHEET NUMBER |

1

|  |  |
|--|--|
|  |  |
|--|--|

December 6, 2011 – excerpt of approved minutes

Preliminary information on park dedication for the 17.8 acres at Cleveland and County Road C were presented to the Commission by Brokke. A proposal to develop the property into a Walmart Shopping Center has begun to be reviewed by City staff. The role of the commission is to make recommendation to the Council whether to accept land, cash or a combination of to satisfy the park dedication requirement.

A recent potential proposal from the Walmart Representatives was to provide land dedication in another area of Langton Lake. There is a possibility of a combination of land and cash as well as the traditional all land dedication or all cash payment. The park dedication fees could contribute to possible Master Plan projects. Commissioner Ristow suggested the commission consider recommending the cash in lieu of land based on past needs and recent financial discussions.

January 3, 2012 – excerpt of draft minutes

Etten continued the discussion of park dedication considerations for the proposed Walmart development in Twin Lakes. Earlier considerations included a parcel of land in an area away from the development that might have served as a nice addition to Langton Lake Park. This land dedication is no longer an option to fulfill the park dedication requirements. Etten also clarified that the actual size of the parcel is 13.94 acres, rather than the 17.8 acres reported earlier. This change in size is due to 3.86 acres being sold earlier to the City for the Twin Lakes Parkway. The updated land equivalency for park dedication is .68 acres and the updated cash payment would be \$411,115, based on 5% of the FMV.

**Commission Recommendation:**

Motion by Doneen, second by Ristow to recommend the Roseville City Council accept cash in lieu of land for park dedication in the proposed Walmart development. Commission questions followed.

- D. Holt inquired into what the land options were/are for the site. Brokke explained that there were no appropriate park development options for this site.
- Azer asked for a clarification of how the park dedication funds can be used. Brokke clarified that the funds cannot be used for maintenance or ongoing costs but can be used for land acquisitions, park development, and facility enhancement. The park dedication funds could be used to further expand the projects identified by the Parks and Recreation Renewal Program.

Motion passed unanimously.

Note: Greg Simbeck favored the cash in lieu of land option through his email to notify staff of his absence from tonight's meeting.



**PLANNING FILE 12-001**

**Request by Wal-Mart Stores, Inc. for approval of a PRELIMINARY PLAT of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue**

Chair Boerigter opened the Public Hearing at 6:35 p.m.

Associate Planner Bryan Lloyd summarized the request of Wal-Mart Stores, Inc. in conjunction with Roseville Properties, owner of the subject property, seeking approval of a PRELIMINARY PLAT of the land area as identified and detailed in the staff report, and creating three (3) lots.

Mr. Lloyd advised that the request also included the transfer of ownership of a small portion of City-owned land adjacent to the Mount Ridge Road roundabout. Mr. Lloyd clarified that this request for a disposal of land by the City, was NOT a Vacation request, per se; but in lieu of a public hearing, and in accordance with State Statute, the Planning Commission must review the proposed disposal of land and determine whether it would be consistent with the Comprehensive Plan.

Staff recommended approval of the proposed PRELIMINARY PLAT of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue; along with the recommendation that the Commission determine that the proposed transfer of ownership of land area specified in the Preliminary Plat is in compliance with the 2030 Comprehensive Plan; based on the comments and findings of Section 4-7, and the recommendation of Section 8 of the staff report dated February 1, 2012.

Chair Boerigter sought clarification on the original intent in the City acquiring the property for creation of Twin Lakes Parkway, and now the City's determination that it was no longer needed and could be disposed of.

Mr. Lloyd advised that the property had been originally acquired from the property owner for its potential use in connection with the roundabout as access to the redevelopment property, but had not been intended to create a public street south of the roundabout.

Chair Boerigter requested more detailed information from the City's Engineer.

**City Engineer Debra Bloom**

Ms. Bloom concurred with Mr. Lloyd's analysis of the City's original intent in using the property as the fourth leg of the roundabout for landscaping treatments. However, Ms. Bloom noted that this was prior to the City knowing final roadway design, the type or size of the development that may occur in this area, and that acquisition was for the most part precautionary in planning ahead; however, the City's need ended at the crosswalk and this property was no longer needed.

At the request of Member Boguszewski, Mr. Lloyd advised that the overall acreage of the Walmart/Roseville Properties property was approximately fourteen (14) acres.

Member Strohmeier asked how staff responded to his interpretation of various areas in city-wide plans versus Planning District 10 of the 2030 Comprehensive Plan (Chapters 4 and 7) and development of a big box retailer in the Twin Lakes area.

Mr. Lloyd noted staff comments that it was odd for a given development proposal to be reviewed by the Planning Commission against the Comprehensive Plan, since it was not intended for that purpose, and provided a misapplication of individual goals and policies of the Comprehensive Plan if it were used as a lens for this or any development. Mr. Lloyd noted that the purpose of the Comprehensive Plan was to serve as a guide for creating specific requirements attempting to meet its policies, for instance the zoning code update now addressing goals like walkable communities that were not addressed in previous code. Mr. Lloyd opined that no one business was going to achieve entirely the goal of walkable streets; however, walkable communities remained an overarching goal.

45 Member Strohmeier stated that he still had issues of apparent conflict, when focusing on District 10,  
46 Future Land Use Section, and the portion about Twin Lakes and shopping as a primary focus of land  
47 use.

48 Mr. Lloyd advised that the Twin Lakes area was generally described from Cleveland Avenue west to  
49 almost Snelling Avenue, and north to County Road C-2 and even beyond excluding Langton Lake Park.  
50 Mr. Lloyd noted that this was a large area with many existing developments that are relatively new (e.g.  
51 medical office) that were not retail; however, he also noted that there were a significant number of  
52 parcels that remained vacant and were ready for development. The fact that this is the first proposal for  
53 redevelopment in the area, Mr. Lloyd noted, just happened to be a retail use. Mr. Lloyd responded from  
54 staff's perspective, that there remained a lot of room for other uses as the area develops; and if it became  
55 apparent that retail was becoming the main focus for development in the Twin Lakes Redevelopment  
56 Area, it would then no longer be consistent with the Comprehensive Plan.

57 City Planner Thomas Paschke referenced the AUAR for Subarea 1, bounded by Cleveland Avenue,  
58 County Road C, and Fairview Avenue, which document gauges maximum thresholds in place governing  
59 the types of uses; noting that the AUAR identified retail for the subject area and noted that further  
60 development may create a threshold for too much retail in a given area. Mr. Paschke noted that,  
61 obviously, that would only become apparent as the area expanded further, and that the AUAR document  
62 would be used in judging any and all development or redevelopment, and tied to the recently-adopted  
63 overlay district requirements.

64 Based on his personal review, Member Strohmeier opined that the staff report's contention that this  
65 proposal was consistent with the Twin Lakes Master Plan (page 11) suggests that the area should not be  
66 recommended for large scale, big box retail, and sought staff's response.

67 Mr. Lloyd advised that the simplest response would be that it was also not prohibited; and that it was not  
68 a goal of the Master Redevelopment Plan to prohibit big box retail as it prohibited some industrial uses.  
69 As with any review, Mr. Lloyd noted that this development proposal may not fully achieve every goal  
70 and aspiration of the document, but this proposal was more or less consistent, and this specific retail use  
71 provides for some of the same things recommended in the Plan.

72 Member Wozniak questioned if this was the only Public Hearing on this development; with Mr. Lloyd  
73 responding that it was the only legally required hearing. Mr. Lloyd advised that the only reason for the  
74 Public Hearing requirement was due to the applicant's request for the disposal of the property and the  
75 Plat itself, and the need for discussion in this venue and format. Mr. Lloyd noted that the Preliminary  
76 Plat would not live or die with the analysis of the land proposed for disposal by the City; with nothing  
77 else in the proposed development triggering a Public Hearing, unless Wal-Mart found the need for a  
78 variance or other site issue in the future as the project developed.

79 Chair Boerigter sought clarification of the interaction of Preliminary Plat approval with the  
80 Comprehensive Plan, AUAR and Twin Lakes Plan. Chair Boerigter questioned if additional traffic  
81 control measures were part of the Preliminary Plat approval.

82 Mr. Lloyd advised that, as for the Plat itself, there was really no correlation with any of those  
83 documents, other than superficially, since the Comprehensive Plan addressed transportation, but the  
84 AUAR addressed transportation more specifically. Mr. Lloyd noted that when Twin Lakes Parkway was  
85 constructed as part of the City of Roseville's proactive infrastructure investment to facilitate  
86 redevelopment in the Twin Lakes area, it was not related to this specific development but the overall  
87 Twin Lakes Redevelopment Area, with each project, including this proposed Wal-Mart development,  
88 reliant on roadway connections. Mr. Lloyd advised that the traffic analysis for this particular  
89 development, as a requirement for all proposals, was still under preparation, to determine if additional  
90 traffic amenities were indicated (e.g. signals or additional turn lanes), staff did not anticipate that this



particular project would trigger those additional amenities, but that they would realistically be triggered as additional developments came forward. Mr. Lloyd advised that roadway and traffic control considerations would be considerations for any development as they related to the Comprehensive Plan and AUAR, but had no bearing to other documents.

Chair Boerigter referenced Section 6.1 of the staff report, the last sentence, related to the Planning Commission's review of the requested City property disposal to make a determination about whether the proposed development facilitated by the disposal was in compliance with the City's Comprehensive Plan, and asked that staff explain it more clearly.

Mr. Lloyd explained that the staff report talked about the proposed use in general, not the specific site plan design under consideration, but whether the proposed retail use was consistent with the Comprehensive Plan.

Chair Boerigter confirmed the language of that sentence again, clarifying the applicable standard for which the Commission needed to make its determination.

Member Gisselquist questioned how intertwined the two recommended actions are, and whether the development could be platted without the disposal of City property.

Mr. Lloyd opined that the Plat could probably be designed without the additional property.

Mr. Paschke advised that the request for disposal of the land was not so much a platting issue as a site plan design issue; and opined that the developer could engineer the site if it was the City's determination not to sell back that piece of land, and that it was not necessarily needed to make the proposed development work.

Chair Boerigter asked if the land would then remain available for City right-of-way; to which Mr. Paschke clarified that the property was not City right-of-way, nor was it needed as such.

Mr. Lloyd concurred, noting that this was the reason a formal vacation was not being requested, since the property had originally been intended to be used in conjunction with the roadway, but not strictly for right-of-way purposes.

Member Gisselquist noted his understanding of the decision currently before the Commission based strictly on land use, with parcels being brought together by private owners, with the land disposal considered in light of the Twin Lakes Master Plan and Comprehensive Plan. Member Gisselquist advised that the disposal of City land was of concern to him, understanding that plat itself allowed little decision-making by the Commission. However, Member Gisselquist noted that, with the land disposal, it brought to the forefront the documents worked on over several years by citizens (e.g. Zoning Code, Comprehensive Plan, etc.).

Mr. Lloyd indicated that the most fundamental way staff reviewed the proposal was seeing it as Comprehensive Plan amenable, noting that it was the purpose of the revised Zoning Code, and bringing it into consistency with the goals and policies of the 2030 Comprehensive Plan, not just for the entire City but specifically for the Twin Lakes Redevelopment Area as well. While the Zoning Code revisions are still fresh, Mr. Lloyd noted that staff made their recommendation after a thorough review and confidence that the development met zoning requirements, and fell under the guidance of the Comprehensive Plan.

Member Strohmeier expressed concern with the public notice issue after hearing from various neighbors who had also expressed their concerns about the public notice for this proposed development. Member Strohmeier questioned the trigger for requiring a community open house; opining that this was a pretty substantial planning decision, and questioned why it hadn't mandated an open house.

Mr. Lloyd advised that open houses are mandated for would-be applicants or applications that deviated from City Code, or those things not in the usual realm of a particular Zoning District. Mr. Lloyd noted that this plat had more to do with the Subdivision Code and realignment of parcels, and provided several examples of developments requiring open houses.

Member Strohmeier opined that the community, as well as he, had been caught off guard by this proposal.

Member Lester questioned what other land uses were proposed for this parcel in the future.

Mr. Lloyd advised that the overall Site Plan indicated several smaller restaurant uses on the smaller lots, but the Plan also facilitated ownership of parcels for other allowable uses. Mr. Lloyd opined that restaurant uses would typically follow a Wal-Mart development, but the buildings illustrated on the Site Plan presented were simply included to address potential zoning requirements as an example, but may not be their exact use as the parcel develops in the future.

At the request of Member Wozniak as to what other uses may occur, Mr. Lloyd advised that whatever was allowed as a use in a Community Mixed Use District.

#### **Applicant Representatives:**

##### **Will Matzek, Engineer of Record for Wal-Mart development team**

Mr. Matzek thanked the Planning Commission for their time and consideration of the two requested actions, and concurred with staff's review of the proposal details. Mr. Matzek advised that of the overall Twin Lakes Redevelopment Area of approximately 179 acres, this portion was approximately fourteen (14) acres. Mr. Matzek noted that the zoning designation and AUAR both looked at the possibility of a retail site in the Redevelopment Area, anticipating 175,000 square feet of retail at this location; noting that the actual area of the proposed Wal-Mart was somewhat less than that square footage. Mr. Matzek advised that Wal-Mart intended to comply with all Zoning requirements and conditions as proscribed by staff in their report.

Member Boguszewski questioned if, for whatever reason, the Commission did not concur with disposing the City parcel of land, how that would affect Wal-Mart's plans or whether they could work around that.

Mr. Matzek advised that, generally speaking, the rationale for their request was that the additional parcel would allow the site to function better and operate in a better and more efficient manner for the City of Roseville as well as Wal-Mart. Mr. Matzek opined that the roundabout and City infrastructure in place will work well whether the City-owned property was purchased or not, and Wal-Mart engineers could modify the Site Plan accordingly, while that would not be their preference. Mr. Matzek clarified that he didn't anticipate that failure to transfer the property would not halt the project.

#### **Public Comment**

Chair Boerigter opened the meeting to public comment at this time.

Written comments received by staff to-date via various sources were included in the staff report dated February 1, 2012, and included as Attachment F. Written comments via various sources received after distribution of the agenda packet, are also included for the record, ***will be attached hereto and made a part hereof***, from the following residents:

- **Wendy Thompson**, no address given (in opposition to Wal-Mart as the choice retailer);
- **Cary and Shannon Cunningham**, 2920 Fairview Avenue N (in opposition to the development of a big box retailer);



- **Doug Nonemaker**, 2179 Dellwood Avenue (in opposition to the development of a big box retailer); and
- **Gary Grefenberg**, 91 Mid Oaks Lane (requesting delay of action at this time for further review of the proposed development with the 2030 Comprehensive Plan).

**Gary Grefenberg, 91 Mid Oaks Lane**

As noted in Mr. Grefenberg's written comments, and for full disclosure purposes, Mr. Grefenberg serves on the City's Human Resources Commission, and as Chair of that Commission's Civic Engagement Task Force as a subcommittee.

Mr. Grefenberg's written comments and excerpt of the City's Comprehensive Plan (Economic Development and Redevelopment Sections 7.2, 7.3 and page 7.5) were provided by and included in the agenda packet attachments to the staff report. Mr. Grefenberg verbalized his written comments, and displayed the excerpted portion of the 2030 Comprehensive Plan during his comments; and referenced portions of the staff report that he opined were not sufficiently vetted by staff and allegedly inconsistent with the intent and goals and policies of the Comprehensive Plan. Mr. Grefenberg asked that a decision on this request be deferred until that additional vetting was done, and various areas specifically evaluated and addressed by staff and Wal-Mart representatives.

Mr. Grefenberg noted the specific concerns in his neighborhood, and asked that staff address how this development would not destroy his quality of life or provide rationale as to why specific questions were not addressed by staff. Opining that Wal-Mart represented one of the richest companies in the country, Mr. Grefenberg questioned why this development should be allowed to negatively impact Roseville residents; and opined that the community deserved more than a shallow and superficial statement by staff that the proposal was consistent with the Comprehensive Plan.

**Steve Gjerdingen, 2211 N Albert Street, Apt. #102**

For full disclosure purposes, Mr. Gjerdingen serves as a member of the City's Public Works, Environment and Transportation Citizen Advisory Commission.

Speaking as a resident, Mr. Gjerdingen noted design standards for Mixed Use Zoning Districts for placement of buildings on corner lots and their alignment to the property line; and questioned how this development appeared to deviate from that standard, as well as questioning what the actual front of the building was. Mr. Gjerdingen also questioned how this project would enhance or promote the primary statement of purpose to increase pedestrian and multi-modal travel opportunities rather than relying on vehicular transportation. Mr. Gjerdingen concurred with the comments of Mr. Grefenberg that action on this proposal be deferred until all questions had been answered.

Chair Boerigter interrupted public comment to reiterate that the purpose of tonight's meeting was not to react to a specific Site Plan, only to consider the Preliminary Plat and disposal of city-owned land. Chair Boerigter advised that, if the development itself was eventually approved, it would be required to meet all conditions of the City's Zoning Code.

At the request of Chair Boerigter, Mr. Lloyd responded to some of the items raised during public comment to-date. Mr. Lloyd concurred with Chair Boerigter that the location of access doors, frontage of the structure, and all other zoning requirements of the City would have to be met in order for the City to issue building permits; with no development allowed short of meeting those codes or application for a variance to deviate from any of them. Mr. Lloyd advised that the building front would be determined by whatever street address it was given by the City, once design of structures had been completed; and he anticipated that the primary street seeing the most traffic would indicate Mount Ridge Road as the front, on the northwest corner of the site, or possibly Twin Lakes Parkway itself.

Whatever the final designation was, Mr. Lloyd noted that the Twin Lakes Regulating Plan had been adopted late last year, and since codification of City Code only happened semi-annually, after which the website was updated, he suggested that the documents on the City's website pertaining to Community Mixed Use may not reflect that most recent adoption of the Twin Lakes Regulating Plan and its requirements that replaced previous code. Mr. Lloyd suggested that residents, when searching the website for the most up-to-date zoning requirements, rely on HTML texts rather the PDF version, since the revised text and the Overlay District may not yet be on the website in their entirety.

Member Strohmeier referenced the Statement of Purpose in Section 1005.07 of Zoning Code, Community Mixed Use District, for complimentary uses organized in cohesive uses, and connecting to trails, etc. to create pedestrian-oriented development. Member Strohmeier questioned how this Wal-Mart proposal was pedestrian-centered, since he saw it as more vehicle-centered; and asked for staff's response.

Mr. Lloyd advised that staff did not address that specifically for this Preliminary Plat, as Wal-Mart would become part of a larger redevelopment area of mixed uses, including offices, stand-alone businesses, residences, and other allowed uses under the Regulating Plan, and pedestrian corridors would most likely be along the perimeters and would be cohesive for the overall redevelopment area. Mr. Lloyd opined that Wal-Mart, as the first and as an individual project would not achieve that pedestrian-friendly goal all at once or in a vacuum, but would be plugged into the pieces under that overarching Regulating Plan.

Mr. Paschke added that we (Roseville) an auto-oriented community like most all uses, but advised that the whole purpose of Mixed Use and Twin Lakes Regulating Plan was to promote other modes of transportation in the future. Mr. Paschke noted that sidewalks and trails were already in place throughout the Twin Lakes Redevelopment Area as part of the public infrastructure investment built to-date. Mr. Paschke advised that, within the Site Plan and as part of the Regulating Plan, the developer would be required to perform additional work to achieve those requirements, as would other development projects as they came forward.

**Tim Kotecki, 3078 Mount Ridge Road**

In addition to questioning if this development fit with the Comprehensive Plan, Mr. Kotecki further questioned whether this development would be part of a Tax Increment Financing (TIF) District.

Mr. Paschke advised that the entire Twin Lakes Redevelopment Area was currently within a TIF District; however, he clarified that the developer had not requested any TIF financing for their project.

Mr. Kotecki further questioned how much retail was currently within a two (2) mile radius of the Rosedale Mall and including this area. Mr. Kotecki further questioned the ratio of shoppers anticipated from within the confines of Roseville, and those anticipated from outside Roseville. Mr. Kotecki questioned how many Wal-Marts had been built to-date in the Twin Cities area, and how many had closed in that same area since 2001.

**Sue Steinwall, Land Use Attorney for Wal-Mart in Minnesota, with the firm of Frederickson, Byron, et al**

In response to Mr. Kotecki's questions, and with recognition by Chair Boerigter, Ms. Steinwall advised that her client anticipated this Roseville Wal-Mart would serve primarily Roseville residents within a two-mile radius of the store. In the Twin Cities area, Ms. Steinwall estimated twenty (20) existing Wal-Mart stores; with five (5) of those within a ten (10) mile radius of this proposed store, with the closest locations being on University Avenue in St. Paul and in St. Anthony Village.

To her knowledge, Ms. Steinwall was unaware of any Wal-Mart closings in the metropolitan area; and was unable to respond to the amount of retail currently within two (2) miles of the Rosedale Mall area.

Mr. Kotecki questioned how Wal-Mart determined where to place a new store; and how much retail space per capita was already in Roseville, opining that it was very high.

Chair Boerigter suggested that public comment refocus on the land use issues before the Commission, not proprietary questions of Wal-Mart that they may choose not to respond to.

**Jonathan Osborne, 1072 Shryer Avenue**

Ms. Osborne questioned the process or next steps for this proposal, if the Planning Commission chose to approve the Preliminary Plat; and if there would be other forums for citizens to express themselves on the specific Plan for this site and for this specific retailer.

Mr. Paschke invited public comment, at any time, by passing them through staff or directly to City Councilmembers; however, he noted that there would be no further formal Public Hearings for approval of the Site Plan for this proposed use.

Mr. Osborne opined that this proposal had moved through various channels rather quickly; and wondered if more people had been aware of it, if more people would have been at tonight's meeting to speak on the proposal. Mr. Osborne reiterated that it seemed to have happened too quickly.

**Vivian Ramalingam, 2182 Acorn Road**

Ms. Ramalingam expressed similar concerns to those brought forward by the previous speaker. Generally speaking, Ms. Ramalingam opined that once the Planning Commission approved a Plan, it was rubber stamped at the City Council level and became action.

Ms. Ramalingam expressed a number of concerns with this particular proposal, opining that new business in Roseville should be locally-based to reach a regional consumer base. Ms. Ramalingam further noted that there had been no discussion on additional costs generated by this retailer (e.g. additional police, fire personnel, employee services borne by the City; education for employee children; or food subsidies to feed those children required as a result of parents working in this particular low-wage situation). Ms. Ramalingam noted that those considerations were not included in the Government Decision triangle included in the staff report; and questioned whether there was any venue to address these concerns.

Mr. Paschke reiterated that the decision before the Commission tonight was not whether to support the Site Plan or the size of the proposed retail use on that site per se; but for their consideration of and potential recommendation to the City Council supporting this land division to create or reassemble lots in place into three (3) lots. From a process standpoint, Mr. Paschke advised that staff based the Planning Division recommendation to the Planning Commission for approval based on the lot lines, easements, and additional right-of-way meeting requirements of subdivision and zoning ordinances of the City.

Related to disposal of the 4,300 square feet of property currently owned by the City, Mr. Paschke advised that this action required a slightly different analysis for determination; but reiterated that those two items were not tied directly to a specific project or a given lot in Roseville; and therefore, no forum was available for vetting them, or any Public Hearing process to review and approve them based on those concerns raised, other than those provided to staff and forwarded to the City Council or received directly by the City Council.

Ms. Ramalingam thanked Mr. Paschke for the thoroughness of his response; however, she opined that it clearly showed a gap in the process itself.

Mr. Paschke recognized Ms. Ramalingam's opinion; however, he noted that staff's charge and instructions were based on the City's Zoning Ordinance and Codes in place that were used by the Planning Division to enforce, as well as the Regulating Plan designed and governing the Twin Lakes Redevelopment area, that didn't instruct staff differently than the process currently used and as recently adopted. Mr. Paschke advised that the Planning Division was unable to fundamentally change the



process; and was required to use the same process throughout the City of Roseville for any project or application coming forward, in order to avoid preferential treatment. Mr. Paschke reiterated that it was staff's charge to enforce and implement the requirements within the Zoning Ordinance.

Ms. Ramalingam suggested that staff provide the City Council with the public comments and concerns received related to this proposal; with Mr. Paschke assured her that the City Council would receive minutes of tonight's meeting so they would be aware of public sentiment.

In response to repeated cell phone interruptions during tonight's meeting, Ms. Ramalingam asked that the Planning Commission or the City Council itself make a policy statement or accommodation to address such interruptions during public speaking, noting the difficulty in following procedures and in hearing discussions due to those distractions.

For the benefit of the public and listening audience, Member Gisselquist provided examples of issues that were heard by the Planning Commission (e.g. pawn shop request near Snelling Avenue as a Conditional Use based on zoning considerations) and other uses that are on the list of allowed uses (e.g. Source Comic Books at the same location) that do not come before the Commission since they are allowed uses. Member Gisselquist noted that, as long as the use met zoning requirements at a specific development site, there was less public involvement that occurred.

Member Strohmeier opined that City Code language related to Preliminary Plat approval (Chapter 1102.03) seemed to be broad. However, the health, welfare and general safety of citizens would appear to be applicable in one or more of those categories with some of the concerns being raised by citizens. Member Strohmeier suggested that, considering that broad language, perhaps the Commission's hands were not as tied as indicated.

Mr. Paschke responded that the language would only affect how the Subdivision Ordinance regulated or applied to this particular property, stating that the City's ordinances foster those things, and that the Subdivision Ordinance was created to look out for those things and how land divisions were required in Roseville through easements, lot sizes, etc. and meeting certain requirements within the Zoning Ordinance such as for residential lots with specific sizes in certain zoning classifications. Mr. Paschke advised that those topics would be germane to analyze Subdivision Zoning specific to land divisions, not uses on the land, since other regulations govern the requirements of those specific uses.

Mr. Paschke noted that City Attorney Mark Gaughan was present and could expand on that interpretation if he found it incorrect.

#### **Rick Poeschl, 2220 Midland Grove Road**

As a Roseville resident since 1968, Mr. Poeschl agreed with the comments heard during public comment as well as those expressed by Member Strohmeier that if more residents had known about the Wal-Mart plans, there would have been a much larger crowd in attendance tonight. Mr. Poeschl advised that he had only heard about the Public Hearing from a neighbor and fellow resident at Midland Condominiums; who had also mentioned that Roseville currently had more retail per capita than Bloomington, MN with their much larger population.

Mr. Poeschl noted that Mr. Grefenberg had highlighted and displayed on the overhead, several sections of the Comprehensive Plan's goals and policies that seemed inconsistent; and reiterated that if more people had known about tonight's meeting, they would have provided more feedback. While not clearly understanding staff's responsibility to follow the language of the Comprehensive Plan, Mr. Poeschl opined that more neighbors should get involved.

Mr. Poeschl stated that he was opposed to the proposed Wal-Mart, and didn't want a big box store in Roseville, including a Wal-Mart.

**Megan Dushin, 2249 St. Stephen Street**

As noted in her written comments and for full disclosure, Ms. Dushin serves on the City's Parks and Recreation Implementation Committee for Natural Resources.

Ms. Dushin verbalized her prepared, written comments, and for the record, provided a bench handout of those comments, *attached hereto and made a part hereof*. Ms. Dushin opined that she found it odd that this was the only public hearing to discuss this proposal, however opined that it was not surprising as this had happened before. Ms. Dushin further opined that staff seemed to be facilitating this request as quickly as possible, without taking the Comprehensive Plan into consideration. Ms. Dushin encouraged Commissioners to take her comments and questions into consideration when voting tonight. Ms. Dushin also questioned how the proposed bike trails off Fairview Avenue currently being proposed by the Parks and Recreation Commission would be impacted by this development.

**Shirley Friberg, 2130 Fairways Lane**

As a resident of Roseville since 1960, Ms. Friberg questioned if the Comprehensive Plan would be addressed if the Planning Commission recommended approval.

Mr. Paschke referenced tonight's proposed actions, as two (2) steps, as detailed in the staff report; emphasizing that neither action was related to the proposed use of the site. Mr. Paschke suggested that citizen input focus on whether the plat met the requirements of City Code as it related the Preliminary Plat and boundaries, and consistency of the requested city-owned land disposition with the Comprehensive Plan.

Ms. Friberg stated that she had just heard about this proposal, and questioned if the proposed Wal-Mart site was the same one considered by Costco several years ago; noting that she frequented both Costco and Sam's Club; and questioned whether there would be additional thefts to be concerned with if one of those stores were located there, opining that they had many internal controls to monitor shoppers. However, Ms. Friberg noted the number of police reports at Rosedale Mall that she observed in the media, recognizing the size of that center and the number of stores; as well as youth in the area and bus stops. Ms. Friberg opined that one of the problems with a Wal-Mart store would be people coming from outside Roseville beyond two (2) miles, since Rosedale had people coming from Wisconsin, and even bypassing Maplewood Mall for Rosedale as a more preferred shopping destination. Ms. Friberg opined that there would be the need for increased police based on shoplifting, car vandalism, and other issues; and questioned the negative impacts to the senior residence in that area; and if they would be safe walking to Wal-Mart from their residence, given that potential negative impact.

Mr. Paschke advised that there was currently no sidewalk or trail on the east side that would facilitate pedestrians from the senior residence to the proposed Wal-Mart location.

Ms. Friberg referenced other communities, such as St. Louis Park and Excelsior Boulevard improvements and Edina at 50<sup>th</sup> and France; and questioned what we wanted Roseville to look like; or whether we preferred that it end up like the Richfield, Golden Valley, Brooklyn Center or Robbinsdale.

Chair Boerigter asked that Ms. Friberg refocus her comments on the issue before the Commission; and suggested that the public refrain from possible misperceptions that people coming to Wal-Mart were going to be of the criminal element and elevate crime levels in Roseville. Chair Boerigter noted that there was a Target store not too far from this area that didn't support that perception.

Ms. Friberg defended her position by noting that more youth would be coming into that area and when that happened, there were more crimes. Ms. Friberg opined that Target handled their store security quite well; however, she did have a concern with a Wal-Mart located in Roseville, given the types of problems their stores frequently had, and questioned if that was what type of community we wanted.

Member Wozniak questioned if it was reasonable for staff to address potential costs the City may incur for emergency services with such a development.

Mr. Paschke advised that he was unable to foresee the future to make a determination or estimate a potential cost for additional police, fire and/or rescue needs as the City developed. However, Mr. Paschke opined that this proposed business was no different than any other business coming into Roseville that the City's Codes would encompass for regulation and enforcement, whether parks, residential homes or complexes, or commercial/industrial businesses.

At the request of Member Wozniak as to how the City would recover those costs, Mr. Paschke responded that the City's main mechanism to support those services was through property taxes.

Member Gisselquist referenced Section 5.2 of the staff report, noting that part of the review process involved the Roseville Development Review Committee (DRC) composed of staff from various City Departments, and their representatives participating in reviews of such land use proposals, at which time the public safety issues most certainly would have been considered and discussed prior to staff's recommendation.

Mr. Paschke advised that the focus of those meetings, specific to this proposal, would have been the land divisions, and not necessarily the proposed use itself. However, Mr. Paschke noted that had been anticipated that a large retail use could come in, and staff had been prepared for that possibility and related comments coming forward. Mr. Paschke referenced that the Twin Lakes Redevelopment Area, through the AUAR and all Zoning, Comprehensive, Master and Regulating Plans had contemplated retail in this area, and noted that this use was consistent with those plans and potential uses; evidenced by the relevance of the proposed use and its fit with the City's Zoning Ordinance.

Member Strohmeier, based on his interest and background in public safety, and during his review of this proposal, referenced and quoted recent written comments provided by City of Roseville Police Chief Rick Mathwig in preparing for strategic planning discussions with the City Council for a long-term goal to *"...Add tow (2) commercial patrol officers to enhance the Police Department's ongoing efforts with the retail community. Retail and commercial development, especially a big box store, in the Twin Lakes area will increase theft-related incidents. One big box store is anticipated to bring 700 – 900 extra calls for police services each year. The Police Department's resources will be taxed by the development, and the resources currently in place at Rosedale will be stretched."* From a common sense standpoint, Member Strohmeier opined that a big box retailer would have considerable fiscal impacts to the City's Police Department.

Member Wozniak, from a historical standpoint, asked staff how long this property had been vacant or under-utilized; with Mr. Paschke advising that he had been with the City for thirteen (13) years with the property remaining vacant; and he was aware that the City had been attempting to develop the Twin Lakes Area since the 1980's.

Member Wozniak questioned how many, if any, developments had previously come forward for this specific parcel; with Mr. Paschke advising that, to his knowledge, there had been one other proposal, which was ultimately unsuccessful.

Member Wozniak asked Mr. Paschke what impacts he would see for this development on other parcels and further development in the Twin Lakes Redevelopment Area.

Mr. Paschke responded by opining that any development in the Twin Lakes area will spur other development, a historically proven occurrence. Mr. Paschke noted the enticement for that development based on the funds invested by the City to-date for infrastructure development in the area. However, how long that development would take Mr. Paschke refused to predict due to market conditions; however, he noted that many parcels in the Twin Lakes area were considered currently "development



ready.” Mr. Paschke noted further development would be based on clean up costs and the willingness of potential developers’ willingness to build consistent with the City’s Zoning Ordinance and Twin Lakes Regulating Plan, and couldn’t predict if it would take this one proposed development or more to spur associated uses.

Member Boguszewski, from his career in health services and strategy in determining additional potential growth areas in which to place facilities, advised that they often looked for such developments as an indicator of a strong population and strong economic growth; opining that this supported Mr. Paschke comments.

Chair Boerigter closed the Public Hearing at 8:08 p.m., with no one appearing for or against.

Member Wozniak asked Mr. Paschke to comment on the proposed park dedication fee associated with this parcel and its use; and asked how that fee would be allocated.

While recognizing that it was not related to land use considerations under discussion at this venue, Mr. Paschke advised that park dedication fees paid to the City of Roseville were based on 5% of the property’s fair market value as determined by the Ramsey County Assessor; and based on that calculation, he estimated that if the development proceeded they would pay the City in excess of \$400,000 for this land division. Mr. Paschke advised that the fees were specifically designated for park enhancements and improvements in and around the City; but was unsure of the exact language as per State Statute.

Member Wozniak duly noted that, if this parcel was to be developed, the developer would be contributing a significant amount in fees toward the City’s park system.

#### **Planning Commission Discussion/Position Statements**

Member Boguszewski noted the many layers in tonight’s discussion; even though the Commission’s decision-making was focused on the Preliminary Plat itself and parcel transfer. While other areas of discussion as to use or development of the parcel and how the site was ultimately designed were not necessarily germane to the question at hand, at the same time, Member Boguszewski recognized the concerns of the audience that they may have no other opportunity to discuss the merits of the proposed use. Member Boguszewski noted that there would always be merits and demerits for any project or use, and at the risk of making his life less easy, he offered his thoughts and rationale for his position.

Member Boguszewski offered his personal assessment and analysis of the merits and demerits for this parcel; recognizing that it was a passionate issue for citizens, and that the passion often made it difficult for people to understand other points of view. Member Boguszewski noted that the comments heard tonight were not in favor of this particular use; however, he advised that he had personally received and seen support for a Wal-Mart in Roseville, and while not unanimous, it obviously remained a divided issue.

**Member Boguszewski** asked that residents keep several things in mind:

1) The City of Roseville does not own this land and has no ability to force any particular development or option such as an IKEA, Trader Joe’s or other option. If the proposal meets City Code requirements, it is not the City’s job to fetter that development. Member Boguszewski stated that he believed in the free market, and in comparing a Wal-Mart to the vacant parcel currently there, allowing all the negatives to rise to the forefront, when considered in isolation, there was nothing to compare it with.

2) Addressing another category of comments heard that Wal-Mart would be a blight or detriment to a beautiful spot, Member Boguszewski opined that this perception was in the eye of the beholder. When reviewing the location, Member Boguszewski noted that its location on the west side of the City, bounded on the south by a County road and railroad tracks, on the east by light industrial uses, and on the west by the Interstate; while further beyond that the area included a mass of car dealerships and

similar uses, if Wal-Mart chose to locate in Roseville, he could think of no better spot. Member Boguszewski suggested that Roseville citizens could choose whether or not to shop at Wal-Mart, but if they were concerned that Wal-Mart was going to bring detritus to Roseville, this proposed location was at the most extreme edge of the community as possible.

3) Based on his personal bias, Member Boguszewski stated that he did not consider and remained unconvinced that Wal-Mart was similar to a nuclear waste plant.

Member Boguszewski advised that he took his role as a Planning Commissioner very seriously, and therefore had sought the advice of a market professor friend and was made aware of a number of articles on both sides of the issue, with as many saying that Wal-Mart was a positive for a community as those saying it was a negative. Member Boguszewski advised that his research of those articles and various opinions indicated that the impact to a community was based on a number of issues including, but not limited to, the area itself, existing retail, highway access, and existing “Mom and Pop” stores. Member Boguszewski advised that it would depend on Wal-Mart’s business plan and their market research as to whether this store was a success or a failure; and was ultimately not the business of Roseville citizens anyway, since they had a right to develop in Roseville in compliance with City Codes.

While not believing that it was necessary to address the merits and/or demerits of a Wal-Mart in Roseville, since the Planning Commission’s task was based on technical issues, Member Boguszewski advised that he had done so for the benefit of Roseville citizens, recognizing the importance to them. Member Boguszewski advised that he would be voting in support of the requested actions.

**Member Wozniak** thanked the audience for their public comment, noting that he had observed them through various forums before tonight’s meeting as well. Member Wozniak expressed his disappointment in some of the comments he’d seen and heard, however he did support the public’s right and appreciated their efforts to come out tonight to share them with the Planning Commission.

Member Wozniak concurred with the observations of Member Boguszewski in the narrow focus for Commission deliberations in approving property boundaries and transfer of City-owned property to a developer to facilitate a development. Member Wozniak stated that it was his belief that what was being proposed for this parcel was consistent with the Comprehensive Plan and retail use; and advised that he would support the property transfer and Preliminary Plat as proposed.

Member Wozniak noted the comments he’d heard about the City “railroading” this development; and stated that he strongly disagreed with that comments. If the proposal seemed to be moving fast, Member Wozniak reminded the public of the Statutory requirements for land use considerations and the time available for a City to act on a given proposal.

Member Wozniak clarified that the use itself as proposed was outside the scope of tonight’s discussion, and was a permitted use not requiring discussion. However, Member Wozniak suggested that, while outside the scope of tonight’s discussion, it was apparent that talking about the proposal may be a need for the community and encouraged Wal-Mart and their development staff to open dialogue with residents about their presence in the Roseville community, since if the proposal was successful, Wal-Mart would need to positively interact with the residents it sought to serve. Member Wozniak encouraged Wal-Mart representatives to look for opportunities to interact with the community on the positives they bring to the community, and not just allow the negatives or perceived negatives to remain in the forefront.

**Member Lester** advised that Members Boguszewski and Wozniak had effectively covered most of his comments. Member Lester advised that his analysis attempted to look at the end result, and after almost thirty (30) years of the City attempting to develop the Twin Lakes area, bringing in a potential use was a good thing, no matter who it was as long as it was meeting City Code requirements. Member Lester clarified again that tonight’s request was focused on the Preliminary Plat, not the use; and discussions

were based on a vacant piece of land on which a viable company was being proposed. Member Lester opined that Wal-Mart was a stable company; and further opined that the Comprehensive Plan supported such a retail use; and the need was evident for bringing in an initial development to further future development of the area. Member Lester advised that he supported the proposal and would support it.

**Member Gisselquist** thanked the public for their comments. Member Gisselquist advised that the Preliminary Plat portion of the request was an easy decision; basically assembling parcels of land for a proposed use, and it made sense to approve that request.

However, Member Gisselquist advised that he struggled with disposal of the land when applying it to the Comprehensive Plan until he reviewed the Twin Lakes Master Plan on line and reviewed that language. In referring back to previous discussions about a proposed Costco, Member Gisselquist opined that it appeared they had been chased out as the big box “bogey man.”

Member Gisselquist advised that he would support the Preliminary Plat and land disposal.

In recognizing that the big box use served as the elephant in the room and remained present, Member Gisselquist opined that it had nothing to do with the request before the Commission; but assured that the Commission had heard the concerns expressed by those speaking tonight; and noted that Member Boguszewski had shared considerations on the other side of the issue as well.

Member Gisselquist stated that one part of being a Planning Commissioner was that he didn’t like hearing criticisms of those seeking to come into the community. As a former “Richfield guy,” Member Gisselquist advised that he took comments personally when they dished his former neighborhood. After thirty (30) years, Member Gisselquist opined that it was time to do something in the Twin Lakes area, referencing his personal observations when last biking in the area of four foot (4’) grass growing through broken asphalt, vacant spaces, and graffiti abounding. Member Gisselquist assured residents that there was already a good police presence in the area based on his experience he shared as an example. Member Gisselquist opined that the area was currently a wasteland and he supported someone developing it; and while it will continue to be controversial, it was the right thing to do.

**Member Strohmeier** thanked the public for their comments; and respectfully disagreed with other commissioners that the Commission’s hands were tied regarding the Plat, opining that this was a major planning decision and a big deal. Member Strohmeier referenced various guiding documents showing that big box retail is not something that will benefit a community, including the Twin Lakes Master Plan, as well as sections of the Comprehensive Plan as displayed by Mr. Grefenberg and his comments, some of which he may disagree with. However, Member Strohmeier did recognize the numerous inconsistencies pointed out by Mr. Grefenberg. Member Strohmeier opined that he would agree with the Statement of Purpose for Commercial Mixed Use Districts, and the lack of a pedestrian, rather than vehicle-centered use. Member Strohmeier opined that this was simply one more way to add to the community’s frustration in their apparent lack of a role in a role in local government, and expressed his disappointment in the current public process. Member Strohmeier advised that he would be voting in opposition to both requested actions.

**Chair Boerigter** thanked the public for their comments, and noted his rationale in allowing for some flexibility with the broad-based comments even when outside the specific scope being considered tonight; recognizing that this was a Public Hearing needing to allow a forum for those public comments. However, Chair Boerigter emphasized that the Commission’s decision-making needed to focus on the limited scope of the Preliminary Plat and city-owned property disposal.

Chair Boerigter opined that he didn’t personally think this was outside the Comprehensive Plan, but that it actually fit with the Comprehensive Plan and work done by the City over the last 5-6 years as a Planning Commission and City Council to guide Twin Lakes development.

Chair Boerigter further opined that to have a perception that Roseville residents didn't have a voice in this was quite ludicrous since the Twin Lakes Redevelopment Area had been a topic of discussion for years; and as late as last fall, the Planning Commission and City Council held numerous and substantive discussions on the Zoning Code, the Twin Lakes Regulating Map, and other issues, and the allowed uses in Twin Lakes, all of which were consistent with this proposal. Chair Boerigter suggested that, to think that a big box retailer may not develop in the Twin Lakes area was hard to imagine, when all that was required was to listen to discussions to understand that retail was a permitted use and it may include a large scale retailer.

Chair Boerigter stated that a review of the current Zoning Code would serve to dictate what was consistent with the Comprehensive Plan, and as pointed out by staff, the Zoning Code was amended to make it consistent with the 2030 Comprehensive Plan, along with development of the Regulating Map as the governing document to control development in the Twin Lakes area consistent with that Comprehensive Plan. Chair Boerigter opined that it was important to take the overall picture into consideration and what goes into the development area as a whole, and what the overarching guidance of the Comprehensive Plan indicated, rather than picking out bits and pieces. Chair Boerigter expressed his confidence that the Comprehensive Plan and Zoning Code were both very specific on the governance of what could or could not occur in developing and/or redeveloping the Twin Lakes Redevelopment Area.

Based on his review of these documents, Chair Boerigter opined that the Preliminary Plat and request for land disposition both met City Code requirements, and advised that he would support both.

**MOTION**

**Member Boerigter moved, seconded by Member Lester, to RECOMMEND TO THE CITY COUNCIL approval of the proposed PRELIMINARY PLAT of the land area bounded by County Road C, Cleveland Avenue, Twin Lakes Parkway, and Prior Avenue; based on the comments and findings of Sections 4-7, and the conditions recommended in Section 8 of the staff report dated February 1, 2012.**

**Ayes: 5**

**Nays: 1 (Strohmeier)**

**Motion carried.**

**MOTION**

**Member Boerigter moved, seconded by Member Gisselquist, indicating the Commission's determination that the proposed transfer of ownership of land area specified in the Preliminary Plat is in compliance with the 2030 Comprehensive Plan; based on the comments and findings of Section 4-7 of the staff report dated February 1, 2012.**

**Ayes: 5**

**Nays: 1 (Strohmeier)**

**Motion carried.**

Chair Boerigter noted the anticipated City Council action on this item is scheduled for February 27, 2012.



**Bryan Lloyd**

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**From:** support@civicplus.com  
**Sent:** Tuesday, July 03, 2012 3:25 PM  
**To:** \*RVCouncil; Kari Collins; Bill Malinen  
**Subject:** Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: WalMart Traffic Impact & Cost Responsibility

Name:: Stuart Shwiff

Address:: 1233 Josephine

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address:: [REDACTED]

Phone Number:: [REDACTED]

Please Share Your Comment, Question or Concern: Mayor Dan Roe:  
Members of the Roseville City Council:

As part of the proposed WalMart discussion, I would like to bring to your attention the past assumptions used in forecasting traffic loads at the South, East, and West ends of Twin Lakes.

To my knowledge, previous assumptions did not consider the scale of traffic associated with a WalMart. I am neither for nor against a WalMart at that location. My concern is focused on the traffic impact the proposed WalMart will have on County Road C, the frontage road at 35W, and Fairview.

If a WalMart is approved for this location, then it would seem only fair that WalMart be responsible to pay 100% for the road improvements necessary on all 4 sides of the Twin Lakes area.

Why should Roseville residents have to pay for future Cty Road C improvements at Snelling and Victoria when the congestion will be cause by WalMart.

I urge the Council to integrate the impact the WalMart proposal will have on the 30 year traffic plans between the Snelling corridor and 35W, and to charge WalMart for the changes their proposal will require.

Twin Lakes is a prime retail location for the greater metro. WalMart will earn a fortune at this location. If a WalMart is approved for this location, there should be no need for Roseville citizens to be responsible to pay for the current and future road and traffic needs this proposal will require.

Very sincerely,

**Bryan Lloyd**

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**From:** support@civicplus.com  
**Sent:** Tuesday, July 03, 2012 1:21 PM  
**To:** \*RVCouncil; Kari Collins; Bill Malinen  
**Subject:** Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: WalMart Project - Yes, please

Name:: M.E.G. Calabrese

Address:: 1995 Wheeler St. N.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address:: [REDACTED]

Phone Number:: [REDACTED]

Please Share Your Comment, Question or Concern: To the Mayor and City Council Members: I am writing to let you know that my husband and I support the proposed WalMart in Roseville. The opposition has been vocal and I want the "other side" to be heard also. This land has sat vacant for a number of years and by building the WalMart here, Roseville will see many benefits: taxes collected from them, more employment and use for this otherwise useless patch of land. This is largely a non-residential area so I don't understand why people in my own neighborhood (over 2 miles away from the site) are concerned about traffic. Please continue to support the WalMart building for the good of all of the residents of Roseville.

Additional Information:

Form submitted on: 7/3/2012 1:20:41 PM

Submitted from IP Address: 128.101.150.89

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Thomas Paschke**

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**From:** Vicci Una Johnson [REDACTED]  
**Sent:** Friday, June 22, 2012 11:17 AM  
**To:** Thomas Paschke  
**Subject:** Regarding Wal-Mart

Mr. Paschke,

The politics of the Wal-Mart Corporation leads us to understand, they do not pay Minnesota state income taxes. Nor Federal.

Knowing how Roseville and the State of Minnesota needs taxes, please deny Wal-Mart's request to build in Roseville.

Wal-Mart gives Roseville the appearance of a "less-educated", "cheap" or "low-quality" community. This appearance will downgrade Roseville's ability to attract and maintain a quality citizenry.

The city of St. Paul has received Federal Grants for environmental projects, and employ people full time. They have a company that burns garbage and it heats a lot of St. Paul buildings. Please consider such a project for our beloved city of Roseville.

Thank you for reading this email,  
Vicci Johnson-2164 Ferris Lane/retired St. Paul Teacher

Thomas Paschke

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**From:** Bill Malinen  
**Sent:** Thursday, June 21, 2012 9:19 AM  
**To:** Pat Trudgeon  
**Subject:** Fwd: Wal Mart Store

Bill

Begin forwarded message:

**From:** Stephen Weber [REDACTED]  
**Date:** June 20, 2012 5:29:36 PM CDT  
**To:** \*RVCouncil <[city.council@ci.roseville.mn.us](mailto:city.council@ci.roseville.mn.us)>  
**Subject:** Wal Mart Store

June 20, 2012

Dear Council Member,

I have lived in Roseville since 1967, when I moved here and began my job. When I was looking for a bigger house in 1987, I instructed the realtor to find one between Rice Street and Snelling Avenue, between highways 36 and 694, preferably Roseville. My wife was very pleased that I chose to stay in Roseville

Please hold off, or stop completely, the plans for a Wal-Mart store in Roseville. Travel through Roseville and stop to look around the existing shopping areas. See all of the empty spaces that exist, and have existed for a significant time. We have sufficient shopping areas and choices in Roseville now. We could use more, high quality, small businesses to fill those empty spaces. Some high-tech product companies would be a great addition on any vacant land.

The addition of Wal-Mart would likely lead to the closing of more small businesses in Roseville, and empty spaces, like it has in so many other cities. Wal-Mart also has a bad reputation for lawsuits brought by their workers.

We need to guard very carefully that we don't become one of those typical 'first-tier suburbs', filling up with tattoo parlors, pawn shops, rowdy night spots, and other less desirable businesses.

Thank you for your consideration.

Stephen Weber,  
585 Transit Ave

Stephen Weber

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**Bryan Lloyd**

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**From:** Bill Malinen  
**Sent:** Thursday, June 21, 2012 9:20 AM  
**To:** Pat Trudgeon  
**Subject:** Fwd: Proposed Wal Mart Development in Roseville

Bill

Begin forwarded message:

From: Diane M Hilden [REDACTED]  
Date: June 20, 2012 4:40:29 PM CDT  
To: \*RVCouncil <[city.council@ci.roseville.mn.us](mailto:city.council@ci.roseville.mn.us)>  
Subject: Proposed Wal Mart Development in Roseville

I completely concur with the analysis and recommendations of Janet Olson as noted in the following and urge the Roseville City Council not to approve Wal Mart in Roseville.

Diane Hilden, 466 Bayview Drive, Roseville, MN 55113 June 20, 2012

The WalMart proposal for the Twin Lakes area in Roseville is a ZONING ISSUE not simply a Preliminary Plat Map Request.

The Twin Lakes Area is zoned Community Mixed Use on Roseville's Official Zoning Map. The definition of a Community Mixed Use Zone under the Comprehensive Plan includes Community Business, but not Regional Business.

The WalMart proposal has been categorized by the Roseville Community Development Department as a Community Business proposal. This categorization should be in question. The WalMart proposal should be categorized as a Regional Business proposal and therefore not an allowed use in the Twin Lakes Area. The area would need to be re-zoned from Community Mixed Use to Regional Business to allow a WalMart.

The areas identified in Roseville's Zoning Map as Community Business areas include smaller businesses with specialized products, some grouped in larger buildings such as HarMar mall or strip malls such as the area at Lexington and Larpenteur Aves. WalMart does not fit that category.

The Comprehensive Plan and the Zoning Map and Ordinance should all be taken into consideration, as provided for in the Minnesota Metropolitan Land Planning Act.

In using the Comprehensive Plan, the Zoning Map and an example of current zoning practices a strong argument can be made to classify the WalMart proposal as a Regional Business proposal.

The existing Target Super Store in Roseville is considered a Regional Business in the Zoning code. Criteria from Roseville's Comprehensive Plan and Zoning code determined that zoning. The same criteria should be used for the WalMart proposal:

| WalMart Proposal       | Target Super Store    |                       |
|------------------------|-----------------------|-----------------------|
| Building size:         | 180,000 sq ft         | 185,000 sq ft         |
|                        | including restaurants | including restaurants |
| Service radius:        |                       |                       |
| (nearest store)        | approximately 3 miles | approximately 4 miles |
| Location near Regional |                       |                       |
| Highway System:        | Interstate 35W        | State Highway 36      |
| Goods & Services       | similar               | similar               |

WalMart itself promotes regional business by inviting RVs & campers to park in their lots overnight, by being a 24-hour business, etc.

Please consider all the information before voting on the WalMart proposal.

Janet Olson, 418 Glenwood Ave, Roseville, MN 55113 6/04/2012

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**Thomas Paschke**

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**From:** Reb1200 [REDACTED]  
**Sent:** Tuesday, June 19, 2012 6:43 PM  
**To:** Thomas Paschke  
**Subject:** Walmart vote

As a citizen of Roseville, I am against having a Walmart Store in Roseville. Elizabeth Bole

Thomas Paschke

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**From:** Martha Mutch [REDACTED]  
**Sent:** Tuesday, June 19, 2012 1:35 PM  
**To:** Thomas Paschke  
**Subject:** Support Walmart

I would like to express my **SUPPORT** for having a Walmart in Roseville.

Martha Mutch  
2040 Loren Rd  
Roseville 55113

**Thomas Paschke**

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**From:** support@civicplus.com  
**Sent:** Tuesday, June 19, 2012 12:48 PM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Karin Mascia

Address:: 1270 West Belmont Lane

City:: Roseville

State: : Mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: I thought by the future plan that excluded Costco from Roseville, we would not be having a Walmart either. In terms of employer, quality company, Costco would have been much better for Roseville than Walmart in my opinion.

Additional Information:

Form submitted on: 6/19/2012 12:48:26 PM

Submitted from IP Address: 24.118.123.8

Referrer Page: <http://roseville.patch.com/articles/is-proposed-roseville-wal-mart-store-a-permitted-use-under-zoning-code?ncid=newsltuspatc00000001>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>



**Thomas Paschke**

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**From:** support@civicplus.com  
**Sent:** Thursday, June 14, 2012 2:35 PM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: vince pallin

Address:: 1699 chatsworth st n

City:: roseville

State: : mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Tom turning over land to walmart is the easiest thing any city council could do. I think roseville is better than that. Lets think long term and leave this to something bigger and better as the world economy matures this land with rail access will be attractive. there is no place better than Roseville. best regards Vince Pallin

Additional Information:

Form submitted on: 6/14/2012 2:34:57 PM

Submitted from IP Address: 166.250.224.238

Referrer Page: <http://www.ci.roseville.mn.us/CivicAlerts.aspx?AID=336>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

**Bryan Lloyd**

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**From:** Carolyn Curti  
**Sent:** Tuesday, May 29, 2012 8:11 AM  
**To:** Pat Trudgeon; Bill Malinen  
**Subject:** FW: Online Form Submittal: General Inquiry Form

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Sunday, May 27, 2012 12:49 PM  
To: Carolyn Curti  
Subject: Online Form Submittal: General Inquiry Form

The following form was submitted via your website: General Inquiry Form

Subject: Bulding Walmart in Roseville

Name:: Kathy Janke

Address:: 938 Transit Ave.W.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Please fill out the corresponding contact information below.: No Need to Contact Me

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Bulding a Walmart Store in Roseville is a huge mistake. We have 2 super Target stores within a 3mi.range. Target started in Roseville & has helped the community in mnay areas, especially the schools. Walmart will take businesses from existing stores in Roseville, Cubs, Rainbow, Byerlys, Best Buy, Ace Hardware, etc. Do we want to have Walmart come in and take over. Not only hurting businesses but bringing in crime. I have a friend in Florida that told me crime went up 15% when it hit their area & losing many small businesses also. The City did not listen to their oppositions. Is that what Roseville really wants?

Additional Information:

Form submitted on: 5/27/2012 12:49:16 PM

Submitted from IP Address: 66.41.26.102

**Bryan Lloyd**

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**From:** Kari Collins  
**Sent:** Monday, May 21, 2012 4:12 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Comments on Wal-Mart Proposal For Tonight's Meeting  
**Attachments:** Wal-Mart's Economic Footprint.pdf; City Council Comments on WalMart.docx

From: Amy Ihlan [REDACTED]  
Sent: Monday, May 21, 2012 4:09 PM  
To: Bill Malinen; \*RVCouncil  
Subject: Comments on Wal-Mart Proposal For Tonight's Meeting

Comments to the City Council on Proposed Twin Lakes Wal-Mart

Amy Ihlan, 1776 Stanbridge Ave.

May 21, 2012

Please consider and add to the record my comments on the proposed Twin Lakes Wal-Mart, together with supporting attachments.

Our house is a little less than .9 miles from the proposed Wal-Mart site. Many other homes in our neighborhood, and in the James Addition neighborhood, are less than a mile away. Yet none of the surrounding neighborhoods ever received any notice of this proposed development from the city. Why did our city government not notify and reach out to involve the public in this process? The lack of openness and transparency continues tonight, as the council appears poised to deny further environmental review and give both preliminary and final approval to the project all in one meeting – without even taking the trouble to send us neighbors a postcard.

#### Environmental Impacts

A Wal-Mart store at Cleveland and County Road C has potential to cause a wide range of significant environmental impacts to Roseville: impacts to the natural environment, to our neighborhood environment, and to our economic environment. The council needs to understand the full extent of these impacts in order to protect the “health, safety, general welfare, convenience and good order of the community” -- that’s direct language from our own city code[1], and that’s what the council has responsibility to consider in deciding whether to grant Wal-Mart’s development request.

The council can't reasonably rely on the 2007 AUAR Update – it is 5 years old, and based on very different zoning assumptions[2], and very different kinds of development in the Twin Lakes area and the particular site where Wal-Mart is proposed. [3] Although there are many potential environmental impacts identified in the AUAR, I'm going to focus my comments on traffic. From the limited information in the record, the traffic generated by a Wal-Mart is going to exceed even the "worst case scenario" analyzed in the AUAR.

It's impossible to tell from Wal-Mart's traffic study exactly how many "daily trips" will be made to and from the proposed new big box. (Daily trips are one of the key traffic-related parameters of development intensity analyzed in the AUAR.) But we do have in the council packet a series of letters from representatives of MN DOT indicating that Wal-Mart's traffic study underestimates the significant flow of regional traffic from I-35W to Wal-Mart, and onto surrounding city and county roads.

Here are some key passages from those letters:

It appears that the AUAR was based on a lower volume traffic generator than a WalMart.

Letter dated February 24, 2012 to Thomas Paschke, City Planner from Michael J. Corbett, MNDOT Traffic Engineering Section, Senior Planner(emphasis added)

I-35W carries greater than 100,000 trips at [County Road C] each day and the access to the Walmart site will be especially attractive to some part of northbound trips, up to 6,000 vehicles per hour approaching this interchange at the afternoon peak period. Large retail at this location is expected to draw from these regional trips. It is therefore probable that the afternoon volume exiting and entering I-35W northbound will exceed expectations and further degrade operations at the intersection of Cleveland Avenue and Twin Lakes Parkway beyond the analysis provided...Due to the close proximity of the intersection of Cleveland Ave and County Road C, deficiencies on the roadway of Cleveland Avenue could quickly affect operations on County Road C. Cleveland Avenue and County Road C are important for providing local access in the immediate area but also mobility in a larger area.

Letter dated April 9, 2012 to Debra Bloom, City Engineer from Tony Fischer, MNDOT Freeway Analysis Supervisor and Gayle Gedstad, MNDOT North Area Traffic Support Area Manager (emphasis added)

We reiterate our expectation that [traffic] volumes exiting and entering northbound I-35W will exceed projected traffic impacts related to the proposed Walmart store...If traffic volumes exceed capacity by any significant margin, this congestion could quickly become intolerable to local citizens, employees and businesses. Given that future congestion is directly tied to the AUAR site development, our expectation is that the City of Roseville has first responsibility for adequately addressing the transportation needs.

Developing the AUAR site in any significant way will risk significant traffic operations failure on the city and county road network as MnDOT must prioritize the operations of I-35W given its importance to the broader region. The same highly convenient access that causes this site to be desirable for development will cause traffic demands to grow here.

Letter dated May 9, 2012 to Debra Bloom, City Engineer from Tony Fischer, MNDOT Freeway Analysis Supervisor and Gayle Gedstad, MNDOT North Area Traffic Support Area Manager (emphasis added)

It is safe to assume that MN DOT's planners are experts on traffic matters, looking out for the public interest. The city staff has apparently accepted MNDOT's conclusions that Wal-Mart's traffic study underestimates traffic volumes, since Wal-Mart is being asked to pay part of the substantial costs of making immediate improvements to the 35W entrance/exit ramp at Cleveland and Twin Lakes Parkway. (Why only part? Who will pay the rest?)

But in addition, and even more troubling from our neighborhood perspective, Wal-Mart's traffic study is incomplete. It does not analyze or even consider traffic impacts on Fairview Avenue or County Road D. It's as though the residential neighborhoods don't even exist – we literally are not counted, and don't count in Wal-Mart's traffic study. The AUAR did study impacts on intersections of Fairview and County Road C, Terrace Drive, Lydia Avenue, and County Road D, as well as the intersection of County Road D and Cleveland. Mitigation requirements are specified for each of these intersections. See Twin Lakes Final AUAR Update, dated October 15, 2007, pp. 63-64. The AUAR also specifically requires (as part of its Mitigation Plan) that:

15) The City will require a traffic impact analysis for all development projects within the AUAR area. The traffic impact analysis will assist the City and other road authorizes in determining the appropriate mitigation measures that are required to reasonably mitigate impacts of a specific development proposal. If the City determines that a specific proposed project causes impacts that exceed the thresholds that the mitigation strategies where meant to address (see Mitigation Strategy 16), then the development intensity/density of such a project may need to be reduced.

Twin Lakes Final AUAR Update, dated October 15, 2007, p. 62.

If the city is not going to update the AUAR, then it must follow the AUAR's specific mitigation requirements for traffic on Fairview and County Road D. Either way, further environmental study and review is needed – the city needs an independent analysis of all of the traffic impacts of the proposed Wal-Mart, including impacts on the Twin Lakes residential neighborhoods, to determine whether the development intensity exceeds AUAR thresholds.

Economic Impacts

Further review and study is also needed on the economic impacts of the proposed Wal-Mart, including the fiscal impacts to the city budget and taxpayers, as well as the impacts on Roseville's local economy.

#### **Fiscal/Taxpayer Impacts**

The council should not consider approving the proposed Wal-Mart without a detailed analysis of how much the development will cost the city and its taxpayers, and who will pay for it. This fiscal analysis should include calculation of how much public money has already been spent on infrastructure for the benefit of that site, how much more tax money will be needed to build improvements to the I-35W entrance ramp, how much public money will be needed for environmental clean-up, how much will be needed to pay for additional police officers – balanced against projected tax revenue to be received by the city from the Wal-Mart. In short, the council should require an independent, objective bottom-line analysis of how much Roseville taxpayers will be required to subsidize Wal-Mart before considering whether to approve the proposed project.

#### **Impacts on the Local Economy**

Similarly, the council should conduct an independent analysis of Wal-Mart's potential impacts on the local economy, including potential negative impacts on existing businesses, especially locally-owned and small businesses, and potential negative impacts on property values, especially in surrounding residential neighborhoods. For a recent overview of literature analyzing the economic impacts of Wal-Mart, please see the attached report by the Hunter College Center and Community Development and New York City Public Advocate Bill DeBlasio, "Wal-Mart's Economic Footprint" (attached separately as a PDF).

#### **Land Use Issues**

If the council determines to go forward to consider land use issues at tonight's meeting, Wal-Mart's requests for a preliminary and final plat should be denied. The mitigation requirements of the 2007 AUAR Update have not been met, as discussed above. The proposed big-box development violates the 2001 Twin Lakes Master Plan, and does not meet either zoning or comprehensive plan requirements for the site.

#### **The 2001 Twin Lakes Master Plan**

The 2001 Twin Lakes Master Plan specifically states that big-box retail development "is not recommended" at the corner of Cleveland Ave. and County Road C, the very site of the proposed Wal-Mart. The 2001 Twin Lakes Master Plan is the



basis for the 2007 AUAR Update. It is also referenced in the Comprehensive Plan, along with the 2007 AUAR, as an “official control” that guides land use and development in the Twin Lakes area.

### Community Mixed Use

The Comprehensive Plan and zoning code designate the Twin Lakes area for “Community Mixed Use” development. The proposed Wal-Mart is not a mixed use development. It is not pedestrian-friendly or transit-oriented. It is a low density single use development, with a very large asphalt parking lot. More importantly, Wal-Mart does not meet the definition of a “Community Business” under either the zoning code or the Comprehensive Plan. The Comprehensive Plan defines Community Mix Use to include Community Business uses, but not Regional Business uses. Community Businesses are defined as businesses that “promote community orientation and scale” and “provide goods and services to a local market area”, in contrast to Regional Businesses, defined under the Comprehensive Plan as stores “located in areas with visibility and access from the regional highway system (Interstate 35W and State Highway 36)”, providing “goods and services to a regional market area”. The visibility and location of the proposed site next to 35W and letters from MN DOT representatives quoted above, together with available information about Wal-Mart’s business models and strategies, establishes that Wal-Mart is not a “Community Business” and not an allowed land use in a Community Mixed Use area.

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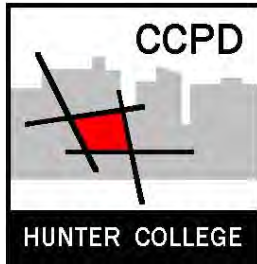
[1] See Roseville City Code 1101.01 and 1102.03

[2] The 2007 AUAR update is based on the “B-6 Mixed Use Business Park” zone, which is significantly different from the current zoning code in key respects. For example, the B-6 zone explicitly required an environmental impact statement or comparable environmental review, required a PUD process for all developments within the zone, and required 25% green space per development (as opposed to only 15% in the current proposal).

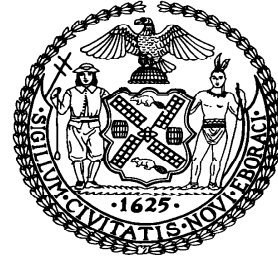
[3] The 2007 AUAR Update is based on the 2001 Twin Lakes Master Plan, which specifically states that big-box retail development “is not recommended” at the corner of Cleveland Ave. and County Road C, where Wal-Mart is proposed.

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Center for Community Planning and Development  
Hunter College  
ccpd@hunter.cuny.edu



THE PUBLIC ADVOCATE FOR THE  
CITY OF NEW YORK  
Bill de Blasio – PUBLIC ADVOCATE

**JANUARY 10, 2010**

**Wal-Mart's Economic Footprint:**  
**A literature review prepared by Hunter College Center for**  
**Community Planning & Development and New York City**  
**Public Advocate Bill de Blasio**

**Prepared By:**

**Tom Angotti, Ph.D.**

*Professor of Urban Affairs & Planning and Center Director at Hunter College*

**Brian Paul**

*Center Fellow and Masters of Urban Planning Candidate at Hunter College*

**Tom Gray**

*Director of Land Use at the Office of the New York City Public Advocate*

**Dom Williams**

*Senior Advisor at the Office of the New York City Public Advocate*

## Executive Summary

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Wal-Mart is the world's largest retailer with more than 4,300 stores in the United States and over 8,000 worldwide, with global sales topping \$400 billion in 2009.<sup>1</sup> It is the largest retailer in the U.S., where more than half its revenue comes from grocery sales.<sup>2</sup> Wal-Mart's formula for financial success includes: low-wage labor, limited health benefits, and leveraging of government subsidies

Hundreds of studies, reports, and articles have been written about the negative impacts of Wal-Mart. This document represents a thorough review of key literature between 2002 and 2010, and points to many of the retail giant's negative impacts. It examines over fifty studies conducted over the past seven years on Wal-Mart's impact on both local and national economies. It represents research encompassing all fifty states, including the first research conducted regarding Wal-Mart in a major U.S. City: Chicago.

Since opening its first store in Bentonville, Arkansas in 1962, Wal-Mart has steadily spread from its base in the South and Midwest to dominate the suburban and rural retail market across the U.S. Having effectively saturated these markets, Wal-Mart's most lucrative opportunities for growth are now outside the U.S.. However, the company has also begun to move aggressively into those more densely populated central cities that have so far been off limits, either for lack of space in which to shoe-horn the mall-size Wal-Mart outlets or due to local antipathy to the company because of its negative impact on small businesses and the local economy.

Wal-Mart is addressing the first obstacle – store size – by changing its standard big box model to a more flexible one involving stores of widely varying sizes, perhaps even as small as a few thousand square feet, the size of many local grocery stores. According to Garrick Brown, Vice President of Research at Colliers International, “Smaller designs, in the twenty thousand square-foot range, and mostly groceries – that's where the money is.”<sup>3</sup> For example, four stores are planned for the Washington, DC area, including multi-story buildings in both central city and suburban settings.<sup>4</sup> Twenty-four new stores are planned for the San Francisco Bay Area. Several years ago the company opened its first store in Chicago and is planning a dozen more.<sup>5</sup>

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<sup>1</sup> Wal-Mart. “Corporate Facts: Wal-Mart by the Numbers.” March, 2010. <http://Wal-Martstores.com/download/2230.pdf>

<sup>2</sup> ABMN Staff. “BusinessNews: Wal-Mart Hopes to Expand to San Francisco.” September 22, 2010. [www.americanbankingnews.com/2010/09/22/wal-mart-nyse-wmt-hopes-to-expand-to-san-francisco/](http://www.americanbankingnews.com/2010/09/22/wal-mart-nyse-wmt-hopes-to-expand-to-san-francisco/)

<sup>3</sup> ibid

<sup>4</sup> Dan Malouf. “Will Wal-Mart be Urban? Part 1: Brightwood.” Greater Greater Washington. November 21, 2010. <http://greatergreaterwashington.org/post/8208/will-Wal-Mart-be-urban-part-1-brightwood/>

<sup>5</sup> ibid; Stephanie Clifford. “Wal-Mart Gains in its Wooing of Chicago.” The New York Times. June 24, 2010. <http://www.nytimes.com/2010/06/25/business/25-Wal-Mart.html>

Although Wal-Mart has overcome the challenge of fitting its stores into urban environments, these smaller stores continue to bring negative overall economic impacts on the communities where they are located. The retail giant is undertaking a major public relations campaign; however, the corporation has made only minor concessions and their promises about job creation and tax revenues are not realized.

The overwhelming weight of the independent research on the impact of Wal-Mart stores on local and national economies – including jobs, taxes, wages, benefits, manufacturing and existing retail businesses – shows that Wal-Mart depresses area wages and labor benefits contributing to the current decline of good middle class jobs, pushes out more retail jobs than it creates, and results in more retail vacancies. There is no indication that smaller “urban” Wal-Mart stores scattered throughout a dense city in any way diminish these negative trends. Rather, such developments may actually result in more widespread economic disruption.

### **1. Wal-Mart’s Economic Impacts: Net Loss of Jobs, Fewer Small Businesses**

- Wal-Mart store openings kill three local jobs for every two they create by reducing retail employment by an average of 2.7 percent in every county they enter.<sup>6</sup>
- Wal-Mart’s entry into a new market does not increase overall retail activity or employment opportunities.<sup>7</sup> Research from Chicago shows retail employment did not increase in Wal-Mart’s zip code, and fell significantly in those adjacent.
- Wal-Mart’s entry into a new market has a strongly negative effect on existing retailers.<sup>8</sup> Supermarkets and discount variety stores are the most adversely affected sectors, suffering sales declines of 10 to 40% after Wal-Mart moves in.<sup>9</sup>

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<sup>6</sup> Neumark, David, Junfu Zhang, and Stephen Ciccarella, January 2007. “The Effects of Wal-Mart on Local Labor Markets.” Institute for the Study of Labor Discussion Paper #2545, University of Bonn. [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=958704](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=958704).

<sup>7</sup> Julie Davis, David Merriman, Lucia Samyoo, Brian Flanagan, Ron Baiman, and Joe Persky. “The Impact of an Urban Wal-Mart Store on Area Businesses: An Evaluation of One Chicago Neighborhood’s Experience.” Center for Urban Research and Learning, Loyola University Chicago. December 2009. [http://luc.edu/curl/pdfs/Media/Wal-MartReport21010\\_01\\_11.pdf](http://luc.edu/curl/pdfs/Media/Wal-MartReport21010_01_11.pdf); David Neumark, Junfu Zhang, and Stephen Ciccarella. “The Effect of Wal-Mart on Local Labor Markets.” IZA Discussion Paper No. 2545 (January 2007). <http://ftp.iza.org/dp2545.pdf>

<sup>8</sup> Srikanth Parachuri, Joel A.C. Baum, and David Potere. “The Wal-Mart Effect: Wave of Destruction or Creative Destruction?” *Economic Geography* 85.2 (2009): 209-236.

<sup>9</sup> Kenneth E. Stone, Georgeanne Artz, and Albery Myles. “The Economic Impact of Wal-Mart Supercenters on Existing Businesses in Mississippi.” Mississippi University Extension Service. 2002. [http://Wal-Mart.3cdn.net/6e5ad841f247a909d7\\_bcm6b9fdo.pdf](http://Wal-Mart.3cdn.net/6e5ad841f247a909d7_bcm6b9fdo.pdf); O. Capps, and J.M. Griffin. “Effect of a Mass Merchandiser on Traditional Food Retailers.” *Journal of Food Distribution* 29 (February 1998): 1-7;

- Stores near a new Wal-Mart are at increased risk of going out of business. After a single Wal-Mart opened in Chicago in September 2006, 82 of the 306 small businesses in the surrounding neighborhood had gone out of business by March 2008.<sup>10</sup>
- The value of Wal-Mart to the economy will likely be less than the value of the jobs and businesses it replaces. A study estimating the future impact of Wal-Mart on the grocery industry in California found that, “the full economic impact of those lost wages and benefits throughout southern California could approach \$2.8 billion per year.”<sup>11</sup>
- Chain stores, like Wal-Mart send most of their revenues out of the community, while local businesses keep more consumer dollars in the local economy: for every \$100 spent in locally owned businesses, \$68 stayed in the local economy while chain stores only left \$43 to re-circulate locally.<sup>12</sup>

## 2. Wal-Mart’s Costs to Taxpayers

- Wal-Mart has thousands of associates who qualify for Medicaid and other publicly subsidized care, leaving taxpayers to foot the bill.<sup>13</sup> For instance in Ohio Wal-Mart has more associates and associate dependents on Medicaid than any other employer, costing taxpayers \$44.8 million in 2009.<sup>14</sup>
- According to estimates, Wal-Mart likely avoided paying \$245 million in taxes 2008 by paying rent to itself and then deducting that rent from its taxable income.<sup>15</sup>

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Vishal P. Singh, Karsten T. Hansen, and Robert C. Blattberg. “Impact of a Wal-Mart Supercenter on a Traditional Supermarket: An Empirical Investigation.” February 2004.

<http://chicagobooth.edu/research/workshops/marketing/archive/WorkshopPapers/hansen.pdf>; Kusum L. Ailawadi, Jie Zhang, Aradhna Krishna, and Michael W. Kruger. “When Wal-Mart Enters: How Incumbent Retailers React and How This Affects Their Sales Outcomes.” *Journal of Marketing Research* 47.4 (August 2010).

<sup>10</sup> Davis et al, id

<sup>11</sup> Martin Boarnet, and Randall Crane. “The Impact of Big Box Grocers on Southern California: Jobs, Wages, and Municipal Finances.” Orange County Business Council. September 2009.

[http://www.coalition4lc.org/big\\_box\\_study.pdf](http://www.coalition4lc.org/big_box_study.pdf)

<sup>12</sup> Civic Economics. “The Andersonville Study of Retail Economics.” October 2004.

<http://www.andersonvillestudy.com/AndersonvilleSummary.pdf>

<sup>13</sup> “Good Jobs First” reports that in 21 of 23 states which have disclosed information, Wal-Mart has the largest number of employees on the Medicaid rolls of any employer.

[http://www.goodjobsfirst.org/corporate\\_subsidy/hidden\\_taxpayer\\_costs.cfm](http://www.goodjobsfirst.org/corporate_subsidy/hidden_taxpayer_costs.cfm)

<sup>14</sup> Ohio Department of Jobs and Family Services. “Ohio Medicaid Recipients by Employer.” September 2009.

[http://pnohio.3cdn.net/5ddd17f44b6d3a8a58\\_sim6bx1ew.pdf](http://pnohio.3cdn.net/5ddd17f44b6d3a8a58_sim6bx1ew.pdf)

<sup>15</sup> United Food and Commercial Workers International Union. “Outline of Data and Methodology for Estimating Amount of Tax Avoided By Wal-Mart.” <http://wakeupal-Mart.com/facts/statebudgetsappendix.html>.

- Wal-Mart has admitted a failure to pay \$2.95 billion in taxes for fiscal year 2009.<sup>16</sup>

### 3. Wal-Mart's low paying jobs contribute to the decline of the middle class

- Median household income declined by 1.8% nationally and 4.1% in New York City in 2009.<sup>17</sup> This decline will be exacerbated by low paying Wal-Mart jobs.
- Wal-Mart's average annual pay of \$20,774 is below the Federal Poverty Level for a family of four.<sup>18</sup>
- A Wal-Mart spokesperson publicly acknowledged in 2004 that, "More than two thirds of our people... are not trying to support a family. That's who our jobs are designed for."<sup>19</sup>
- Wal-Mart's 2010 health care offerings have a high annual deductible of \$4,400 which means a family would have to spend \$5,102 of their own money on health care before Wal-Mart's insurance pays anything. Based on the average salary of a Wal-Mart employee this payment represents almost 25% of their annual income.<sup>20</sup>  
21

For these reasons, we conclude that the entry of even a single Wal-Mart store in New York City could have a snowball effect and result in a negative long-term cumulative impact on the city's economy and continued decline of the middle class. A single small Wal-Mart, or a single superstore, could mean the demise of existing food retailers, end local retail, and hurt working families. Considering Wal-Mart's aggressive plans for expansion into urban markets all across the country, there is no reason to believe the company would be satisfied with only one store in the nation's largest city.

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<sup>16</sup> Tom English, and Mark J. Cowan. "The Challenges of Transparency in Corporate Tax Departments," The CPA Journal, October 2007; Wal-Mart Stores Inc. Form 10-K for fiscal year ended January 31, 2010. Consolidated Financial Statements, Note 8, pg. 36

<sup>17</sup> <http://www.crainsnewyork.com/article/20100809/FREE/100809838>

<sup>18</sup> The calculation assumes that a full-time Wal-Mart worker works an average of 34 hours a week, 52 weeks a year. The average of 34 hours a week is obtained from an internal Wal-Mart memo <http://www.nytimes.com/packages/pdf/business/26Wal-Mart.pdf>

<sup>19</sup> Transcript of PBS Newshour, 23 August 2004

<sup>20</sup> The calculation was performed for a family with one earning member who earns the Wal-Mart average wage of \$11.24/hour, and works an average of 34 hours a week for 52 weeks a year.

<sup>21</sup> This information is taken from the guide to annual enrollment that Wal-Mart distributed to its associates in September-October 2009 for benefit year 2010.



## The Negative Socio-Economic Impacts of Wal-Mart

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### Net Loss of Jobs, Fewer Small Businesses

While City representatives may have engaged in discussions with Wal-Mart or its agents, there has been no public review of Wal-Mart's plans or assessment of potential impacts. However, the case of the new Wal-Mart store in Chicago strongly suggests negative impacts that New York City could expect to experience with the introduction of Wal-Mart stores. A 2009 study by the Center for Research & Urban Learning at Loyola University surveyed a four-mile radius before and after the opening of Chicago's first Wal-Mart in September 2006.<sup>22</sup> The survey found that Wal-Mart's entry led to local business failures, no measurable increase in retail employment or sales in the immediate area of the new store, and a noticeable drop in jobs and sales in surrounding areas. To be more precise, 25% of retail businesses within a mile of the Wal-Mart closed within a year.

The Loyola study confirmed a basic principle of retailing in urban areas: total sales are for the most part based on a finite pool of disposable consumer income, and new retailers cannot simply create new sales without taking them away from others. "For Wal-Mart's own zip code, 60639, there is no evidence of an overall upturn in sales," concluded the researchers. Retail employment also declined overall: "Retail employment levels in Wal-Mart's own zip code show no significant change, presumably because of the addition of Wal-Mart's own employees. But retail employment trends in neighboring zip codes show a negative effect after Wal-Mart's opening. This effect is significant in the period 2003-2008."<sup>23</sup> The researchers found that the hardest-hit businesses were selling electronics, toys, office supplies, general merchandise, hardware, home furnishings and drugs. A University of Illinois analysis of a proposed Wal-Mart in Chicago in 2004 had accurately predicted that the megastore's arrival would lead to a net job loss and only a minimal increase in net tax revenues.<sup>24</sup>

Other research shows that Wal-Mart's arrival in a new market has a particularly damaging effect on ethnic retailers including supermarkets, bodegas, electronics and furniture stores.<sup>25</sup> A recent study in Florida found that drugstores and stores specializing in apparel, sporting goods, home furnishings, cards and gifts, and other essential consumer household goods are likely to suffer the

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<sup>22</sup> Davis et al, id

<sup>23</sup> *ibid.*

<sup>24</sup> UIC Center for Urban Economic Development. "The Economic Impact of Wal-Mart: An Assessment of the Wal-Mart Store Proposed for Chicago's West Side. March 2004. <http://www.uic.edu/cuppa/uicued>

<sup>25</sup> Center for Research & Urban Learning & Loyola University, 2009.

most.<sup>26</sup> Take a stroll down neighborhood retail strips in Washington Heights, Flushing, or East New York and it's clear that these are the products most commonly sold by locally-owned retail shops in New York City.

Another study that examined the impact of new Wal-Mart stores in seven markets around the country found that Wal-Mart's entry had substantial negative impacts on sales of mass-produced consumer staples by local vendors: "In the year following entry, mass stores suffer a median sales decline of 40% and supermarkets suffer a median sales decline of 17%, while drug stores experience a much smaller median decline of 6%. This magnitude of sales impact is broadly consistent with prior research",<sup>27</sup>

Small locally-owned businesses are not the only Wal-Mart victims. Other chain stores and discount retailers also suffer from Wal-Mart's manipulation of prices. One study of a nationwide dataset of Wal-Mart's effect on previously existing discount retailers found that roughly half of small discount stores closed after Wal-Mart's arrival.<sup>28</sup> The unfortunate result is a reduction of competition and many empty storefronts.

Independently owned local businesses are an essential part of New York City's vibrant residential neighborhoods. Chain stores are concentrated in a few outer-borough malls and in heavily-trafficked parts of Midtown and Lower Manhattan, while independent retailers predominate in most of the rest of the city. Independent retailers flourish, for example, in the dense commercial districts serving immigrant communities, in Flushing and Corona (Queens), Sunset Park (Brooklyn), Melrose (The Bronx) and Washington Heights (Manhattan).

As Jane Jacobs observed in her classic work *The Death and Life of Great American Cities*:

"Commercial diversity is, in itself, immensely important for cities, socially as well as economically...wherever we find a city district with an exuberant variety and plenty in its commerce, we are apt to find that it contains a good many other kinds of diversity also, including variety of cultural opportunities, variety of scenes, and a great variety in its population and other users. This is more than a coincidence." (p. 148)

The benefits of the small business economy are clear to see in districts like Downtown Flushing where small business has served as the engine of neighborhood growth and has led to the emergence of a uniquely diverse urban center that attracts residents and visitors from throughout the city and region. Linkages among small businesses strengthen them and help sustain them in hard times. Linkages between small businesses and civic and social organizations in

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<sup>26</sup> Parachuri et al, id

<sup>27</sup> Ailawadi et al, id

<sup>28</sup> Panle Jia. "What Happens When Wal-Mart Comes to Town: An Empirical Analysis of the Discount Retailing Industry." *Econometrica* 76.6 (November 2008): 1263-1316.

communities' help neighborhoods thrive and develop. Innumerable personal ties between local merchants and residents are enormous assets to a thriving urban environment.

Locally owned businesses are crucial to the vitality of our economy because they keep a higher percentage of their resources in the local economy by procuring their goods and services from the local area. Locally-owned businesses recirculate dollars in the neighborhood while chain stores send revenues to corporate headquarters. A 2004 study found that for every \$100 spent in locally owned businesses, \$68 stayed in the local economy while chain stores only left \$43 to recirculate locally. The local owners tend to live in the community, spend more on labor, are twice as likely to use local supply networks, and contribute more to local charities.<sup>29</sup>

Small businesses are the engines of local economic development, leaders in innovation and change, and are more productive than large chains.<sup>30</sup> In New York City, small retail businesses are a particularly important means of economic and social advancement for immigrant families.

Even if Wal-Mart imitates the appearance of our small business retailers by subdividing into small outlets, it will still operate as a global monopoly with the same giant supply chain, and the same low wages and substandard labor policies.

Our observations about the critical importance of locally-owned businesses are widely shared among those who have studied urban economies in depth. According to economists at Winthrop University, States with a higher percentage of very small businesses, those with 20 employees or less, have a more productive workforce and higher levels of GDP growth than states with lower levels of very small businesses. Furthermore, states that are rich in very small businesses have lower rates of unemployment.<sup>31</sup>

Wal-Mart is trying to take advantage of the current economic downturn by promising an immediate infusion of jobs and investment dollars in city neighborhoods that have been hit hard by the recession. Considering the body of independent research that clearly demonstrates Wal-Mart's negative long-term impacts on local economies, it would be shortsighted to allow this destructive retail monopolist to enter the New York City market via the Trojan Horse of "job creation."

Lastly, Wal-Mart typically sells promotable products below their cost as a loss leader to draw in customers.<sup>32</sup> Wal-Mart has the ability to lower these prices, even if it means losing money for up to ten years, something small businesses cannot afford.<sup>33</sup> After driving out competition, the

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<sup>29</sup> Civic Economics, id

<sup>30</sup> Parachuri et al, id

<sup>31</sup> D.K. Robbins, L.J. Pantuosco, D.F. Parker, and B.K. Fuller. "An Empirical Assessment of the Contribution of Small Business Employment to U.S. State Economic Performance". *Small Business Economics* 15 (2000): 293–302.

<sup>32</sup> B. Lund. "Predatory Pricing Practices and the Toy Industry." Global Toy News. August 27, 2010 <http://www.globaltoynews.com/2010/08/Wal-Mart-predatory-pricing-and-the-toy-industry.html>

<sup>33</sup> MacPherson; Lintreure, id

company increases prices on those products. Artificially lowering prices impacts not only small local businesses, but has major ramifications on manufacturing and the global economy.

Predatory pricing forces competing retailers to sell at a loss, or cancel orders for promotable products because they cannot compete with the artificially low prices. This hurts those small businesses and has major implications for manufacturers. Consumer products will ultimately sell fewer units because Wal-Mart will be the only store left selling these products. This causes losses for manufacturers by devaluating goods and impacting quantities.<sup>34</sup>

According to Bloomberg News, this was done on a massive scale this holiday season. Wal-Mart managers in the U.S. received instructions to mark up an average of 1,800 types of toys per store this holiday season, according to a company e-mail sent the month before Christmas.<sup>35</sup>

Wal-Mart's power to sell products below their typical market value has led to the laying off of employees and the closure of U.S. plants in favor of outsourcing products from overseas.<sup>36</sup> Eighty-five percent of Wal-Mart's items are made overseas. The mega-retailer has faced numerous accusations of unacceptable conditions in the factories of their suppliers. Reported abuses include: "forced overtime, locked bathrooms, starvation wages, pregnancy tests, denial of access to health care, and workers fired and blacklisted if they try to defend their rights."<sup>37</sup>

### **Costs to Taxpayers**

Because many of Wal-Mart's employees do not earn enough to make ends meet they often turn to public assistance. Each Wal-Mart store, averaging 200 employees, costs taxpayers approximately \$420,750 annually in public social services used by store employees.<sup>38</sup> Wal-Mart has thousands of associates who qualify for Medicaid and other publicly subsidized care, leaving taxpayers to foot the bill.<sup>39</sup> For instance, Wal-Mart has the greatest number of associates and associate dependents on Medicaid in Ohio, costing taxpayers \$44.8 million in 2009.<sup>40</sup>

According to the group Wal-Mart Subsidy Watch, a non-profit watchdog group, Wal-Mart has already received subsidies worth about \$52 million in New York State. At least eight Wal-Mart locations in New York have challenged their property tax assessment, recouping about \$766,000.<sup>41</sup> Wal-Mart has already cost New Yorkers millions of dollars, even before entering the state's largest marketplace.

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<sup>34</sup> D. Moberg. "The Wal-Mart Effect: The How's and Whys of Beating the Bentonville Behemoth." June 10, 2004

<sup>35</sup> M. Boyle. "Wal-Mart Raising Prices on Toys, Squeezing More Out of Holidays." Bloomberg News. December 15, 2010

<sup>36</sup> Fishman, id

<sup>37</sup> United Food and Commercial Workers International Union. "Wal-Mart and Sweatshops." [http://www.ufcw.org/take\\_action/Wal-Mart\\_workers\\_campaign\\_info/facts\\_and\\_figures/Wal-Martsweatshops.cfm](http://www.ufcw.org/take_action/Wal-Mart_workers_campaign_info/facts_and_figures/Wal-Martsweatshops.cfm)

<sup>38</sup> Congressman G. Miller. "Everyday Low Wages: The Hidden Price We All Pay For Wal-Mart" February 16, 2004.

<sup>39</sup> Good Jobs First, id

<sup>40</sup> Ohio Department of Jobs and Family Services., id.

<sup>41</sup> [www.Wal-Martsubsidywatch.org/index.html](http://www.Wal-Martsubsidywatch.org/index.html)

Wal-Mart also uses controversial methods to reduce the taxes it pays. They use a Capital Real Estate Investment Trust (REIT) where the corporation pays rent to itself and then deducts that rent from its taxable income.<sup>42</sup> It is estimated that Wal-Mart likely avoided paying \$245 million in 2008 using this strategy nationwide.<sup>43</sup> By its own admission, Wal-Mart likely owes billions in taxes.

Wal-Mart's entry into the New York City market may also negatively affect the tax base by displacing the better compensated employees of the existing retail sector. This is especially relevant for the unionized workers of the grocery sector. A study of Wal-Mart's potential entry into the San Francisco market estimated that if Wal-Mart were to take ten to twenty percent of the grocery markets and replace thousands of union supermarket employees with Wal-Mart workers, the region would lose \$300 to \$576 million dollars in employee wages and benefits.<sup>44</sup>

### **Wal-Mart's low paying jobs contribute to the decline of the Middle Class**

According to the 2009 Census Bureau's survey of income and poverty in the United States, Median household income is falling in the vast majority of U.S. states and in virtually every single major U.S. city, representing a shocking decline of the middle class. Unemployment has also skyrocketed in recent years and it has become much harder to get a good middle class job.<sup>45</sup>

According to the Census Bureau, median household income declined in thirty four U.S. states in 2009 and almost all U.S. Cities.

- In New York City, median household declined 4.1% to \$55,980.
- In Detroit, median household income declined 10% to \$48,535.
- In Orlando, median household income dropped almost 10% to \$46,856.
- In Cleveland, median household income fell 8.5% to \$45,395.
- In Miami, median household income declined 8.2% to \$45,946.
- In Indianapolis, median household income dropped 7.1% to \$50,140.

With an average annual pay of \$20,774, significantly below the Federal Poverty Level for a family of four, Wal-Mart's workforce can largely be classified as working poor.<sup>46,47</sup> Wal-Mart's 1.3 million employees being forced to accept poverty level wages and bare bones health benefits

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<sup>42</sup> Drucker, id

<sup>43</sup> Good Jobs First. "Wal-Mart Subsidy Watch." <http://wakeupWal-Mart.com/facts/statebudgetsappendix.html>

<sup>44</sup> Marlon Boarnet, Randall Crane, Daniel G. Chatman, and Michael Manville. "Emerging Planning Challenges in Retail: The Case of Wal-Mart." *Journal of the American Planning Association* 71.4 (2005): 433-449.

<sup>45</sup> U.S. Census Bureau "Income, Poverty, and Health Insurance Coverage in the United States: 2009" September, 2010.

<sup>46</sup> The calculation assumes that a full-time Wal-Mart worker works an average of 34 hours a week, 52 weeks a year. The average of 34 hours a week is obtained from an internal Wal-Mart memo. <http://www.nytimes.com/packages/pdf/business/26Wal-Mart.pdf>

<sup>47</sup> U.S. Department of Labor Bureau of Labor Statistics "A Profile of the Working Poor, 2000" March 2002

will only exacerbate the continuing decline of the middle class, including in New York City.<sup>48</sup> A Wal-Mart spokesperson was quoted in 2004 saying, "More than two thirds of our people...are not trying to support a family, that's who our jobs are designed for."<sup>49</sup>

A study done by the UC Berkeley Institute of Industrial Relations compared Wal-Mart's wages to other large retailers, as well as other industry segments. Wal-Mart employees constitute of 55% of all general merchandise workers, and 71% of large general merchandise workers. The study found a significant gap in pay for Wal-Mart employees. Looking at comparable retailers and adjusting wages for local labor markets, Wal-Mart employees earned less than their counterparts at other retailers. On average, general merchandise workers made 17.4% more and large general merchandise workers made 25.6% more than the Wal-Mart average for similar employees<sup>50</sup>.

Not only are employees being paid less than fair wages, only half of Wal-Mart employees are receiving healthcare. And those who do receive benefits are enrolled in plans that provide inadequate coverage.

Wal-Mart's 2010 health care offerings include low premiums of \$27 per pay period for family coverage, or \$702 per year; however this plan has a high annual deductible of \$4,400.<sup>51</sup> With a \$4,400 annual deductible, a family would have to pay \$5,102 of their own money before Wal-Mart's insurance pays for anything. For a family whose only income comes from a Wal-Mart associate, making Wal-Mart average wages of \$11.75 an hour, this equals almost 25% of their annual income.<sup>52</sup> New Yorkers cannot afford to devote one forth of their incomes to healthcare before their insurance kicks in.

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<sup>48</sup> Arindrajit Dube, and Steve Wertheim. "Wal-Mart and Job Quality – What Do We Know and Why Should We Care?" UC Berkeley Center for Labor Research and Education. October 16, 2005.

[http://laborcenter.berkeley.edu/retail/Wal-Mart\\_jobquality.pdf](http://laborcenter.berkeley.edu/retail/Wal-Mart_jobquality.pdf)

<sup>49</sup> Transcript of PBS Newshour, 23 August 2004

<sup>50</sup> *ibid*

<sup>51</sup> This information is taken from the guide to annual enrollment that Wal-Mart distributed to its associates in September-October 2009 for benefit year 2010.

<sup>52</sup> The calculation was performed for a family with one earning member who earns the Wal-Mart average wage of \$11.24/hour, and works an average of 34 hours a week for 52 weeks a year.

**Bryan Lloyd**

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**From:** Kari Collins  
**Sent:** Monday, May 21, 2012 2:38 PM  
**To:** Pat Trudgeon  
**Subject:** FW:

FYI

From: sue gilbertson [REDACTED]  
Sent: Monday, May 21, 2012 2:30 PM  
To: \*RVCouncil  
Subject:

Council Members,

I am Susan Gilbertson, 2000 Cleveland Av. No. My husband Tom and I have lived in Roseville since 1973. Recently I spoke to Officer Loren Rosand of the Roseville Police Dept about the impact to the Police Dept. of having a Walmart store here in Roseville. He stated that Chief Mathwig estimates calls for service from Walmart would number 900 to 1000 per year. The general cost can be broken down as follows: \$60 per hour for officer  
\$30 per hour for squad car

Additional costs per case would be incurred by Records Technicians, reviewing and additional follow-up, and possibly an Investigator.

These are costs which would ultimately be borne by Roseville residents.

We believe Walmart is a bad fit for our community. Please vote no.

Sincerely,  
Sue Gilbertson

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**Bryan Lloyd**

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**From:** Kari Collins  
**Sent:** Monday, May 21, 2012 2:27 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

FYI

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Monday, May 21, 2012 2:26 PM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart meeting

Name:: Joyce Thielen

Address:: 2210 Midland Grove Rd, Unit 203

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Letter

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I'm writing today because I cannot attend the City Council meeting this evening when the Walmart discussion will take place.

I would like you, my city representatives, to know that I am strongly opposed to the building of a new Walmart in Roseville. I am strongly opposed to a Walmart in Roseville for many reasons, including:

1. The poor wage standards Walmart typically offers to employee's. Walmart uses as many part-time workers as they can and they pay them low wages. Even if some higher hour part time workers are eligible for health benefits, those benefits are too costly to afford.
2. The hourly wages typical of Walmart employees are not high enough to sustain family, even a couple without children.
3. I believe Walmart would have a negative impact on Roseville's businesses, both small retail business and larger retail businesses.
4. I believe having a Walmart in Roseville would have a negative impact on the environment. I acknowledge that green and sustainable building practices and store/parking lot design could be incorporated into the proposed location, but those things do not offset my other concerns.
5. I am opposed to the public services money that would have to be spent for additional police, fire, and other city support for a Walmart building location. I'm also opposed to the infrastructure costs associated with another large, big

box, commercial/retail structure in Roseville. I understand they would pay property taxes, but I don't believe that would cover the expenses of extra city support and infrastructure.

Please take my opinions and concerns into consideration when debating the topics on the agenda at tonight's meeting.  
Thank you,  
Joyce

Additional Information:

Form submitted on: 5/21/2012 2:26:24 PM

Submitted from IP Address: 156.98.210.242

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

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**Bryan Lloyd**

---

**From:** Kari Collins  
**Sent:** Monday, May 21, 2012 1:27 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Walmart

FYI

From: Theresa Gardella [REDACTED]  
Sent: Monday, May 21, 2012 1:27 PM  
To: \*RVCouncil  
Subject: Walmart

Dear Council Members:

I am opposed to a Walmart opening in Roseville. Walmart's discriminatory practices, low wages, and their ability to undermine the health of small businesses is well-known. What kind of community does Roseville want to be? Do we want to be the kind of community that aspires to have a thriving and varied business sector? A community that strives to encourage living wages for its residents? A community that values and welcomes diversity? This is the community I want Roseville to be; this is the community my husband and I moved to 2 ½ years ago and the community where we want to raise our children.

Yes, Walmart offers low costs, often times unbeatable by any other store including box stores, but at what cost to our community?

Please vote NO on Walmart.

Sincerely,

Theresa Gardella

Roseville Resident  
[REDACTED]

**Bryan Lloyd**

---

**From:** Kari Collins  
**Sent:** Monday, May 21, 2012 10:35 AM  
**To:** Pat Trudgeon  
**Subject:** FW: opposed to Walmart store

FYI

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Monday, May 21, 2012 10:31 AM  
**To:** \*RVCouncil  
**Subject:** opposed to Walmart store

I can't see where the Walmart store (or Costco or a similar big box discounter) would be good for Roseville, and encourage you to vote against it.

---

57-Year-Old Woman is 24

Doctors Figures Out Secret To Look Younger For Just \$5

<http://thirdpartyoffers.juno.com/TGL3131/4fba602a7704318c133ast05duc>

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**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, May 21, 2012 8:03 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Sunday, May 20, 2012 8:05 AM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: WALMART

Name:: Timothy Callaghan

Address:: 3062 Shorewood Lane

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Phone

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I have yet to see any information on the traffic report on the effects of the Walmart development. This was not available at the planning commission and has not been present on any of the links for Walmart. Is this being kept secret for a reason?

Additional Information:

Form submitted on: 5/20/2012 8:05:06 AM

Submitted from IP Address: 24.118.30.90

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

MAY 17 2012

90 Mid Oaks Lane  
Roseville, MN 55113

May 17, 2012

Roseville City Council  
Roseville City Hall  
2660 Civic Center Drive  
Roseville, MN 55113

RE: Roseville Walmart Proposal

Dear Council Members,

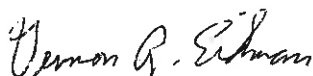
I am opposed to the current proposal to locate a Walmart Store north of County Road C in Roseville.

There are many reasons locating a Walmart store on this site is not in Roseville's best interests, but I will comment on just one. As analysis by TrischlerBise<sup>1</sup> documents, adding retail space to a city like Roseville will add much more to city expenditures than to city revenues and result in a net fiscal deficit. The costs of the required police and fire protection for retail businesses are major contributors to the negative impact. Furthermore, adding more retail business increases the number of lower paid jobs in Roseville, which increases the amount of lower cost housing the city is required to have. TrischlerBise also show that lower cost housing has a negative fiscal impact on the city.

Roseville households and businesses should not be asked to pay more taxes to subsidize large retail businesses, particularly large retail businesses we don't need. It would be far wiser to use the land area for office, industrial and/or larger single family housing which FischlerBise show have a positive fiscal impact on the city.

I have attached a copy of the letter I wrote to you dated March 15, 2012 that summarizes the fiscal impact of alternative land uses on a city like Roseville. It explains the points I made above in more detail.

Sincerely yours,



Vernon R. Eidman  
Professor Emeritus  
Department of Applied Economics  
University of Minnesota

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<sup>1</sup> TrischlerBise, *Study of the Metropolitan Area Fiscal Disparities Program*, Prepared for the Minnesota Department of Revenue, February 13, 2012.

90 Mid Oaks Lane  
Roseville, MN 55113

March 15, 2012

Roseville City Council  
Roseville City Hall  
2660 Civic Center Drive  
Roseville, MN 55113

RE: Fiscal Impacts of Adding Retail on County Road C in Roseville

Dear Council Members,

A recent study, prepared for the Minnesota Department of Revenue, estimates the fiscal impact of alternative land uses for counties, cities and school districts in the seven-county Twin Cities Metropolitan Area.<sup>1</sup> This study estimates the revenue generated to a locality from a type of land use and compares it to the direct expenditures the city, county and school district incurs in providing existing services to that land use. The analysis is based on the jurisdiction's Fiscal Year 2011 budget and current levels of service. The authors indicate the study seeks to answer the question, "What type of development pays for itself?"

The study evaluated nine land use alternatives – five residential and four nonresidential – listed below.

**Residential Land Use**

- Single Family detached unit: Higher value
- Single Family detached unit: Median value
- Single family detached unit: Lower value
- Multifamily/Condo (Homestead) unit
- Apartment unit

**Nonresidential Land Use**

- Commercial/Retail
- Office
- Industrial
- Institutional (tax exempt)

A jurisdiction's analysis includes the General Fund and any tax-supported funds, including operating and capital costs (including debt service). Funds for water and waste water are assumed to be self supporting and are not included. The authors stress that only those revenues and costs directly attributed to the land use are included. No indirect, or spin-off impacts are included except the Fiscal Disparities revenue.

---

<sup>1</sup> TrischlerBise, *Study of the Metropolitan Area Fiscal Disparities Program*. Prepared for Minnesota Department of Revenue, February 13, 2012.



The analysis considers two scenarios, with fiscal disparities (the current system) and without fiscal disparities (a hypothetical scenario). The second scenario is included to indicate how elimination of the Fiscal Disparities Program might impact the results. The assumption with the second scenario (without Fiscal Disparities) is that the tax rates are adjusted to generate the same level of tax revenue.

Ideally one would like to have this analysis completed for Roseville. While the study doesn't report an analysis of Roseville's data, it does provide a case example of a developed city that, like Roseville, is a net contributor to the Fiscal Disparities Program. I understand that the city analyzed is Bloomington.

The annual fiscal results for the city are shown in Figure 94 with the numerical results given in Figure 95. Notice that the results are expressed per housing unit for the five residential alternatives, and per 1000 square feet for the nonresidential uses. With the exception of the high value single family unit, the residential prototypes add more to city expenditures than to revenues and result in net deficits. Retail has the largest negative fiscal results. The costs for police and fire protection are major contributors to the negative impact of retail. To apply this result to the proposed retail establishment for County Road C, one would need to multiply the total per thousand square feet by the size of the proposed facility. Unlike retail, office and industrial uses have positive contributions to the fiscal impact for the city.

The results for the city without the fiscal Disparities Program are shown in Figures 96 and 97. The report states that without the Fiscal Disparities Program, tax rates in this city would decrease for residential properties and increase for nonresidential uses. Notice that the net fiscal effect for retail is still negative.

The analysis also estimates the fiscal impact for the school district and the county for each alternative land use. I won't comment on those results because the focus here is on the fiscal impact for the city. However, the results for all three jurisdictions are shown graphically in Figures 106 and 107.

Two additional comments are important. First, the negative fiscal impact of retail for the city is robust across various types of cities analyzed in the report. These results are not unique to the particular characteristics of the city chosen for this example.

Second, increasing the amount of retail increases the number of lower paid jobs in Roseville, which increases the amount of lower cost housing the city is required to have. Thus, adding more retail has a negative impact on the city's fiscal position both because of the negative impact of retail itself, and also because of the negative impact of the additional lower cost housing.

Thank you for reading my thoughts on this topic.

Sincerely yours,



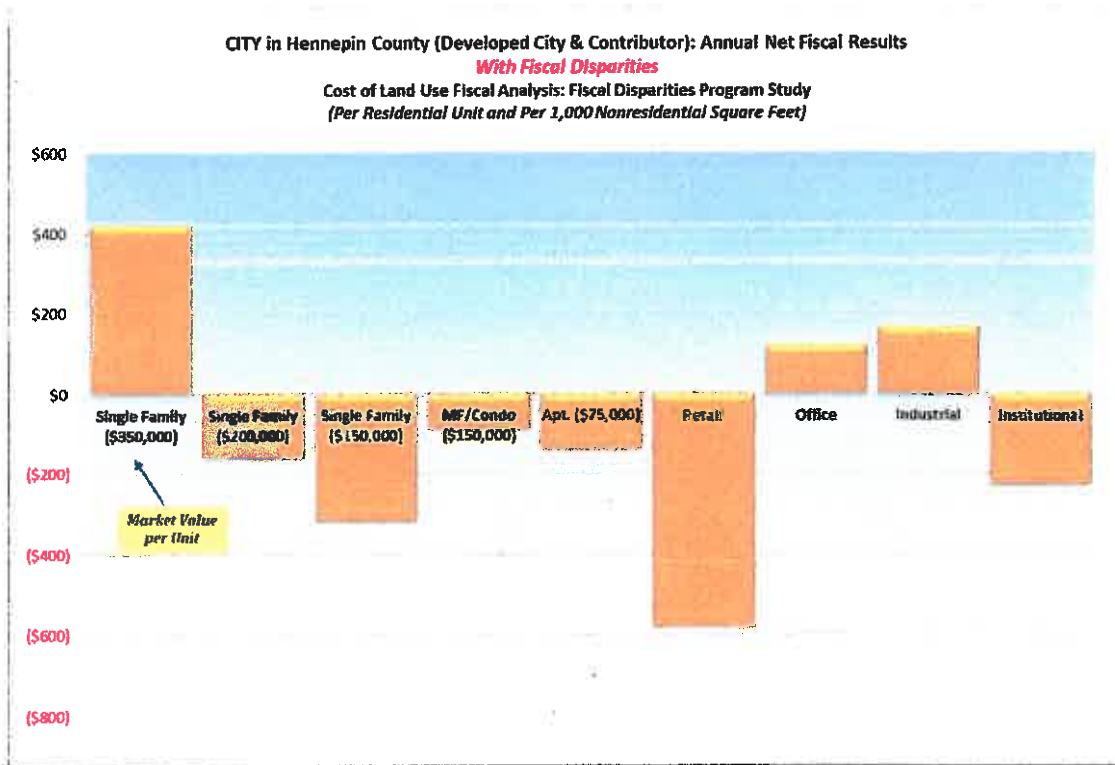
Vernon R. Eidman

Professor Emeritus

Department of Applied Economics

University of Minnesota

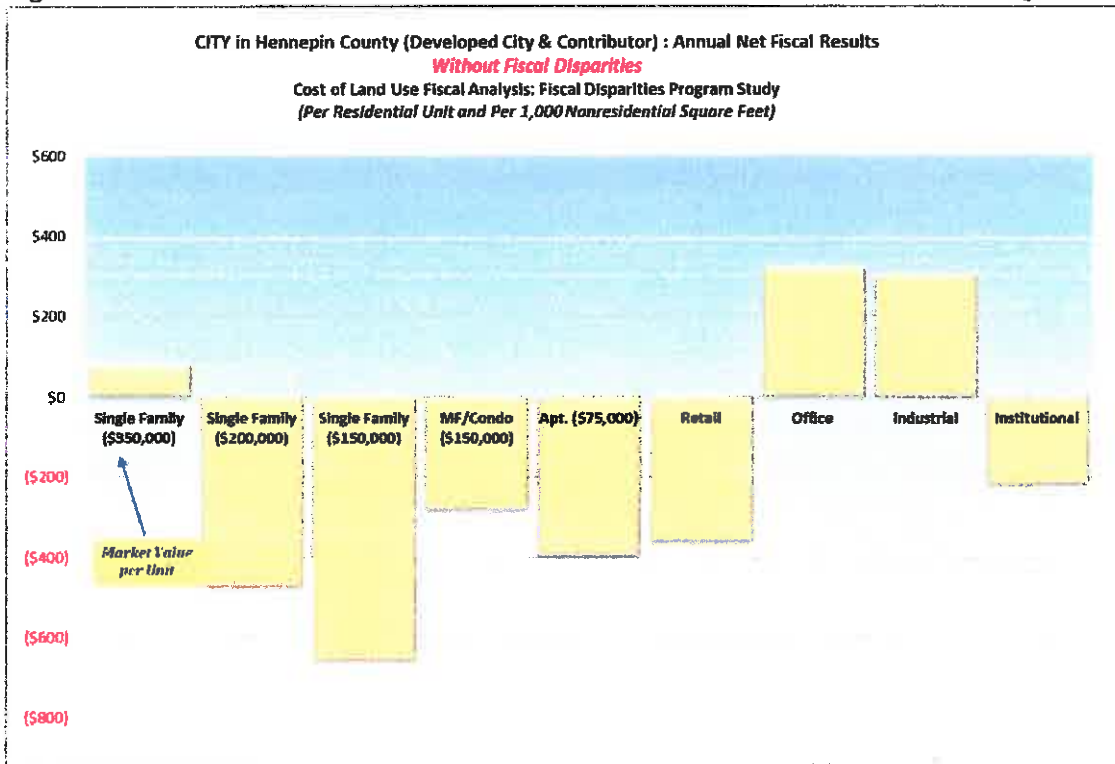
**Figure 94. DEVELOPED CITY Annual Net Fiscal Results: CITY Results with Fiscal Disparities**



**Figure 95. DEVELOPED CITY Annual Net Fiscal Results: CITY Revenues and Expenditures with Fiscal Disparities**

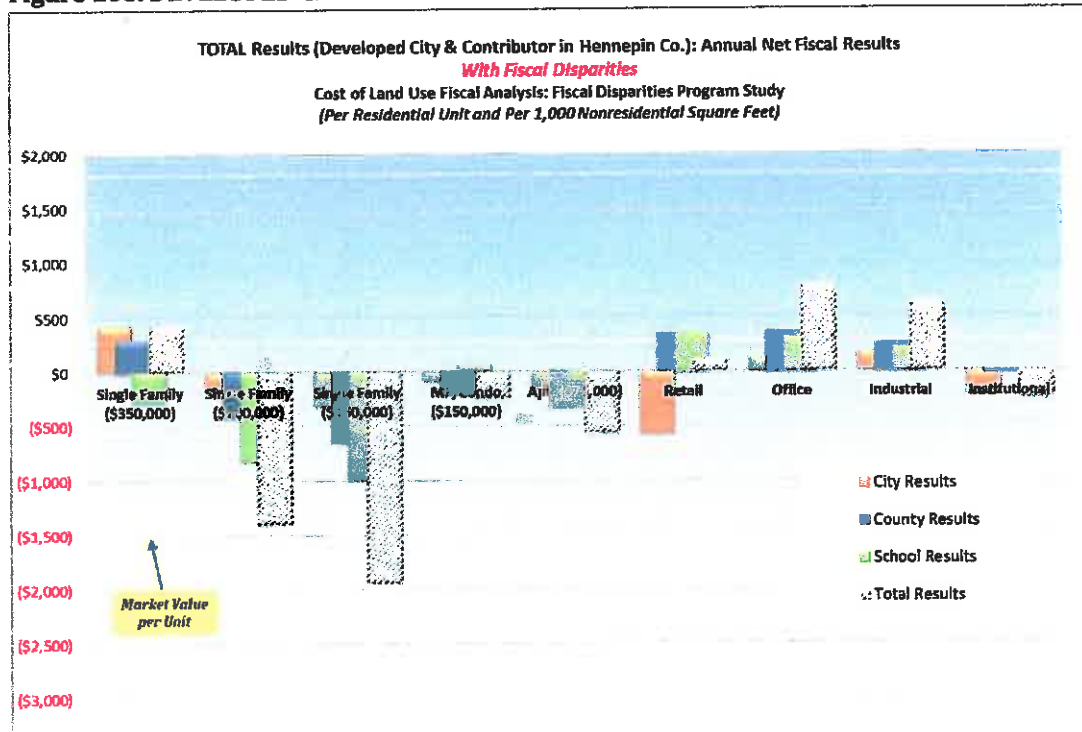
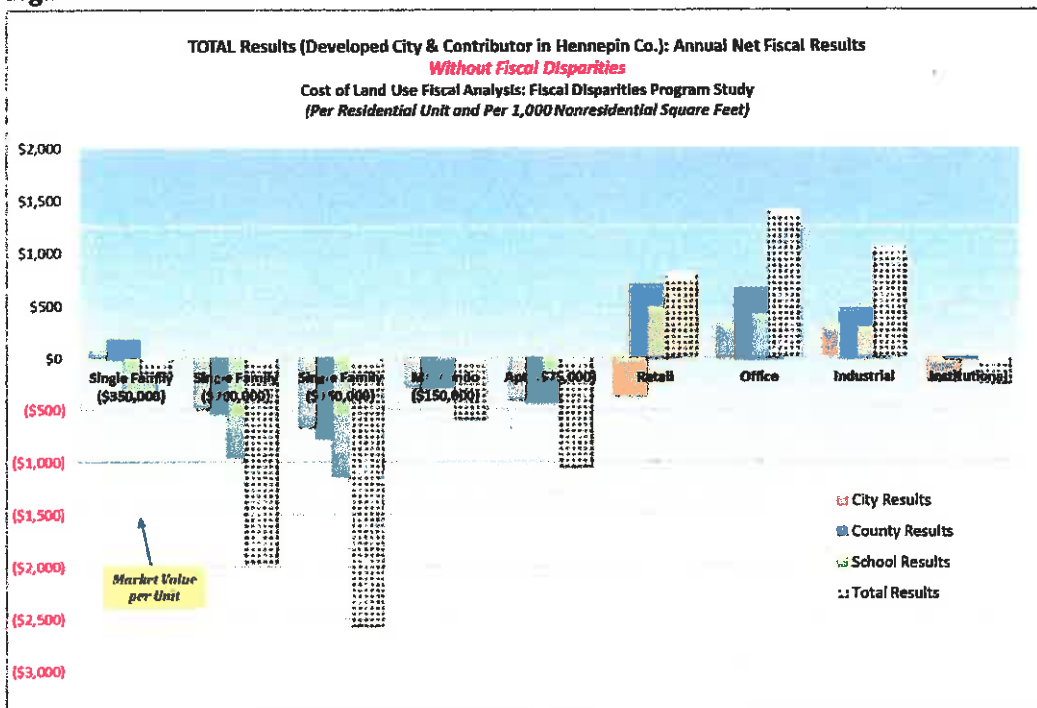
| CITY RESULTS      | Residential (Per Unit)                                 |                                         |                                      |                                             |                       | Nonresidential (Per 1,000 Sq. Ft.) |        |            |               |
|-------------------|--------------------------------------------------------|-----------------------------------------|--------------------------------------|---------------------------------------------|-----------------------|------------------------------------|--------|------------|---------------|
|                   | Single Family High Value<br>Market Values<br>\$350,000 | Single Family Median Value<br>\$200,000 | Single Family Low Value<br>\$150,000 | Multifamily/Condo (Hmstd) Unit<br>\$150,000 | Apt. Unit<br>\$75,000 | Commercial/Retail                  | Office | Industrial | Institutional |
| General Fund      |                                                        |                                         |                                      |                                             |                       |                                    |        |            |               |
| Revenues          | \$1,914                                                | \$1,336                                 | \$1,180                              | \$884                                       | \$838                 | \$498                              | \$492  | \$307      | \$145         |
| Expenditures      | \$1,494                                                | \$1,494                                 | \$1,494                              | \$970                                       | \$970                 | \$1,076                            | \$369  | \$138      | \$369         |
| Net Fiscal Result | \$421                                                  | (\$157)                                 | (\$314)                              | (\$86)                                      | (\$132)               | (\$578)                            | \$123  | \$168      | (\$224)       |

SOURCE: TischlerBise p. 130

**Figure 96. DEVELOPED CITY Annual Net Fiscal Results: CITY Results without Fiscal Disparities****Figure 97. DEVELOPED CITY Annual Net Fiscal Results: CITY Revenues and Expenditures without Fiscal Disparities**

| CITY RESULTS      | RESIDENTIAL (PER UNIT)                |                                         |                                      |                                             |                       | Nonresidential (Per 1,000 Sq. Ft.) |        |            |               |
|-------------------|---------------------------------------|-----------------------------------------|--------------------------------------|---------------------------------------------|-----------------------|------------------------------------|--------|------------|---------------|
|                   | Single Family High Value<br>\$350,000 | Single Family Median Value<br>\$200,000 | Single Family Low Value<br>\$150,000 | Multifamily/Condo (Hmstd) Unit<br>\$150,000 | Apt. Unit<br>\$75,000 | Commercial/Retail                  | Office | Industrial | Institutional |
| General Fund      |                                       |                                         |                                      |                                             |                       |                                    |        |            |               |
| Revenues          | \$1,565                               | \$1,015                                 | \$831                                | \$686                                       | \$572                 | \$713                              | \$684  | \$438      | \$145         |
| Expenditures      | \$1,494                               | \$1,494                                 | \$1,494                              | \$970                                       | \$970                 | \$1,076                            | \$369  | \$138      | \$369         |
| Net Fiscal Result | \$71                                  | (\$479)                                 | (\$662)                              | (\$284)                                     | (\$398)               | (\$363)                            | \$315  | \$299      | (\$224)       |

SOURCE: TischlerBise p. 131

**Figure 106. DEVELOPED CITY Annual Net Fiscal Results: TOTAL Results with Fiscal Disparities****Figure 107. DEVELOPED CITY Annual Net Fiscal Results: TOTAL Results without Fiscal Disparities**

SOURCE: TischlerBise pp. 137-8

**Bryan Lloyd**

---

**From:** Carolyn Curti  
**Sent:** Friday, May 04, 2012 11:16 AM  
**To:** Pat Trudgeon; Bill Malinen  
**Subject:** FW: Online Form Submittal: General Inquiry Form

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Friday, May 04, 2012 11:14 AM  
To: Carolyn Curti  
Subject: Online Form Submittal: General Inquiry Form

The following form was submitted via your website: General Inquiry Form

Subject: Proposed Walmart

Name:: Midge McLean

Address:: 2844 N Huron St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Please fill out the corresponding contact information below.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I cannot believe the City of Roseville is considering approving the building of a Walmart in Roseville. The city, a few years ago, denied Cosco approval, which would bring a whole different clientele to our area. What's wrong with asking Cosco to reconsider building again. We do not need another Walmart!!

Additional Information:

Form submitted on: 5/4/2012 11:14:08 AM

Submitted from IP Address: 66.41.248.190

Referrer Page: <http://www.cityofroseville.com/index.aspx?NID=352>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=217>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, April 23, 2012 2:48 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Monday, April 23, 2012 9:22 AM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Carl Brookins

Address:: 3090 Mildred Drive

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: According to the New York Times, the Justice Department is investigating a decades-long bribery operation by Wal-Mart management and a subsequent cover-up in Mexico. If true, there are multiple violations of both U.S. and Mexican laws. Are they bribing people in the U.S.? And, is this the kind of company we want in Roseville?

Additional Information:

Form submitted on: 4/23/2012 9:22:18 AM

Submitted from IP Address: 66.41.6.112

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Monday, April 23, 2012 8:17 AM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Linda Pribyl

Address:: 1637 Ridgewood Lane North

City:: Roseville

State: : Mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number:: same

Email Address::

Please Share Your Comment, Question or Concern: With all the data out there on how a walmart destroys smaller business, and with the Rosedale complex just down the road, I wonder how misguided and perhaps wrongheaded is the idea of a walmart in roseville? I understand the temptation to go along with walmarts agenda, but we have a nice community, with a great mall, why ruin it?

Additional Information:

Form submitted on: 4/23/2012 8:17:19 AM

Submitted from IP Address: 24.118.124.240

Referrer Page: <http://www.ci.roseville.mn.us/CivicAlerts.aspx?AID=321>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, April 23, 2012 2:48 PM  
**To:** Pat Trudgeon  
**Subject:** FW: in support of the Wal Mart

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Sunday, April 22, 2012 4:48 PM  
**To:** \*RVCouncil  
**Subject:** in support of the Wal Mart

I am a Roseville resident living just south of 36 off Cleveland and I am very much in favor of the Wal Mart development project on Cleveland and Cty Rd C. I have a conflict on Monday but do want to voice my support. Leah Doherty, 2110 Rosewood Ln. S., Roseville.

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**Bryan Lloyd**

---

**From:** Carolyn Curti  
**Sent:** Wednesday, April 18, 2012 12:36 PM  
**To:** Pat Trudgeon; Bill Malinen  
**Subject:** FW: Online Form Submittal: General Inquiry Form

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Wednesday, April 18, 2012 12:20 PM  
To: Carolyn Curti  
Subject: Online Form Submittal: General Inquiry Form

The following form was submitted via your website: General Inquiry Form

Subject: Wal-Mart possibly building a store in Roseville,MN

Name:: Thomas M. Hoffman

Address:: 1284 Ruggles Street

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Please fill out the corresponding contact information below.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I am writing to express my strong opposition of building a Wal-Mart store in Roseville. Sometime ago Costco attempted to build a store in Roseville and was not allowed to come into Roseville. Why give Wal-Mart preferential treatment over Costco?

Wal-Mart has a terrible labor relations record and has had so many lawsuits filed against them by employees. Histroy tells us that Wal-Mart is not a good employer. Also, history establishes that when Wal-Mart comes into a community the crime rate increases dramatically in the area. More so than any of their competitors. For those reasons I urge the City Council to reject Wal-Marts bid to build in Roseville. If you are going to bring new businesses into Roseville, why not recruit an employer with a solid Labor Relations reputation with their employes's?  
I urge you to share my comments with the Mayor and the elected City Concil members.

Thank you for your consideration.

Thomas M. Hoffman  
1284 Ruggles Street  
Roseville, MN 55113

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, April 16, 2012 10:50 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Monday, April 16, 2012 10:49 AM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Marta Wall

Address:: 1823 Alameda St.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would like to express my concern over the proposed Wal-Mart development in Roseville. I have deep concerns with their business plan, their employment policies, and their manufacturing policies. But more importantly, I worry about the impact this type of big box store will have on the the small businesses in Roseville. I urge you, please do not move forward with this plan. Thank you.

Additional Information:

Form submitted on: 4/16/2012 10:49:13 AM

Submitted from IP Address: 174.53.165.31

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Sunday, April 15, 2012 5:06 PM  
**To:** Pat Trudgeon  
**Subject:** Fwd: Wal-Mart store on County Road C and Cleveland

Bill

Begin forwarded message:

From: Michael Hollerich [REDACTED]  
Date: April 15, 2012 5:04:16 PM CDT  
To: \*RVCouncil <[city.council@ci.roseville.mn.us](mailto:city.council@ci.roseville.mn.us)>  
Subject: Wal-Mart store on County Road C and Cleveland

To the members of the Roseville City Council:

I'm expressing my support on behalf of all those citizens in Roseville who are opposed to the construction of a new Wal-Mart store at County Road C and Cleveland Avenue. I have lived here for nineteen years and have been a Roseville property owner for eighteen of those years. Roseville has all the retail shopping it needs. This store is unnecessary and unwanted.

Full disclosure: I live at County Road B and Cleveland. But I would still be opposed to this store if it were being built somewhere on Dale or Victoria or Snelling. I patronize local establishments as much as possible. I don't want to see more local businesses suffocated by another big box store.

Michael J. Hollerich  
2132 Cleveland Ave.

---

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**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, April 16, 2012 1:47 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: support@civicplus.com [mailto:support@civicplus.com]  
Sent: Wednesday, April 11, 2012 4:54 PM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Mary Manns

Address:: 2233 St. Croix Street

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Hate group formation associated with big-box stores  
Wednesday, April 11, 2012

The presence of big-box retailers, such as Wal-Mart, K-Mart and Target, may alter a community's social and economic fabric enough to promote the creation of hate groups, according to economists.

The number of Wal-Mart stores in a county is significantly correlated with the number of hate groups in the area, said Stephan Goetz, professor of agricultural economics and regional economics, Penn State, and director of the Northeast Regional Center for Rural Development.

"Wal-Mart has clearly done good things in these communities, especially in terms of lowering prices," said Goetz. "But there may be indirect costs that are not as obvious as other effects."

The number of Wal-Mart stores was second only to the designation of a county as a Metropolitan Statistical Area in statistical significance for predicting the number of hate groups in a county, according to the study.

The researchers, who reported their findings in the online version of Social Science Quarterly, said that the number of Wal-Mart stores in a county was more significant statistically than factors commonly regarded as important to hate group participation, such as the unemployment rate, high crime rates and low education.

The researchers suggested several theories for the correlation between the number of large retail stores and hate groups in an area.

Goetz, who worked with Anil Rupasingha, adjunct professor of agricultural economics and agricultural business, New Mexico State University, and Scott Loveridge, professor and director of the Northcentral Regional Center for Rural Development, Michigan State University, said that local merchants may find it difficult to compete against large retailers and be forced out of business.

Local business owners are typically members of community and civic groups, such as the Kiwanis and Rotary clubs. Losing members of these groups, which help establish programs that promote civic engagement and foster community values, may cause a drop in community cohesion, according to Goetz.

"While we like to think of American society as being largely classless, merchants and bankers are part of what we could call a leadership class in a community," Goetz said.

The large, anonymous nature of big-box retailers may also play a role in fraying social bonds, which are strongest when individuals feel that their actions are being more closely watched. For example, people may be less likely to shoplift at a local hardware store if they know the owner personally, Goetz said.

Religious priming -- using certain words or phrases to promote a range of attitudes and behaviors -- may also play a role, according to the researchers. In one study of religious priming, after participants reviewed a list of Christian words, such as Bible, gospel and Messiah, they also tended to support racist attitudes against blacks.

The researchers said that because Wal-Mart promotes typical Protestant values, such as savings and thrift, the cues may lead customers to adopt other beliefs, including intolerant attitudes, according to the researchers.

The researchers used data collected by the Southern Poverty Law Center, a group that monitors the activities of hate groups, on hate groups in each U.S. county in 2007. They used the number and location of Wal-Mart stores from 1998. Goetz said the lag time between the data sets provided time for the possible influence of a store to affect a community. Goetz said that the researchers chose Wal-Mart for the study because of the availability of data on the stores. He added that the presence of Wal-Mart in an area generally indicates the establishment of other types of big-box retailers, such as Home Depot and Target.

"We're not trying to pick on Wal-Mart," said Goetz. "In this study, Wal-Mart is really serving as a proxy for any type of large retailer."

The store chain could use this study to find ways to play a role in supporting local groups that can foster stronger social and economic ties in a community.

"We doubt strongly that Wal-Mart intends to create such effects or that it specifically seeks to locate in places where hate groups form," the researchers said.

Penn State: <http://live.psu.edu>

Thanks to Penn State for this article.

This press release was posted to serve as a topic for discussion. Please comment below. We try our best to only post press releases that are associated with peer reviewed scientific literature. Critical discussions of the research are appreciated. If you need help finding a link to the original article, please contact us on twitter or via e-mail.

Additional Information:

Form submitted on: 4/11/2012 4:53:39 PM

Submitted from IP Address: 98.240.228.222

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, April 16, 2012 1:49 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Ramsey Cty Sheriff Rpt on Target & Wal-Mart  
**Attachments:** Wal-Mart v. Target - Ramsey Country Sheriff's Office.pdf

-----Original Message-----

From: Carol Koester [REDACTED]  
Sent: Wednesday, April 11, 2012 12:09 PM  
To: \*RVCouncil  
Subject: Ramsey Cty Sheriff Rpt on Target & Wal-Mart

City Council Members:

Here is a 17 page report from the Ramsey County Sheriff's Dept. The first page sums it all up succinctly.

[Staff Note: only the 1st page summary of the Sheriff's report is included.]

Carol  
SWARN Strategy Committee

Confidentiality Statement: The documents accompanying this transmission contain confidential information that is legally privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.

# **Ramsey Country Sheriff's Office**

Incidents occurring between 01/01/2008 & 04/10/2012

## Target

975 County Rd E, Vadnais Heights

## Walmart Supercenter

850 County Rd E, Vadnais Heights

2008      52

2009      34

2010      35

2011      41

2012      14

2008      202

2009      167

2010      103

2011      149

2012      75

## **Five Year Total to 04/10/2012**

176

696



NORTH AMERICAN BANKING COMPANY

March 30, 2012

Dan Roe, Mayor  
Jeff Johnson, Council Member  
Tammy McGehee, Council Member  
Tammy Pust, Council Member  
Roert Willmus, Council Member  
City of Roseville  
2660 Civic Center Drive  
Roseville, MN 55113

Dear City Council Members:

I have lived or worked in the city of Roseville for 49 of my 52 years of life. I have seen many changes that have transformed the once quiet suburb into a thriving first tier suburb of a major metropolitan area that rivals any in the country.

We should all be ashamed of the deterioration that has occurred at a major entry point to our city, Cleveland and Country Road C. We should be ashamed of the way a small but vocal group has treated a potential new business and employer to our great city. We should be ashamed of the way a small but vocal group has hindered the development plans of a great business owner that has called Roseville its home for over 40 years.

My business property tax bill is \$44,778 of which \$17,594.60 goes to local tax; county, city and school district. Using the county's own tax calculator, and extrapolating a value based on my acreage the potential tax on a new development would be approximately \$564,000 of which approximately \$221,700 goes to local tax. The value I used was approximately \$14,700,000.00, which I am sure will be low compared to the actual development that will be built. I share these numbers not only to show the potential but also what was missed the last several years because of the poor judgment of a small vocal minority.

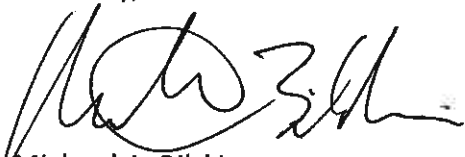


For the record I have known the owners of Roseville Properties all my life, multiple generations of my family and their family are friends. The bank also leases some additional space from Roseville Properties separate from our main office. Roseville Properties is a customer of mine. Some of Roseville Properties employees are customers of mine. Lastly, I am a long time member of Sam's Club. I wanted to tell you the record so there is no mischaracterization of my thoughts and why I have written this letter.

My thoughts and purpose for the letter are simple, the proposed development is long overdue, it is fiscally responsible, and based on the drawings I have seen will be a great new addition to our city. I have written the letter because I do not get a vote personally and I thought you needed to be aware that there are other viewpoints among the taxpayers in Roseville.

Thank you for your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael A. Bilski', written over a circular stamp or seal.

Michael A. Bilski

Chief Executive Officer

cc: Patrick Trudgeon, Community Development Director  
Thomas Paschke, City Planner  
Bill Malinen, City Manager

# COMMERCIAL TAX COMPUTATION

Attachment G

Example of tax computation for PROPOSED taxes payable in 2012 on a COMMERCIAL PROPERTY in District Code 7931 (Roseville - 623(C)) (NOT IN A TAX INCREMENT DISTRICT) that has a Taxable market value of \$1,000,000.

14706236.84

## STEP 1: CALCULATE THE NET TAX CAPACITY

|                                                      |                  |
|------------------------------------------------------|------------------|
| 1.5% x first \$150,000 of Estimated Market Value     | \$2,250          |
| 2.0% x Estimated Market Value in excess of \$150,000 | 291,125          |
| Total Net Tax Capacity                               | <u>\$293,375</u> |

## STEP 2: CALCULATE THE FISCAL DISPARITY NET TAX CAPACITY

|                                               |         |  |                  |
|-----------------------------------------------|---------|--|------------------|
| Total Net Tax Capacity (RESULT FROM STEP 1)   |         |  |                  |
| X Roseville's Fiscal Disparity Sharing Factor | 0.37916 |  | <u>\$111,236</u> |
| Total Fiscal Disparity Net Tax Capacity       |         |  | <u>\$111,236</u> |

## STEP 3: CALCULATE THE LOCAL NET TAX CAPACITY

|                                                                    |                  |
|--------------------------------------------------------------------|------------------|
| Total Net Tax Capacity (RESULT FROM STEP 1)                        | \$293,375        |
| Less: Total Fiscal Disparity Net Tax Capacity (RESULT FROM STEP 2) | <u>-111,236</u>  |
| Total Local Net Tax Capacity                                       | <u>\$182,139</u> |

## STEP 4: CALCULATE THE LOCAL TAX

|                     |                        |                            |   |              |
|---------------------|------------------------|----------------------------|---|--------------|
| Local Tax Payable = | 121.703% multiplied by | <b>STEP 3</b><br>\$182,139 | = | \$221,668.63 |
|---------------------|------------------------|----------------------------|---|--------------|

## STEP 5: CALCULATE THE FISCAL DISPARITY TAX

|                                |                        |                            |   |                     |
|--------------------------------|------------------------|----------------------------|---|---------------------|
| Fiscal Disparity Tax Payable = | 141.945% multiplied by | <b>STEP 2</b><br>\$111,236 | = | <u>\$157,893.94</u> |
|--------------------------------|------------------------|----------------------------|---|---------------------|

## STEP 6: CALCULATE THE MARKET TAX

|                      |                        |                                                |   |                    |
|----------------------|------------------------|------------------------------------------------|---|--------------------|
| Market Tax Payable = | 0.21601% multiplied by | <b>Taxable Market Value</b><br>\$14,706,236.84 | = | <u>\$31,766.94</u> |
|----------------------|------------------------|------------------------------------------------|---|--------------------|

## STEP 7: CALCULATE THE STATE GENERAL TAX

|                             |                       |                            |   |                     |
|-----------------------------|-----------------------|----------------------------|---|---------------------|
| State General Tax Payable = | 52.000% multiplied by | <b>STEP 1</b><br>\$293,375 | = | <u>\$152,555.00</u> |
|-----------------------------|-----------------------|----------------------------|---|---------------------|

## STEP 8: ADD LOCAL, FISCAL DISPARITY & STATE TAXES

|                                       |                     |
|---------------------------------------|---------------------|
| Local Tax                             | \$221,668.63        |
| Plus: Fiscal Disparity Tax            | \$157,893.94        |
| Plus: Market Tax                      | \$31,766.94         |
| Plus: State General Tax               | <u>\$152,555.00</u> |
| Total COMMERCIAL PROPERTY Tax Payable | <u>\$563,884.51</u> |

Note: This tax computation applies to Commercial/Industrial Property except contiguous Commercial/Industrial parcels owned by the same entity.

# COMMERCIAL TAX COMPUTATION

Attachment G

Example of tax computation for PROPOSED taxes payable in 2012 on a COMMERCIAL PROPERTY in District Code 7931 (Roseville - 623(C)) (NOT IN A TAX INCREMENT DISTRICT) that has a Taxable market value of \$1,000,000.

1201800

## STEP 1: CALCULATE THE NET TAX CAPACITY

|                                                      |                 |
|------------------------------------------------------|-----------------|
| 1.5% x first \$150,000 of Estimated Market Value     | \$2,250         |
| 2.0% x Estimated Market Value in excess of \$150,000 | 21,036          |
| Total Net Tax Capacity                               | <u>\$23,286</u> |

## STEP 2: CALCULATE THE FISCAL DISPARITY NET TAX CAPACITY

|                                               |         |  |                |
|-----------------------------------------------|---------|--|----------------|
| Total Net Tax Capacity (RESULT FROM STEP 1)   |         |  |                |
| X Roseville's Fiscal Disparity Sharing Factor | 0.37916 |  | <u>\$8,829</u> |
| Total Fiscal Disparity Net Tax Capacity       |         |  | <u>\$8,829</u> |

## STEP 3: CALCULATE THE LOCAL NET TAX CAPACITY

|                                                                    |                 |
|--------------------------------------------------------------------|-----------------|
| Total Net Tax Capacity (RESULT FROM STEP 1)                        | \$23,286        |
| Less: Total Fiscal Disparity Net Tax Capacity (RESULT FROM STEP 2) | <u>-8,829</u>   |
| Total Local Net Tax Capacity                                       | <u>\$14,457</u> |

## STEP 4: CALCULATE THE LOCAL TAX

|                     |                        |                    |   |             |
|---------------------|------------------------|--------------------|---|-------------|
| Local Tax Payable = | 121.703% multiplied by | STEP 3<br>\$14,457 | = | \$17,594.60 |
|---------------------|------------------------|--------------------|---|-------------|

## STEP 5: CALCULATE THE FISCAL DISPARITY TAX

|                                |                        |                   |   |                    |
|--------------------------------|------------------------|-------------------|---|--------------------|
| Fiscal Disparity Tax Payable = | 141.945% multiplied by | STEP 2<br>\$8,829 | = | <u>\$12,532.32</u> |
|--------------------------------|------------------------|-------------------|---|--------------------|

## STEP 6: CALCULATE THE MARKET TAX

|                      |                        |                                     |   |                   |
|----------------------|------------------------|-------------------------------------|---|-------------------|
| Market Tax Payable = | 0.21601% multiplied by | Taxable Market Value<br>\$1,201,800 | = | <u>\$2,596.01</u> |
|----------------------|------------------------|-------------------------------------|---|-------------------|

## STEP 7: CALCULATE THE STATE GENERAL TAX

|                             |                       |                    |   |                    |
|-----------------------------|-----------------------|--------------------|---|--------------------|
| State General Tax Payable = | 52.000% multiplied by | STEP 1<br>\$23,286 | = | <u>\$12,108.72</u> |
|-----------------------------|-----------------------|--------------------|---|--------------------|

## STEP 8: ADD LOCAL, FISCAL DISPARITY & STATE TAXES

|                                       |                    |
|---------------------------------------|--------------------|
| Local Tax                             | \$17,594.60        |
| Plus: Fiscal Disparity Tax            | \$12,532.32        |
| Plus: Market Tax                      | \$2,596.01         |
| Plus: State General Tax               | <u>\$12,108.72</u> |
| Total COMMERCIAL PROPERTY Tax Payable | <u>\$44,831.65</u> |

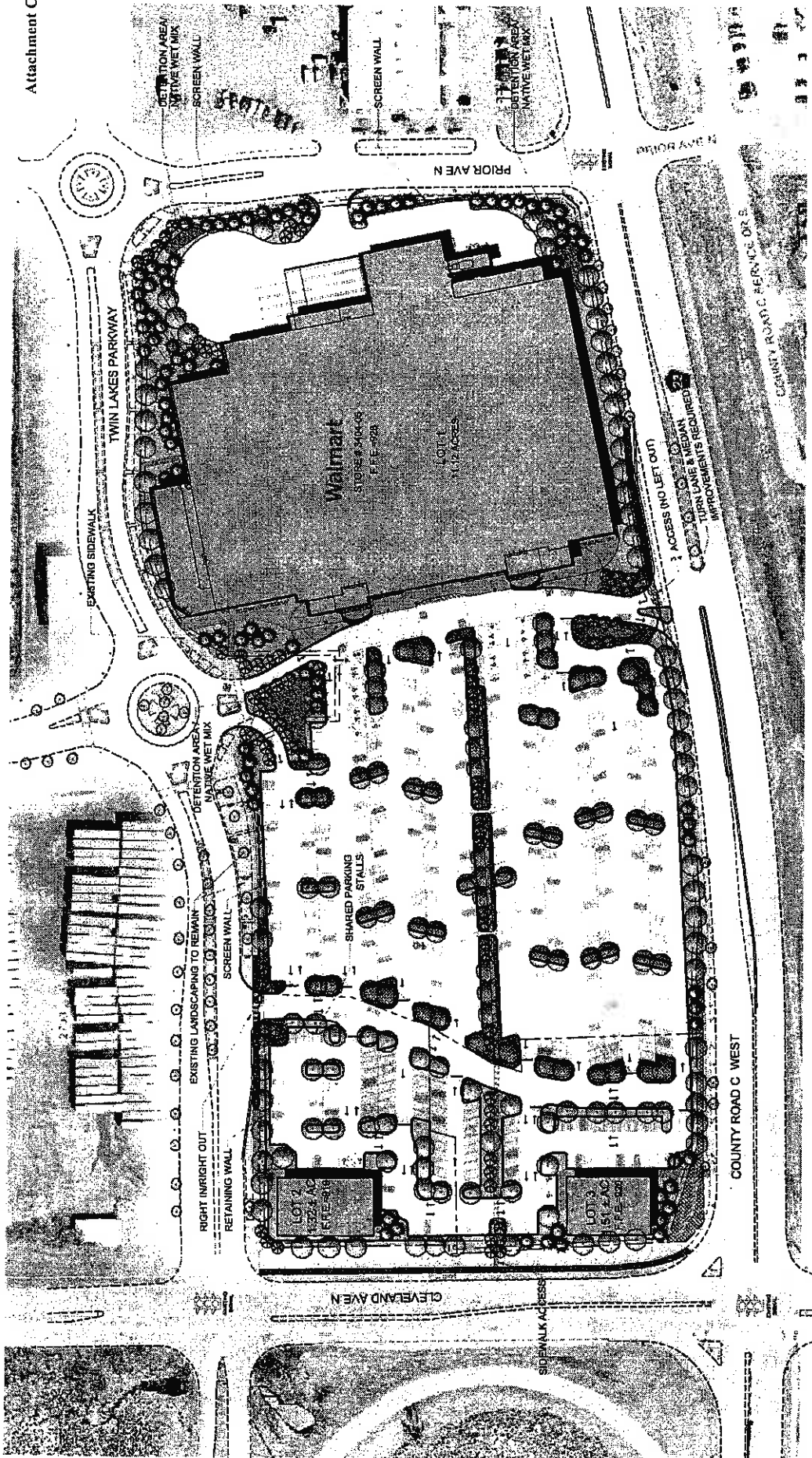
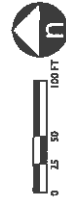
Note: This tax computation applies to Commercial/Industrial Property except contiguous Commercial/Industrial parcels owned by the same entity.

Attachment C

**Walmart**

ROSEVILLE, MN  
MASTER PLAN  
DECEMBER 2011

Page 1 of 1



| PRELIMINARY PLAT DATA TABLE                |          |
|--------------------------------------------|----------|
| TOTAL SITE AREA:                           | 14.10 AC |
| LOT 1:                                     | 11.12 AC |
| LOT 2:                                     | 1.32 AC  |
| LOT 3:                                     | 1.51 AC  |
| ROW DEDICATION:                            | 0.15 AC  |
| PLAN LAND USE DESIGNATION: RETAIL BUSINESS |          |
| EXISTING ZONING: RM-2                      |          |
| PROPOSED ZONING: CMU                       |          |
| TOTAL WETLAND AREA:                        | 0.11 AC  |
| DATE OF SURVEY:                            | 1/12/11  |

**Kimley-Horn  
and Associates, Inc.**

**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Wednesday, March 28, 2012 11:51 AM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Jerry Buerge

Address:: 1791 Mqple Lane

City:: Roseville

State: : MN

Zip:: 55113

Home Phone Number:: [REDACTED]

Daytime Phone Number::

Email Address:: [REDACTED]

Please Share Your Comment, Question or Concern: I sincerely believe that allowing this outfit to build a store anywhere in Roseville will sincerely downgrade the tone of our city. Obviously the opinion of a single citizen means nothing to those interested only in development for development's sake. but I can assure you that any councilperson voting for this project will certainly not received any further support from this person. That's not a threat, its a promise.

Additional Information:

Form submitted on: 3/28/2012 11:50:41 AM

Submitted from IP Address: 75.72.226.221

Referrer Page: <http://sn108w.snt108.mail.live.com/default.aspx>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

**Thomas Paschke**

---

**From:** Bill Malinen  
**Sent:** Tuesday, March 27, 2012 9:12 AM  
**To:** Pat Trudgeon  
**Subject:** FW: County Road C & Cleveland Avenue

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Monday, March 26, 2012 8:10 PM  
**To:** \*RVCouncil  
**Subject:** County Road C & Cleveland Avenue

I feel we donot need a Walmart there as it will bring lower class shoppers.;

Plus we have a Walmart about 4 miles away in St Anthony. I think a Costco

or Sams Club would be much better. Most people I talk to would perfer it.

What happened to Costco and why was it shot down before? Think of all

the business that would buy big from it. I am sure you council people

would shop there to. So vote NO on Walmart and rethink it over.

Roseville resident

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**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Monday, March 19, 2012 10:51 AM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Janet Olson

Address:: 418 Glenwood Ave

City:: Roseville

State: : MN

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: I would like to convey my opposition to the Wal-Mart proposal currently under consideration by the Roseville City Council. I learned of it through the Feb. 27, 2012 StarTribune article. Following are my reasons:

1. The neighbors in the Twin Lake area have always expressed opposition to Big Box. This should be strongly considered when making this decision.
2. This is a big enough issue that the whole community should have been sent information about this proposal – not just the required notices.
3. Wal-Mart is not the type of company we want in our community. Over the years they have been under-fire for their abuse of the federally-funded medical assistance system, their treatment of employees in general and more specifically their treatment of female employees, their low wages and benefits, the experience level of their employees, their strong-arming of suppliers both big and small, etc.
4. Legitimate media sources have speculated that Wal-Mart is too big and has too large of an effect on global commerce.
5. Communities are taking a stand against Wal-Mart for their negative effect on them.

There are many sources to read about Wal-Mart, including many articles in the country's major newspapers, an article from the American Prospect – The Wal-Mart Economy – May 2011, the website makingchangeatwalmart.org, etc.

We have wonderful retail centers in Roseville. Rosedale has gone through a successful up-grade with its theater, restaurants and stores. It is a prime destination for not only shopping, but entertainment. Target's re-modeling has created a pleasant shopping experience with quality items. HarMar Mall gives people the option to shop in a smaller setting.

There is little need or benefit to our community to allow the Wal-Mart proposal to go through.

Sincerely, Janet M. Olson, 418 Glenwood Ave, Roseville, MN 55113

**Thomas Paschke**

---

**From:** [REDACTED]  
**Sent:** Friday, March 16, 2012 4:58 PM  
**To:** Thomas Paschke  
**Subject:** Walmart

We have lived in the same house in Roseville since 1967. I love the thought of having Walmart in Roseville. The first Walmart I ever shopped in was a newly built one in Grand Rapids, MN. The greeter that met us at the door and shook our hands was THE Sam Walton.  
Jeanne Schumacher



**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Friday, March 09, 2012 10:25 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [mailto:support@civicplus.com]  
Sent: Friday, March 09, 2012 10:10 AM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Mary Manns

Address:: 2233 St. Croix Street

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Please, please do NOT agree to put a Walmart in Roseville. It would severely damage the already struggling retail in Roseville. Just walk through Har Mar to see all the empty spaces, and then imagine how it would look if there is a Walmart in town. Walmart provides only low paying jobs, we need businesses that will help our community grow and prosper. There is a Walmart just a few miles away, it seems that they are trying to take over the entire world. Surely there are other options for that site that would enhance our great city rather than making it more tacky.

Additional Information:

Form submitted on: 3/9/2012 10:09:44 AM

Submitted from IP Address: 97.112.89.78

Referrer Page: <http://www.ci.roseville.mn.us/Directory.aspx?did=17>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, March 05, 2012 2:18 AM  
**To:** Pat Trudgeon  
**Subject:** Fwd: Online Form Submittal: Contact City Council

Bill

Begin forwarded message:

From: "[support@civicplus.com](mailto:support@civicplus.com)" <[support@civicplus.com](mailto:support@civicplus.com)>  
Date: March 4, 2012 3:35:18 PM PST  
To: \*RVCouncil <[city.council@ci.roseville.mn.us](mailto:city.council@ci.roseville.mn.us)>, Kari Collins <[kari.collins@ci.roseville.mn.us](mailto:kari.collins@ci.roseville.mn.us)>, Bill Malinen <[bill.malinen@ci.roseville.mn.us](mailto:bill.malinen@ci.roseville.mn.us)>  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Michael McCormick

Address:: 2211 Merrill St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Wal-Mart's motive for entering Roseville reflects, at least in part, their hope to hurt their main rival Target by taking out the nearby Super Target store at B & Snelling. That was Target's very first store, part of our local history, and more importantly, a major contributor to Roseville area schools and community causes. Let's rally to the defense of our neighborhood Target and keep Wal-Mart out of Roseville. I am not affiliated in anyway with Target Corp.

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Tuesday, February 28, 2012 4:23 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Tuesday, February 28, 2012 3:06 PM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: proposed Walmart

Name:: Kris Kiesling

Address:: 645 S. Owasso Blvd

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Please consider this a NO vote on the proposed Walmart at the corner of Cleveland and County Road C. Currently C is a reasonable alternative to the commuting nightmare Highway 36 has become. That won't be the case with a Walmart on that corner. I don't object to the city developing that space, but does the world really need another Walmart? Preferably not in my town!

Additional Information:

Form submitted on: 2/28/2012 3:06:20 PM

Submitted from IP Address: 160.94.32.111

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Tuesday, February 28, 2012 4:21 PM  
**To:** Pat Trudgeon  
**Subject:** FW: wal-mart in roseville

-----Original Message-----

From: CasJan [REDACTED]  
Sent: Tuesday, February 28, 2012 12:04 PM  
To: \*RVCouncil  
Subject: wal-mart in roseville

I am a resident of st anthony village and live about a mile from the wal-mart in silver lake village. I would like to suggest that the roseville council take a close look at the increased activity of the st anthony police since the walmart was built here. This should be a concern since a week does not go by when there is not an incident or more that needs police attention. Also...the criminal activity such as purse snatching, use of stolen credit cards,shop lifting car break-ins to name a few,is not confined to just the big box store but to the surrounding residential area as well. Thank you for your consideration.

Leonard J. Casanova

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**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Tuesday, February 28, 2012 2:53 PM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Walmart - Opposed

Address:: 1999 Sharondale Ave.

City:: Roseville

State: : MN

Zip:: 55113

Home Phone Number:: [REDACTED]

Daytime Phone Number:: [REDACTED]

Email Address:: [REDACTED]

Please Share Your Comment, Question or Concern: Hello Mr. Paschke,

I would like it known that I am against having a Walmart come to the Twin Lakes site. Three reasons:

- 1) Walmart does not provide sustainable compensation to its employees, as opposed to perhaps a Costco, Trader Joe's, or Whole Foods.
- 2) Walmart is having difficulty with profitability at its present stores. Unless trends change, Walmart will need scale back their sites within the next few years to better match their potential sales.
- 3) We have many Walmarts in the area already. In light of the second problem above, it would stand to reason that a Walmart at the new Twin Lakes area would have a likelihood of shutting its doors within a few years. Then we have a big, vacant retail box. Not a great situation.

In-lieu of a Walmart, I would very much like to see perhaps a Whole Foods or a Trader Joes. Either of these has much less saturation, and would better server a larger (and perhaps more desirable) segment of Roseville's demographic.

Please let me know what further steps I can take to help re-focus a project for Twin Lakes away from a Walmart, and toward a more sustainable, better-serving retail or grocery project. Whole Foods or Trader Joe's being near the Lunds/Byerly's would have the effect of drawing a higher-end demographic to shop in that area, in much the same way as fast-food chains tend to locate near each other to create a given location that people associate with a given type of product. Rather than be strict competition for Byerly's, such a presence would tend to draw more customers into that area to shop for higher-end groceries.

Thank you much for your consideration and response.

Best Regards,

Carl Berger

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, February 27, 2012 1:02 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Monday, February 27, 2012 12:24 PM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart Plans

Name:: Ruth Sorenson-Prokosch

Address:: 1019 Shryer Ave. W.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I am concerned about the proposed Wal-Mart plan in Roseville. It would increase traffic in the area and be an unfair competitor to small, local businesses. While I understand the desire to redevelop that area of Roseville I would hope that there are other local businesses that could be considered other than a big box store. Thanks for your consideration!  
Ruth Sorenson-Prokosch

Additional Information:

Form submitted on: 2/27/2012 12:24:04 PM

Submitted from IP Address: 67.6.59.230

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, February 27, 2012 1:02 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Sunday, February 26, 2012 10:17 AM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal Mart

Name:: Timohy Callaghan

Address:: 3062 Shorewood Lane

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I see that after all the notices that were sent out and all the planning for the meeting that the decision on WalMart has been delayed a month so that you hope that you will not get a large turnout oppossing this bad decision. The planning commision was poorly attended since it was poorly advertised so that residents could not participate. Is this becoming only a city that supports large business?

Additional Information:

Form submitted on: 2/26/2012 10:16:49 AM

Submitted from IP Address: 24.118.30.90

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Thursday, February 23, 2012 11:17 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Thursday, February 23, 2012 11:08 AM  
To: \*RVCouncil; Kari Collins; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Twin Lakes Plot & Disposal Approval

Name:: Annette Phillips

Address:: 3084 Shorewood Ln

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Please look closely at the approval the Planning Commission has given to the preliminary plot and disposal of land for the Twin Lakes property.

On reviewing the cable broadcast of the Commission meeting, it was brought out that any approval needed to be consistent with the cities' Comprehensive Plan.

They ignored the fact that the Comprehensive Plan states that new development should not be "big box" retail. It was stated that this development would only entail 14 acres of 179 acres. Where are the 179 acres located? Most of the land surrounding Cleveland and County Rd. C contains active businesses.

It was stated at the meeting that a "big box" retail business would add 700-900 police calls. We need to keep Roseville's development compliant with the Comprehensive Plan. A Plan that was just developed and reflects the current status of the City.

Additional Information:

Form submitted on: 2/23/2012 11:08:29 AM



**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Wednesday, February 22, 2012 4:57 PM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Roger Toogood

Address:: 601 Terrace Courte

City:: Roseville

State: : Mn.

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: I am pleased to see the plans for a new Wal Mart coming to Roseville. The particular location is great considering the zoning and the fact that the land is not being used. I have a conflict for the new date in March so can not be present to testify in support of the Council approving the plan- Roger Toogood

Additional Information:

Form submitted on: 2/22/2012 4:56:46 PM

Submitted from IP Address: 184.97.131.148

Referrer Page: <http://www.cityofroseville.com/CivicAlerts.aspx?AID=315>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Thursday, February 23, 2012 11:17 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Friday, February 17, 2012 1:36 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart in Roseville

Name:: Rod Olson

Address:: 2701 Lincoln Dr.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Greetings all,

It has come to my attention that WalMart is hoping to nest here in Roseville. I understand that they are looking at the exact same area that CostCo looked at a few years ago. As the locals made it pretty clear that we didn't want a "big box store" here very recently, I am surprised that this is even being considered at all. The last thing we need is more retail and vastly increased traffic in this town, not to mention the financial pain that WalMart would inflict on local retailers. Please knock this request down firmly & completely and then everybody can get on to more important matters.

Thanks for your time,

Rod Olson (mgr)

The Cellars Wines and Spirits

2701 Lincoln Drive

Additional Information:

Form submitted on: 2/17/2012 1:36:08 PM

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Thursday, February 16, 2012 1:44 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Vote yes for WalMart

-----Original Message-----

From: Janet Henquinet [REDACTED]  
Sent: Thursday, February 16, 2012 10:09 AM  
To: \*RVCouncil  
Subject: Vote yes for WalMart

Please add my name to those who are in favor of the WalMart development at County Road C and Cleveland.

This land has sat vacant for too many years in hopes of finding an "ideal" development situation. It is time to be pragmatic.

Thanks to all of you for the time and work you devote to making the tough decisions in Roseville.

Janet Henquinet, PhD  
[REDACTED]

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**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Thursday, February 16, 2012 7:13 AM  
**To:** Thomas Paschke  
**Subject:** Online Form Submittal: Contact Thomas Paschke

The following form was submitted via your website: Contact Thomas Paschke

Name:: Linda Pribyl

Address:: !637 Ridgewood Lane North

City:: Roseville

State: : Mn

Zip:: 55113

Home Phone Number::

Daytime Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: A wallmart will destroy Rosedale. If you want to make rosedale a har mar wasteland then go ahead and add the cheap to our community. That would be a huge mistake.

Additional Information:

Form submitted on: 2/16/2012 7:13:14 AM

Submitted from IP Address: 24.118.124.240

Referrer Page: <http://www.ci.roseville.mn.us/CivicAlerts.aspx?AID=315>

Form Address: <http://www.cityofroseville.com/Forms.aspx?FID=99>

**Thomas Paschke**

---

**From:** Lois Monfils [REDACTED]  
**Sent:** Wednesday, February 15, 2012 4:59 PM  
**To:** Thomas Paschke  
**Subject:** WalMart

We don't need another Walmart in  
Roseville.

Lois Monfils  
1045 Larpenteur Ave W #326  
Roseville, MN

**Thomas Paschke**

---

**From:** Bill Malinen  
**Sent:** Friday, February 17, 2012 10:58 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Wednesday, February 15, 2012 1:56 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart at Twin Lakes

Name:: Linda Fearing

Address:: 2578 No. Pascal St.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would like to express my opinion about the proposed Walmart store in the Twin Lakes area. Perhaps I am not remembering correctly, but I thought this type of development for Twin Lakes had been discussed and rejected a few years back. There was a letter in the Review this week from Willard Shapira. I do not know Mr. Shapira, but agree with his points. Roseville has always been able to attract high end development. I do not think Walmart will add anything positive to our City. I realize it is tempting to get something going over there, especially in this slow economy, but as a life long citizen and 25 year Roseville homeowner, I would like you to reject this project and hold out for something better. At some point this economy will pick up again so please don't hastily accept this Walmart project. Thank you for your consideration, Linda Fearing

Additional Information:

Form submitted on: 2/15/2012 1:56:13 PM

Submitted from IP Address: 75.72.224.81

Thomas Paschke

---

**From:** Bill Malinen  
**Sent:** Friday, February 17, 2012 10:58 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Wednesday, February 15, 2012 12:15 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart in Roseville

Name:: Robert Luken

Address:: 3030 Asbury St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: We don't need a Walmart in Roseville. The one in St Anthony is about 3 miles away. The one on Co Rd E is about the same. We've two Target stores within a couple of miles of each other and we've got Rosedale Mall close by. I'm not sure why you want to saturate the area with low cost businesses like Walmart. I suspect maybe your having a hard time finding a developer for the area but I think to create a city of low cost outlets drags the city down economically and image wise.

Additional Information:

Form submitted on: 2/15/2012 12:14:43 PM

Submitted from IP Address: 208.110.231.52

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Thomas Paschke**

---

**From:** support@civicplus.com  
**Sent:** Tuesday, February 07, 2012 10:14 PM  
**To:** \*RVPlanningCommission  
**Subject:** Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Wal-Mart backlash

Name:: Ryan S.

Address:: 3059 Fairview Ave

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Roseville Planning Commission,

What you are trying to accomplish by bringing wal-mart to roseville is both very sad, angering, and downright low. Where on earth does it say in the master plan guidelines that big-box retail is ok? Really...show me where it says that. Yeah, I didn't think so. I may be a citizen of roseville (don't deserve a capital r), but I'm not that stupid...I've read front to back that master plan, and nowhere in there does it say big-box is ok. In fact, the report actually goes out of its way to say big-box will NOT be allowed. wal-mart is the definition of a big-box, and don't try to use loopholes in the report guidelines to convince the public otherwise. You ought to be ashamed of yourselves for even letting this come up for a vote. I hope Friends of Twin Lakes brings you to court over this, and I will be happy to be the voice of the opposition. You lost last time, you'll lose this time too. Maybe you should open up the books on the historical fights over what to do with that land, you might actually learn something on what the citizens of roseville have been shouting for years...NO BIG BOX ON THAT LAND! If you contact me, don't do it before reading up on your own guidelines for the Imagine Roseville 2025 Master Plan.

In closing,  
Ryan S.  
Disgruntled Citizen of roseville

Additional Information:

Form submitted on: 2/7/2012 10:14:07 PM



**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Tuesday, February 07, 2012 12:44 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Monday, February 06, 2012 3:04 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Wal-Mart

Name:: Anne Hamre

Address:: 1491 Centennial Dr

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would like to register my opposition to the Wal-Mart plans. This company is not a good corporate citizen; they undercut local main street companies by offering substandard wages and benefits to their workers. Let's not get our city caught up in a "race to the bottom" - those low prices come at a high price. Thank you for your consideration.

Additional Information:

Form submitted on: 2/6/2012 3:04:17 PM

Submitted from IP Address: 156.98.43.58

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

**Bryan Lloyd**

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**From:** Bill Malinen  
**Sent:** Monday, February 06, 2012 11:47 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

Pat:

I'm going to be forwarding all the WalMart related messages we've received, FYI. This is the first

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Monday, February 06, 2012 11:02 AM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Heidi Lawson

Address:: 332 S Austin Blvd

City:: Oak Park

State: : IL

Zip:: 60304

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Though I am now officially a resident of Illinois, I grew up in Roseville, still spend several months each year there, and have strong ties to the city. My mother lives in Roseville, my brother and his family live in Lauderdale, I have many friends in the area, and I still feel strongly about my hometown. I have just read in the Star Tribune that Roseville is considering allowing Walmart to build a store within the city limits. I cannot express strongly enough how against this I am.

Walmart has reprehensible business and labor practices, paying their employees as little as possible, firing anyone who expresses any interest in unionization, and has recently been subject to a gender discrimination class-action lawsuit that went all the way to the U.S. Supreme Court. Virtually every product they sell is made overseas by companies with even more horrific business practices. This is not the kind of company that we want within our city limits. I have always proudly boasted that my hometown community does not have a Walmart anywhere nearby.

## Attachment G

Roseville is lucky to have an extraordinary commercial tax base that supports our excellent schools (and I have recently read that RAHS was ranked among the top 500 public high schools in the nation) and community. With Target, Cub, and Rainbow already there, in addition to all the malls and strip malls, I cannot possibly imagine what Walmart would offer the community that it does not already have. I appreciate that the corporation has expressed interest in a space that has been vacant for years. However, I do not believe that it is worth allowing this corporation that is the poster child for irresponsible and unsustainable business practices into our community merely to achieve the goal of filling the space. Surely we can be more creative about what to do with the space. Perhaps it would be suited to a community garden space? Perhaps there is something that can be done to attract small local entrepreneurs from our own community into the space. Please consider what allowing a Walmart into Roseville would do for our city--I cannot think of anything positive that it has to offer us.

### Additional Information:

Form submitted on: 2/6/2012 11:02:27 AM

Submitted from IP Address: 108.90.23.17

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

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**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, February 06, 2012 2:44 PM  
**To:** Pat Trudgeon  
**Subject:** FW: Twin Lakes/Walmart

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Sunday, February 05, 2012 10:50 AM  
**To:** \*RVCouncil  
**Subject:** Twin Lakes/Walmart

The Twin Lakes area has been discussed over and over for too many years. I would prefer a company like Cosco going in at County Road C and Cleveland, and not a company like Walmart. After all the years of talking, let's do it right. Cities like St. Louis Park have figured out how to develop with beautiful results. We can do the same.

Sincerely,

Kay Thorpe

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**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, February 06, 2012 11:47 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Sunday, February 05, 2012 5:15 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Walmart

Name:: Suzanne Sancilio

Address:: 1221 W. County Road C2

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: Dear Mayor Roe and City Council Members: I join many members of the Roseville community in feeling frustrated and dismayed that Walmart's plan to develop a store in the Twins Lakes area was not disclosed publicly until just prior to the City's Planning Commission's meeting on the subject last week. While I am aware that this area has been designated for retail development and I definitely agree the blighted lots need attention, I feel strongly that Walmart is not the corporate neighbor we seek to invite into our city. The original intent for small businesses and retail sites is much more sound and cannot be equated to the Walmart mega-store concept despite the Commission's assertion. More importantly, I hope you would all take under careful consideration the fact that Walmart has been one of the worse violators of employment laws, standards and practices. Please vote no to the Walmart plan and encourage further exploration of alternative retail options. Thank you for your consideration, Suzanne Sancilio

Additional Information:

Form submitted on: 2/5/2012 5:15:08 PM

**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, February 06, 2012 11:47 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Sunday, February 05, 2012 1:39 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Twin Lakes Deveopment

Name:: John Easterling

Address:: 1850 County Rd C2 W

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I was reading today in the Star Tribune (Sunday, Feb 5) about the proposed Walmart. My wife and I do not believe that this would be the right location for this store. On Rice Street serving both Roseville and Little Canada would be a much better location in terms of serving more customers who are further from Walmart. The one in Saint Anthony is very close, only a few miles away.

Original plans called for a local hospital. Currently we need to go out to St John's in Maplewood, down to St Paul or Minneapolis or to Fridley. It would great to have a local hospital, especially given the number of seniors in Roseville and the senior housing, nursing homes, and so on. We do not have a Junior/Community college in the immediate area (St Paul, Minneapolis, or Century College). It would be great to have a community college in the are, or at least local branch of Century College in Roseville. If we must have a big box, why not Lowe's as was proposed a few years ago. We have Target, Kohl's, soon Gordmans, and other stores very similar to Walmart in many ways. We do not have a large hardware/garden center like Lowe's.

Also, housing such as additional for seniors, owner-occupied townhomes/condos, etc. would be a wonderful addition.

Thank you for your desire to have input from the residents who will be keenly affected by the decisions you make.

Sincerely,

John and Kathleen Easterling  
1850 County Rd C2W  
Roseville MN 55113  
Residents of Roseville since 1988.

Additional Information:

Form submitted on: 2/5/2012 1:38:41 PM

Submitted from IP Address: 97.127.40.153

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=56>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=115>

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**Bryan Lloyd**

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**From:** Bill Malinen  
**Sent:** Monday, February 06, 2012 11:47 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Friday, February 03, 2012 7:53 AM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: wal-mart land purchase price

Name:: roger b. hess, jr

Address:: 1913 shady beach avenue

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No Reply Necessary

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: councilmember,

if the city does decide to sell city-owned land to wal-mart or roseville properties, i hope you base the price on the fact that you have a very eager buyer that has deep pockets, and do not base the price on the waste-land that it currently is.

so, charge them at least \$1,000,000 for the land that they seek - either one can easily afford the price!

have a great weekend,

roger

roger b. hess, jr.

Additional Information:



**Bryan Lloyd**

---

**From:** Bill Malinen  
**Sent:** Monday, February 06, 2012 11:48 AM  
**To:** Pat Trudgeon  
**Subject:** FW: Online Form Submittal: Contact City Council

-----Original Message-----

From: [support@civicplus.com](mailto:support@civicplus.com) [<mailto:support@civicplus.com>]  
Sent: Thursday, February 02, 2012 8:14 PM  
To: \*RVCouncil; Margaret Driscoll; Bill Malinen  
Subject: Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: walmart

Name:: Sue Gilbertson

Address:: 2000 Cleveland Av. No.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: To all Council Members,

I was surprised to learn that the Roseville City Council was once again entertaining the possibility of inviting a "big box" retailer to build in the Twin Lakes area. All the opposition arguments against such a move have been voiced by the citizens of Roseville several years ago when the retailer was to be Costco.

Traffic congestion, need for expensive infrastructure, and too much existing retail were all mentioned at that time. Now we have a retailer (Walmart) that consistently pays low wages, has been named in several class action law suits brought by former employees for work place violations and is in direct competition with our existing retail community wanting to build here and all the previous objections are still valid. Why do you think this is a good move for Roseville now?

Sincerely,  
Sue Gilbertson

Additional Information:

**Dear Roseville Planning Commission Members,**

I am a member of Roseville's Civic Engagement Taskforce and Parks & Recreation Master Plan Implementation committee on Natural Resources & Trails.

I have several concerns about both the Wal-Mart proposal and the process leading up to this point:

1. In the last week, I received an automated email from the City indicating that a) we can now receive alerts regarding any Open House hosted in the city, b) not all developments require Open House, and c) the Wal-Mart proposal is now being shared on the City's website (it was implied that the Wal-Mart development will not be hosting an Open House). I ask the following:
  - a. When does a development effort warrant to an Open House, both according to City code, and in your eyes?
  - b. Why has there not been an Open House for this Wal-Mart development?
  - c. How long has the City known that Wal-Mart would be making such a proposal?
  - d. Why has the city not shared more information about the proposed Wal-Mart development sooner?
2. I understand that a Community Meeting or Forum is another means for the City to hear from Roseville citizens, and that the Human Rights Commission and the Parks & Recreation Commission have hosted such community meetings. Why has the Planning Commission not hosted such a meeting with regard to an important development such as this?
3. As with the Asphalt Plant, the process for a development begins not with the question, "Is this good for Roseville," but rather, "What codes need to be examined in order to make this happen?" It seems somewhat backwards to me to start with the assumption that Wal-Mart is putting up a store in Roseville. More to the point, it seems like City staff are doing what they can to facilitate Wal-Mart coming to Roseville without asking for citizen input.
4. As direct or indirect decision-makers for the City of Roseville, I urge you all to review the criticisms of Wal-Mart before making a final determination. Here are just a few:
  - a. **Is Wal-Mart Good for America?** PBS Frontline at <http://www.pbs.org/wgbh/pages/frontline/shows/walmart/>
  - b. **Criticisms of Wal-Mart & Wake Up Walmart:** Wikipedia at [http://en.wikipedia.org/wiki/Criticism\\_of\\_Walmart](http://en.wikipedia.org/wiki/Criticism_of_Walmart) (Wake Up Walmart argues that Wal-Mart "pays 'poverty wages', relies on public health care rather than providing its employees with healthcare, and is, in general, harmful to communities.")
  - c. **Other efforts to stop Wal-Mart from developing in their city,** and why (such as Chanhassen's effort, at <http://chanhassenfirst.org/>).
5. I live on the other side of the burm where 280, 36, and 35W converge. We are subject to a large amount of transportation fumes and pollution, especially during rush hour as traffic bottlenecks at least twice a day for prolonged periods. **How will the city address the massive increase in traffic** for those of us already suffering from poor quality air and soils (many of us in this neighborhood grow fruits and vegetables, and regularly exercise outdoors)?

Thank you for taking my comments into consideration as you vote tonight.

Regards,

Megan Dushin  
SW Roseville

February 1, 2012

Members of the Roseville Planning Commission,

I am writing to ask that you to turn down Wal-Mart's request to build a store at the corner of Cleveland Avenue and County Road C. I understand the desire to develop the land in the Twin Lakes area but the last thing that is needed in this area is more retail – especially duplicate retail. All you have to do is drive around to see multiple empty buildings and businesses that are just holding on. The huge World Market and Stone & Tile buildings are good examples of what happens in this current climate. If you allow Wal-Mart to come in – you will drive some of the smaller businesses out, along with cutting into the business that Byerly's and Target has. How much additional lost business can they absorb? If the residents of Roseville can support the retail we already have – why are there multiple empty sites/buildings and so much more turnover of businesses?

I also do not understand the push to add retail to this area when this type of retail is already available close by. There is a Wal-Mart six miles away on Silver Lake Road in New Brighton and a Target less than 10 minutes away on Snelling Avenue. There is no need to add either a Target or a Wal-Mart in between those two stores. **Traffic congestion, additional police and fire needs, noise, lights, pollution run-off into Langton Lakes from the thousands of cars using the parking lot** – just not a good trade-off for the residents in this area or for the city.

If you allow a huge store such as Wal-Mart to build at this corner – the amount of traffic added to an already overloaded street/freeway system will be a disaster. In addition, the traffic won't stop at 5P – it will continue until the store closes at 10-11P. Have you driven on Snelling, Fairview and Cleveland during rush hour or on the weekends? If so, imagine at least a doubling, if not a tripling of the traffic.

Please consider the quality of life of longtime residents in this area. Many moved in before this area was developed and most accept that development is inevitable, but please move slow on this. Take time to really look at who wants to move in and try to bring in businesses that are new or unique. If you are adamant that retail is going in this area regardless of the effect on the traffic levels, please consider businesses that are not currently in the area. **Don't duplicate that which we already have close by!** Maybe a small ACE hardware, a Trader's Joe (love the store, but traffic will be an issue), a dry cleaner, a small bakery, a New Horizon daycare (because of nearby park). Maybe more small medical firms or clinics. Businesses that aren't open until 11P at night and generate thousands of car trips a day.

If you will only consider a big box – what about an IKEA. While this store would have the same issues as a Wal-Mart – it is unique and nothing like it exists in Roseville. IKEA tends to attract a unique audience that probably would not shop at the HOM or other furniture shops in the area – so hopefully it would not take much of their business. Please work with the residents to develop this property at a pace that allows smart decisions – a good fit of businesses to what is already there, does not duplicate retail and takes into consideration the quality of life of the residents that live close by.

Thank you for your consideration,  
Wendy Thompson

**Thomas Paschke**

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**From:** support@civicplus.com  
**Sent:** Wednesday, February 01, 2012 10:28 AM  
**To:** \*RVPlanningCommission  
**Subject:** Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Walmart at County Road C and Cleveland Ave

Name:: Cary and Shannon Cunningham

Address:: 2920 Fairview Ave N

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Members of Roseville Planning Commission,

It is with great horror and trepidation that we read the recent article in the Roseville Patch -<http://roseville.patch.com/articles/wal-mart-proposing-store-for-roseville-s-twin-lakes-area> - that stated the Planning Commission is considering allowing Walmart to purchase land and build a huge facility at the corner of Cleveland Ave and County Road C.

My wife and I purchased our home on Fairview Ave (north of County Road C) in November 2008 with the intent of making this our long term home. We have and continue to pour love, money, and time into our home to make it a great place to live and a raise a family. Over our 3+ years of living in Roseville we have come to love the close proximity to parks, shopping and all the other great amenities close to us. During this time we have also learned to deal with the increased traffic that many of the local area stores bring into the area, after all we chose to live here. However, during this time we have also noticed that with the increase of traffic overall safety on the roads has been compromised. Traffic on Fairview Ave alone has already claimed the life of one of our dogs who got too near the street, and we have almost been hit several times by cars driving on the shoulder to speed their way along.

What does this have to do with Walmart wanting to build a store ½ a mile away? EVERYTHING! When you allow this behemoth of a retailer to cram a 160,000 square foot store into a ½ acre area this will not only inflict damage on the surrounding landscape but also increase traffic in the areas of County Road C and Cleveland Avenues as well as Fairview Ave as residents and shoppers alike look to speed up their commute around the congested area. This will pose traffic and safety issues for all citizens traveling or living along these routes. Are you really willing to sacrifice the safety and security of residents and citizens to allow another big box retailer plop down in the middle of a beautiful area? And in particular, a Walmart, which already has 5 other stores within 10 miles of the 55113 area code!?!

## Attachment G

Furthermore, the fact that Walmart pays low wages to its workers is another big concern of ours. Consider that people who would work at the Roseville Walmart would either be residents of Roseville or would quickly move to Roseville and seek out low income housing as they cannot afford to commute to work based on their low Walmart wages. The low wages paid by Walmart would perpetuate vicious cycles of poverty for many people. Do we really want to lower the standard of living and push more residents of Roseville into or near poverty with the meek wages they would receive from Walmart? We say NO!

Please consider the future of Roseville if you allow this to happen. More importantly think of the ramifications that this will have on you and your families as you travel these roads and deal with the increased traffic issues caused by this one store.

We urge you to vote NO to this application and look for other retailers that can offer a better use of the space or more viable alternatives that will help sustain Roseville as a great place to live. While traffic may still be increased by other smaller retail establishments at the location, they should not cause the continual crush of traffic that Walmart would cause. In addition, mixed retail space would offer more jobs in unique industries that attract different skills sets and offer higher wages than Walmart does.

As you consider Walmart's extravagant plans for expansion, please also consider the needs of the citizens and community of Roseville. We have survived and thrived in this great community for a long time without a Walmart, help us continue this trend!!!

Thank you for your time,

Cary & Shannon Cunningham  
2920 Fairview Ave N  
Roseville, MN 55113

### Additional Information:

Form submitted on: 2/1/2012 10:28:05 AM

Submitted from IP Address: 204.73.55.10

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=77>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=136>

**Thomas Paschke**

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**From:** support@civicplus.com  
**Sent:** Wednesday, February 01, 2012 9:25 AM  
**To:** \*RVPlanningCommission  
**Subject:** Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Walmart Proposal

Name:: Doug Nonemaker

Address:: 2179 Dellwood Ave

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: No need to contact me

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Hi - I am wrting today to express my opposition to the proposed placement of a Walmart in the vicinity of Cleveland Ave and Cty. Road C. In my opinion, Roseville does not need a Walmart to further shut down retail competition with small businesses. Rather than another big box retailer of questionable integrity, why not support small business development in that area and start to grow another neighborhood. I am also concerned that traffic in that area will increase with the associate4d costs and negative impacts on the overall quality of life here in Roseville.

I rarely take a stand on these types of actions, but feel strongly that this particular action is not in the best interest of the citizens of Roseville. Thank you for listening!

**Additional Information:**

Form submitted on: 2/1/2012 9:24:32 AM

Submitted from IP Address: 204.73.55.10

Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?NID=77>

Form Address: <http://www.ci.roseville.mn.us/Forms.aspx?FID=136>

Dan Boeritger:

If I can get permission to attend your Planning Commission meeting I'd like to express my concern that the Walmart Project has not been adequately vetted by staff. I need permission because I've been gone every other night this past week and all day Sunday on the People's Business. So for the purposes of achieving domestic tranquility I may not be able to attend what looks like a very interesting Planning Commission hearing.

I've already transmitted many of these comments to my local neighbor, columnist, and community activist John Gisselquist, but since you are the titular chair I might as well share my words of wisdom with you. (LOL.)

As I read the staff recommendation the Planning Commission must review the proposed disposal of land and determine whether it would be consistent with the Comprehensive Plan (Section 1.2).

Section 6.2 of the same staff report states in part: Planning Division staff believes that the proposed development is consistent with many of the Comprehensive Plan's other citywide, non-transportation-specific goals and policies, and that the proposed development does not appear to be in conflict with any of them.

As a resident member of the Comprehensive Plan Steering Committee which drafted the new Comprehensive Plan I take exception to that sweeping and ex-cathedra statement. It presents no rationale or explanation of why this is true; it doesn't even bother to state the goals and policies with which the proposed project is consistent. I wouldn't describe the staff report as faulty or superficial analysis, because simply-stated there is no analysis.

I have attached an excerpt from the Comprehensive Plan's Economic and Redevelopment Chapter which illustrate some of those goals and policies which we are to take on faith as being consistent with the Walmart Project.

I would suggest that you delay taking action tomorrow and send the report back to staff for further analysis and explanation of how the attached Comp Plan goals and policies are consistent with this project. Otherwise the Comp Plan is just words and window-dressing which can be manipulated to prove any point staff wants to make. The Comp Plan, developed with some considerable citizen involvement, needs to be taken more seriously than this.

In advance I appreciate your time and attention devoted to this matter.

Gary Grefenberg

91 Mid Oaks Lane

Roseville, MN 55113





Roseville Comprehensive Plan  
Pages 7.2-7.3, and page 7.5 of the  
Economic Development and  
Redevelopment Section

## Goals and Policies

The following goals and policies guide City actions related to economic development and redevelopment...

**Goal 1:** Foster economic development and redevelopment in order to achieve Roseville's vision, create sustainable development, and anticipate long-term economic and social changes....

Policy 1.2: Ensure that local controls allow for contemporary retail, office, and industrial uses that are part of the community vision.

Policy 1.3: Encourage an open dialogue between project proposers, the surrounding neighborhood, and the broader community through individual and neighborhood meetings and use of technology.

Policy 1.4: Enhance communication of the community's objectives for promoting business

development to enhance the quality of life in Roseville.

**Goal 2:** Enhance opportunities for business expansion and development that maintains a diverse revenue base in Roseville.

Policy 2.1: Foster strong relationships with existing and prospective businesses to understand their needs and to maximize opportunities for business retention, growth, and development.

Policy 2.2: Support existing businesses and welcome new businesses to serve Roseville's diverse population and/or provide attractive employment options that encourage people to live within the community....

Policy 2.4: Encourage locally owned and/or small businesses to locate or expand in Roseville....

**Goal 4:** Encourage reinvestment, revitalization, and redevelopment of retail, office and industrial properties to maintain a stable tax base, provide new living wage job opportunities and increase the aesthetic appeal of the city....

Policy 4.5: Continue to give attention to creating and maintaining aesthetic quality in all neighborhoods and business districts.

**Goal 6:** Integrate environmental stewardship practices into commercial development.

Policy 6.1: Foster transit-supportive development along existing and planned transit corridors....

## Keys to Implementation

The experience of Roseville shows that several factors are important to achieving goals and policies for economic development and redevelopment.

**Commitment:** Commitment to the Comprehensive Plan and patience go hand-in-hand. This Plan does not simply seek to attract development to Roseville; it also seeks to move Roseville toward a vision for the future. There is a difference. Commitment to the Comprehensive Plan means the willingness to actively promote public and private investments that achieve its goals, and to deter developments that do not fit. Not all of these decisions will be easy.

**Bryan Lloyd**

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**From:** [REDACTED]  
**Sent:** Thursday, January 26, 2012 10:08 PM  
**To:** Bryan Lloyd  
**Subject:** Re: Planning File 12-001 question

Bryan,  
Thank you for such a prompt reply. In reviewing my actions on the Planning File 12-001 so I could tell you about the missing pages, I discovered they ARE there. I missed them because I didn't scroll sideways, only down the page. I appreciate your attention to my dilemma, and I apologize for my oversight.

Enjoy your day off.

Francy

In a message dated 1/26/12 8:49:04 PM, [bryan.lloyd@ci.roseville.mn.us](mailto:bryan.lloyd@ci.roseville.mn.us) writes:

Thanks for letting me know about the problem with downloading the report, Ms. Reitz. I tried the download myself just now, and it worked just fine for me, so I don't know what to tell you about why you're only getting half of the pages. I'll be out of the office on Friday; if you can wait until Monday, I'll email you a copy to ensure that you have the whole report. If you'd like the report before the weekend, perhaps you could email City Planner, Thomas Paschke ([thomas.paschke@ci.roseville.mn.us](mailto:thomas.paschke@ci.roseville.mn.us)) and he can send it to you.

Thanks again for the information about difficulties with the website.

Bryan Lloyd

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**From:** [REDACTED]  
**Sent:** Thursday, January 26, 2012 8:20 PM  
**To:** Bryan Lloyd  
**Subject:** Planning File 12-001 question

Hello, Bryan,

In reading the staff report on the Wal-Mart application, I notice that pages 2 of 4 and 4 of 4 are missing. Are those available for inclusion to read before the February 1st Planning Commission meeting?

I support approval of the Wal-Mart proposal.

Thank you,  
Francy Reitz  
2009 Aldine

Thomas Paschke

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**From:** RayLe Schreurs  
**Sent:** Sunday, January 22, 2012 9:23 PM  
**To:** \*RVPlanningCommission  
**Subject:** Proposed Walmart

Roseville Planning Commission Members:

I understand you soon will be holding a hearing on a proposed big box retail located at Cleveland and County Rd. C.

I have lived in Roseville for 55 years and observed it growing from a sleepy little village to the vibrant city it is today. We already have 3 big box stores with the attendant traffic and police problems. That is more than enough.

Huge national chains destroy Mom & Pop retail establishments and squeeze regional businesses. State law requires us to share any tax revenue with outstate communities, but we can't share the fire and police and traffic costs which are nearly half of our city costs. Besides, big box retail does not generate much of a tax revenue. We need higher quality business development, not retail.

For these and other disadvantages, please turn down this proposal.

Ray Schreurs

**Approve Preliminary / Final Plat and Development Agreement – Roseville Properties (Wal-Mart)**

Mayor Roe reviewed the process once again for presentation, public comment and discussion of this item prior to potential City Council action.

Community Development Director Patrick Trudgeon and City Planner Thomas Paschke summarized the requested action as detailed in the RCA dated May 21, 2012 for consideration of the Preliminary and Final Plat for Wal-Mart and Roseville Properties. The Planning Commission recommended approval of the Preliminary Plat on a 5/1 vote. Planning Division and Public Works Department staff, and the City Attorney recommend approval of the Final Plat and associated Development Agreement. Details of those recommended approvals were detailed in Section 8 of the staff report.

Mr. Paschke noted the existing parcel would be combined into two (2) lots along Cleveland Avenue as the property frontage. Mr. Paschke reviewed the Preliminary Plat, in accordance with City Code, Chapter 11, based on analysis of the development meeting those code requirements related to appropriate infrastructure, any easements and rights-of-way issues related to the project, and improvements negotiated between the developer and staff on behalf of the City. Mr. Paschke advised that the Final Plat, as previously indicated by Associate Planner Bryan Lloyd, incorporated those detailed elements of the Preliminary Plat, but not to the level of detail while yet including all land to be dedicated to the City, and easements and boundaries related to the specific project. .

Community Development Director Patrick Trudgeon reviewed the draft Development Agreement (Attachment J) also known as a public improvement contract outlining the obligations of the City and the applicant. Mr. Trudgeon provided an overview of those business points. While the draft Development Agreement included in the meeting packet was substantially complete, Mr. Trudgeon referenced additional exhibits and attachments, along with a cover memorandum from Mr. Trudgeon dated earlier today, providing additional details, was included as a bench handout tonight, and attached hereto and made a part hereof. Mr. Trudgeon noted that there were copies available for the public as well. Mr. Trudgeon briefly reviewed the revisions, whether typographical, grammatical, or more substantial that were recommended via that bench handout. Therefore, Mr. Trudgeon asked that the City Council motion include verbiage that Development Agreement was amended.

Councilmember Pust questioned the exhibits and differences in the Final Plats, with Mr. Trudgeon noting that the Preliminary Plat was marked “Preliminary subject to revision” which was routine as the document was forwarded to Ramsey County for their review by the County Surveyor as part of the recording process.

Councilmember McGehee, via a bench handout attached hereto and made a part hereof, had a list of fourteen (14) questions related to the draft Development Agreement to which staff responded.

**Hours of Operation:** Twenty-four (24) hours per day

It was noted by Mayor Roe that Cub Foods at Har Mar Mall is another retail operation in Roseville with a 24-hour operation.

Mr. Paschke advised that there was no restriction in City Code as to hours of operation; with Mr. Trudgeon and Mayor Roe concurring, noting the restrictions for extended hours were specific to commercial operations adjacent to residential areas.

Councilmember McGehee noted that there was a potential for future residential development adjacent to the proposed Wal-Mart as part of CMU zoning, and noted that the Development Agreement stipulated that no further restrictions could be imposed by the City for at least two (2) years. Councilmember McGehee questioned whether this precluded any adjacent properties being developed as residential.

Mr. Trudgeon clarified that it was not the City of Roseville nor Wal-Mart, but State Statute that dictated the two-year rule once the Development Agreement and Plat were approved. Mr. Trudgeon advised that while the City may not appreciate the two-year clause, there was some protection or assurances based on the newer office/warehouse building directly to the east of the proposed Wal-Mart site that he didn't anticipate for any immediate redevelopment at least within that two-year window. Mr. Trudgeon also noted that the PIK property directly to the north could potentially have residential development; however, since it was located closer to the park, that property had been identified for office/campus activity. Mr. Trudgeon opined that any future residential developers would certainly take into account the location of a retail store in the vicinity; however, at this time, Mr. Trudgeon advised that a CMU zoning designation did not guarantee future redevelopment as residential. Without that knowledge, Mr. Trudgeon advised that it was difficult for the City to regulate.

Regarding the two-year rule, Mayor Roe questioned if the Zoning Code or Comprehensive Plan guidance could be changed for that area once approved. While not meaning that existing zoning and Comprehensive Plan provisions wouldn't remain in effect, Mayor Roe questioned if residential development adjacent to commercial or retail properties wouldn't still be subject to City regulations.

Mr. Trudgeon advised that, prior to responding, he would like to study that question further with the City Attorney to determine how to apply those restrictions. Of course, Mr. Trudgeon advised that it would be staff's intent to work with any retail and/or residential development to ensure compatibility. However, he was not sure of the enforcement capabilities available to the City without consultation with legal counsel.

Mayor Roe encouraged staff to review that issue with legal counsel in more detail.

#### Infrastructure Cost Allocation

Councilmember McGehee questioned why Wal-Mart was only paying \$400,000 for I-35W ramp improvements that are estimated to cost approximately \$1.6 million; and why it appears that the City is subsidizing the Wal-Mart Corporation with \$10 million of completed infrastructure. Councilmember McGehee further questioned traffic projects; triggers for additional improvements and various interpretations by MnDOT and other traffic engineers; and questioned the accuracy of models and projected calculations.

Mr. Trudgeon advised that Wal-Mart's cost allocation had been determined, through significant analysis of various components and expert consultation, at twenty-five percent (25%) of the total interchange costs. Mr. Trudgeon noted that this was not a small, but rather significant, investment on their part, especially when drawing a nexus to this specific development and other occurrences that may make the interchange inadequate. Mr. Trudgeon advised that staff had performed substantial due diligence and negotiations with Wal-Mart to reach this agreed-upon \$400,000 amount, and staff was unable to justify any additional cost to this developer above that amount. Mr. Trudgeon noted that this figure represented more to the City than a typical assessment from the Chapter 429 process.

Councilmember McGehee opined that there would be additional traffic impacts and mitigation that the citizens of Roseville would be required to pay; and further opined that citizens have already done their share.

Mr. Trudgeon advised that there were also other options available to the City for reimbursement of costs from other future property owners and/or developers, as well as the Chapter 429 assessment process.

#### Park Dedication

Councilmember McGehee questioned the rationale for accepting \$411,115 in park dedication fees as opposed to land owned by Roseville Properties along County Road C and targeted for an addition to Langton Lake Park, including the Oak Forest identified in the 2002 Natural Resources Plan.

Councilmember McGehee opined that this agreement not only precluded the City obtaining the land, but also not getting added protection to a portion of Langton Lake.

Mr. Trudgeon advised that the Twin Lakes Regulating Plan identified that area for an addition to Langton Lake Park, the decision as to whether to acquire the property or a fee in lieu of had been the decision of the Parks and Recreation Commission after their deliberation of the issue. While not attempting to speak for the Commission, Mr. Trudgeon surmised that the Commission apparently had determined that taking the fee instead of the land, was based on their ability in the future to improve parks with dollars versus land. Mr. Trudgeon noted that the City could acquire land with these funds, but the Commission had apparently decided not to pursue that option at this time. Mr. Trudgeon noted that, even though this parcel and that north on County Road C were owned by the same property owner, a different project was being discussed and became more complex.

Councilmember McGehee opined that any park dedication funds should be used to purchase land around Langton Lake Park, especially when the intent was to improve or protect water quality and address other mitigating factors.

#### Indemnification for Operation of Wal-Mart

Councilmember McGehee questioned why the City was not indemnified for operation of the Wal-Mart.

Regarding day-to-day operations, Mr. Trudgeon deferred to legal counsel.

City Attorney Mark Gaughan sought additional clarification from Councilmember McGehee, with Councilmember McGehee advised that she was seeking assurances for proper remediation for TCE or health damages to people accessing or working at the Wal-Mart site for any harm caused by contaminated soils.

City Attorney Gaughan noted that Councilmember McGehee's question assumed City liability and indemnification suggested that the City was assuming some liability, which he didn't believe would be the case.

At the request of Mayor Roe, Mr. Gaughan summarized the Indemnification Clause included in the draft Development Agreement that would "hold harmless" the City under demands or complaints under the project's construction. Once completed, Mr. Gaughan advised that he could not fathom any scenario where a private property owner would be required to indemnify the City for anything happening on that private property.

Mayor Roe concurred with City Attorney Gaughan that this was certainly not common practice.

Councilmember McGehee disputed that assumption, opining that the property was a Brownfield and such an event could happen, especially since this is the first development to occur in the area; and there would be a significant number of employees and shoppers at the facility.

#### Long-Term Continuity of Wal-Mart Operations

Councilmember McGehee questioned if it was possible to have an escrow fund established in case Wal-Mart chose to move on and leave behind a large, vacant building that couldn't be marketed; and to protect Roseville residents against that possibility. Councilmember McGehee advised that she was aware of 159 other communities with vacant, big box stores on no fully remediated land. Mr. Trudgeon advised that any provisions could be suggested for inclusion in a Development Agreement; however, he questioned the effectiveness of some provisions or what the City would want Wal-Mart to do if they chose to close the store in the future. Mr. Trudgeon advised that any remediation should be completed prior to Wal-Mart opening for business; and in his analysis and review of other Development Agreements nation-wide, he was unsure of any advantage to be gained and opined that such a provision might be somewhat unrealistic.

Insurance

Councilmember McGehee questioned if the City could stipulate that Wal-Mart carry basic or standard insurance to cover injuries to store patrons.

City Attorney Gaughan advised that it could be made a requirement of the Agreement; however, he advised that his legal counsel would be to keep in mind that any provisions in the Agreement needed to be reasonable and consistent with other existing or future Development Agreements to avoid any risk of undermining the reasonableness of the City's demands. Mr. Gaughan opined that he was unaware of any other property owner that the City had required such a mandate. Mr. Gaughan further opined that it was common knowledge that the Wal-Mart Corporation was sufficiently insured, and suggested it was a moot point to require such a provision in the Development Agreement.

Level of Environmental Clean-up

At the request of Councilmember McGehee, Mr. Trudgeon advised that any environmental clean-up of the property by the developer was under the regulations and requirements of the Minnesota Pollution Control Agency (MPCA), not dictated by the City of Roseville. Mr. Trudgeon anticipated that this would involve either removal or capping of the contamination soil so it no longer created any danger to water bodies or the aquifer; and would require the developer to submit a RAP (Response Action Plan) document detailing their action plan to the MPCA, which would not be under the direct approval authority of the City of Roseville. Mr. Trudgeon noted that there was a difference in clean-up levels between residential and/or commercial areas, but that this was also determined by the MPCA.

At the request of Councilmember McGehee, Mr. Trudgeon advised that preliminary analysis of the subject property should be available to any interested parties as public information, since a Phase I and Phase II analysis had been performed.

At the request of Councilmember McGehee, Mr. Paschke advised that the developer would be required to meet the regulations of the Rice Creek Watershed District as well as the City of Roseville for storm water management on the site; with an underground chamber proposed, built to specifications of the MPCA, City and Watershed District, and monitored as applicable under their various oversight authorities.

Prior to opening the meeting for public comment related to the proposed Plat, Mayor Roe again reviewed the process; and recognizing that this was an intense and emotional issue, sought the respect of all parties moving forward.

Public Comments

*In addition to the written and verbal comments previously expressed to the Planning Commission and received by staff (included in meeting materials), additional written comments to-date were provided as bench handouts, **attached hereto and made a part hereof.***

*Amy Ihlan, 1776 Stanbridge Avenue*

*Sue Gilbertson, 2000 Cleveland Avenue N*

*Joyce Thielen, 2210 Midland Grove Road, Unit 203*

*Theresa Gardella, Roseville resident (no address listed)*

*Anonymous e-mail dated May 21, 2012 in opposition to Wal-Mart*

*Timothy Callaghan, 3062 Shorewood Lane*

*Vernon R. Eidman, 90 Mid Oaks Lane*

*Tammy McGehee, Councilmember (2 Memorandums dated May 21, 2012)*

May 19, 2012 position statement from the “Solidarity of West Area Roseville Neighbors (SWARN)” expressing concerns and opposition to Wal-Mart

**David Nelson, 2280 W Highway 36, representative of “Solidarity for West Area Roseville Neighbors (SWARN)”**

As previously noted, written comments were provided from SWARN; with questions specific to the Plat related to reimbursement for the I-35W and Twin Lakes Parkway interchange; and clarification of whether or not the Twin Lakes Master Plan was part of the current Zoning Code and Comprehensive Plan.

**Mike Gregory, 1945 Sharondale Avenue, representative of: “Solidarity for West Area Roseville Neighbors (SWARN)”**

Mr. Gregory expressed concerns related to economic and/or social concerns, and read his written comment (no copy provided), opining that Wal-Mart was not a “community-based” business, but a national chain that will negatively impact and/or close many local business. Mr. Gregory referenced numerous studies; and questioned what legacy the City Council wanted to leave for western Roseville and asked that the City Council consider the record of this corporate citizen elsewhere. Specific questions of Mr. Gregory included: 1) the impact on taxes to Roseville compared to what they’re paying versus City costs; 2) impact to local roads; 3) impact to local roadways (maintenance and clean-up); and crime statistics of other Wal-Mart stores (e.g., Vadnais Heights store).

**Sue Gilbertson, 2000 Cleveland Avenue N (SWARN)**

Ms. Gilbertson shared crime statistics that she had researched from the Ramsey County Sheriff’s office, and incidents at the Vadnais Heights Wal-Mart Store over a five (5) year period, and comparing those statistics between Wal-Mart and the Target store in that same vicinity at 975 and 850 County Road E respectively. Mr. Gilbertson reviewed the number and type of calls. Ms. Gilbertson also referenced her discussions with Roseville Police Lt. Loren Rosand and Chief Mathwig for their anticipated annual call rate of between 900-1000 calls with this Wal-Mart development in Roseville, exclusive of related officer, squad car and support staff costs.

**Megan Dushin, 2249 St. Stephen Street (SWARN)**

Ms. Dushin opined that legal language could be interpreted as anyone’s discretion; however, she further opined that the City Council had sufficient language in the Comprehensive Plan and other documents to fully support its denial of this proposed development.

Ms. Dushin referenced CMU zoning provisions, regional trip calculations, and definition of this as a regional business, questioning the logic in such a definition for this proposed use. Ms. Dushin referenced Chapter 4 (page 8) of the Comprehensive Plan for definitions of Regional Business and various sections (1005.05.f) included as Attachment C in the meeting packet (page 3) related to surface parking on large development sites, and other areas this did not meet requirements. Ms. Dushin asked why these discrepancies were not being addressed.

**Gary Grefenberg, 91 Mid Oaks Lane (SWARN)**

Mr. Grefenberg referenced the written comments of SWARN in making his points in opposition to this development. Mr. Grefenberg alleged that staff had been proposing and advocating for this development all along, whether at the Planning Commission or City Council level. Mr. Grefenberg opined that SWARN disputed whether or not the Comprehensive Plan or the Twin Lakes Master Plan ever recommended a development of this type. Mr. Grefenberg stated that, as part of the Comprehensive Plan Steering Committee, on which he had participated, he had been led to believe that the Twin Lakes Master Plan would be incorporated into the Comprehensive Plan; however, something happened between the Steering Committee final recommendation and City Council adoption of the Comprehensive Plan. Mr. Grefenberg alleged that staff selectively picked what they thought was or was



not important; without any findings of fact presented to the Planning Commission. Mr. Grefenberg opined that the Comprehensive Plan recommended against this type of big box retailer; and if the Twin Lakes Master Plan had been made a part of the Comprehensive Plan, that specific prohibition against large scale retail operations, which a lot of citizens had spent time debating, there would be no current dispute or consideration of this type of development.

At a minimum, Mr. Grefenberg advised that SWARN was asking for the opportunity, before a Building Permit for this development was issued, notice to formally appeal the administrative decision to issue the permit. From his perspective, Mr. Grefenberg opined that there had never been a really adequate discussion of Comprehensive Plan policies, a number included in packet materials that clearly contradicted allowing such a development. Mr. Grefenberg disputed the assumption provided by staff to the Planning Commission that the proposed development meets the Comprehensive Plan or Twin Lakes Master Plan. Mr. Grefenberg opined that if the City Council allowed this signature piece to be a Wal-Mart or Target store, it should not expect much quality residential or retail development to follow in the Twin Lakes Redevelopment Area. Mr. Grefenberg referenced the Implementation Section of the Comprehensive Plan, addressing patience as the City moved toward its future goals, and willingly promoted public and private development that fit that vision, dissuading those that did not. If the City Council proceeds with Plat approval, Mr. Grefenberg asked that it direct staff to notify residents with adequate time to appeal the administrative decision for issuance of the Building Permit once the developer's plans were submitted. Mr. Grefenberg opined that Roseville citizens, to-date, had not gotten a fair hearing of this issue.

#### **Megan Dushin (SWARN)**

Ms. Dushin referenced numerous quotes from Chapter 4 (page 423) of the Comprehensive Plan; and sought clarification if the Twin Lakes Master Plan was included or not included in the Comprehensive Plan, since she had heard two (2) different versions, based on her research of a September 12, 2011 staff report, and page 423 of the Comprehensive Plan, and page 9, Section 2, and page 11 of the Twin Lakes Master Plan and comments about big box retail and incorporation of the 2011 Twin Lakes Master Plan guiding future development. Ms. Dushin further referenced surface parking restrictions addressed in Section 14 of the Land Use Section (page 20) of the Twin Lakes Master Plan.

In conclusion, Ms. Dushin questioned the policy for expanding retail in the area, and whether this development would provide head of household job opportunities stipulated by the City's Comprehensive Plan.

#### **Gary Grefenberg (SWARN)**

Mr. Grefenberg specifically addressed traffic analyses, referencing the MnDOT letter dated May 9, 2012 to staff; opining that Wal-Mart's expense to the City over the next decade would far exceed Wal-Mart's payment of \$400,000 for infrastructure improvements. In the meantime, Mr. Grefenberg opined that Roseville residents would suffer the penalties while private profits would go to Arkansas.

Mr. Grefenberg asked Councilmembers why they were rushing to approve the Preliminary and Final Plats, when there were so many unanswered questions yet remaining. As requested in the written comments of SWARN, Mr. Grefenberg asked the City Council to direct the Planning Division to hold an Open House if and when Wal-Mart development plans evolve to provide answers to those citizen questions. Mr. Grefenberg expressed his disillusionment that financial aspects of the Development Agreement had not been provided to the public until late this afternoon, not allowing any review or informed reaction by the public. Mr. Grefenberg asked that the City Council hold off on approving the Development Agreement to allow due process for the public, given the significant impact this proposal will have on the community.

**Megan Dushin (SWARN)**

Ms. Dushin suggested additional conditions for the City to apply to this development, such as limiting operating hours and reducing the amount of public subsidy to this developer.

**Gary Grefenberg (SWARN)**

Mr. Grefenberg questioned, if tax increment financing (TIF) funds were allocated to pay off costs, who paid for additional costs to the City, including police protection, and how this represented a public purpose.

**Janet Olson, 418 Glenwood Avenue**

Given the history of concern in this area of Roseville, Ms. Olson questioned why the City didn't make more of an effort to provide notice to citizens about this development. Ms. Olson opined that the neighborhood had poured their heart and soul into making this a positive area of the community; and opined that the City had an obligation to its own citizens. Ms. Olson also questioned how the City could designate this development as "community" rather than "regional" business, based on her interpretation of the Comprehensive Plan and Zoning Map.

**Jan Bielke, 2070 N Cleveland (1 mile north of proposed Wal-Mart)**

Ms. Bielke stated that she was appalled at how this whole thing has been handled. Ms. Bielke referenced past development proposals directly across from her home that she and her neighbors had fought very hard to oppose. However, Ms. Bielke opined that at least the neighborhood had been adequately noticed at that time to allow their voices to be heard. Ms. Bielke opined that it was terrible that citizens were not made more aware of this proposed development; and while not intending offense to Wal-Mart since it was not a store that she frequented based on her perception of their treatment and pay for their employees, she expressed her disappointment to the City Council and asked that they reconsider this proposal. Ms. Bielke opined that there was a lot of angst among citizens once they become aware of the proposal.

**Tim Callaghan**

Mr. Callaghan advised that he was still waiting for the answer to his question of what mitigation was intended for traffic at Fairview Avenue and County Road D; whether it would continue to be graded as an "f" now and with future development, and why this did not seem to be important. Mr. Callaghan disputed staff's previous comments related to current stresses on the system creating the problem, since at least four (4) years ago, the intersection had been rated "f," and questioned if inaction by the City Council was acceptable. Mr. Callaghan also questioned the feasibility of building another Wal-Mart store two (2) miles from another one, and questioned the odds of both remaining open in the foreseeable future. Mr. Callaghan provided his perspective on the operating characteristics of Wal-Mart when stores are opened in close proximity, based on his own research and personal observations. Mr. Callaghan questioned the City's intent when the property became vacant; and opined that it would be typical of Wal-Mart to hold the property vacant to minimize their tax burden with no regard to the negative impacts to a community. Mr. Callaghan opined that a Wal-Mart store in the Twin Lakes Redevelopment Area was inconsistent with any of citizen plans, with no big box supported and having planned businesses within a viable walking area and easily accessed by residents. With Wal-Mart drawing shoppers from 2-4 miles away, Mr. Callaghan disputed that this was a local store versus a regional store no matter if staff considered it "limited retail."

**Mr. Rafael Fernandez 1966 Sharondale Ave.**

Mr. Fernandez concurred with previous remarks about the lack of information and notice provided to citizens; and opined whether a legal requirement or not, it was prudent to keep citizens informed. Given the short amount of time he had to research and prepare his remarks, Mr. Fernandez asked the following questions: 1) What type of jobs and what wages will this store provide; 2) are employees anticipated to

come from the community or from other communities; and 3) what additional expenses will those employees create for Roseville and at whose expense.

Mr. Fernandez questioned why the City Council would not protect its community rather than leaving it vulnerable to proposals such as this, or will Wal-Mart sufficiently compensate the community for the additional infrastructure, public safety, traffic congestion and delays, and increased crime victims; as well as what will happen to the local, small businesses established in Roseville and providing its character and quality of life. Mr. Fernandez opined that Roseville was fine as it is, and asked that it be left alone.

**Vivian Ramalingam, 2182 Acorn Road**

Ms. Ramalingam sought clarification on the responsibility for construction and maintenance of roadways around this proposed development.

**Tim Kotecki, 3078 Mount Ridge Road**

Mr. Kotecki questioned what the three (3) most attractive reasons Wal-Mart had for building in Roseville; whether surrounding retail bothered Wal-Mart or the City Council; whether TIF was part of this development and if so, would Wal-Mart develop in Roseville without TIF. In fairness to Wal-Mart, Mr. Kotecki reviewed his mileage calculations of other Wal-Marts in the immediate metropolitan area (Saint Anthony Village, University at Prior Avenues) and questioned if it was normal practice for them to build that close to their other stores. Mr. Kotecki questioned the accuracy of traffic studies and their projections, and safety of cars potentially stacking on the freeway for others going at or over speed as they encountered that stacking.

**Jane Auger, 1880 Roselawn Avenue W**

As a twenty (20) year resident of Roseville, Ms. Auger opined that having Wal-Mart so close to their neighborhood would decrease their quality of life and property values. Ms. Auger advised that this may cause her to re-evaluate her choice to remain in Roseville. Ms. Auger questioned the designation of Wal-Mart at "limited retail" and opined that there must be other prime vendors looking to locate in Roseville; and expressed her opposition to the proposed Wal-Mart development.

**Mary Alexander, 14 Mid Oaks Road**

Ms. Alexander questioned what was in it for Roseville from the City Council's perspective; and whether money received by the City would serve to further improve community parks and roads. Ms. Alexander noted the significant tax money being allocated to ensure the best park system possible for the community; and questioned what was wrong with Roseville aspiring to be the best rather than dragging it down with such a development as proposed. Ms. Alexander questioned if the City would feature a Wal-Mart store on the front cover of the Roseville Visitor's Association (RVA) promotional materials; opining that this was not something communities chose to advertise as a positive in their community. Ms. Alexander noted her confusion in the Comprehensive and Master Plans, but opined that her perception was that both consistently supported local businesses supporting area families, not big box stores in any of their recommendations. Ms. Alexander displayed and referenced her copy of the March 2012 Consumers' Report magazine that had rated ten (10) big box stores, with Wal-Mart scoring the lowest of those ten (10) for customer satisfaction. Ms. Alexander questioned why a retail store should be put in the midst of Roseville when customers were not satisfied with this retailer; and opined that it only provide a recipe for failure.

Mayor Roe closed public comment at this time, as no more speakers were apparent.

At the invitation of Mayor Roe to Ms. Sue Steinwall for comments or responses, Ms. Steinwall advised that they would stand for questions as asked.

TIF

Mayor Roe responded that while the subject property will be contributing increments, the developer

would not receive any to fund their proposal other than for the City using it for City costs for infrastructure improvements contemplated or anticipated.

Twin Lakes Master Plan as a part of the Comprehensive Plan

Mayor Roe sought clarification from staff that while the Master Plan was removed as part of the 2009 Comprehensive Plan, it continued to be referenced for consideration; with specific language in regard to it remaining an official control document.

Mr. Trudgeon clarified that the Twin Lakes Master Plan was referenced as an “official control” (page 423, Section 4) in the 2010 Comprehensive Plan.

Mayor Roe further clarified the intent of “official control” terminology related to regulating a certain area. Based on his recollection of Comprehensive Plan discussions, the intent was that a document designated as an “official control” was related to enforcement, and not carrying the same weight under State Statutes as the Zoning Code, but remaining part of the review process to determine what was or was not appropriate.

Councilmember Johnson opined that he did find this language a bit of a conundrum; and sought clarification from staff of a process at the Planning Commission level several years ago in reviewing all Master Plans throughout the City to determine which were and which were not included in the Comprehensive Plan update. Councilmember Johnson questioned what the outcome for the Twin lakes Master Plan had been as a result of those discussions and decisions.

Mr. Trudgeon advised that the determination was that the Twin Lakes Master Plan was not included as part of the updated Comprehensive Plan, but that it remained relevant with a limited ability to accomplish everything desired in the area.

Councilmember Johnson opined that, based on that, there would appear to be a discrepancy between the Twin Lakes Master Plan, the Comprehensive Plan, and the Zoning Code.

Mr. Trudgeon did not concur with that synopsis.

Councilmember Johnson suggested that this appeared to put the Master Plan on a different plane than the Comprehensive Plan and Zoning Code, and if there was a discrepancy, the City was obliged to abide by the Zoning Code and Comprehensive Plan.

With all due respect, Councilmember Pust opined that the term “official control” did have legal meaning, not just what the City chose to have it mean, with case law defining “official control.” If the Twin Lakes Master Plan was defined in the Comprehensive Plan as an “official control,” Councilmember Pust opined that a legal argument could be made that the Master Plan then needed to be followed. While not the Zoning Code, Councilmember Pust opined that it could not be ignored. Councilmember Pust noted that Zoning Codes and Comprehensive Plans were official controls, but was unsure if the Master Plan was in conflict with the Comprehensive Plan.

Public Safety Concern/Increased Police Call Volumes

**Police Chief Rick Mathwig**

At the request of Mayor Roe to respond to public concerns about an increase in police call volume with a Wal-Mart development, Police Chief Mathwig responded, that his actual projections were for between 700-900 additional calls annually, or two (2) per 24-hour period. While not able to predict the future, Chief Mathwig advised that, just based on the potential 24-hour operations for the proposed store, there would be an obvious increase in calls for service. Chief Mathwig advised that his projections were based on his research of crime rates from the Cities of Eagan, Saint Anthony and Coon Rapids when Wal-Mart stores were constructed in those communities. Chief Mathwig noted that crime statistics were

variable, and would depend on the specific community, bus routes, and a store's proximity to the inner core.

Councilmember Johnson asked if the expansion of the Super Target in Roseville had caused police calls to spike as well, Chief Mathwig responded that there had been no significant spike.

Councilmember Johnson questioned what Chief Mathwig's opinion was on the impact of calls if Target had chosen to go with a 24-hour operation.

Chief Mathwig responded that they would have probably had the potential to be higher, with any such 24 hour operation versus a 12 hour operation creating the probability of more calls.

#### Surface Parking/Parking Lot Design

At the request of Mayor Roe regarding the question on whether the proposed design met parking regulations, Mr. Trudgeon advised that City Code was referenced for the design by the developer and review of the design by staff for Community Business District zoning restrictions, and met those requirements. Mr. Trudgeon clarified that Community Business District zoning had a different standard that that erroneously cited.

While staff did not have the information available, Councilmember Willmus questioned the approximate amount of existing office space square footage in Twin Lakes. Councilmember Willmus explained his rationale in asking the question based on whether or not this 160,000 square foot retail center would skew the overall use within Twin Lakes.

#### Due Process Concerns with Revisions to the Development Agreement

Mayor Roe asked that staff respond to concerns regarding due process with revisions provided by staff this afternoon related to the Development Agreement.

Mr. Trudgeon advised that financial information had been included in the information released with the draft Development Agreement included as part of the agenda packet materials, and had not been changed with the revisions released today. As previously noted in staff's presentation, the revisions were minor in nature and basically consisted of typographical and grammatical corrections, and additional exhibits as supporting documents referenced in the body of the Agreement. Mr. Trudgeon advised that the summary of the Development Agreement and a significant portion of the exhibits were included in the packet available and/or distributed last Thursday.

Councilmember Pust noted that the total dollars were included, just not the detailed breakdown.

At approximately 9:59 pm, Johnson moved, Willmus seconded, extending the meeting curfew to 10:30 pm.

#### **Roll Call**

**Ayes:** Pust; Willmus; McGehee; Johnson; and Roe.

**Nays:** None.

Mayor Roe deferred response to the office versus retail portion until the City Council discussion.

#### Traffic Mitigation at Fairview Avenue and County Road D

Mayor Roe asked City Engineer Bloom to respond to the comment that this development did not trigger mitigation for the Fairview Avenue and County Road D intersection and that its service level would be maintained at level "f."

Ms. Bloom responded that, while not having that information available at this time, she could verify that there was no change indicated at that intersection. Ms. Bloom noted that there were a number of intersections within the community currently rated at "d" or "f" service levels today; and the Wal-Mart development did not trigger any additional mitigation based on projected impacts to the intersection.

Ms. Bloom referenced a letter addressed to her from MnDOT dated April 12, 2012, addressing the projected 6,000 vehicles per hour to Wal-Mart. Quoting directly from that correspondence, Ms. Bloom noted that I-35W carried greater than 100,000 trips daily. Ms. Bloom summarized that the increased traffic projected for the future was 6,000 vehicles per hour for northbound I-35W some portion of which may utilize the interchange, but clarified that they would not all be accessing the Wal-Mart development specifically.

Ms. Bloom displayed a map showing the Twin Lakes Parkway interchange, and proposed interchange improvements to address cuing concerns of MnDOT and S.R.F. Consulting, both included as attachments to the staff reports as background material, and potential stacking concerns impacting I-35W, creating the required improvement shown in the Development Agreement.

Regarding the City requirement to make sure access was made available to the Wal-Mart site, Ms. Bloom and Mr. Trudgeon were in agreement that they didn't foresee a delay in providing permanent access, without the need to provide a temporary means. However, Ms. Bloom advised that the City would be obligated to provide access, whether temporary or permanent in accordance with the terms of the Development Agreement. At the request of Mayor Roe regarding public comment on who would pay for the rest of the cost of the I-35W improvements, Ms. Bloom advised that, while that remains to be determined, grant funds and Chapter 429 assessments to benefitting property owners were both options. Ms. Bloom noted that the City's request for grant funds had been scored very favorably, but was still not awarded, and expressed cautious optimism that funding would be made available, but not yet in place.

#### Current level of retail in Roseville and Potential Impacts for Wal-Mart

At the invitation of Mayor Roe, Ms. Steinwall responded that, while she was not privy to Wal-Mart's business plan, market research had found that Roseville citizens were shopping at Wal-Mart. Ms. Steinwall noted that her client was obviously confident that there were unfilled retail needs in the community, and they recognized Roseville as a terrific community and were excited to become part of that community. Ms. Steinwall advised that trends supported the fact that the more retail available in an area, the better the market was for everyone; and advised there was no concern by Wal-Mart with existing retail in Roseville.

#### Spacing of Stores/Potential Closures

At the invitation of Mayor Roe, Ms. Steinwall responded that, while again not privy to her client's business and/or future plans, in observing other big box retailer space throughout the Twin Cities area (e.g. Target), there were similarities for locating close to other stores. Whether one store may close due to another store being built in Roseville, Ms. Steinwall noted that she was unable to predict the future; however, she anticipated that a vast majority of customers will visit this Wal-Mart from within a two (2) mile radius.

#### Roseville Design Standards/Development Process

Councilmember Johnson asked Ms. Steinwall if the Wal-Mart development team had found the City of Roseville to be more stringent about design and/or architectural standards not normally found in a Wal-Mart setting.

Ms. Steinwall responded with a resounding "yes," based on the team's experience, and noted that Wal-Mart's approach was to achieve 100% compliance with the City's new Zoning Code which had proven quite particular about design elements and building orientation, design and parking lot size, and assuring that the development was more pedestrian friendly and accessible. However, Ms. Steinwall expressed the team's appreciation for City staff during the process, even while being very, very particular in meeting City Code requirements, while at the same time providing the development team with a great abundance of details and requirements.

Council Discussion

Regarding Community and Regional Business Zoning designation, Councilmember Pust referenced a memorandum from the City Attorney's office dated December 9, 2011 defining CMU designation as a mix of land uses, and CB as community and regional business in the context of the scale of the customer base and access to interchanges. Regional Business is defined as free-standing, large square foot stores, with Community Business defined as business limited to the local market area including free-standing businesses promoting community orientation, smaller than free-standing stores.

Mr. Trudgeon was somewhat in agreement with that summary.

Councilmember Pust opined that size was not generally an issue, but that the entire discussion of the Task Force was the scale of size, with CMU area referred to as community businesses, not regional business; while other areas in the Comprehensive Plan referring to regional business. Councilmember Pust opined that there appeared to be inconsistencies between the Zoning Code and Comprehensive Plan, and there was to be no conflict between the two. If that is the case, Councilmember Pust opined that the definition of "official control" then becomes important.

Mr. Trudgeon admitted that it was a complex issue; but clarified that the Community Business definition addressed the local market area within a two (2) mile area of Roseville, and supplying daily needs (e.g. groceries, clothes, and other household goods), all of which a Wal-Mart would sell.

Councilmember Pust, however, when assessing that interpretation against the definition of a free-standing, large format store, felt there was general agreement on how they fit together. Councilmember Pust expressed concern that, if there was any potential for disagreement, there were a lot of citizens who would also disagree. While recognizing City Attorney Gaughan's legal opinion in suggesting that the Comprehensive Plan may not apply, there were other cases of Metropolitan Council approved Comprehensive Plans that flagged this as a potential legal issue. Councilmember Pust also recognized that City Ordinance, Chapter 1102, defined the process and requirements for Preliminary Plat approval with that ordinance serving as the City's legal authority.

Mr. Trudgeon, in context of subdivisions and for this process, concurred.

Councilmember Pust opined that the City, through its ordinance, was given that authority from the State, and when ordinances were enacted, the public was assured of their fair and equal treatment based on the same criteria without arbitrary issues. However, in referencing Chapter 1102, Councilmember Pust noted that it specifically stated that the City would have a Preliminary Plat approval process, then a Final Plat approval process. Councilmember Pust advised that she could find nothing in City ordinance combining those two processes, causing her to question if the City had the statutory authority to combine that approval process in one action. Councilmember Pust opined that the City Council therefore, should not take action tonight on this issue.

City Attorney Gaughan responded regarding the issue of potential conflicts with the Zoning Code, Comprehensive Plan, and the Twin Lakes Master Plan. Mr. Gaughan noted the importance, for this discussion and the Development Agreement addressing infrastructure, that the focus was not on potential or future ultimate use of the property, but simply platting currently subdivided property, or redrawing lines. Mr. Gaughan advised, when considering whether this application conformed to the City's Zoning Code and Subdivision regulations, it was not based on future use, but whether dividing the property into three (3) parcels conformed to those controls.

Regarding whether this use fits into the CMU or Regional Business, as brought up correctly by Mr. Grefenberg, Mr. Gaughan advised that it only came into play when the Community Development Department issued the building permit. Once the Building Permit is issued, Mr. Gaughan noted that there was a ten (10) day window for appeal of that decision if an argument is made that this project's actual use does not conform to whatever the official control was. Mr. Gaughan confirmed that this

would be an appropriate process for such a debate at that time. However, Mr. Gaughan again clarified that the purpose of tonight's request for action was for the purpose of redrawing lines regardless of their use. Mr. Gaughan advised that the League of Minnesota Cities (LMC) has confirmed that the City can't take the potential use into account in making that decision.

Regarding Preliminary and Final Plat approval or denial, Mr. Gaughan advised that, state-wide, cities have the ability to consolidate those processes, even if the Roseville City Code does not specifically consolidate them in its current language, it does not specify that it won't consolidate them. Mr. Gaughan noted that the Final Plat must be completed within sixty (60) days, and while there appeared to be some ambiguity, he expressed more interest in City Code, Chapter 1102.04, Items b.9 and 10 and requirements of what must occur before Final Plat approval. Mr. Gaughan expressed his concern that staff do a final review to assure that all those requirements have been completed as per City Code before Final Plat approval or denial to ensure all those "ducks are in a row" and the Final Plat is in compliance. Precluding that assurance, Mr. Gaughan suggested that the City Council approve the Preliminary Plat, subject to conditions of the ordinance and hold off on Final Plat approval.

Mr. Trudgeon reviewed the steps followed in assuring that compliance, and those items found on the Preliminary Plat, from staff's perspective, needing additional work.

In response to City Attorney Gaughan, Councilmember Pust opined that, regarding Community versus Regional Business designation, she thought there was a conflict between the Zoning Code including reference to "official control" of the Comprehensive Plan and the Twin Lakes Master Plan. Councilmember Pust concurred with Mr. Gaughan in general, if all that was being done was platting, those issues may not rise to the level, since it was a concept or drawing lines, not determining a particular use. However, Councilmember Pust opined that she did not believe it to be accurate that citizens had more rights than a sitting City Council in having the authority to say "no" to something that might allow enough ambiguity to prompt another lawsuit. Councilmember Pust expressed her frustration with those past attempts to stifle a project, and opined that she was also tired of the continued waste of public monies in defending the City's past actions and/or positions.

Councilmember Pust, opined that an argument could come up that the City didn't have the authority to do what has been proposed, and since she was unable to personally ignore ordinance language, even if State Statute says it was appropriate to combine approval of a Preliminary and Final Plat, the City can revise their own ordinance to combine that approval process, removing any such ambiguity about the process. No matter if the City of Roseville has just done it that way, without written ordinance language providing that clear authority and a process outlined, Councilmember Pust opined that she was confident there would be another lawsuit since the development was proposed in the Twin Lakes Redevelopment Area, an obvious area of dispute in the community. Councilmember Pust opined that since there had already been a delay to ensure that all the "ducks were in a row," the City Council should delay further to get its "ducks in a row" to confident action by the City Council majority. Therefore, Councilmember Pust spoke in support of not taking any action at tonight's meeting.

Councilmember Johnson stated that he heard the logic of Councilmember Pust, and agreed that she had some valid points. Along with comments heard from other Councilmembers, Councilmember Johnson spoke in support of moving forward with the Preliminary Plat only tonight, since it was consistent with State Statute and City Ordinance. However, Councilmember Johnson expressed his hesitation and lack of comfort going outside that realm at this point. However, in the interest of time and the 60-day review period, Councilmember Johnson questioned how much more time was available in the review period. Councilmember Johnson also recognized the lateness of the hour in having additional discussion on this, or in any other making any other significant decisions tonight.



Regarding the Preliminary Plat, Mayor Roe expressed concern about whether a determination would be available related to whether use should be considered at the time of Plat approval. While recognizing that the Preliminary Plat was far along the road toward a Final Plat, without application of unrealistic conditions, Mayor Roe opined that the City Council was not currently in a position to approve a Final Plat tonight.

Councilmember McGehee advised that she had personally researched those issues raised by Councilmember Pust tonight with three other independent attorneys, including one with the LMC, who concurred with Councilmember Pust's interpretation. Councilmember McGehee noted that this was her rationale in addressing some of those issues in her memorandums as previously referenced as bench handouts. Councilmember McGehee stated that she specifically tied the use to the Plat, based on her conversations with the LMC and the City's Zoning Code, addressing those topics raised by the public tonight. Councilmember McGehee spoke in support of waiting to take action. Councilmember McGehee also stated that her understanding of preliminary and final plat was quite a bit more than "just drawling lines." The preliminary plat, she said, is where all the points are made.

City Attorney Gaughan noted that the City Council could schedule a special meeting to address the land use 60-day review period that only had fourteen (14) days remaining.

Mr. Trudgeon noted that the applicant could choose to extend the review period, however the City could not as it had already done so, as well as the development clock stopping during the RGU review of the citizens' petition.

Councilmember Pust asked for a response from the applicant's representative regarding their preference to extend the review period or table action beyond the original sixty (60) days unless a special meeting was scheduled.

#### **Sue Steinwall, Legal Counsel for Wal-Mart**

Ms. Steinwall advised that she could not respond without first consulting her client.

Mr. Trudgeon reminded Councilmembers that lack of action on the part of the City Council on the land use issue by not meeting the review deadline would automatically serve as an approval by the City of the Preliminary Plat without a Development Agreement in place.

Pust moved, McGehee seconded, TABLING this discussion to a date uncertain for staff and the City Attorney to provide additional information and clarify those discussion items brought forward tonight regarding Preliminary and Final Plat processes and the Development Agreement provisions and process.

#### **Roll Call**

**Ayes:** Pust; McGehee; and Roe.

**Nays:** Willmus; Johnson.

#### **Motion carried.**

Discussion among staff, City Attorney Gaughan, and Councilmembers included the option of calling a special meeting prior to the review deadline; and whether, once consulted, the Wal-Mart Corporate Office could choose to provide a letter authorizing another extension; and the need for the City Attorney and staff to consult further on this particular issue before any decisions are made by the City Council.