

CITY OF BLOOMINGTON  
2215 WEST OLD SHAKOPEE ROAD  
HENNEPIN COUNTY, MINNESOTA 55431

CITY COUNCIL MEETING

Approved Minutes  
Strategic Planning Session  
Meeting #25A

5:30 p.m.  
September 23, 2002  
Council Chamber

Call to Order Mayor Gene Winstead called the meeting to order at 5:45 p.m.

Roll Call Present: Mayor Winstead, Councilmembers D. Abrams, S. Elkins, M. Fossum, S. Peterson,  
and V. Wilcox.  
Absent: H. Harden

Public Comment Period The Public Comment Period is not open during strategic planning sessions.

Continuation of Strategic Planning Session City Manager Mark Bernhardson began by stating that as a result of the Council's previous exercises relating to physical and human mapping, a review of the environmental scan, and a discussion on governance, Council has developed its vision and mission, identified strategic issues and initiatives, and is now working on the operating budget using the diagram that shows how the available funds are spent to support the community. He explained the current exercise as taking Bloomington in 2002 to Bloomington 2030. He described the four major areas of strategic priorities as Community Renewal, Transportation, Services, and Communications. As there are some things the City can control in the community, some things it cannot and some things it can take direct action on or influence, he stated that the Council needs to decide how to best use its resources to make Bloomington into the community it desires in the future.

Regarding Strategic Issue #2 and the need for the community to be constantly renewed, Bernhardson described the following priorities: development of the "String of Pearls," look at higher density, more mixed-use development that could be better served by transit, and the community's general appearance. He continued by listing the Guiding Principles for Community Renewal and requested Council's input on the same. Some of the principles included looking at more mixed-use nodes and major transportation along Old Shakopee Road, American Boulevard, Lyndale Avenue, and others; a wider variety of housing; transit-oriented development; higher density mixed-use development; capitalizing on the Airport South Development; protecting and enhancing infrastructure including City facilities, parks, streets and utilities; seeking and promoting affordable housing opportunities; improving locally-initiated renewal tools; maintaining and improving the overall appearance of the community, as it can influence the decision for private investors to invest in the community; and working to clean up selected areas of the community and finding ways to involve both public and private land owners in trying to beautify the area.

Bernhardson continued by listing the projects that have been identified as current, new and updated, current ongoing to improve community maintenance, and other new & updated programs.

Current Programs include: HRA activities, Port Authority activities, airport related activities, natural environment enhancements, infrastructure (Pavement Management Program), current City Hall site, Historical City Hall, Creekside/Presbyterian Homes, and facilities investments.

New & Updated Programs include: "String of Pearls," France & Old Shakopee, 85<sup>th</sup>, 93<sup>rd</sup> & 95<sup>th</sup> & Lyndale, Old Shakopee Road (entire length), 494 land uses, Old Cedar & Old Shakopee Road, Best Buy/Southtown Area, France & 494, and Toro.

Current Programs Ongoing for Improving Community Maintenance include: Neighborhood Enhancement Program, community-wide curbside cleanup, graffiti removal, the Community Enhancement Program of the mid 90's, citywide garage sale, 98<sup>th</sup> & Lyndale Streetscape area, Adopt A Park and Adopt A Street.

Other New & Updated Programs include:

1. Improving how vacant buildings are dealt with and enhancing how they're secured. Abrams suggested that commercial property owners be assessed like residential homeowners are if their properties don't meet City standards. Council inquired if there was a process that could be developed to accelerate the process of dealing with vacant buildings.
2. Manufactured home parks (Portland, Krestwood and 87<sup>th</sup> & Lyndale Avenue) and how to be more aggressive in the City's enforcement. Staff explained that the Minnesota Department of Health is the governing agency with regard to most regulations in these parks and that they don't have adequate funds to do an appropriate job of dealing with the violations. It was suggested that the City could have the State delegate their enforcement responsibilities to the City, which would then give the City the authority to enforce regulations. However, in order to do that, the City would need an indemnification and hold harmless at a minimum to undertake such responsibility. As City Attorney Dave Ornstein explained, the State has a history of neglecting its enforcement obligations and has erroneously issued variances. The City would not want to be responsible for the State's past failures and errors. It was stated that the State would probably give the City the authority to enforce violations at all three mobile home parks in Bloomington if the City desired but that it would not include the transfer of any additional funds from the State to offset the cost of inspections.

Winstead suggested that the City do whatever it can to accelerate the delegation agreement with the State to deal with this situation.

Council commented that it appears as though the situation at the Portland Mobile Home Park has not improved with the new ownership. After recently driving through the Park, the Mayor and others stated that they observed holes in the street, trash, and that it looks generally unsafe. Staff added that it is taking more staff time than ever to deal with the problems and that if the Council wanted the City to be more aggressive with Portland Mobile Home Park, it could probably keep one attorney busy full-time. Council commented that the three mobile home parks, although perhaps not looking too bad from the outside, are really three neighborhoods in Bloomington that need attention and that the Council should decide if it wants to focus on their compliance or renewal. If that were to happen, it was stated that it could involve either a major renovation or the elimination of some of the most affordable housing in Bloomington.

Council requested that the City Attorney assess the indemnification issue to see what the liability would be if the State delegated its enforcement authority to the City.

3. Issue of increased maintenance in selected commercial areas.
4. Newsbox locations in the City's right-of-way. Ornstein stated that in the absence of voluntary compliance, staff is working on a draft ordinance to regulate them. He stated that while staff will move forward on it, First Amendment issues may be raised and there may be a legal challenge.
5. Implementation strategies.

Bernhardson inquired if Council agreed with the Guiding Principles or if they were off the mark or had others.

Elkins stated that they are generally on the mark, however, regarding the SE quadrant (first corner to be redevelopment at France & Old Shakopee), he stated that he couldn't tell if what is being proposed is really consistent with what the neighborhood's vision was for the intersection.

Regina Harris, HRA Administrator, replied that it is consistent with the Committee's recommendation. She stated that that corner did not have a reuse potential on its own and would have required the acquisition of all of the retail to the east of it. The proposed use is consistent with the recommendation.

Bernhardson stated that it is not a higher density, mixed-use redevelopment and unless the entire shopping center is taken out, including Bruegger's, a significant redevelopment wouldn't occur.

Larry Lee, Community Development Director, stated that the plan for the SE quadrant included the following: private redevelopment, Right-of-Way or road improvements, removal of external accesses, and no land assembly, which is consistent with the plan.

Harris stated that the 20-year view had a conversion regarding Southport Center.

Elkins inquired about the status of the SW corner.

Harris replied that staff does not know the status of that corner. She stated that there is a rumor that Walgreen's has temporarily walked away until such time the City acquires the gas station and makes their improvements. She stated that the long-term plan called for private redevelopment at sometime in the future. She confirmed that the City is still planning to redevelop the two northern corners. She stated that the zoning would remain as it is now in the SW quadrant, which provides for significant flexibility.

Elkins stated that it is likely that with the current zoning guidance, the City might end up with a newer strip mall. He stated that there is a vision for what the intersection ought to be and doesn't see the City moving aggressively to pursue it but rather reacting to whatever comes forward. He stated that zoning revisions need to be given a priority to make sure that the zoning is in place to be ready for whatever the market dictates so that the kind of redevelopment gets done. He stated there isn't a zoning classification that really describes what the City is looking for at that intersection.

Bernhardson stated that staff's original plan for the corner included some residential, mixed-use in the south but the second plan didn't. He stated that he didn't know from a zoning standpoint if the City could set the bar high enough to change the zoning.

Lee stated that the current zoning would allow what Elkins is looking for, which is above the Plan that the Council accepted. He stated that zoning is not the issue and that it's a matter of land assembly - private dollars vs. City dollars.

During the discussion relating to community renewal, Abrams mentioned that he would be interested in reopening the Charter issue relating to on-sale liquor establishments. He stated, "it's a historical accident that the Charter is the way it is on that issue."

Winstead inquired if there was anyone on the Council who would not be in support of a Charter amendment regarding the liquor setback, as one council member could defeat it. He stated that testimony would still have to be taken and that the Council could be convinced to change its mind on the issue. No one expressed any opposition to having this issue studied by the Charter Commission. He stated that the liquor distance requirement could be one reason why developers are turned away from some redevelopment opportunities.

Fossum stated that even some people in the France Avenue/Old Shakopee Road neighborhood stated that they wished they had a place in the neighborhood where they could eat dinner and have a drink.

Winstead stated that the City has good enough controls on the type of liquor service that can be located within the city that it ends up being a restaurant with liquor and not a saloon. He stated that this issue can go two ways - one brought up to the voters or one passed unanimously by the City Council, subject to a voter referendum.

City Attorney Dave Ornstein stated that in 1989, there was a voter amendment to bring liquor into the hotels. He stated it was not a Council decision that was put to the voters and that Francis Berns, a well-respected Sun Current columnist who followed City issues, strongly opposed it.

Requested Staff Prepare  
an Agenda Item  
Referring the  
Intoxicating Liquor  
Distance Issue to the  
Charter Commission

Motion was made by Peterson, seconded by Fossum, and all voting aye, to request staff prepare a future Council agenda item that stating the City Council's desire that the Charter Commission consider whether or not the distance requirement for on-sale liquor establishments from churches and schools should be removed.

Winstead commented that it's an issue that has come forward regarding the redevelopment of certain spots and that it has been a hindrance.

Harris stated that staff could provide Council with a citywide map showing where this has influenced redevelopment.

Getting back to the zoning issue, Elkins stated that it's not just what uses are permitted in this area but the visual form of the development and resulting streetscape. He stated that the City should be following through and asking for development that also contributes to the pedestrian friendly/safe streetscape. For examples, buildings should be built up to the sidewalk instead of behind the parking lots. There could be performance requirements for the development rather than trying to dictate what uses are going in there. He used the southeast corner at 66<sup>th</sup> & Lyndale in Richfield as an example of a neat redevelopment. He stated performance standards would guide the developer in developing an attractive neighborhood at that intersection. He stated that Bloomington needs a rule that would encourage this type of development and that it shouldn't always be an exception to the rule so that real or perceived obstacles are not put in the developer's way. He stated a new zoning classification needs to be developed for the pearls on the string that makes what the Council would like to see at those locations the rule and not the exception. He stated that Planned Urban Developments (PUDs) add uncertainty and expense to developers' projects. He stated that other cities are encouraging this type of redevelopment through density bonuses. Stated the City needs to develop a zoning classification for mixed-use neighborhood centers.

Lee explained that PUD approvals allow City staff and the City Council an opportunity to review cases where the setback is less than the Code allows.

Bernhardson stated that the question is what can the City do to implement a higher density, mixed-use development in those neighborhood areas.

Adjourn Meeting

Mayor Winstead adjourned the meeting at 6:55 p.m.

Barbara Clawson  
Council Secretary