Council Study Session
City Hall Council Chambers
September 24, 2018

AGENDA

1. City Council Discussion of Agenda items and Questions - 6:30 p.m.

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

2. Miscellaneous

3. Discussion of Work Session Agenda Item as Time Permits

4. Adjourn

CITY COUNCIL MEETING
City Hall Council Chambers
September 24, 2018

AGENDA

1. Informal Open Forum with City Council - 6:45 p.m.

Provides an opportunity for the public to address the Council on items which are not on the agenda. Open Forum will be limited to 15 minutes, it is not televised, and it may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Open Forum will not be used as a time for problem solving or reacting to the comments made but, rather, for hearing the citizen for informational purposes only.

2. Invocation - 7 p.m.

3. Call to Order Regular Business Meeting

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered at the end of Council Consideration Items.

a. Approval of Minutes

- Motion to approve the minutes for:

- *September 10, 2018 Study Session*
- *September 10, 2018 Regular Session*
- *September 10, 2018 Work Session*

b. Approval of Licenses

- Motion to approve of the presented licenses

c. Resolution Accepting Work Performed and Authorizing Release of Funds for Certain Financial Guarantees Being Held by the City

- Motion to approve a resolution Resolution Accepting Work Performed and Authorizing Release of Funds for Certain Financial Guarantees Being Held by the City

d. Resolution Declaring Public Nuisance and Ordering the Removal Dead Tree

- It is recommended that the City Council declare a public nuisance and order the removal of dead trees for certain properties as listed in the resolution.

e. Resolution Opposing Off Sale of any Strong Beer, Spirits & Wine at any Outlet Other than a Brooklyn Center Municipal Liquor Store

- Motion to Approve a Resolution Opposing Off Sale of any Strong Beer, Spirits and Wine at any Outlet Other than a Brooklyn Center Municipal Liquor Store

f. An Ordinance Amending Chapters 1 and 19 of the City Code of Ordinances Regarding Chickens

- Motion to approve the first reading of the ordinance and call for a public hearing and second reading which will be held on October 22, 2018.

7. Presentations/Proclamations/Recognitions/Donations

a. National Suicide Prevention Awareness Month

- Motion to Proclaim September as National Suicide Prevention Awareness Month.

8. Public Hearings

a. An Ordinance Amending Chapter 27 of the City Code of Ordinances Relating to Snow Event Parking Restrictions

- Motion to open the Public Hearing, take public input, close the Public Hearing, and consider adoption of An Ordinance Amending Chapter 27 of the City of Ordinances Relating to Traffic Ordinances and Snow Parking Restrictions.

b. Resolution and Continued Special Assessment Hearing for Proposed Special Assessments for Administrative Fines

- Motion to reopen the public hearing, to close the public hearing and approve the resolution Certifying Special Assessments for Administrative Fines/Citation Costs to the Hennepin County Tax Rolls

9. Planning Commission Items

a. Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-015 Submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, Requesting Site and Building Plan Approval (Located at 1500 59th Avenue North)

- Motion to approve a Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-015 Submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, Requesting Site and Building Plan Approval (Located at 1500 59th Avenue North)

b. Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-016 Submitted by Lux Apartments, LLC, for an Amendment to the 1992 Planned Unit Development Plans and Documents and Parking/Site Improvements (Located at 6100 Summit Drive North)

- Motion to approve a Resolution Regarding the Recommended

Disposition of Planning Commission Application No. 2018-016 Submitted by Lux Apartments, LLC, for an Amendment to the 1992 Planned Unit Development Plans and Documents and Parking/Site Improvements (Located at 6100 Summit Drive North)

10. Council Consideration Items

a. Resolution Approving the Preliminary Tax Capacity Levy for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable in 2019 and Resolution Adopting a Preliminary Budget for the 2019 Fiscal Year

- Motion to Approve a Resolution Approving the Preliminary Tax Capacity Levy for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable in 2019
- Motion to Approve a Resolution Adopting a Preliminary Budget for the 2019 Fiscal Year

b. Resolutions Approving Type IV 6-Month Provisional Rental Licenses

It is recommended that the City Council approve resolutions approving Type IV - 6 Month Rental Licenses for:

- 5715 Emerson Ave N
- 6740 Grimes Pl
- 7131 Halifax Ave N
- 4200 Joyce Lane
- 7030 Regent Ave N

11. Council Report

12. Adjournment

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the minutes for:*
  - *September 10, 2018 Study Session*
  - *September 10, 2018 Regular Session*
  - *September 10, 2018 Work Session*

Background:

Strategic Priorities and Values:

Operational Excellence

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

STUDY/WORK SESSION
SEPTEMBER 10, 2018
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study/Work Session called to order by Mayor Tim Willson at 6:00 p.m.

ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan were present. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, Director of Public Works Doran Cote, Deputy Director of Public Works Mike Marsh, Community Development Director Meg Beekman, Planner and Zoning Administrator Ginny McIntosh, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Michaela Kujawa-Daniels, TimeSaver Off Site Secretarial, Inc.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Ryan requested discussion on Item 8b, in particular he asked about the delinquent accounts and asked if the past due amounts have an impact on the fees the City has to pay or charge. City Manager Curt Boganey stated it may affect the amount we charge for other utility bills. Mr. Boganey stated if we did the math it would probably show that we end up collecting more money when people pay their utility bills late, due to the fees charged for late payments. He stated we don't want to see people having to pay extra fees and having their bills added to their taxes. He stated low income residents who can't pay their bill so the extra fees added to those bills compound the problem.

Councilmember Graves requested discussion on Item 6c and asked if staff has taken any ideas she has mentioned in the past regarding helping tenants, into mind and put them into action yet. Mr. Boganey stated we are not proposing any changes at this time but stated if prompted by the City Council they will go back and gather more information and move forward from there.

Mr. Boganey stated he wants to make sure the City Council is aware that on the agenda tonight they will be voting to suspend licenses for all tobacco sales while they review the ordinance. He noted they have one application for tobacco that came in for Casey's Store and the city plans to process it because it was received prior to the City Council making a decision on suspending the tobacco licenses.

City Attorney Troy Gilchrist stated the tobacco license issue is 10a on the agenda this evening, so there will be an opportunity for them to discuss it.

MISCELLANEOUS

Councilmember Lawrence-Anderson stated tomorrow evening the Candidate Forum will be held and asked if Mayor Willson will be at the forum or the neighborhood meeting because they are at the same time. Mayor Willson stated he will attend both and go from one to the other.

Councilmember Lawrence-Anderson stated she wanted to make sure someone was at each event to represent the City Council and noted she will attend the Candidate Forum.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

BACKYARD CHICKEN ORDINANCE

City Manager Boganey introduced this item and called Jesse Anderson, Deputy Director of Building and Community Standards, to present the background, purpose and overview of what the Housing Commission is proposing for this ordinance.

Councilmember Lawrence-Anderson stated she is on the fence about this issue due to concerns regarding feces, odor, and feeling that the winters are too harsh for the structures most people tend to have chickens in. She would like to see all homes that keep chickens to be registered or somehow kept track of.

Councilmember Ryan asked if there is a consensus from the City Council, will it be seen on the agenda with the first reading next. Mr. Anderson stated it is ready to go so anytime, possibly the next meeting, they would see it on the agenda.

Councilmember Ryan asked how nuisance odors would be monitored. Mr. Anderson stated it would be handled like they handle dog nuisances; they will get a complaint and an inspector will go check the issue and if it is indeed a violation the owner would be cited.

Councilmember Lawrence-Anderson stated she would want to know who would be liable if a chicken escaped because she wouldn't want to be liable for her dogs killing a chicken if it escaped. She noted she would also like to know what happens to the chicken when they are done laying eggs.

Councilmember Butler stated the issue of what will they do with the hen once she is done laying eggs came up at the Housing Commission meeting and most of the people stated they would keep it as a pet or give it to a friend who has a farm. She stated she thinks they have educated themselves and addressed all issues on this topic and believes it should be passed. She noted there will always be people who will break the rules in any situation but that shouldn't prevent the people who want to keep chickens that have done their research and provided their plans from being able to do so.

This item reached conclusion later in the evening during the Work Session.

ADJOURNMENT

Mayor Willson adjourned the Study/Work Session to Informal Open Forum at 6:45 p.m.

Motion passed unanimously.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

REGULAR SESSION
SEPTEMBER 10, 2018
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor Tim Willson at 6:45 p.m.

ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, Deputy Director of Public Works Mike Marsh, Community Development Director Meg Beekman, Planner and Zoning Administrator Ginny McIntosh, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Michaela Kujawa-Daniels, TimeSaver Off Site Secretarial, Inc.

Mayor Tim Willson opened the meeting for the purpose of Informal Open Forum.

Todd Hennings, 1900 Brookview Drive, addressed the City Council. He addressed the bird flu concerns with CDC reports. He stated chickens eat mice, they can smell but not anymore than a dog or cat might smell. He stated they can cluck but not much and it usually happens when they are laying eggs but are much quieter than some dogs. He stated they don't know what they would do with hens after laying happens but he doesn't think anyone would put their dog down at 5.

Anna Cooper, 3206 61st Avenue North, addressed the City Council regarding backyard chickens. She stated at-large animals were brought up and noted that if an animal is at-large, whether it is a chicken or a dog, then whatever happens to them is on the owner.

Todd Hennings, 1900 Brookview Drive, addressed the City Council again and stated chickens are like ducks. They down up and to keep themselves warm in the winter and they use each other to stay warm. He also noted they keep netting or wire over the top of the coops to keep chickens from escaping.

Councilmember Graves moved and Councilmember Butler seconded to close the Informal Open Forum at 6:59 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Butler recited a quote by former President Obama requested a moment of silence and personal reflection as the Invocation.

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Tim Willson at 7:00 p.m.

4. ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan were present. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Deputy Director of Public Works Mike Marsh, Community Development Director Meg Beekman, Planner and Zoning Administrator Ginny McIntosh, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Michaela Kujawa-Daniels, TimeSaver Off Site Secretarial, Inc.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Ryan moved and Councilmember Graves seconded to approve the Agenda and Consent Agenda, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. August 16, 2018 - Joint Work Session with Planning Commission
2. August 20, 2018 - Joint Work Session with Financial Commission
3. August 27, 2018 - Study Session
4. August 27, 2018 - Regular Session
5. August 27, 2018 - City Council/EDA Work Session

6b. LICENSES

MECHANICAL

Boys (Mechanical) Electric LLC	490 Villaume Avenue, So. St. Paul
Deschene Enterprises, Inc.	10131 James Avenue NE, Otsego
General Heating & Air Conditioning	11081 Chaparral Avenue, Shakopee
J Dubs LLC	11703 River Hills Drive, Burnsville
NAC Mechanical & Electric Services	1001 Labore Industrial Crt, Ste. B, Vadnais Heights
Northwest Heating & Cooling	434 Taylor Street, Anoka
Solid Refrigeration LLC	1125 American Blvd. E, Bloomington

RENTAL

INITIAL (TYPE IV – six-month license)

1112 Emerson Lane N	Mark Ronea

INITIAL (TYPE II – two-year license)

5024 71st Avenue N	Marc Toscano
6319 Indiana Avenue N	Fola Ogundipe
5407 Irving Avenue N	Mark Gonzales
6225 June Avenue N	Marc Toscano

RENEWAL (TYPE III – one-year license)

1308 68th Lane N	Konrad Wagner c/o Phil Beaumia
5444 Humboldt Avenue N	Melanie Boes

RENEWAL (TYPE II – two-year license)

1329 63rd Lane N	Vicki Krokum
3312 64th Avenue N	Xuyan Janet Lang
1323 67th Lane N	Ali Sajjad/786 Homes LLC
1309 68th Lane N	Amanda Frost/Nelson
4935 Abbott Avenue N	Robert Anderson
7025 Newton Avenue N	Steve Branham

RENEWAL (TYPE I – three-year license)

5338-40 Queen Avenue N	Thanh Kim Oan
5807 Drew Avenue N	Jose Antonio Villagrana
5643 Knox Avenue N	Jason Flaa

6c. APPROVAL OF THE FIRST READING OF THE AMENDMENT TO THE RENTAL LICENSING ORDINANCE, SET THE SECOND READING AND PUBLIC HEARING FOR OCTOBER 8, 2018, AND APPROVE THE AMENDED RENTAL LICENSE CATEGORY CRITERIA POLICY

6d. RESOLUTION NO. 2018-156 APPROVING PUBLIC WORKS JOINT POWERS MUTUAL AID AGREEMENT

6e. RESOLUTION NO. 2018-157 DECLARING PUBLIC NUISANCE AND ORDERING THE REMOVAL OF DEAD TREES

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

- None.

8. PUBLIC HEARINGS

8a. RESOLUTION NO. 2018-158 CERTIFIYING SPECIAL ASSESSMENTS FOR ADMNINSTRATIVE FINES/CITATIONS

Deputy Director of Building and Community Jesse Anderson introduced the item, discussed the history, and stated the purpose of the proposed resolution. He noted the abatement issue has been resolved and the updated tax rolls sheet has been provided to the council.

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded to open the Public Hearing.

Motion passed unanimously.

Mr. Pelkey, 3318 50th Avenue North, addressed the City Council. He stated he is contesting the fees he is being charged. He stated he has already addressed these fees and doesn't understand why he had to take time out of his day to come here to address them again.

Ms. Graham, 6138 Colfax Avenue North, addressed the City Council. She stated she has already paid the fees and is not sure why she continues to be bothered with the bill.

Mr. Hagen, 4207 Lakeside Avenue, Apt. 240, addressed the City Council. He stated he paid his bill already and is not sure why he is still getting them.

Mr. Lee, 6612 Ewing Avenue, addressed the City Council. He stated he isn't sure what the citation is for and noted he just purchased the house on February 2, 2018.

Councilmember Ryan moved and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Ryan moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2018-158 Approving Special Assessments for Administrative Fines/Citations.

Motion passed unanimously.

8b. RESOLUTION NO. 2018-159 CERTIFIYING SPECIAL ASSESSMENTS FOR DELINQUENT PUBLIC UTILITY SERVICE ACCOUNTS TO THE HENNEPIN COUNTY PROPERTY TAX ROLLS

Finance Director Nate Reinhardt introduced the item, discussed the history, and stated the purpose of the proposed resolution.

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to open the Public Hearing.

Mr. Jappah, 5338 Logan Avenue addressed the City Council. He stated he is looking for a little more time to pay the fees in the citations.

Councilmember Butler moved and Councilmember Lawrence-Anderson seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2018-159 Approving Special Assessments for Delinquent Public Utility Service Accounts to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2018-014 and advised the Planning Commission recommended approval of the applications at its August 30, 2018 meeting.

9a. RESOLUTION NOS. 2018-160 AND 2018-163 APPROVING PLANNING COMMISSION APPLICATION NO. 2018-014, REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL AND SITE AND BUILDING PLAN APPROVAL FOR 7256 UNITY AVENUE NORTH

Councilmember Graves moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2018-160 Regarding Recommended Disposition of Planning Commission Application No. 2018-014 Submitted by Dan Walsh of Community Housing Development Corporation, requesting approval of the Preliminary and Final Plat for Unity Place (Located at 7256 Unity Avenue North.

Motion passed unanimously.

Councilmember Graves moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2018-163 Regarding Recommended Disposition of Planning Commission Application No. 2018-014 Submitted by Dan Walsh of Community Housing Development Corporation, requesting Site and Building Plan Approval (Located at 7256 Unity Avenue North).

Motion passed unanimously.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2018-161 TEMPORARILY SUSPENDING THE ISSUANCE OF NEW LICENSES FOR SALE OF TOBACCO OR TOBACCO RELATED PRODUCTS

City Manager Boganey introduced this item.

City Attorney Gilchrist stated based on the conversation during the work session and in particular to the application that has been received, he thinks it would be in the best interest of the City Council to make a decision on the license application for tobacco license before they move forward with a motion on the application. Attorney Gilchrist suggested they add an amendment to the language of the Resolution.

Mayor Willson stated historically if an application has been received prior to the approval of suspension, the item would be grandfathered in. If any changes made were made tonight it would not affect the process.

City Attorney Gilchrist agreed with this is true with zoning but with licensing the council has more power. He suggested adding a number 4, stating, the suspension directed by this resolution shall be in effect immediately, but shall not apply to any new application received prior to the adoption of this resolution. This will make the information more clear.

Mayor Willson indicated this is a valid suggestion.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to approve RESOLUTION NO. 2018-161 Regarding Temporarily Suspending the Issuance of New Licenses for Sale of Tobacco or Tobacco Related Products as amended by adding number 4 stating the suspension directed by this resolution shall be effective immediately, but shall not apply to any new application received prior to

Motion passed unanimously.

10b. RESOLUTION NO. 2018-162 APPROVING TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSE FOR 6501 BROOKLYN DRIVE

Mayor Willson explained the streamlined process that will now be used to consider Type IV 6-Month Provisional Rental Licenses.

Mayor Willson polled the audience and asked whether anyone was in attendance to provide testimony on any of the rental licenses as listed on tonight's meeting agenda. Seeing no one coming forward, Mayor Willson called for a motion on Agenda Item 10b.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2018-162 approving the issuance of a Type IV six-month provisional rental license and mitigation plan for 6501 Brooklyn Drive, with the requirement that the mitigation plans and all applicable ordinances must be strictly adhered to before renewal licenses would be considered.

Motion passed unanimously.

11. COUNCIL REPORT

Councilmember Ryan reported on his attendance at the following and provided information on the following upcoming events:

- September 11, 2018: League of MN Women Voters Forum

Councilmember Lawrence-Anderson reported on her attendance at the following and provided information on the following upcoming events:

- September 8, 2018: Farmers Market
- September 11, 2018: Neighborhood Meeting and League of MN Women Voters Forum

Councilmember Graves reported on her attendance at the following and provided information on the following upcoming events:

- August 29, 2018: Brooklyn Middle School's Open House
- August 30, 2018: Birch Grove Elementary Open House
- August 30, 2018: Youth Motivation Festival at Central Park
- September 7, 2018: William English Black Business Association Meeting

Councilmember Butler reported on her attendance at the following and provided information on the following upcoming events:

- September 11, 2018: Neighborhood Meeting and the League of MN Women Voters Forum
- September 12, 2018: Top Golf Event

Mayor Willson reported on his attendance at the following and provided information on the following upcoming events:

- August 28, 2018: Rotary Lunch
- August 31, 2018: Mayor's Minute taping
- September 7, 2018: Liberia Delegation Meeting with City Manager, Police Chief and Deputy City Manager Edwards
- September 7, 2018: Kenyan Intercity Organization Church Meeting

12. ADJOURNMENT

Councilmember Graves moved and Councilmember Butler seconded adjournment of the City Council meeting at 7:54 p.m.

Motion passed unanimously.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA

WORK SESSION
SEPTEMBER 10, 2018
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Tim Willson at 8:05 p.m.

ROLL CALL

Mayor/President Tim Willson and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, Director of Deputy Director of Public Works Mike Marsh, Community Development Director Meg Beekman, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Michaela Kujawa-Daniels, TimeSaver Off Site Secretarial, Inc.

BACKYARD CHICKEN ORDINANCE - Continued

Councilmember/Commissioner Ryan asked if City Attorney can say what the laws are around having access to the backyard of someone.

City Attorney Troy Gilchrist stated it is tricky when you are looking to get onto someone's property that you cannot see openly from a public location. He stated there is a process where an administrative warrant can be obtained to go onto their property if needed. He stated in some cases an upset neighbor may be more than willing to let City staff onto their property to show what they see and what the nature of the complaint may be.

The majority consensus of the City Council/EDA was to direct staff to move forward with the recommendations provided by the Housing Commission and staff.

BC LIQUOR MARKET STUDY

Robert Strachota President, Shenehon Company, addressed the City Council/EDA. He reviewed the findings from their research on the liquor store market analysis. Mr. Strachota provided the main recommendations for the City Council/EDA based on the results of the research that would help maximize profitability.

Mr. Strachota stated he would start with purchasing property #1 because it is the location bringing in the most revenue and the lease is almost up for renewal. He provided some thoughts

on moving different beverages from one store to another based on the amount being purchased from each location.

Councilmember/Commissioner Ryan stated he is in favor of owning the properties instead of leasing as well.

The majority consensus of the City Council/EDA was to accept the report and findings by Shenehon Company.

ADJOURNMENT

Councilmember/Commissioner Graves moved and Councilmember/Commissioner Butler seconded adjournment of the City Council/Economic Development Authority Work Session at 8:44 p.m.

Motion passed unanimously.

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Rozlyn Tousignant, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve of the presented licenses*

Background:

The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees. Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

MECHANICAL CONTRACTOR

AirTech Thermex, LLC	4918 W. 35th Street, St. Louis Park, 55416
Heating & Cooling Design Inc.	13234 Urbank Ct NE, Blaine, 55449
Knott Mechanical Inc.	3051 220th St. E, Prior Lake, 55372
MNP Mechanical LLC	16320 Harvard Dr., Lakeville, 55044
Pierce Refrigeration	1920 2nd Ave, Anoka, 55303

TOBACCO RELATED PRODUCTS

Casey's Retail Company dba: Casey's General Store	2101 Freeway Blvd, Brooklyn Center, MN 55430

Strategic Priorities and Values:

Safe, Secure, Stable Community

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 09-10-2018

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	**Number of Units**	**Property Code Violations per Inspected Unit**
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 5 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

License Category	**Number of Units**	**Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Rental Licenses for Council Approval on September 24, 2018

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***	Unpaid Utilities	Unpaid Taxes
5207 63rd Ave N	Single Family	Initial	Samuel Carrillo	2	I	0	II		OK	OK
6261 Brooklyn Dr	Single Family	Initial	Ruben Zempoaltecatl	4	II	0	II		OK	OK
4201 Lakeside Ave #203	Single Family	Initial	Cary Liesinger	9	III	0	III		OK	OK
4741 Twin Lake Ave	Single Family	Initial	Joseph Cheney	4	II	0	II		OK	OK
5500 Bryant Ave N	1 Bldg 4 Units	Renewal	Donovan Gilbert (Missing 1 ARM Meeting)	1	I	0	III	III	OK	OK
2318 55th Ave N	Single Family	Renewal	Helen Osonowo	4	II	0	II	IV	OK	OK
2806 65th Ave N	Single Family	Renewal	A-Jelil Abdella	1	I	0	I	III	OK	OK
1325 68th Ln N	Single Family	Renewal	Konrad Wagnerc/o Phil Beaumia	0	I	0	I	IV	OK	OK
2932 69th Ln N	Single Family	Renewal	Mayerling Rios	1	I	0	I	IV	OK	OK
5356 71st Cir	Single Family	Renewal	Xiaoyan Hu	0	I	0	I	II	OK	OK
4908 Abbot Ave N	Single Family	Renewal	Aaron Burmeister	4	II	0	II	III	OK	OK
5927 Aldrich Ave N	Single Family	Renewal	Yue Liu	2	I	0	I	I	OK	OK
6315 Brooklyn Blvd	Single Family	Renewal	Raymond He	1	I	0	I	III	OK	OK
5819 Dupont Ave N	Single Family	Renewal	Tiet Nguyen	0	I	0	I	III	OK	OK
5230 Great View Ave	Single Family	Renewal	JDA Groupt LLC c/o Julie Atkinson	1	I	0	I	II	OK	OK
7031 Humboldt Ave N	Single Family	Renewal	Invitation Homes	5	II	0	II	IV	OK	OK
4013 Joyce La	Single Family	Renewal	Frederick Heim	1	I	0	I	II	OK	OK
6907 Palmer Lake Dr W	Single Family	Renewal	RHA 3, LLC	9	III	0	III	II	OK	OK
5900 Pearson Dr	Single Family	Renewal	Mary T. Properties (Missing 1 ARM Meeting)	2	I	0	III	III	OK	OK
6701 Scott Ave N	Single Family	Renewal	Olaleye Oluwabukunmi Olagbaju	0	I	0	I	III	OK	OK
5812 Scott Ave N	Single Family	Renewal	Lankia Lartey	3	II	0	II	III	OK	OK

* CFS = Calls For Service for Renewal Licenses Only (Initial Licenses are not applicable to calls for service and will be listed N/A.)

** License Type Being Issued Type I = 3 Year Type II = 2 Year Type III = 1 Year

*** Initial licenses will not show a previous license type

All properties are current on City utilities and property taxes

Rental Licenses for Council Approval on September 24, 2018

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***	Unpaid Utilities	Unpaid Taxes

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Resolution Accepting Work Performed and Authorizing Release of Funds for Certain Financial Guarantees Being Held by the City

Requested Council Action:

- Motion to approve a resolution Resolution Accepting Work Performed and Authorizing Release of Funds for Certain Financial Guarantees Being Held by the City

Background:

Nearly all development projects that take place in the City require applicants to sign a Performance Agreement, and to deposit with the City a financial guarantee, which is held to ensure that specific site improvements are completed in accordance with approved plans. Financial guarantees may be in the form of cash, a letter of credit, or the issuance of a bond in favor of the City.

The performance agreements detail the specific improvements that the financial guarantee is covering, and outline the terms under which the financial guarantees may be released or reduced by the City. Typical improvements included are site grading, landscaping, sodding, irrigation, curb and gutter, stormwater, sidewalks, handicapped ramps, fencing, rooftop screening, trash enclosures, and erosion control during construction.

These are items that are at a greater risk of being incomplete at the time that a developer is seeking a certificate of occupancy (CO), and thus the financial guarantee assures that they are completed, even after a CO is issued. In the event of a developer default and a project is abandoned, the City may also use the financial guarantee to ensure that the site is safe and secure.

For performance agreements that predate 2015, City Council action is required to reduce or release the financial guarantee. Past practice has been to hold the guarantees until property owners have requested them, thus the City is holding many active financial guarantees that have long since been satisfied.

Recently, representatives of Gatlin Development Companies requested that bonds being held for Shingle Creek Crossing dating from 2012 be released. In searching for documentation on these bonds, staff found financial guarantees being held for a number of other projects that could also be released.

Performance Agreements

The City has active performance agreements on a number of projects that have long since been completed, and is holding financial guarantees that can be released. Staff is seeking authorization from the City Council to release the following guarantees:

- Shingle Creek Crossing - Planning Application No. 2011-009 - This performance agreement was originally in the amount of $650,000 for site improvements related to the initial development of Shingle Creek Crossing. On September 10, 2012, the City Council approved a reduction in the amount to $75,000, which was to be held to ensure that landscaping related to the construction of Walmart was in place. At this time, staff is recommending that the bond be released, as all of the required improvements were completed.
- Shingle Creek Crossing - Planning Application No. 2012-019 - This performance guarantee is in the amount of $58,125, and was to ensure completion of grading and turf restoration related to Phase 2 of the Shingle Creek Crossing. This work has been completed and staff is recommending that the bond be released.
- Shingle Creek Crossing - Planning Application No. 2013-019 and 2013-020 - This performance guarantee is in the amount of $200,000 and was intended to assure the former Brookdale Mall food court demolition, as well as site improvements related to the construction of Building B. These improvements have been completed, and staff is recommending that the Letter of Credit be released.
- Shingle Creek Crossing - Planning Application No. 2012-021 - This performance bond is for $11,330 and was being held to ensure that landscaping and sodding was completed with the construction of the LA Fitness. This work has been completed and staff is recommending that the Bond be released.
- Shingle Creek Crossing - Planning Application 2013-001 - This financial guarantee is in the form of $74,000 in cash that the City is holding relating to site improvements for the Panda Express development. Funds were held to ensure completion of site work including grading, landscaping, sodding, the trash enclosure, stormwater improvements, and street work. All work has been completed and staff is recommending that the City release the funds back to the property owner.

Strategic Priorities and Values:

Targeted Redevelopment

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF FUNDS FOR CERTAIN FINANCIAL GUARANTEES BEING HELD BY THE CITY

WHEREAS, the City requires, as a condition of approval for certain planning applications, that the applicant enter into a performance agreement and submit a financial guarantee to be held by the City to ensure site improvements are completed according to approved plans and in a timely manner; and

WHEREAS, the performance agreements detail the specific improvements that are included, and outline the terms under which the financial guarantees may be released or reduced by the City; and

WHEREAS, the City Council may release financial guarantees upon accepting work performed, or reduce financial guarantees based on the amount of improvements left incomplete; and

WHEREAS, the City has received requests from representatives of developments within the Shingle Creek Crossing development that certain financial guarantees be released; and

WHEREAS, the City staff has inspected the properties for compliance with the performance agreements and has determined that all required site improvements have been complete and all conditions of the performance agreements have been fulfilled.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that it hereby approves and accepts all of the work required to be undertaken, and agrees to release any remaining amounts of the financial guarantees, regarding the following applications/projects:

1. Shingle Creek Crossing; Planning Application No. 2011-009;

2. Shingle Creek Crossing; Planning Applications No. 2012-019;

3. Shingle Creek Crossing; Planning Application Nos. 2013-019 and 2013-020;

4. Shingle Creek Crossing; Planning Application No. 2012-021; and

5. Shingle Creek Crossing; Planning Application No. 2013-001.

RESOLUTION NO. _____

September 24, 2018 _____
Date

_____
Tim Willson, Mayor

ATTEST: _____
Barbara Suciu, City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Doran Cote, Public Works Director

SUBJECT: Resolution Declaring Public Nuisance and Ordering the Removal Dead Tree

Requested Council Action:

- It is recommended that the City Council declare a public nuisance and order the removal of dead trees for certain properties as listed in the resolution.

Background:

The attached resolution represents the official City Council action required to expedite removal of dead trees that were recently marked by the City Tree Inspector and have become a public safety issue due to being a hazard. The removal of dead trees is defined in City Ordinance Chapter 20-202 and 19-101 through 19-106.

Property owners are given the opportunity to remove the dead tree on their own or enter into an agreement to allow the City to remove the dead tree. A minimal administrative charge of $50 is applied to the costs associated with the tree removal when an agreement with the property owner is executed.

If the owner does not respond within ten (10) days, they are provided with a second notice notifying them of the City Council meeting where the dead tree is declared a public nuisance. If the property owner does not correct the violation or enter into an agreement, the City will remove the dead tree. A minimum administrative abatement service charge of $150 will be imposed based on the cost of the abatement.

Budget Issues:
The cost of removal of dead trees located on private property is the responsibility of the respective property owner, and if unpaid, is specially assessed to the property.

Budget Issues:

The cost of removal of dead trees located on private property is the responsibility of the respective property owner, and if unpaid, is specially assessed to the property.

Strategic Priorities and Values:

Enhanced Community Image

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION DECLARING PUBLIC NUISANCE AND ORDERING THE REMOVAL OF DEAD TREE

WHEREAS, Brooklyn Center City Code Section 20-202 and 19-101 through 19-106, declares any dead tree a public nuisance and provides for abatement by the City if not corrected by the property owner; and

WHEREAS, removal of dead trees and abatement of the public nuisance is necessary to prevent the hazard and to protect the safety of the public in neighborhoods; and

WHEREAS, a Notice to Abate Nuisance and a Dead Tree Removal Agreement has been issued to the owners of certain properties in the City giving the owners ten (10) days to remove dead trees on the owners' property; and

WHEREAS, the City can expedite the removal of these dead trees by declaring them a public nuisance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that:

1. The dead tree at the following address is hereby declared to be a public nuisance.

Property Address	Tree Type	Tree Number
6811 Colfax Avenue N	Pine	55

2. After ten (10) days from the date of the initial notice, the property owner(s) was notified of the City Council action regarding the determination by the City Council declaring the dead tree a public nuisance.

3. The property owner(s) will receive a final written notice providing five (5) business days in which to contest the determination of the City Council by requesting, in writing, a hearing. Said request shall be filed with the City Clerk.

4. After five (5) days, if the property owner fails to request a hearing, the tree(s) shall be removed by the City. The cost of abatement shall be recorded and become the personal responsibility of the owner of record. If unpaid, the costs shall be specially assessed to the property in accordance with City codes and Minnesota Statutes Chapter 429.

RESOLUTION NO._____

September 24, 2018 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Nate Reinhardt, Finance Director

FROM: Tom Agnes, Liquor Operations Manager

SUBJECT: Resolution Opposing Off Sale of any Strong Beer, Spirits & Wine at any Outlet Other than a Brooklyn Center Municipal Liquor Store

Requested Council Action:

- Motion to Approve a Resolution Opposing Off Sale of any Strong Beer, Spirits and Wine at any Outlet Other than a Brooklyn Center Municipal Liquor Store

Background:

In Brooklyn Center, our liquor operation has been strong for many years including $315,254 in net profit in 2017 and trending ahead that amount for 2018. These profits provide significant funding to the City's Capital Improvement Fund. BC Liquor employs six full-time employees and thirty part-time employees at our two locations.

Our business is being threatened by changes to MN liquor laws at the state level. In the last legislative session there were bills introduced allowing wine, beer and spirits to be sold in grocery and convenience stores, and it is expected to be introduced again next year. Not only would our sales and profit be threatened, by massively expanding liquor outlets it would reduce are ability to control the sales and provide a safe community.

The MMBA (Minnesota Municipal Beverage Association) is asking cities all over the state to participate in passing the attached resolution. Last time this issue surfaced over 120 cities participated with a similar resolution. Brooklyn Center has been a member of the MMBA organization for many years.

We ask that City Council consider passing this resolution to keep our organization strong and our control of the liquor business safe and secure for many years to come.

Budget Issues:

If this passed at the state level we would see decreased sales and decreased revenues and a massive expansion of liquor outlets.

Strategic Priorities and Values:

Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION OPPOSING OFF SALE OF ANY STRONG BEER, SPIRITS & WINE AT ANY OUTLET OTHER THAN A BROOKLYN CENTER MUNICIPAL LIQUOR STORE

WHEREAS, the sale of strong beer, spirits and wine for off premise consumption, in any Brooklyn Center business outlet, other than the municipal liquor stores, could limit the City's ability to control responsible sales with limited city outlets and accessibility.

WHEREAS, the sale of strong beer, spirits and wine in any Brooklyn Center business outlet, for off premise consumption, other than the municipal liquor stores would be damaging, injurious and otherwise detrimental to the financial status of the Brooklyn Center municipal liquor stores and the City itself.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Brooklyn Center, State of Minnesota, hereby express our opposition to the sale of strong beer, spirits and wine, for off premise consumption, in the City other than at the Brooklyn Center Municipal Liquor Stores.

September 24, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: An Ordinance Amending Chapters 1 and 19 of the City Code of Ordinances Regarding Chickens

Requested Council Action:

- Motion to approve the first reading of the ordinance and call for a public hearing and second reading which will be held on October 22, 2018.

Background:

The Brooklyn Center City Council reviewed the draft ordinance proposed by the Housing Commission at the September 10, 2018 Council Work session. Staff were instructed to proceed with the ordinance as proposed.

At the City Council Open Forum multiple requests have been made by residents to allow chickens at residential homes. The City Council requested that the Housing Commission review and provide recommendation to the City Council.

The Housing Commission discussed the issue of backyard chickens extensively at their May, June, and July meetings. They reviewed similar ordinances from neighboring communities, as well as discussing the specific effects of an ordinance in Brooklyn Center. Supporters of the ordinance also were present at the Housing Commission meetings to answer questions of the Commissioners and to provide background information.

The following is a summary of recommendations from the Housing Commission related to the keeping of backyard chickens:

- No Roosters
- No more than 6 Hens
- Allows for a Chicken Coop
- Allows for a Chicken Run

Further, the Housing Commission did discuss the topic of whether or not to require a license or registration for backyard chickens. The Housing Commission concluded that registration or a license should not be required due to the fact that the City does not currently license other animals and the licensing would be an increased burden on city staff.

The Housing Commission recommended that Staff move forward with the ordinance based on their discussions. The City Attorney reviewed the ordinance, which is attached.

Budget Issues:

There are no budget consideration relating to the proposed ordinance amendments.

Strategic Priorities and Values:

Safe, Secure, Stable Community

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the 22 day of October, 2018, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance related to chickens.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please notify the City Clerk at 763-569-3306 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 1 AND 19 OF THE CITY CODE OF ORDINANCES REGARDING CHICKENS

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Brooklyn Center City Code, Section 1-101 setting out definitions is amended as follows and by renumbering the provisions in this Section as needed:

1. Animal. Animal means dogs, cats, and chickens.

_. Chicken. Chicken means a domesticated bird (Gallus gallus domesticus), typically used as a source of meat or eggs. For the purposes of Section 1-130, all references to chickens are to hens.

_. Chicken Coop. Chicken coop means a structure for the keeping or housing of chickens permitted by this Chapter.

_. Chicken Run. Chicken run means a fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.

_. Hen. Hen means a female chicken.

_. Rooster. Rooster means a male chicken.

Article II. Brooklyn Center City Code is amended by adding a new Section 1-130 regarding chickens as follows:

Section 1-130. CHICKENS.

1. Keeping. Up to six (6) chickens may be kept on a single-family or two-family residential property in the R1 and R2 Zoning Districts. Only hens may be kept pursuant to this Section. The keeping of one or more chickens in any other zoning district in the City is prohibited.

2. Requirements. Chickens allowed by this Section shall be kept in accordance with

all of the following:

a. Ownership Occupancy. The owner of the chickens shall live in the dwelling on the same property as the chickens are kept. If the property is not owner-occupied, then the property owner must provide a written statement to the City of permission for the occupants to keep chickens at the property.

b. Chicken Coops and Runs. Chickens shall be kept at all times in a chicken coop or chicken run that complies with the requirements of this Section.

3. Chicken Coops and Chicken Runs. Chicken coops and chicken runs shall comply with the following requirements and restrictions.

a. The area covered by a chicken coop and a chicken run is limited to a combined total of no more than 120 square feet and shall not exceed six (6) feet in height.

b. Any chicken coop that exceeds 30 square feet shall be considered an accessory structure and must meet all requirements in Section 35-530 of this Code.

c. All applicable building, property maintenance, and zoning requirements of Chapter 35 of this Code.

d. All electrical work shall be done in accordance with applicable codes and any required permits shall be obtained.

e. A chicken coop shall:

1) Be fully enclosed, wind proof, and constructed so as to prevent escape by any chickens or entrance by migratory birds;

2) Be winterized to protect the chickens in cold weather; and

3) Be constructed with architecturally appropriate building materials including exterior grade siding and either a metal, composite or shingled roof, or in the alternative, coop shall be purchased from a commercial source that constructs structures specifically to be used as coops for chickens.

f. A chicken run shall:

1) Be fully enclosed with a fence that is securely constructed with mesh type material no larger than one (1) inch; and

2) Be covered by protective overhead netting to keep chickens separated from other animals.

g. Be located in accordance with all of the following:

1) Entirely in the rear yard of the property;

2) At least five (5) feet from side or rear lot lines and shall not be erected, altered, or moved, within six (6) feet of the principle building, as measured from exterior wall to exterior wall;

3) At least thirty (30) feet from all dwellings on adjacent properties; and

4) Shall not be located closer to an adjacent street than the owner's dwelling.

h. Shall be removed and the site restored if the keeping of chickens is discontinued for more than six (6) months.

4. Prevention of Nuisance Conditions. Owners shall care for chickens in a humane manner and shall prevent nuisance conditions by ensuring that all of the following conditions are met.

a. The chicken coop and chicken run shall be maintained in good repair, and in a clean and sanitary manner free of vermin and objectionable odors.

b. Feces and discarded feed shall be regularly collected and stored in a leak-proof container with a tight-fitting cover to prevent nuisance odors and the attraction of vermin until it can be disposed of properly.

c. Chicken feed shall be stored in leak-proof containers with a tight-fitting cover to prevent attracting vermin.

d. Chickens shall be secured inside of a chicken coop from sunset to sunrise each day to prevent nuisance noise and attracting predators.

e. Chickens shall remain in either the chicken coop or chicken run at all times and shall be allowed to not run at large.

5. Prohibitions. All of the following are prohibited within the City and constitute a violation of this Code.

a. Keeping of roosters.

b. Cockfighting.

c. Slaughter of chickens.

d. Raising chickens for breeding purposes.

e. Keeping of chickens over the age of four (4) weeks inside of a dwelling or garage.

f. Commercial sale of poultry or eggs produced on the property.

Article III. Brooklyn Center City Code, Section 19-104 is hereby amended as follows:

Section 19-104. LIMITATIONS ON KEEPING OF ANIMALS. It is hereby declared to be a public nuisance to permit, maintain or harbor any of the following:

1. More than two (2) dogs exceeding six months of age.

2. More than three (3) cats exceeding six months of age.

3. Any combination of more than five (5) animals exceeding six months of age.

4. Horses, cows, sheep, pigs, goats, swine, mules, llamas, or other hoofed animals, ~~chickens,~~ ducks, geese, or other agricultural animal or domestic fowl.

5. Live wild animals, reptile, or fowl, of types that are not naturally tame or gentle but are of a wild nature or disposition that, because of their size, vicious nature, or other characteristics would constitute a danger to human life or property. Examples of such wild animals include, but are not limited to, bears, lions, tigers, jaguars, leopards, bobcat, cougars, cheetahs, lynx, ocelots, wolves, foxes, coyotes, dingoes, jackals, bison, panthers, apes, badgers, raccoons, ferrets, skunks, puma, rattle snakes, coral snakes, water moccasins, or cobras.

6. Any combination of animals and/or fowl of any age kept in such numbers or under conditions which unreasonably annoy, injure, or endanger the health, safety, comfort, repose or welfare of the public or of said animals or fowl.

7. Chickens, except to the extent allowed by Section 1-130 and then only in compliance with that Section.

Article IV. This Ordinance shall become effective after adoption and upon thirty (30) days following its legal publication.

Adopted this ___ day of _______, 2018.

_____
Tim Willson, Mayor

ATTEST:_____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/10/2018

TO: Curt Boganey, City Manager

FROM: Jesse Anderson, Deputy Community Development Director

SUBJECT: Backyard Chicken Ordinance

Recommendation:

It is recommended that the City Council consider providing direction to staff regarding potential modifications to the City Ordinance relating to the keeping of backyard chickens.

Background:

At the City Council Open Forum multiple requests have been made by residents to allow chickens at residential homes. The City Council requested that the Housing Commission review and provide recommendation to the City Council.

The Housing Commission discussed the issue of backyard chickens extensively at their May, June, and July meetings. They reviewed similar ordinances from neighboring communities, as well as discussing the specific effects of an ordinance in Brooklyn Center. Supporters of the ordinance also were present at the Housing Commission meetings to answer questions of the Commissioners and to provide background information.

The following is a summary of recommendations from the Housing Commission related to the keeping of backyard chickens:

- No Roosters
- No more than 6 Hens
- Allows for a Chicken Coop
- Allows for a Chicken Run

The Housing Commission recommended that the Staff move forward with drafting an ordinance based on their discussions. The City Attorney drafted an ordinance, which is attached for the City Council's review and discussion. If the Council concurs with the proposed ordinance, Staff would then bring it to Council for a First Reading and the next Council meeting.

Policy Issues:

- Does the City Council want to allow the keeping of backyard chickens in Brooklyn Center?

- If the Council wants to allow the keeping of backyard chickens, under what conditions would they be allowed?

Strategic Priorities and Values:

Safe, Secure, Stable Community

Brooklyn Center Chicken Ordinance Proposal

Presented on May 15th, 2018

By: Brooklyn Center Chicken FB Group of 80+ members

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Definitions

Chicken. A chicken (Gallus gallus domesticus) is a domesticated type of fowl that serves as an egg or meat source.

Clucking. The sound uttered by a hen when laying eggs, brooding, or in calling her chicks.

Crowing. The sound uttered by a rooster is the 'singing' of the rooster. Roosters crow for many reasons including: reacting to a disturbance, reacting to almost any kind of sound (cars, people, other roosters, other animals, etc.), guarding their territory, feeling threatened, a predator 'trespassing' on their territory, or just communicating with other chickens

Coop- A chicken coop or hen house is a small house where, typically, female chickens or other fowl are kept safe and secure. There are nest boxes found inside the hen houses for egg-laying, and perches on which the birds can sleep.



New Proposed Ordinance

It is proposed that chickens be removed from Section 19-104.

If the city feels chicken-keeping needs to be controlled more than is already adequately addressed by the current animal nuisance ordinance, it is proposed that an ordinance pertaining only to chickens be created.

The following ordinance pertaining to chickens is then proposed (Proposed Ordinance):

1. Single family homes within the City of Brooklyn Center shall be permitted to keep laying hens for pets and household (not commercial) egg gathering. Those who rent a single or two family residential property is allowed, BUT ONLY IF the property owner provides a written statement to the City, confirming the tenant may have chickens on the property.
2. Roosters and slaughtering are prohibited.
3. Chickens and their enclosures must not be visible from the street.
4. Coops and Runs must be constructed in a workmanship manner, maintained in good repair, and kept clean and sanitary to deter vermin and objectionable odors. Coops and runs may be constructed with wood and. Or woven wire materials to allow chickens to contact the ground.
6. Limit to 6 Hens per household
7. Feed must be kept in a tight lid container and waste must be either composted or discarded appropriately

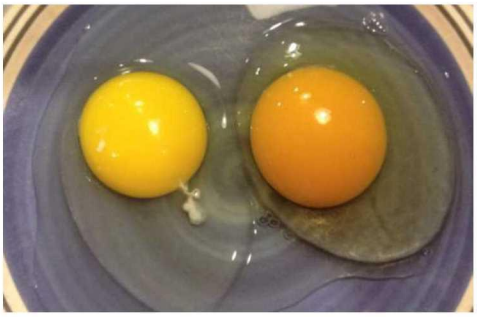
It is unnecessary to require licensing of hens, just as Brooklyn Center does not require licensing of dogs, cats, or any other animals. There is also no need for setback requirements, as outdoor dogs — much more likely to jump on fences or bark loudly at neighbors, as well as produce five times the amount of excrement — are not required to be kept any distance from the property line. And as signatures of consent are not needed for neighbors to own dogs (large or small, noisy or not), it similarly does not make sense to require hen owners to acquire such consent. These types of unnecessary restrictions do not produce better animal owners and in many cases can be struck down as unconstitutional in the face of established property rights.

In the unlikely case that an animal owner is neglectful, their animals will be a nuisance (whether that be dogs, cats, chickens, etc). Since Brooklyn Center already has an animal nuisance ordinance in place, Brooklyn Center residents would remain protected.

Advantages

- **Fresh Eggs!** This is the obvious reason – you'll have a supply of fresh eggs on hand. Not to mention the convenience, as you'll have absolutely no need to get out of your pajamas and head to the store to make a fresh, healthy breakfast.
- **Organic & Non-GMO**- Caged hens are fed a diet of corn, soy and cottonseed meals … three huge GMO crops. If you really take the old saying 'you are what you eat' to heart, then you'll be wary of eggs which come from these hens. By keeping your own, you know exactly what they're eating and can avoid feeding them engineered and antibiotic laden crops.

- **Greater Nutrition-** Free range eggs from your backyard have been shown to have a far greater nutritional value than nasty battery eggs. There is more than seven times the Vitamin A and Beta Carotene (essential for good eyesight) and almost double the Vitamin E in free range eggs. When it comes to the essential fatty acid Omega 3 (which is necessary for heart health, healthy cholesterol levels and positive mental and behavioral health) the free range variety win again with an incredible 292mg, versus a 0.033mg in store bought eggs. You'll also get less saturated fat in free range eggs



(Left is store bought right is fresh from the coop)

- **Educational Value-** Did you know chickens have a great memory and can differentiate between over 100 human or animal faces? They love to play, they dream, they mourn for each other and they feel pain and distress. They also make great mothers – they talk to their chicks while still in the egg, and turn the eggs about 50 times a day. The term 'pecking order' didn't come out of nowhere – hens have an ordered social structure based on a hierarchy. If you make room for them in your back garden, you and your family will get to learn all about these fascinating creatures up close.

- **Free Fertilizer**- Maybe free chicken manure isn't something to get too excited about, but if you're proud of your garden it can work wonders. Chicken manure is actually classed as being one of the most desirable manures due to its high nutrient level. Utilizing this is an important part of sustainable and organic agriculture. It's estimated that having between 5 and 10 chickens should produce enough fertilizer to take care of your entire vegetable garden and yard for the year. It's also great to add to your compost.
- **Pest Control**- When you get have backyard chickens, you'll have a great excuse to ditch the pesticides and chemical-laden bug killers. Your chickens will do that job for you. They eat pretty much any bug including beetles, slugs, ticks and grasshoppers.
- **Cuts down on food waste**- Nationwide, food scraps make up about 17% (29 million tons) of what is sent to landfills, and yard waste is slightly more at 33 million tons. Your chickens can help you out here too! In addition to some chicken food, they'll eat pretty much most kitchen scraps – fruit and vegetable peelings, bread, cooked beans, cooked rice, oatmeal, pasta … and the list goes on.
- **Weed Control-** Chickens may just be the perfect sidekick for every gardener. A source of pest control and manure all in one, they also will rid your garden of those invasive weeds that pop up all over the place. As they scratch and claw the ground, they eat and disperse all those weed seeds that have blown in. Next year, you'll be amazed at your neat and tidy garden.
- **The social aspect-** Would you believe there are entire communities dedicated to raising backyard chickens? Just do a quick internet search and you'll see. It's a great way to share your newfound passion with others, to pick up some tips and tricks, and to brag about how great the new additions to your family are. It's good for real-life socializing too. Mentioning you keep chickens is a great conversation starter and I'll bet your kids' friends want to come over and check out these cool creatures.
- **Cuts down on food miles-** We've all heard of food miles – the distance over which a food item is transported from producer to consumer. Well, you can't cut down on this particular type of environmental impact much more than keeping a source of food in your own back garden. As you also clock up miles getting waste foods away from you and to the landfill, it seems these useful creatures save you miles twice when they gobble up your table scraps too!

http://www.naturallivingideas.com/20-convincing-reasons-to-keep-backyard-chickens/

Common Concerns

"Chickens are smelly!"

Chickens don't smell bad any more than other pets do. A properly clean chicken coop has no objectionable odors. While it's certainly true that if your chicken coop is seldom or never cleaned, it will begin to smell, the same is true of a cat box that is never cleaned, or a dog kennel that is never cleaned. There are laws against animal cruelty, animal neglect, animal abuse, and so on that apply to all pets. The bottom line is that responsible people give their pets proper care and provide them with a clean environment.

"Laying hens are loud!"

The truth is that a flock of laying hens is actually quiet, far quieter than dogs are. A hen will cackle or squawk when she lays an egg. That occurs once a day—or less, depending on the breed and age of the hen, as well as the season.

The noise level for the squawk after egg laying is up to 60 decibels at its very loudest, or about the same volume as a normal conversation between two people… and in the same range of noise volume made by an air conditioner, a washer, or a flushed toilet. That's as loud as they get. Lawn mowers and barking dogs register at around 90 -100 decibels, much louder than a few hens. And roosters can be loud, sure–about as loud as a barking dog–but roosters are not required for egg production.

The noise argument is based on basic ignorance about chickens and biology. Many uneducated people think they will hear crowing if their neighbors keep hens for eggs, because they think a rooster is required for egg production… but he's not. Human women ovulate regardless of whether a male is around or not, and so does a hen. Remember, roosters are only required if you want your hen's eggs to be fertile!



"Chickens will attract wild animals to my neighborhood!"

Presuming you keep everything clean and tidy with your pet chickens just as you would when keeping a pet cat or dog, raising chickens doesn't make rodents or other pests magically appear from thin air. While it IS true that if there are any pests already in your neighborhood, they might be attracted to chicken feed if you spill it or don't keep it secured, they would be just as attracted to spilled or unsecured cat or dog food, wild bird feed, a koi pond, or even to your family's food waste discarded in unsecured outdoor garbage cans or compost piles–and all of those probably already exist in most neighborhoods, anyway. Chicken food is no different from any other pet food in that respect. If you do have small rodents in your area, a flock of chickens can actually reduce their number, since some breeds will catch and eat small mice and moles like cats do–chickens will eat small snakes, too. Plus, they eat other pests like ticks, mosquitos, grasshoppers and the like.

"Legalizing chickens will negatively affect property values"

Not true. Take a few moments to read some old news stories about the legalization of backyard chickens, and you'll notice that no actual evidence indicating that property values drop due to backyard chickens is EVER cited. Instead, the media will report that opponents simply have a "fear" of reduced property values. It seems to me that reporters should follow that claim up with actual data… but there is none to be had (and you know the media these days). So this argument is like a bogeyman: it's not real, but is frequently employed to frighten people into a position of compliance and fear. We've heard stories about realtors who feel that the right to keep a small flock of chickens could attract people to buy. Especially those of younger families who have a desire to be more connected to their food.

Rather than driving neighbors apart, chickens are usually conversation starters, particularly unusual breeds like Polish with their huge crests, or Silkies with their fur-like feathers. And today's small flock chicken coops are boutique, high-end items designed to look pretty in the yard. Remember, neighbors who want to keep chickens are just that: your neighbors. They care about the value of their homes and the quality of life in their community just as much as opponents of backyard chickens do–maybe more. People who keep backyard chickens are often involved in many other hobbies that add value to your neighborhood, including flower or vegetable gardening, beekeeping, growing fruit trees or berry bushes and so on. Think about it: this is exactly the sort of thing that can enhance community feeling and friendship in your neighborhood. Imagine a neighborhood where your neighbors share berries, fresh eggs, zucchini and tomatoes with you… and you might "lend" a cup of sugar or share a mug of coffee. That's what good neighbors do.

That's why some of the most expensive and exclusive communities in the country allow small flocks of laying chickens. For example, New York, Portland, Chicago and Boulder–cities with some of the highest property values in the country–allow hens. If keeping chickens negatively

affected the property values of the communities that permitted them, surely the communities would be taking steps to repeal them based on this mounting evidence, right? This is not happening. Instead, in some areas with high property values, the regulations are actually becoming more permissive with regard to backyard chickens, presumably because these places have found that the quality of life has improved. For example, in 2010, Seattle went from allowing families 3 hens to allowing 8 hens, a much more reasonable number if your family eats lots of eggs, especially if you don't want to be limited to getting only the breeds with the highest egg production.

The "property value" argument is typically based on emotions and other evidence-less prejudices. There is zero evidence that legalizing pet chickens has affected property values.

"People who want to keep chickens should just move to the country!"

This is probably the most ridiculous "argument" of all, if it can even be termed an argument. In the United States, no matter where you live, you have basic rights that allow you to enjoy your own property… but that means your neighbors have the same rights to enjoy their property, as disappointing as some may find that to be. If YOU are unduly bothered by your neighbors–when their activities don't affect property values, produce foul odors, loud noise, excess waste or present other actual problems–then YOU are the one who'll need to consider moving out of town and into the country.

https://blog.mypetchicken.com/2012/07/20/the-6-silliest-arguments-against-backyard-chickens/

"Having Backyard Chickens increases the risk of diseases."

Healthy birds will be active and alert with bright eyes. They will be moving around — pecking, scratching, and dusting — except on hot days when they will find shade. Chickens that are healthy and active will also talk and sing quietly throughout the day.

As far as laying and eating habits, each chicken is different, so monitor each chicken to get a feel for her normal production and consumption. Healthy droppings will be firm and grayish brown, with white urine salts.

Chickens raised in backyard settings generally stay healthy and are not easily susceptible to diseases. The easiest way to find disease in chickens is to know what a healthy bird looks like. When a chicken isn't acting normal, for instance if she doesn't run to the food as usual or she wheezes or sneezes, start investigating. The table below lists some possible causes of illness to chickens.

Infectious (invasion by another organism)	Noninfectious (nonbiological in origin)
Bacteria	Chemical poisoning
Mold and fungi	Hereditary defects
Parasites	Nutritional deficiencies
Viruses	Unknown causes

http://www.extension.umn.edu/food/smallfarms/livestock/poultry/backyard-chicken-basics/

Avian Influenza A Virus Infections in Humans

Although avian influenza A virus that usually does not infect people, but rare cases of human infection with these viruses have been reported. No reports of the Avian Influenza in humans have been reported in the United States. Infected birds shed avian influenza virus in their saliva, mucous and feces. Human infections with bird flu viruses can happen when enough viruses gets into a person's eyes, nose or mouth, or is inhaled. This can happen when virus is in the air (in droplets or possibly dust) and a person breathes it in, or when a person touches something that has virus on it then touches their mouth, eyes or nose. Rare human infections with some avian viruses have occurred most often after unprotected contact with infected birds or surfaces contaminated with avian influenza viruses. However, some infections have been identified where direct contact was not known to have occurred. Illness in people has ranged from mild to severe.

Bird Flu Outbreaks in Birds

Outbreaks of bird flu happen among birds from time to time. When deadly bird flu outbreaks happen in U.S. poultry, the United States Department of Agriculture (USDA) works with industry, state and other government partners to stop the outbreak so that it does not spread to other poultry. The Centers for Disease Control and Prevention works with partners to protect the public's health during these outbreaks. The risk to the public from bird flu outbreaks is low; however, because other bird flu viruses have infected people, it is possible that human infections with these viruses could occur. Risk depends on exposure. People with no contact with infected poultry or contaminated surfaces are thought to be at very low to no risk of infection. People with close or prolonged unprotected contact with infected birds or contaminated environments are thought to be at greater (though probably still low) risk of infection.

Salmonella:

Humans do not catch salmonella from chicks or chickens the way you would catch a cold from your neighbor. Salmonella is food poisoning; you get it from eating infected meat or eggs. Even then, in order to get a case of salmonella, the meat and eggs you have eaten must be improperly prepared, that is, not completely cooked through. Or, you can also get salmonella by getting your hands or something else contaminated with feces and then putting that thing in your mouth. People more at risk for contracting Salmonella are very young, very old, and pregnant or have immune systems that are already compromised in some way. The best way to keep your children and family safe from infection is by keeping your own hens whose conditions you can monitor, and by having your family members wash their hands after dealing with chickens. You want to have them wash hands after dealing with any pets, for that matter. Alcohol is an effective sanitizer for salmonella bacteria.
But when it comes to issues with Salmonella, contamination is FAR more of an issue with factory farmed birds that produce eggs for grocery stores, not with your backyard pets. This is because the conditions chickens are kept in at factory farms are simply terrible. (You can Google information about this if you have a strong stomach, but to give you an idea, some of the conditions birds are forced to endure in factory farms include having to share cages or space with—and lay eggs on—other dead and rotting birds.) Since salmonella is food poisoning, it isn't an illness that passes from person to person or hen to hen like a cold. When chickens get salmonella, it is usually the result of hens eating rat droppings or worse in their tiny, dirty spaces at commercial egg farms. Yuck.

Presuming you don't keep your hens in the same inhumane circumstances they are kept in at factory farms---that is, presuming your coop is clean and roomy and you provide fresh food and water for them at all times---it is doubtful your home flock would contract salmonella. Birds in factory farms have immune systems that are already stressed by the terrible conditions they experience every day. At home, salmonella illness in your hens is easy to prevent: keep the coop clean and your hens happy. And most importantly, be alert to sign of illness so that if there is a problem, you can take care of it. But do be aware that your hens don't have to be sick with salmonella to transmit it to you. Remember, salmonella and other bacteria can be present in small quantities the feces of animals (including dogs and cats) whether they are sick or not. So when you pick up your bird who has been walking in and pecking around poopy litter, just wash your hands… the same way you'd wash your hands if your dog—who has been nibbling on canine-enticing cat poop in the yard—licks your fingers with doggy love. Use common sense.

A hen actually sick with salmonella will be immediately obvious: she will be weak, purple-combed, and have watery diarrhea as well as reduced egg production. In fact, it's hard to imagine that all those sick hens went unnoticed at those factory farms for so long. Even if workers could not manage to differentiate the symptoms of salmonella from all the other symptoms of distress that factory farmed chickens have routinely, surely they would have noticed the big drop in production. After all, even if factory farms don't care about the welfare of their birds, they DO care about production—it's what compels them to keep the birds in such terrible, dirty, cramped conditions in the first place. It's just cheaper. For that reason, it's rather terrifying to think they just kept selling their eggs when they must have been aware of a potential problem.

https://www.mypetchicken.com/backyard-chickens/chicken-help/Is-Salmonella-a-concern-with-backyard-chickens-H19.aspx

Thank you for your time and consideration regarding this proposal.

MINUTES OF THE PROCEEDINGS OF THE HOUSING COMMISSION OF THE
CITY OF BROOKLYN CENTER IN THE
COUNTY OF HENNEPIN AND STATE OF MINNESOTA

REGULAR SESSION
July 17, 2018
COUNCIL COMMISSION ROOM

CALL TO ORDER
The Brooklyn Center Housing Commission was called to order by Chairperson Goodell at 7:00 p.m.

ROLL CALL
Chairperson – Mark Goodell - Present
David Johnson - Present
Tamika Baskin – Present
Kathie Amdahl - Present
Joan Schonning – Present
Michael Stokes – Present
Paul Oman - Present

Also present was Staff Liaison Jesse Anderson and Council Liaison Marquita Butler.

APPROVAL OF AGENDA
There was a motion by Commissioner Johnson and seconded by Commissioner Oman to approve the agenda as submitted. The motion passed.

APPROVAL OF MINUTES
There was a motion by Commissioner Johnson and seconded by Commissioner Oman to approve the minutes of the Housing Commission meeting on 6/19/18. The motion passed.

***COMPREHENSIVE PLAN DISCUSSION*:**
Jennifer Haskins has been working for about a year on the comprehensive plan. Update on some of the pubic engagement and some of the draft material, we will focus on housing for tonight's meeting. However, the comprehensive plan includes many other elements.

DISCUSSION OF THE ATTACHED POWERPOINT:

Commissioner Goodell: Is this a re-development or new housing?

Commissioner Haskins: The Met Council predicts 2,200 new housing units by 2040. There will be some redevelopment on Brooklyn Blvd. Would include more then what is currently vacant. Can resubmit to the Met Council as to what the City predicts if we disagree with the

numbers.

Chairperson Goodell: When out delivering new neighbor bags, the Commission is seeing a lot of young families.

Commissioner Johnson: When considering the rental market, are the old non- housing units in Minneapolis that are being converted to rental being considered?

Commissioner Haskins: Yes. They look at different types of development and what type of development there is. New information that isn't on the plan shows that the Brooklyn Center housing median value has now passed the 2006 median value before the housing market crashed. Commissioner Haskin will send information to the housing commission to see if they agree with the housing goals**.**

Staff Liaison Anderson: I could send the information to the Commission and it could be discussed at the next meeting.

Commissioner Johnson How would this be enforced? By checking the plans?

Commissioner Haskin: Would be required to update every ten years. However, you can address things as they change. The plan can be updated at other times.

Commissioner Johnson: What does The Met Council do?

Commissioner Haskin: If approved by zoning code, Met Council would need to be updated to match the comprehensive plan.

Commissioner Amdahl: The plan is not a step by step process, it is a broad picture.

Commissioner Haskin: **I**t is a general umbrella of different areas. Details and specifics that support it would be the zoning ordinances, policies, etc. They should all work together.

Commissioner Johnson: Is Brooklyn Center a part of a bigger plan that Met Council puts together? What is the full plan in the end?

Commissioner Haskins: Met Council has 4 regional systems: Sanitary sewer, airports, transportation & transit and regional parks. They get to tell the plans for those items. Zoning and Land use is the Cities part of the puzzle. Their plan helps tell developers what the city generally wants to see and what our vision is. This should be something the city can use to communicate as to what it wants and get good opportunities.

Chairperson Goodell: There should be a tool or guide to consider the future and make a plan; without structure it may not go well.

Commissioner Johnson: How do we see progress of the plan?

Chairperson Goodell: We should schedule a meeting for feedback.

Commissioner Haskins: Will be meeting with The Planning Commission on August 9th.

Commissioner Goodell: Feedback should be provided before the next meeting.

Staff Liaison Anderson: We will send to the Commission and provide individual feedback by August 9th. We will then discuss at next meeting.

DRAFT OF CHICKEN ORDINANCE:

Chairperson Goodell: I wasn't present, however, I have reviewed the ordinance and Commissioner Amdahl addresses that the ordinance only says "the owner of an animal". It should be added that an owner is an owner of a chicken, not just cats and dogs.

Commissioner Amdahl: Would permission be needed for keeping chickens?

Chairperson Goodell: Should synchronize working in Section 8 to coop or run instead of enclosure.

Chairperson Goodell: We should remove 7 as is conflicts with 8 e.

Commissioner Johnson: How do we know this ordinance will work? Could we make it provision for one year?

Staff Liaison Anderson: The ordinance can be adopted with a sunset date.

Commissioners Schonning, Goodell and Oman: Think we should not put a sunset on the ordinance.

Commissioner Johnson: I am not worried about responsible chicken ordinances.

Commissioner Amdahl: Some ordinances will only get enforced if there is a complaint.

Commissioner Schonning: I would rather be welcoming of the ordinance and make adjustments if necessary.

Chairperson Goodell: I feel we have done a lot of good research and we can address issues with the ordinance in the future.

Staff Liaison Anderson: The inspectors may have issues viewing the chickens in the backyard that are kept in violation of the code.

Commissioner Amdahl: I don't think there will be issues.

There was a motion by Commissioner Schonning and seconded by Commissioner Amdahl to recommend City Council consider approving the draft of the ordinance with recommended edits. All approved, Johnson abstained.

NEW NEIGHBOR PROGRAM UPDATE

Chairperson Goodell: There are 45 bags left to deliver currently have 42 bags; will need a couple more bags and labels. July 25th – Mark and Dave cannot be there. Should we keep the date or find a new one?

Commissioner Schonning: Find a better date. July 24th will be the new date, instead of the 25th, at 6:30.

COUNCIL LIAISON REPORT

Council Liaison Butler reported the following:

The work on water tower 2 has started and should be done in 90 days.
There will be a neighborhood meeting on Thursday at 6 pm in Belleview.
The Pop up market on July 7 was successful for its 1st time. The next market is scheduled for August 4th. Vendors are selling goods and it is free to Brooklyn Center residents.

Chairperson Goodell: Can an organization have a booth?

Cars are currently being parked at the opportunity site. They are leasing space during construction.

Ongoing Development Projects:
Medtronic expansion
Luther Mazda
Casey's under review
EBT under review
HOM furniture under plan review
Bank of America under construction
Instore Storage under plan review
Fairfield Inn was issued
Top Golf temp co issued.
Sprint open
Tim Horton's under construction

Commissioner Stokes: How did the pop up market happen?
Council Liaison Butler: Lenny Chism asked the council at a work session. As resident, economic development priorities, this provides an opportunity. City has helped provide funds.
Commissioner Johnson: Will it stay there, and for how long?
Council Liaison Butler: Goes through the fall and should stay there as long as it is available.
Commissioner Johnson: Terrific idea!

CHAIRPERSONS REPORT

Chairperson Goodell reported:
No update at this time.

OTHER BUSINESS

There was no other business addressed by the Commission.

ADJOURNMENT

There was a motion by Commissioner Johnson and seconded by Commissioner Oman to adjourn the meeting. The motion passed. The Brooklyn Center Housing Commission adjourned at 8:15 p.m.

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Chairman

MINUTES OF THE PROCEEDINGS OF THE HOUSING COMMISSION OF THE
CITY OF BROOKLYN CENTER IN THE
COUNTY OF HENNEPIN AND STATE OF MINNESOTA

REGULAR SESSION
June 19, 2018
COUNCIL COMMISSION ROOM

CALL TO ORDER
The Brooklyn Center Housing Commission was called to order by Chairperson Goodell at 7:04 p.m.

ROLL CALL
Chairperson – Mark Goodell - Excused
David Johnson - Excused
Tamika Baskin – Present
Kathie Amdahl –Excused
Joan Schonning – Present
Michael Stokes – Present
Paul Oman - Present

Also present was Staff Liaison Jesse Anderson.

APPROVAL OF AGENDA
There was a motion by Commissioner Schonning and seconded by Commissioner Oman to approve the agenda as submitted. The motion passed.

APPROVAL OF MINUTES
There was a motion by Commissioner Baskin and seconded by Commissioner Oman to approve the minutes of the Housing Commission meeting on 5/15/18. The motion passed.

QUESTION OR CONCERNS RELATING TO THE KEEPING OF CHICKENS

Commissioner Johnson: How would this be enforced?

Staff Liaison Anderson: Likely by code enforcement staff.

Commissioner Johnson: Would people be able to let them run loose in the yard?

Staff Liaison Anderson: No, it would not be allowed by code.

Commissioner Johnson: I like that the code would say no roosters allowed.

Commissioner Schonning: The ordinance is very comprehensive.

Commissioner Oman: Questions on no closer to the street.

Commissioner Baskins: Why? 5 feet.

Staff Liaison Anderson: Crystal's says that.

Commissioner Johnson: Would we want to put a review date on the ordinance?

Commissioner Johnson: While at a farm, the chicken coops were fairly dirty.

Todd Henning: It is just like taking care of a dog or a cat box.

Commissioner Baskin: Does the ordinance require a fence at the property line?

Commissioner Johnson: There would be no slaughter of chickens allowed.

Mr. Henning: They are like a pet.

Staff Liaison Anderson: Do we want to require screening?

Commissioner Oman: This seems to be excessive.

Commissioner Johnson: It would be difficult to screen everyone.

Commissioner Baskin: There would be no screening.

Commissioner Schonning: Remove section on screening.

Commissioner Johnson: Are the chickens in a coop at night, and are they quiet at night?

Stacy (Resident): If you cover the chickens, and they don't see light, they will stay quiet.

Commissioner Schonning: The ordinance covers noise at night.

Commissioner Baskin: Will they attract more predators to the area? If so, would we want to consider a fence?

Staff Liaison Anderson: I will updated ordinance with changes and bring it back for final review at the next meeting.

NEW NEIGHBOR PROGRAM UPDATE

Delivery Dates: 6:30 tomorrow and the 20th and 27th.

Commissioner Oman is unable to make it.

Commissioners Schonning, Johnson, Stokes and Baskin will be there.

Commissioner Oman: It was great how the people feel welcomed by the bag.

Additional Delivery Dates: July 11th and July 25th

COUNCIL LIAISON REPORT

In the absence of the Council Liaison no report was given.

CHAIRPERSONS REPORT

Vice Chairperson Johnson: Nothing else to add

OTHER BUSINESS

There was no other business addressed by the Commission.

ADJOURNMENT

There was a motion by Commissioner Baskin and seconded by Commissioner Oman to adjourn the meeting. The motion passed. The Brooklyn Center Housing Commission adjourned at 8:30 p.m.

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Chairman

Subd. 4. Pot-bellied pigs. Notwithstanding the provisions of subsection 910.39, a pot-bellied pig is considered a household pet for the purposes of section 910, subject to the conditions of this subdivision.

a) A person may keep no more than one-pot-bellied pig, which must be kept solely for the private use and enjoyment of the person.

b) A pot-bellied pig may be kept only by residents of single family detached dwellings.

c) Every owner or keeper of a pot-bellied pig must obtain a license in accordance with the procedure for dogs under subsections 910.03 and 910.07, as supplemented by the provisions of this subdivision. Notwithstanding anything to the contrary in subsection 910.03, pot-bellied pigs of any age require a license. The provisions of subsection 910.09 regarding tags do not apply to pot-bellied pigs.

d) All male pot-bellied pigs must be neutered by the age of three months, and all female pot-bellied pigs must be neutered by the age of one year. In addition to all other requirements for a license under subsection 910.07, an applicant for a pot-bellied pig license must present to the office of the city clerk a certificate executed by a licensed doctor of veterinary medicine showing that the animal has been timely neutered, or that the animal has not reached the age for required neutering by the date of application.

e) All other provisions of section 910 of the city code relating to animals, including without limitation the provisions of subsection 910.13, apply to pot-bellied pigs. Pot-bellied pigs will be considered along with any other animals when determining whether a private kennel license is required or permitted under subsection 910.01, subdivision 5 and subsection 910.07. (Added, Ord. No. 2002-14, Sec. 2)

Subd. 4a. Chickens. No person shall keep on any single family or two family residential property more than four (4) total hen chickens. This is an addition to the maximum number of animals authorized by Section 910.01, Subd. 11.

b) Three or More Dwelling Unit Properties. Chickens are not allowed on properties with three or more dwelling units.

c) No Roosters. No person shall keep roosters, or adult male chickens, on any property within the city.

d) No Cockfighting. Cockfighting is specifically prohibited within the city.

e) No Slaughtering. The slaughter of chickens is prohibited in the city.

f) Ownership Occupancy. The owner of the chickens shall live in the dwelling on the property. If the property is not owner-occupied, then the property owner must provide a written statement to the city confirming that the tenant may have chickens at the property.

g) No Breeding. The raising of chickens for breeding purposes is prohibited in the city.

h) No Chickens in Dwellings or Garages. Chickens over the age of four weeks shall not be kept inside of a dwelling or garage.

i) Shelter and Enclosure Requirements. Chickens shall be properly protected from the weather and predators in a shelter or coop, and have access to the outdoors in an enclosure or fenced area. The shelter and/or enclosure shall meet all of the following requirements:

1) Applicable building, property maintenance and zoning requirements of Chapters 4 and 5.

2) Applicable electrical work shall be done according to applicable codes and with appropriate permits.

3) The shelter shall be situated closer to the chicken owner's dwelling than to any of the neighboring dwellings but in no case closer than 5 feet to the lot line.

4) Shelter and enclosure must not be located closer to an adjacent street than the owner's dwelling.

5) Screening from abutting residentially used properties and streets in the form of a solid privacy fence of at least four (4) feet in height constructed according to the fence standards of Section 515.13 Subd. 7 shall be provided for the shelter and enclosure.

6) A shelter shall not exceed 120 square feet in size and shall not exceed six (6) feet in height.

7) An enclosure or fenced area for chickens shall not exceed 20 square feet per bird and shall not exceed six (6) feet in height and shall have protected overhead netting to prevent attracting predators and other animals running at large.

8) An enclosure or fenced area may be constructed with wood and/or woven wire materials that allow chickens to contact the ground.

9) Constructed in a workmanship-like manner to deter rodents and predators.

j) Prevention of Nuisance Conditions. Owners shall care for chickens in a humane manner and shall prevent nuisance conditions by ensuring the following conditions are met:

1) The shelter and enclosure are maintained in good repair, and in a clean and sanitary manner free of vermin and objectionable odors.

2) Feces and discarded feed is regularly collected and stored in a leak-proof container with a tight-fitting cover to prevent nuisance odors and the attraction of vermin until it can be disposed properly.

3) Chicken feed shall be stored in leak-proof containers with a tight-fitting cover to prevent attracting vermin.

4) Chickens shall be secured inside of a shelter from sunset to sunrise each day to prevent nuisance noise and attracting predators.

5) Chickens shall remain in either the shelter or enclosure at all times and shall not run at large.

6) The shelter shall be winterized to protect the chickens in cold weather.

k) Sale of Farm Poultry or Eggs. Owners must comply with all requirements and performance standards for home enterprises in Section 515.33 Subd. 3b and all Minnesota Department of Agriculture requirements for the sale of eggs.

(Added, Ord. No. 2013-03, Sec. 1)

Minneapolismn.gov

Homegrown Minneapolis

Minneapolis Chicken Keeping Rules and Regulations

This web page summarizes city policy related to raising chickens. The complete list of rules and regulations are located in the Minneapolis Code of Ordinances (Title 4, Chapter 70, Section 70.10). Before applying for a permit, you are advised to read the full ordinance language.

Note: The following rules do not apply to veterinarians, licensed pet shops, or licensed kennels.

What are the permit requirements?

Notify neighbors: Anyone pursuing a permit must notify their immediate neighbors. Renters must notify their property owners who are then responsible for notifying neighbors (renters may notify neighbors in place of the property owner).

- If you are applying for more than 6 chickens, you must obtain *written consent* of at least 80% of neighbors within 100 feet of your property. Contact Minneapolis Animal Care and Control (MACC) to obtain the official form for neighbors to sign.

Provide Details: A site plan illustrating the location of the small animal coop and run (if applicable) must be reviewed by staff from the Minneapolis Development Review within the City of Minneapolis Community Planning and Economic Development (CPED) Planning Division, prior to submitting a chicken permit request. MACC is then also required to inspect the location annually or as necessary.

Pay a fee: You can apply for a one-year permit as detailed on the MACC webpage.

Permit Type	Application Fee			Renewal Fee
One-Year Permit (for x hens)	1 to 6	7 to 15	16 to 30	Same as original fee
	$25	$50	$75	
Rooster Permit	$100			$100

Note: All permits expire one year from the date they are received.

Complete required education: Fowl permit holders have one year to provide a certificate of course completion to MACC upon submission of fowl permit application. Currently eligible training providers include:
Eggplant Urban Farm Supply
University of Minnesota Extension
Quantina Beck Jones
Rob Czernik/Powderhorn Feed
Chicken Run Rescue

What are the rules?

Sign up for e-mail updates from Homegrown Minneapolis.

Upcoming Homegrown Meetings

Wednesday, May 9, 2018
6:00-7:30 pm Food Council meeting
5:00-6:00 pm Group dinner preparation
Kindred Kitchen & Breaking Bread Café
1210 W Broadway Ave, Minneapolis
2018 Meeting Schedule

Homegrown Highlights

Farmers Markets
Latest Homegrown Newsletter
2017 Homegrown Minneapolis Highlights
Food Council Members
Homegrown Heroes

Contact

Tamara Downs Schwei
Homegrown Minneapolis/
Local Food Policy Coordinator
(612) 673-3553 | email

Chicken Housing Structure must be:

- Located at least 20 feet away from neighboring residential use
- Screened from habitable buildings on neighboring property
- Constructed of materials which are durable and compatible with your house and neighboring residential properties
- Located behind your house.

Animal Runs, if used to exercise chickens, must be:

- Located at least 20 feet from neighboring residential use
- In compliance with all zoning code requirements and enclosed to ensure fowl are confined to permitee's property
- Located behind your house.
- Provide ten (10) square feet for each fowl while housed in outside run

Chicken poop and litter shall be removed often enough to prevent odors from emitting over property lines. The waste can be double bagged and thrown away or composted on site if the compost is used on site. Chicken poop and litter may not be placed in City-provided organics recycling carts. (per State Compost Rules)

Live slaughter is prohibited.

Keeping Chickens for commercial uses have different requirements. No person, business, or entity shall maintain or cause to be maintained any commercial business related to the keeping of fowl on residential property unless otherwise permitted by the City of Minneapolis. If so permitted, commercial coops must:

- Maintain and comply with any applicable business license, health department permit, zoning permit, and permit issued by the MACC.
- Be limited to thirty (30) fowl of any kind with at least four (4) square feet provided for each fowl housed inside the physical coop and ten (10) square feet for each fowl while housed in outside run.
- Be maintained in such a manner as to prevent a public nuisance and provide adequate care and safeguards for the chickens.
- Be kept in good repair, maintained in a clean and in a sanitary condition, and free of any vermin, obnoxious smells, and substances.

Note: MACC may refuse to grant a permit for failure to comply with criteria. MACC has the right to keep any fees paid by the applicant.

For further information or to apply for a permit, please contact Teila Zoller at Minneapolis Animal Care and Control:
Phone: 612-673-6246
Email: teila.zoller@minneapolismn.gov

Additional Resources

Backyard Chicken Basics (University of Minnesota Extension)

Twin Cities Chicken Coop Tour

Twin Cities Chicken Listserve

Last updated Dec 14, 2017

QUICK LINKS

Home

Small Farms

Backyard chicken basics

Betsy Wieland and Nora Nolden

As people are becoming more and more interested in knowing where their food comes from, the trend of raising backyard chickens is growing. Raising backyard chickens can be a rewarding experience and a great way to teach kids about nature, agriculture, and responsibility of caring for animals. Since most backyard chickens are raised for laying and not for meat, this fact sheet will focus on layers.



New Hampshire Red and Buff Orpington hens

Breeds

There is a wide a variety of chicken breeds, developed for egg production, meat production, and/or good looks. While many breeds are adaptable to a backyard setting, certain breeds are better than others for backyard conditions. Medium to large breeds are good for cold winters. A mellow temperament and good egg laying are also pluses. If you see reference to a bantam bird, that is a small version of any particular breed. It will look the same, but be smaller. Here are a few examples of great, mellow breeds for the backyard.

Popular backyard chicken breeds

Rhode Island Red

- Hens weigh about 6.5 lb
- Lay brown eggs
- Dark red feathers
- Dual purpose breed, but most often used for laying
- Hardy breed that does well in small flocks

Wyandotte

- Hens weight about 6.5 lb
- Lay brown eggs
- Dual purpose breed
- Great for small flocks and rugged conditions
- "Curvy" shape, good disposition
- Many color varieties

Ameraucana

- Many different color varieties
- Lay green eggs
- Great long-term egg production
- Dual purpose breed
- Tolerant to all climates
- Easy to handle

Orpington

- Hens weigh about 8 lb
- A larger dual purpose breed
- Lay brown eggs
- Many color varieties
- Heavy size is ideal for cold weather

Diet

Chickens are omnivores. They eat grains, fruits, and vegetables as well as insects. Chickens should typically be fed a prepared feed that is balanced for vitamins, minerals, and protein. A healthy laying hen diet should also contain crushed oyster shell for egg production, and grit for digestion. A 6-pound hen will eat roughly 3 pounds of feed each week.



Quality feed and clean water will help keep birds healthy and productive.

They love fruit and vegetable scraps from the kitchen and garden, as well as bread. Scratch-cracked corn and oats are a nice treat for the chickens that does not supply all their nutritional needs, but is fine in moderation.

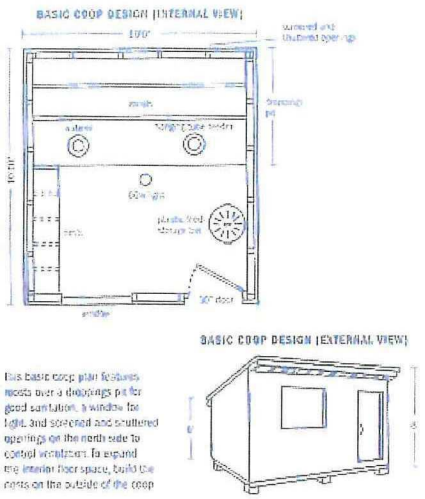
Feed consumption may increase in the winter when burning more calories, and decrease in the heat of the summer. A critical part of a chicken's diet is continual access to clean, fresh water. This is especially true in the summer as they cool themselves by panting.

Housing

A quality coop is essential to backyard chicken production. Layers need nest boxes — one per 4-5 birds. Chickens are descended from jungle birds, which means they like to be up high, so a place for them to roost is important. Coops must provide protection from the weather and predators. There should be a well-insulated area with a light bulb or heat lamp for the winter months as well as ventilation for fresh air.

Be sure to have a minimum 3-5 square feet per bird, including outdoor space.

Their main predators are raccoons, rats, owls, hawks, and cats. An enclosed space for them to stay at night is essential to their protection. Ensure that the coop is free of small holes for predators to sneak in. There is an endless variety of coop designs with just as much range in cost. Find a design that provides easy access and otherwise suits your situation. There are many books and websites with coop designs. The image at right shows a simple chicken coop schematic. The space should be free of unnecessary objects like woodpiles or equipment, as they attract predators.



Click to enlarge. Simple coop design for up to 16 hens from *Storey's Guide to Raising Chickens*

Daily care

Chickens need to be fed and water changed daily. They need to be let out of the coop each morning and put into the coop at dusk each night to protect them from predators. Eggs should be picked up twice a day. The coop and pen should be cleaned out weekly to maintain sanitation and odor control.

Bird health

Healthy birds will be active and alert with bright eyes. They will be moving around — pecking, scratching, and dusting — except on hot days when they will find shade. Chickens that are healthy and active will also talk and sing quietly throughout the day.

As far as laying and eating habits, each chicken is different, so monitor each chicken to get a feel for her normal production and consumption. Healthy droppings will be firm and grayish brown, with white urine salts. Roughly every tenth dropping is somewhat foamy, smellier than usual, and light brown.

Chickens raised in backyard settings generally stay healthy and are not easily susceptible to diseases. The easiest way to find disease in chickens is to know what a healthy bird looks like. When a chicken isn't acting normal, for instance if she doesn't run to the food as usual or she wheezes or sneezes, start investigating. The table below lists some possible causes of illness to chickens.

Infectious (invasion by another organism)	**Noninfectious (nonbiological in origin)**
Bacteria	Chemical poisoning
Mold and fungi	Hereditary defects
Parasites	Nutritional deficiencies
Viruses	Unknown causes

Credit: *Storey's Guide to Raising Chickens* by Gail Damerow

Sanitation

An important element to bird health is sanitation. In order to maintain a clean, healthy environment, the coop and outdoor area should be cleaned out weekly or as needed to control manure and odor build up. Feeders and waterers should be regularly cleaned and disinfected. Dust baths should be available, as they help control mites. It is important that at least once a year, usually in the spring, a thorough cleaning is done on the coop and yard. Also cleaning before introducing new birds to the area will limit the spread of disease. A fall cleaning is also helpful with mite control over winter.

During this cleaning, safety precautions must be taken in dealing with dust. Wear a dust mask and mist the walls surrounding the area to control dust movement. Inhalation of dried chicken manure can be harmful to humans. Rake and clean out the yard. All feeders should be removed and bedding completely cleared out. It is important to remove dust and cobwebs from corners of the coop. The inside of the coop needs to be disinfected — including troughs, perches and nests. To disinfect, use one-tablespoon chlorine bleach to one gallon boiling water.

Manure management

Chicken manure is made up of feed residue, intestinal bacteria, digestive juices, mineral by-products from metabolic processes, and water. In fact, 85% of chicken droppings, by weight, is water. This leads to issues with humidity and odor. So what are the options for managing manure?

One option is to complete thorough cleanings of the coop more than once a year. This will control the odor and fly populations.

Another option is to pasture the chickens. Moveable shelters are a valuable tool for pasturing chickens and reducing cleaning time. Simply move the location of the house when manure begins to build up. It offers new space for chickens to graze and peck, and free fertilizer for the lawn!

A third option is composting. Composting can be done right in the chickens' bedding. To start this process, lay down about 4 inches of bedding. Regularly stir up the bedding to prevent clumping, and add fresh bedding until it is 10 inches deep by winter.

Continue this process until the bedding gets 12 to 15 inches deep. At this depth, composting actively begins and after 6 months can kill harmful bacteria. This composting releases heat, which keeps chickens warm in cooler months and attracts natural fly predators. To maintain the compost, it must be stirred regularly to prevent crusting. The same process can be done outside of the coop in a separate bin.

Egg production

Hens begin laying at around six months of age and can continue for 5-10 years, with peak production occurring in the first 2 years. They will lay roughly 6 eggs each week. Egg production drops each year when the hens molt (replace their feathers in the early fall) and as daylight hours are lost. Hens need at least 12-14 hours of light each day to continue laying eggs. A regular light bulb is sufficient to supply this light.

Regulations

There are several regulations that you may encounter with chicken ownership. Raising chickens in the backyard may require a permit from your city, and each has different requirements and restrictions. It is not legal in some cities to keep poultry. Some cities may also limit the number of animals you can keep.

If you begin selling eggs or meat, you will encounter additional regulations. The Minnesota Department of Agriculture Dairy and Food Inspection Division manages and enforces these. Contact them for information regarding these rules at 651-201-6027.

Purchasing birds

There are several places to purchase chickens. The list below has major chicken hatcheries and links to their websites. There are also many individuals breeding and selling poultry. Local farm supply stores may also order them for you.

Major chicken hatcheries:

- Murray McMurray's
- Stromberg's
- Hoover's Hatchery

Additional information

Online resources

- University of Minnesota Extension Small Farms program
- BackyardChickens.com
- Poultry resources — *Oklahoma State University*
- Small flock information — *University of Arkansas Extension*

Publications

- *Storey's Guide to Raising Chickens* by Gail Damerow
- *American Standard of Perfection* by American Poultry Association

Questions or comments?

Contact an Extension educator here.

UNIVERSITY OF MINNESOTA
EXTENSION

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COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: National Suicide Prevention Awareness Month

Requested Council Action:

- *Motion to Proclaim September as National Suicide Prevention Awareness Month.*

Background:

September is known around the United States as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding each of the Suicide Prevention resources available to us and our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm.

September as National Suicide Prevention Awareness Month. The proclamation is one way that the City of Brooklyn Centerand others can show support for local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another.

Budget Issues:

None

Strategic Priorities and Values:

Enhanced Community Image

"CITY OF BROOKLYN CENTER"

PROCLAMATION

September Is National Suicide Prevention Awareness Month

WHEREAS; September is known around the United States as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding each of the Suicide Prevention resources available to us and our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and

WHEREAS; Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and

WHEREAS; According to the CDC, each year more than 41,000 people die by suicide; and

WHEREAS; Suicide is the 10th leading cause of death among adults in the US, and the 2nd leading cause of death among people aged 10-24; and

WHEREAS; "Brooklyn Center, Minnesota" is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and

WHEREAS; local organizations like Suicide Prevention Services (SPS) and national organizations like the National Alliance on Mental Illness (NAMI) are on the front lines of a battle that many still refuse to discuss in public, as suicide and mental illness remain too taboo a topic to speak on; and

WHEREAS, every member of our community should understand that throughout life's struggles we all need the occasional reminder that we are all silently fighting our own battles; and

WHEREAS, I encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors over the next few days and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, be it resolved that I, "Tim Willson"**,** do hereby proclaim the month of September, 2018, as National Suicide Prevention Awareness Month in the "Brooklyn Center".

Dated this 24th day of September, 2018.

_____

Tim Willson Mayor

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Tim Gannon, Chief of Police

SUBJECT: An Ordinance Amending Chapter 27 of the City Code of Ordinances Relating to Snow Event Parking Restrictions

Requested Council Action:

- Motion to open the Public Hearing, take public input, close the Public Hearing, and consider adoption of An Ordinance Amending Chapter 27 of the City of Ordinances Relating to Traffic Ordinances and Snow Parking Restrictions.

Background:

Routinely, Police and Public Works staff are contacted by residents concerned about individuals parking overnight in violation of current City parking regulations. Overnight parking is rarely an issue for Public Works staff except during snow plowing operations. There are often times in excess of 130 vehicles that staff has to plow around and come back to clean up the mess after vehicles leave. Unfortunately, current parking regulations allow for daytime parking even if we are actively involved in snow plowing operations.





At the January 22, 2018, Work Session staff presented the following three options to address overnight parking related issues. Option 1 was no change to the current ordinance including police enforcement. Option 2 was no change to the current ordinance but with enhance police enforcement. Option 3 was to modify the current ordinance to include seasonal restrictions (no parking 2:00 a.m. to 6:00 a.m. November 1 through April 30), no on-street parking during any event of 2.5 inches or more until roads are plowed curb to curb, no parking for more than 12 continuous hours, enhanced seasonal enforcement and towing during snow events with enhanced public education and outreach. The City Council did not direct proceeding with any new options.

Upon further review City staff has developed an amended version of the parking ordinance that addresses snow related parking restrictions specifically. The proposed amended ordinance prohibits on-street parking after a snow fall of 2.5 inches. Within that amendment there is a provision which allows for removal of vehicles in violation of the ordinance in accordance with Section 27.121.

At the direction of the City Council, in order to ensure that the public is well aware of the revised parking ordinance, staff has developed the attached communications plan. The plan outlines the means and methods by which the public will be provided with the changes to the ordinance as well as the current parking restrictions on record in the City.

Budget Issues:

The 26 existing City limit entry signs that display the current overnight parking restrictions will all have to be changed out with the new parking restrictions identified. The existing signs will be resurfaced with the new restrictions and reinstalled. The cost to perform this work will be negligible and can be done in the normal course of business.

Strategic Priorities and Values:

Safe, Secure, Stable Community

CITY COUNCIL PUBLIC HEARING

SNOW EVENT PARKING RESTRICTIONS

SEPTEMBER 24, 2018

PARKING ENFORCEMENT – STATE STATUTE

PARKING ENFORCEMENT – CITY ORDINANCE

ADDITIONAL PARKING PROVISION

-
-
-

BENEFITS

-
-
-
-

FEEDBACK FROM PUBLIC WORKS

-
-
-
-


OH DON'T WORRY...
IT'S JUST A
DUSTING


WINTER
STORM






CENTENNIAL
PARK








Falls


Falls
89

CITY COUNCIL

SNOW EVENT PARKING RESTRICTION ORDINANCE

ORDINANCE PROPOSAL



-
-
-

EDUCATIONAL AWARENESS CAMPAIGN

-
  -
    -
  -
  -
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FEEDBACK

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the 24th day of September 2018, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance related to parking.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please notify the City Clerk at 763-569-3306 to make arrangements.

ORDINANCE NO. 2018-11

AN ORDINANCE AMENDING CHAPTER 27 OF CITY CODE OF ORDINANCES REGARDING PARKING

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Brooklyn Center City Code, Section 27-120 is amended as follows:

Section 27-120. PARKING RESTRICTED AND PROHIBITED.

1. No person in charge of any vehicle shall park or permit such vehicle to stand upon the roadway of any highway or street in the City of Brooklyn Center between the hours of 2 a.m. and 6 a.m., nor for more than 6 consecutive hours at any other time. No person in charge of any vehicle shall park or permit such vehicle to stand upon any alley in the City of Brooklyn Center at any time.

2. Snow Emergency. After a snowfall of at least 2.5 inches in the City, parking is prohibited on any public street or alley until and after that particular street or alley has been plowed and the snow removed to the curb line. It is unlawful to deposit snow or ice, plowed or removed from private property, onto the traveled portion of a street, alley or public way. Vehicles parked in violation of this section may be removed in accordance with Section 27-121.

3. No person in charge of any vehicle shall park or permit such vehicle to stand upon any street, highway, parking lot or other area within the City of Brooklyn Center in violation of posted traffic control devices.

4. No person in charge of any vehicle shall park or permit such vehicles or any part thereof, to stand upon a public sidewalk or upon the non-roadway area of any public street right of way.

5. The Chief of Police or his/her designee may allow short-term exceptions to the above stated parking restrictions under certain circumstances if requests for such exceptions are submitted to the Police Department at least two hours prior to the time period for

which the exception is requested, and if he/she determines that the granting of such exceptions will not create problems affecting the health and safety of the citizens or unduly affect traffic movements or street maintenance operations.

Specific examples of events for which exceptions may be granted if all conditions are met include but are not limited to: a.) family gatherings for special events such as weddings, graduations, anniversaries, and funerals in residential areas. b.) civic events such as community celebrations and parades. c.) reconstruction or resurfacing of driveways. d.) out of state visitors with large R.V.'s.

Section 27-121. REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked in violation of the ordinance of the City or in violation of any State law may be removed by towing at the direction of the City police to a suitable place for storage until claimed by the owner or his agent, and the owner or other person responsible for such parking of the vehicle shall be liable for the reasonable cost of such towing and storage.

Article III. Effective Date. This Ordinance shall become effective after adoption and upon thirty (30) days following its legal publication.

Adopted this ____ day of _____, 2018.

_____
Mayor

ATTEST:_____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

Parking Communication Plan

Objective: This communication plan outlines the means and methods by which the public will be provided proposed changes to the ordinance as well as the current parking restrictions on record in the city. To ensure sure all stakeholders receive communication, targeted strategies was created for those most likely to be towed. This plan contains the following three (3) focus areas:

1. Stakeholder/Audience
2. Engagement Methods for External Stakeholders
3. Strategies to Engage External Stakeholders.

A. Stakeholder/Audience

External stakeholders are the members of the larger population of Brooklyn Center, including residents and workers, business owners, and visitors, among others. External stakeholders and/or audiences identified for communicating this project's activities include:

- Apartment Management/Renters
- Residents/ Home Owners
- Businesses (Owners, Staff and Customers)
- Schools
- Churches
- Visitors

B. Engagement Methods for External Stakeholders

Early and proactive outreach using social media, press releases, and communication strategies will be an important contributor to providing awareness to all. Engagement method descriptions and options for this plan are provided below:

1 - Social Media

Outreach through social media will be done through coordination with City of Brooklyn Center's Communication Coordinator and other staff responsible for updating social media channels. This method can be used to provide timely announcements and share information about proposed changes to the ordinance as well as the current parking restrictions on record in the city.

- Outlets: Facebook and Twitter
- Purpose: Share information broadly
- Timing: Prior to and after ordinance change, reminders re: Did you Know?

2 - Flyers

Outreach using flyers will be done through coordination with City of Brooklyn Center's Communication Coordinator and other staff responsible for citywide engagement efforts.

- Format: Flyers created will be translated into different languages. They will be provided in electronic and/or in a hardcopy.

- Distribution: Flyers will be distributed by block captains, engagement team staff, CSO's and churches. Flyers will be distributed at businesses, churches, schools apartments and in neighborhoods.
- Purpose: Share information broadly
- Timing: Prior to and after ordinance change

3 - Newsletters

- City News: Information will be included in the City Newsletter. This is a bi-monthly newsletter. September deadline for October publication, plus any other publications needed

4 - Website

Website outreach will be done through coordination with City of Brooklyn Center's Communication Coordinator and other staff responsible for updating website. This can be used to provide timely announcements and share information about proposed changes to the ordinance as well as the current parking restrictions on record in the city.

- Outlets: Homepage and other page locations
- Purpose: Share information broadly
- Timing: Prior to and after ordinance change

5 - Traditional Media (News paper)

- Number: Paid media campaigns
- Timing: In promotion of proposed ordinance change.
- Outlets: Sun Post and Star Tribune

6 - Community Television

CCX Media (https://ccxmedia.org) is a service of Northwest Community Television serving the northwest suburbs of Minneapolis, Minnesota, including Brooklyn Center, Brooklyn Park, Crystal, Golden Valley, Maple Grove, New Hope, Osseo, Plymouth and Robbinsdale. CCX Media can be used to share proposed ordinance changes during the following segments: Mayor Minutes and staff interview.

7 – Utility Bills

Utility bills are printed every two weeks. It takes about 12 weeks for all of our residents to receive their quarterly utility bills. We are currently in the fourth quarter of the year. City staff will work with utility billing staff to place inserts in the envelopes regarding proposed ordinance changes.

Distribution	Date	Quantity
~~DIST #1~~	~~10/10/2018~~	~~1798~~
DIST #2	12/19/2018	1450
DIST #3	11/07/2018	1295
~~DIST #4~~	~~10/24/2018~~	~~980~~
DIST #5	12/05/2018	1609
DIST #6	11/21/2018	1765

8 – Council Meetings
Mayor will provide a general reminder at the beginning of each City Council Meeting.

- Dates: September 24, October 8 and October 23

9 – City Meetings
City staff will provide a general reminder at all meetings (Planning Commission, ARMS, etc.)

10 – Signage
Signage throughout the city should be updated to include proposed ordinance change.

11 - Electronic mailing lists and email notifications
Electronic mailing lists will be used to send additional communication. Signups are always available via the city's website. These lists can be used to distribute notifications before and after ordinance change.

- Outlets: CivicPlus - Notifyme (targeted specific subscribers)
- Purpose: Key project milestones and promote engagement opportunities
- Timing: Prior to and after ordinance change, reminders re: Did you Know?

12 - News releases and media alerts
Staff will work with the Communication Coordinator to create content for news releases and media alerts covering proposed ordinance change.

C. Strategies to Engage External Stakeholders
As part of our outreach with External Stakeholders, the following engagement strategies provided below are recommended for communicating changes to the ordinance as well as the current parking restrictions. Numbers identified in this section correspond with numbers referenced in *Section B. Engagement Methods for External Stakeholders*.

External Stakeholders	Engagement Method
Apartment Management/Renters	2,3 (Flyer/Social Media Card), 6, 7, 9, and 10
Residents/ Home Owners	1, 2 (Canvass), 3, 4, 5, 6, 7, 8, and 10
Businesses (Owners, Staff and Customers)	1, 2, 3, 4, 5, 7, 9, and 10
Schools	2, 3, 4, 5, and 10
Churches	(see businesses)
Visitors	(see all above)

Additional Strategies:

- When posting content we will make sure documents are easily downloadable. We will also ask for other to share the information.
- We will provide businesses with cards to distribute
- We will ask apartment managers to sign-up/connect at the center in order to receive updates and notifications.
- We will repeat steps (5-7x's)

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekmen, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Resolution and Continued Special Assessment Hearing for Proposed Special Assessments for Administrative Fines

Requested Council Action:

- Motion to reopen the public hearing, to close the public hearing and approve the resolution Certifying Special Assessments for Administrative Fines/Citation Costs to the Hennepin County Tax Rolls

Background:

At the City Council Meeting on September 10, 2018, the City Council moved to continue the Public Hearing until September 24, 2018 for 3318 50th Ave. N, 6138 Colfax Ave. N, 4207 Lake Side Ave. N unit 0240, and 6612 Ewing Ave. N due to an appeal. Additional information was requested for the property.

Information specific to the properties special assessment appeal is provided in this report.

The special assessment charges and payment schedule are provided in the notification letter and are often explained to parties that contact staff. It is summarized as follows:

- If not paid by the end of business day on September 10, 2018, an additional $40 special assessment fee will be added to the amount owed.
- Unless the City Council makes changes to the amounts due at the Public Hearing, no other bill or notice will be provided.
- Interest on the special assessments will begin on October 12, 2018, following the 30-day interest free grace period. Interest shall accrue at an annual rate of 4 %.
- When the City Council adopts the special assessments, there are the following payment options
  1. The total special assessment may be paid without interest between September 12, 2018 and October 12, 2018.
  2. After October 12, 2018 and through November 21, 2018, the total special assessment plus accumulated interest through the date of payment may be made. Payments will be accepted in the Community Department until close-of-business November 21, 2018.

As indicated by the fee schedule, payments could be made before the September 10, 2018, Council Meeting without added fees. After this date, fees apply. There are costs associated with appeals and the fees are an

attempt to make sure the general public is not required to pay for unsuccessful appeals. This is similar to other programs that have appeal options.

Budget Issues:

The fees for these special assessments help recover some of the City costs associated with providing a service specific to a property. Administrative fines occur where voluntary compliance is not achieved and additional staff time is required to gain compliance.

Strategic Priorities and Values:

Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR ADMINISTRATIVE FINES/CITATION COSTS TO THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused Administrative Fines/Citation costs for certain properties within the City from July 1, 2017 thru June 30, 2018 under the authority of City Ordinance Section 18-204 and Minnesota Statutes, Section 429; and

WHEREAS, on September 10, 2018, certain Administrative Fines/Citation costs remained unpaid; and

WHEREAS, an assessment roll for unpaid accounts from July 1, 2017 thru June 30, 2018, a copy of which is attached hereto and made part hereof by reference, has been prepared by the City Clerk, tabulating those properties where Administrative Fines/Citation costs are to be assessed to each property; and

WHEREAS, City Ordinance Section 18-210 and Minnesota State Statute authorizes the certification of certain delinquent Administrative Fines/Citation accounts to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for Administrative Fines/Citation costs.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota that:

1. The special assessment roll of Administrative Fines/Citation costs incurred from July 1, 2017 thru June 30, 2018 is hereby adopted and certified as Levy No. 19786.

2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes in 2019, in one annual installment with interest thereon at four (4.0) percent per annum and shall bear interest on the entire assessment from October 1, 2018 through December 31, 2019.

RESOLUTION NO. _____

3. The owner of any property so assessed may at any time prior to the certification of the assessment to the County Auditor pay the whole of the assessment, to the City Treasurer, without interest, if the entire assessment is paid on or before October 10, 2018. After October 10, 2018, he or she may pay the total special assessment, plus interest. Interest will accumulate from October 1, 2018 through the date of payment. Such payment must be made by the close of business November 21, 2018 or interest will be charged through December 31 of the succeeding year.

4. The City Clerk shall forthwith transmit a certified duplication of this assessment to the County Auditor to be extended on the proper tax lists of the county and such assessments shall be collected and paid over in the same manner as other municipal taxes.

September 24, 2018 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereon said resolution was declared duly passed and adopted.

Amended Special Assessment Certified Roll (Administrative Fines/Citations)
July 1, 2017 thru June 30, 2018
Printed on September 20, 2018

Municipal Code No. 22

Levy No.	Property Address	Property ID	Pending Amount ($)	Capital Interest Charge ($)	Special Assessment Charge ($)	Total Amount Certified ($)
19786	6138 Colfax Ave N	36-119-21-34-0027	$750	$10	$30	$790
19786	4207 Lakeside Ave N #0240	10-118-21-32-0152	$300	$10	$30	$340

Property Number 1

Address: 3318 50th Ave N	**Owner:** Bruce Pelkey
Appellant's Statement: He stated that the Administrative Citation was appealed and the hearing officer stayed payment for the citation amount.	

Findings: During a proactive property code enforcement inspection, staff found a repeat violation for illegal parking/storage of his recreational vehicle (RV) on jacks in the driveway. Staff has attempted to work with the owner over the past year to become compliant with city codes before issuing the administrative citation.

Compliance notices were sent to Mr. Pelkey informing him of the property code violations found at the property. Staff has spoken with Mr. Pelkey on numerous occasions regarding the property code violations and informed him of the ordinance regarding storage of his vehicle on jacks in the driveway. After several attempts to obtain compliance, staff issued an Administrative Citation for $125.00.

Mr. Pelkey appealed the Administrative Citation and was granted a hearing. The Administrative Hearing Officer found that a violation did occur and stayed payment of the $125.00 Administrative Citation given that there is no same or similar violation for one year from the date of the hearing.

Evidence was gathered within legal parameters. City ordinance violations are not permitted in any area of a property and the owner is responsible to maintain his property free of code violations.

Recommendation: The Administrative Citation was appealed and the $125 payment was stayed for one year with no same or similar property code violations. The conditions of the set by the hearing officer continues to be met. Staff is recommending the special assessment in amount of $125 plus the Certification fees of $40 be removed from the special assessment rolls.

Violation Type	Dates	Action	Fees
Illegal Parking/Storage of Vehicles	03/23/2018	An inspection was conducted and found a repeat violation for parking the RV in the drive way stored on jacks. A 3rd compliance notice was sent and t notice stated the vehicle must properly stored and in an operable condition.	
	03/27/2018	A follow up inspection was conducted and found that the vehicle was still in violation. An Administrative Citation was issued.	$125
	04/09/2018	Mr. Pelkey submitted an appeal for the issued Administrative Citation.	
	04/24/2018	Administrative hearing was conducted and the Hearing Officer found that a violation occurred and stayed payment the $125 Administrative citation for one year with no same similar violation.	
	04/27/2018	A follow up inspection was completed and the RV was in compliance with city ordinances.	
	09/17/2018	A follow up inspection was completed and the RV was removed from the property. No additional property code violations were found.	




03/22/2018 01:27 PM


AFRICAN QUEEN
CM
RVG0108
03/27/2018 07:19 AM


03/27/2018 03:28 PM


03/27/2018 03:29 PM

Property Number 2

Address: 6138 Colfax Ave	**Owner: Deephaven 18800 Minneonka LLC**
Appellant's Statement: Staff received a written appeal from the owner of the property. Appellant stated that her husband has many vehicles and the vehicle in violation only had a flat tire for 12 hours.	

Findings: The property is owned by Deephaven 18800 Minneonka LLC and sold on a contract for deed to the appellant.

A complaint was received regarding illegal parking/storage of vehicles on the property. While following up on the illegal parking/storage of vehicles violation, staff found that a different vehicle stored on the property was unlicensed/inoperable. While staff was processing the violation for an inoperable vehicle, a complaint was received stating that there are several inoperable vehicles on the property.

Staff has spoken with the occupants and property owner to explain the property code violations. Staff gave the occupants an opportunity to correct the property code violations and after multiple inspections, Administrative Citations for $125, $250, and $500 were issued. The owners or occupants did not appeal the Administrative Citations. The $125 and $250 Administrative Citations were paid.

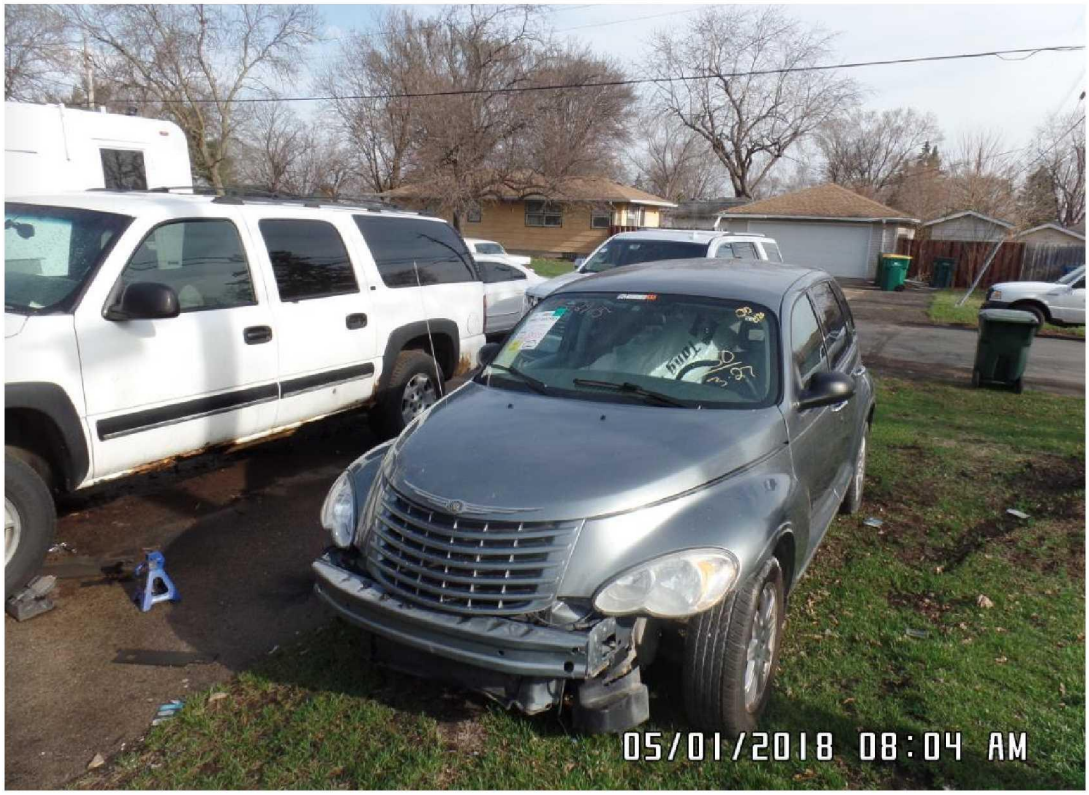
Evidence was gathered within legal parameters. City ordinance violations are not permitted in any area of a property and the owner is responsible to maintain the property free of code violations.

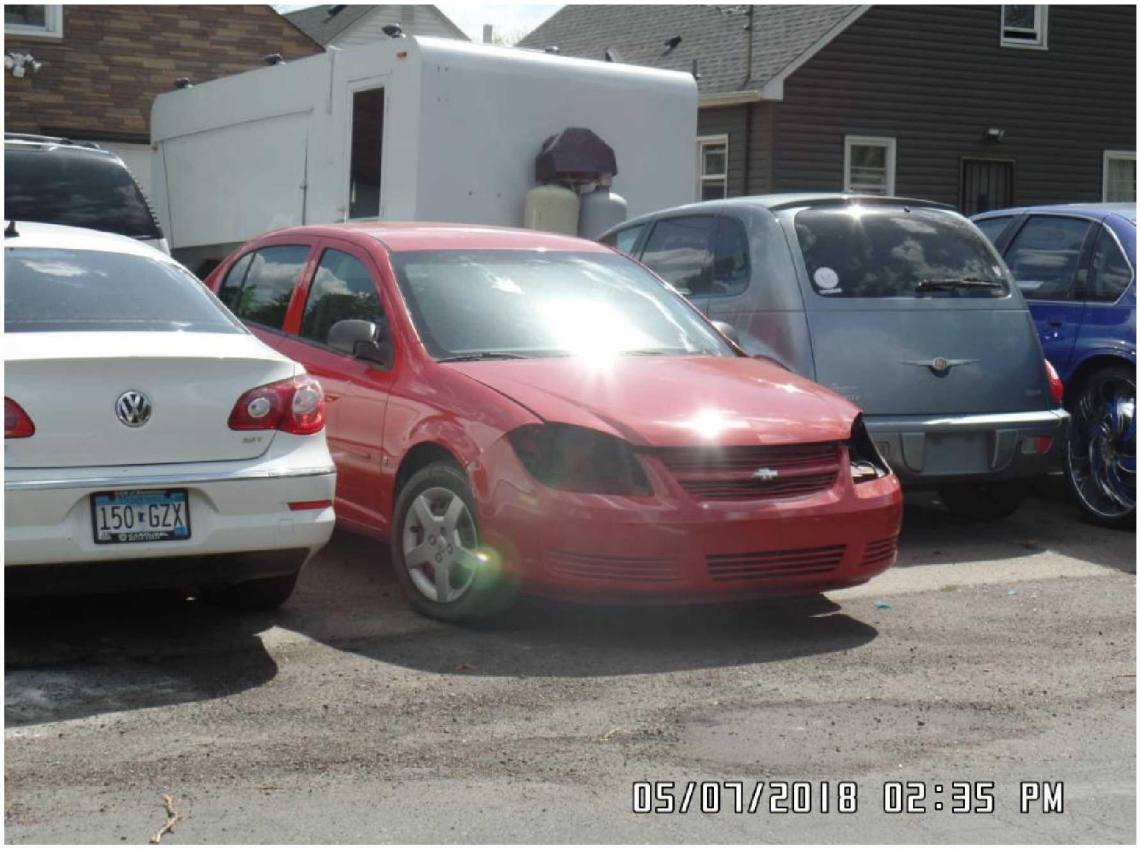
Recommendation: Staff attempted to work with the occupants of the property for compliance with city ordinances. Legal notification requirements were followed. Staff is recommending that amount of $500 plus the Certification fees of $40 be specially assessed to the property tax rolls.

Violation Type	Dates	Action	Fees
Unlicensed/Inoperable Vehicle	05/07/2018	A follow up inspection was completed on a different property code violations and found the unlicensed/inoperable vehicle.	
	05/08/2018	A 1st compliance notice was sent to the owner and occupants of the property. A complaint was received regarding inoperable vehicles stored on the property.	
	05/09/2018	Staff spoke with the occupant, Mr. Willy Lee, and he stated that he buys and sells vehicles and stores them on the property. He was informed that all vehicles stored on the property must be in operable condition. Administrative staff received a voicemail and email from the owner stating the property has been sold on a contract for deed and notices should be sent to the occupant.	
	05/16/2018	A follow up inspection was completed and the vehicles are still in violation. A 2nd compliance notice was sent.	
	05/24/2018	A complaint was received stating that the property appears to be selling vehicles from the property and engaged in auto repair.	
	05/25/2018	A follow up inspection was completed and the vehicles are still in violation. A $125 Administrative Citation was issued for unlicensed/inoperable vehicle.	$125
	06/08/2018	A follow up inspection was completed and the vehicles are still in violation. A $250 Administrative Citation was issued for unlicensed/inoperable vehicle. Staff spoke with the occupant, Ms. Janar, and she was upset that the property continues to receive complaints from the neighbors and her property is continually inspected. Staff informed her that if a property is in violation, staff will continue to inspect the property until it is in compliance with city ordinances.	$250
	06/11/2018	A complaint was received stating that the property is engaged in the auto sales business.	

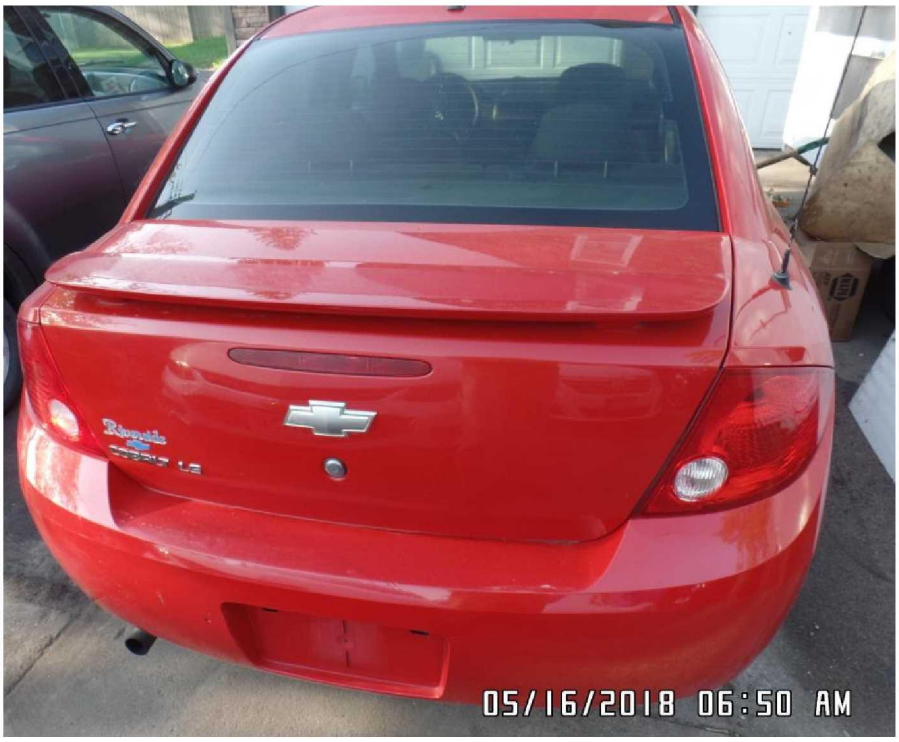
	06/26/2018	An inspection was conducted and the property is still in violation. A $500 Administrative Citation was issued. Staff received a phone call from Mr. Willie Lee, occupant, stating that he is fixing cars for his business, Royalty Enterprises, at the property. Staff informed of the Administrative Citation and informed of the appeal process.	$500
	07/11/2018	Staff conducted an inspection and spoke with Mr. Willie Lee about the ongoing property code violation for an inoperable vehicle and operating an auto repair business from his home. He was informed that if the violation continued a $1000 Administrative Citation would be issued.	
	07/12/2018	A follow up inspection was conducted and the inoperable vehicle was repaired.	
	09/17/2018	A follow up inspection was completed and the property had no property code violations.	



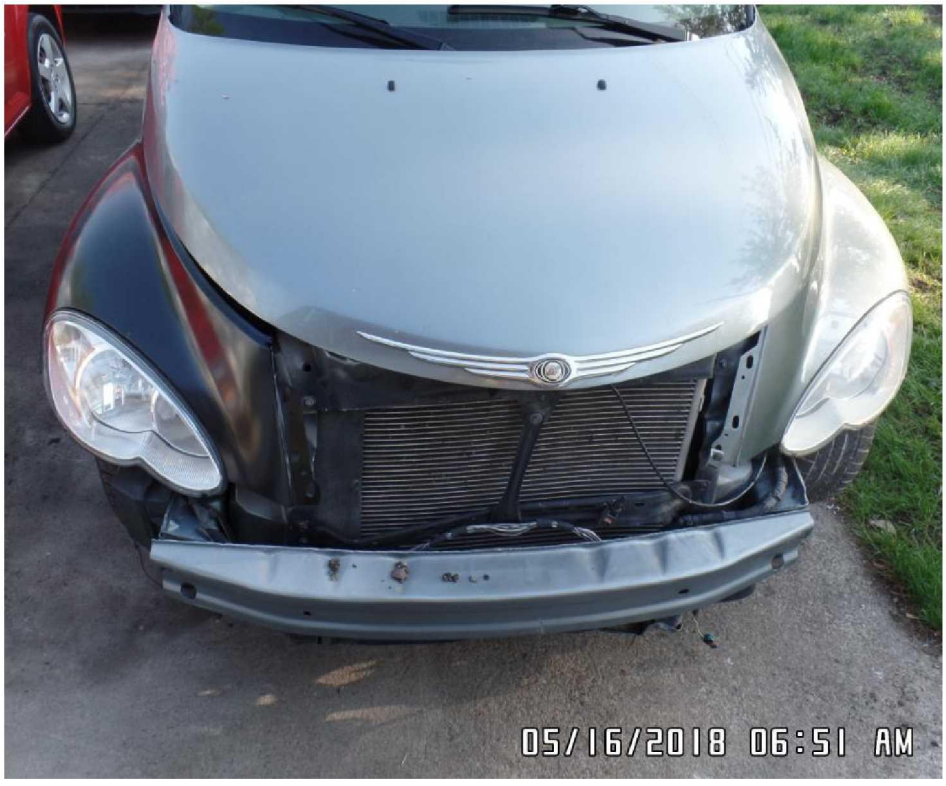

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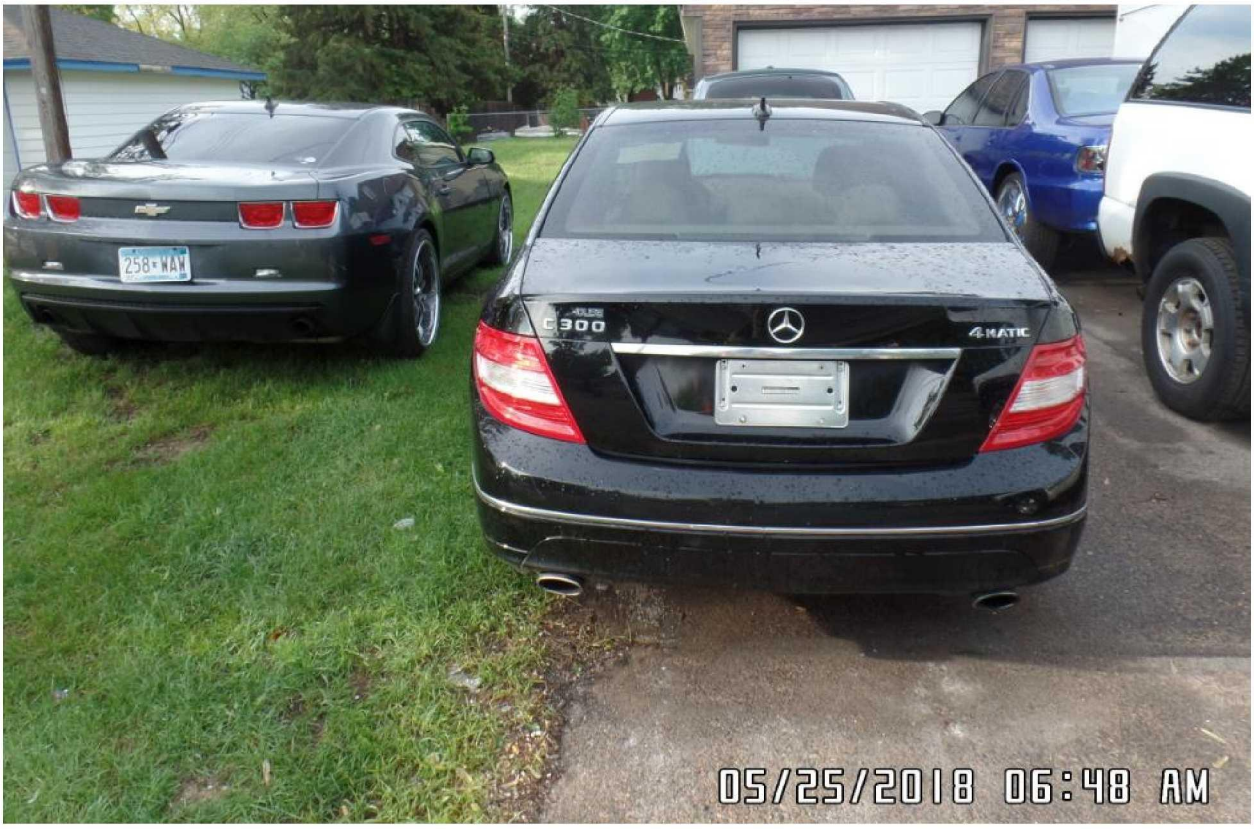

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INSPECTION COMPLETE
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Claim # 152704F44
State Farm Insurance
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PT CRUISER
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Radio
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&
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MAD
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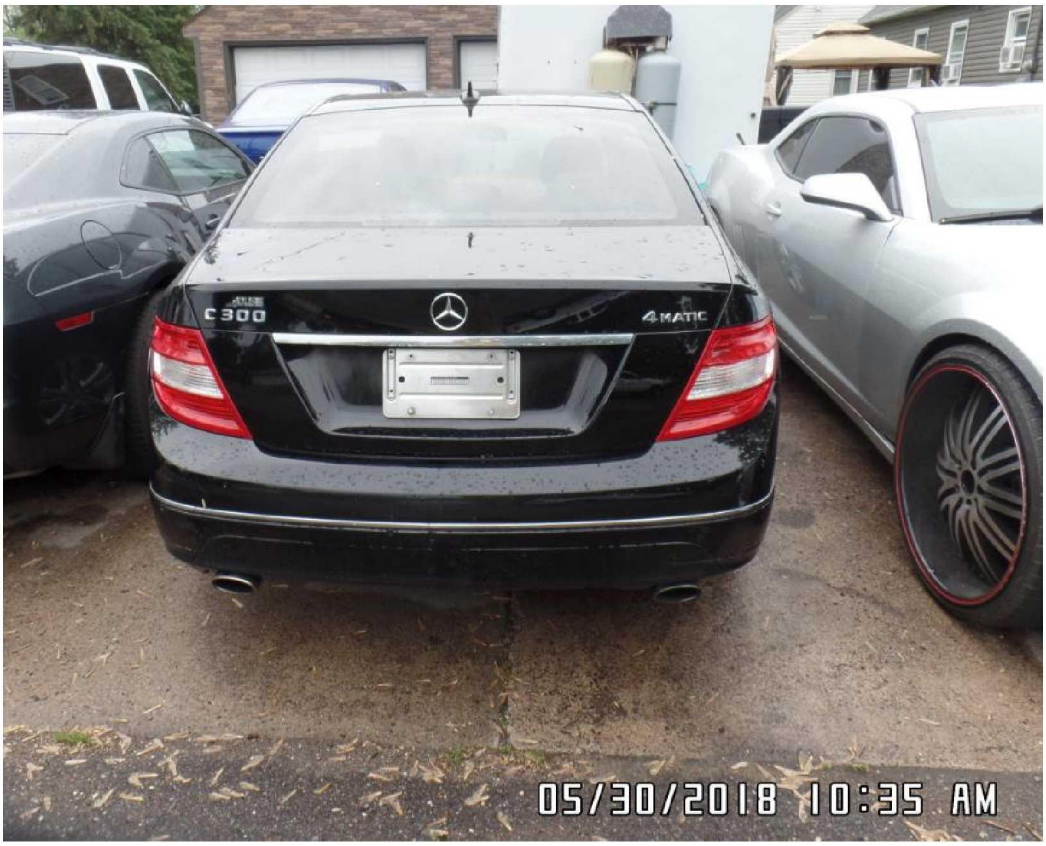

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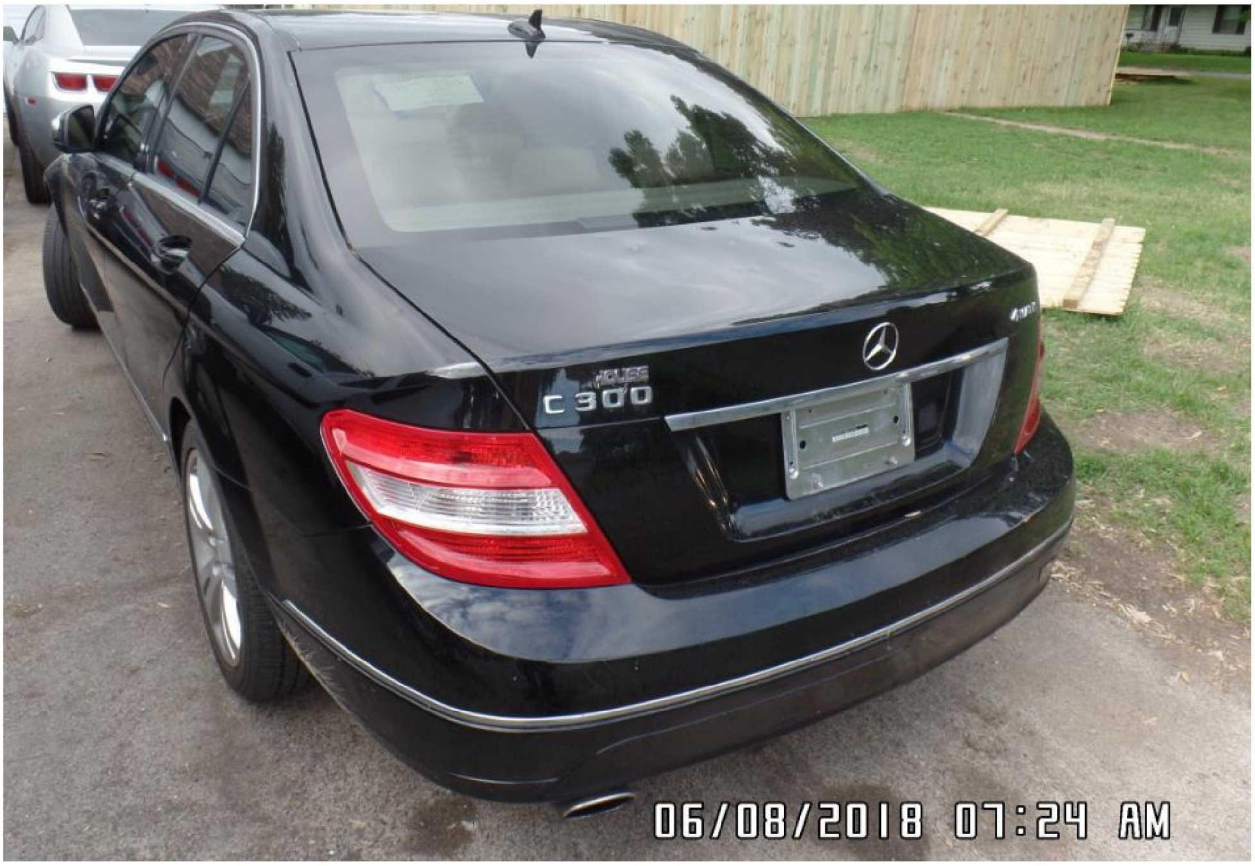

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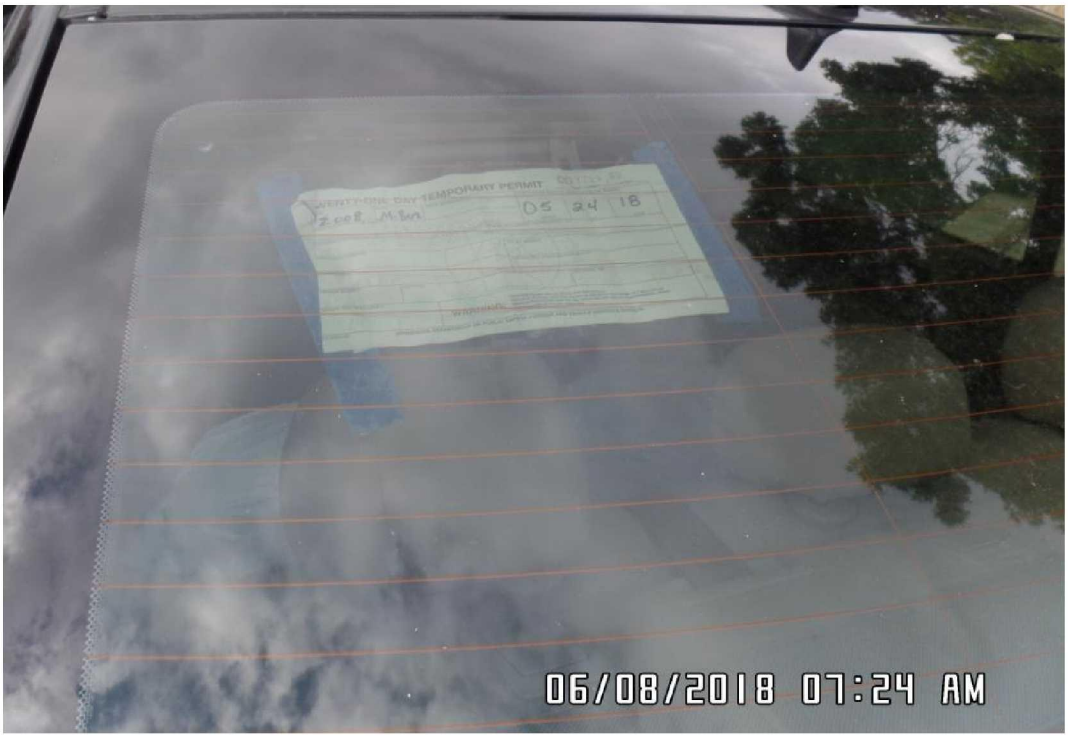

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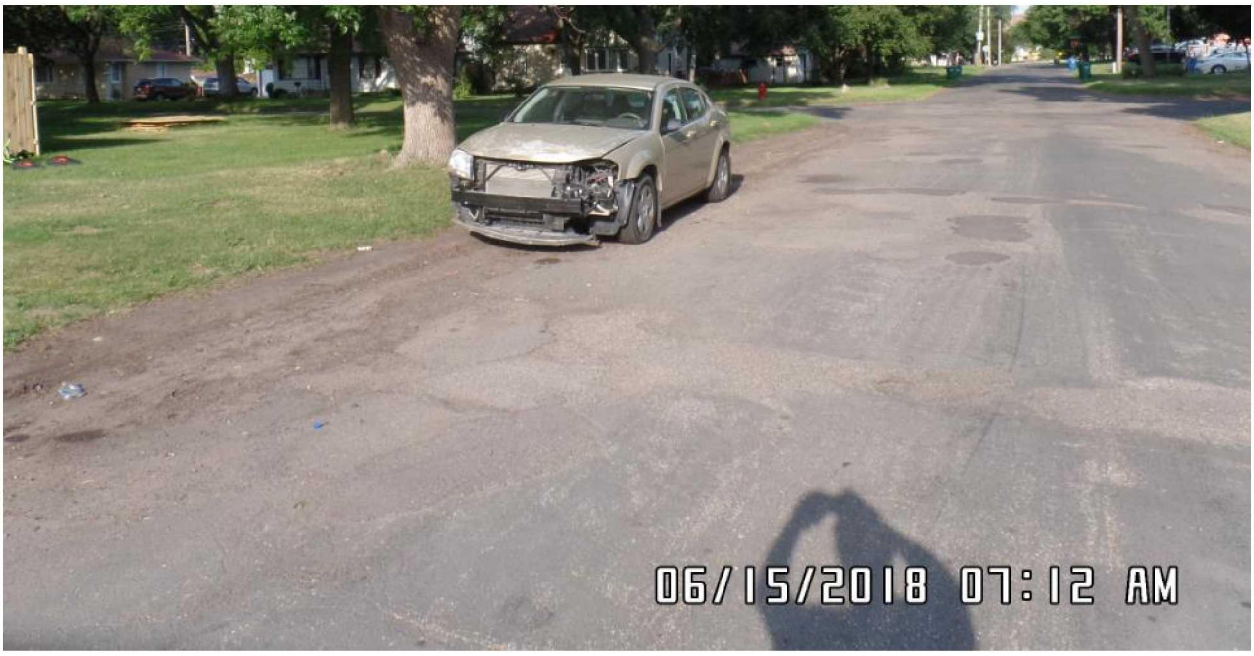

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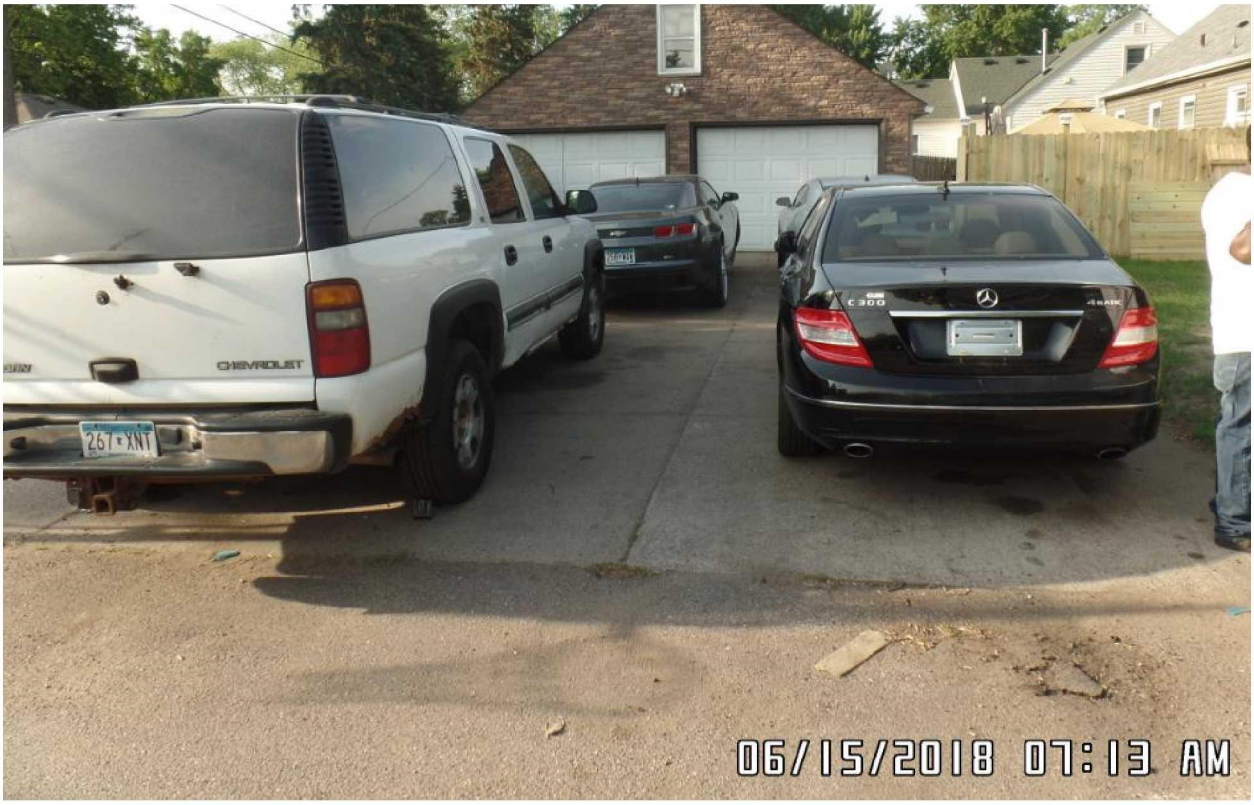

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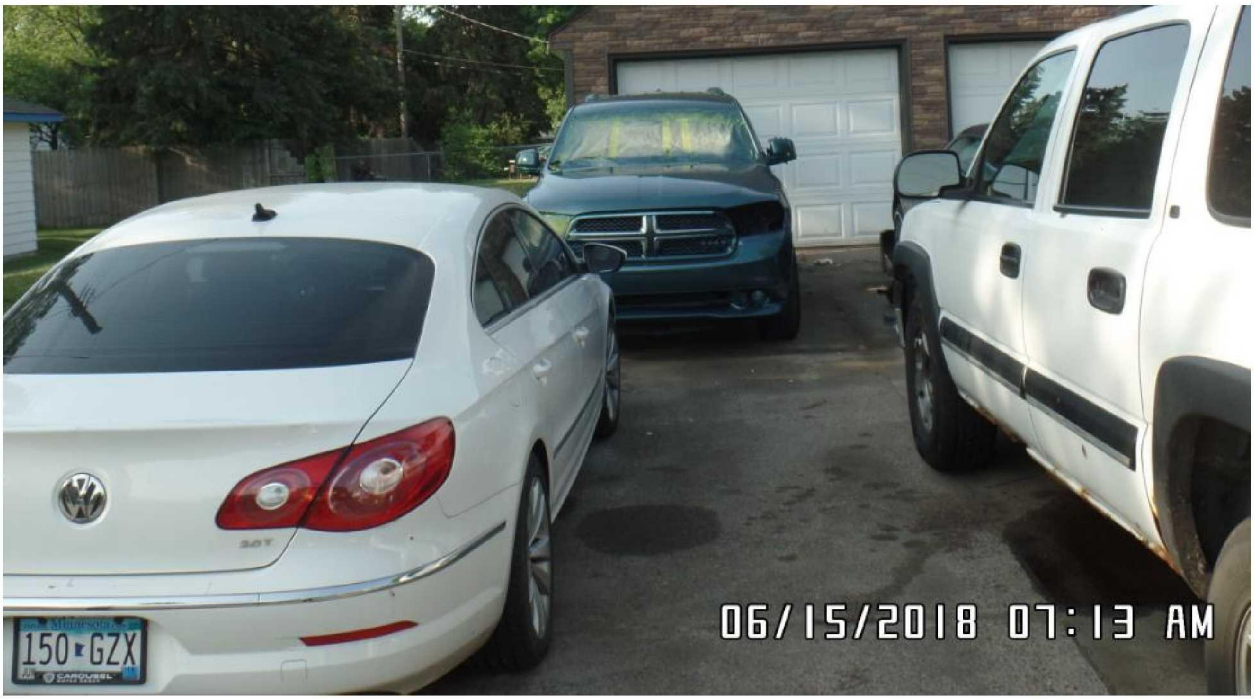

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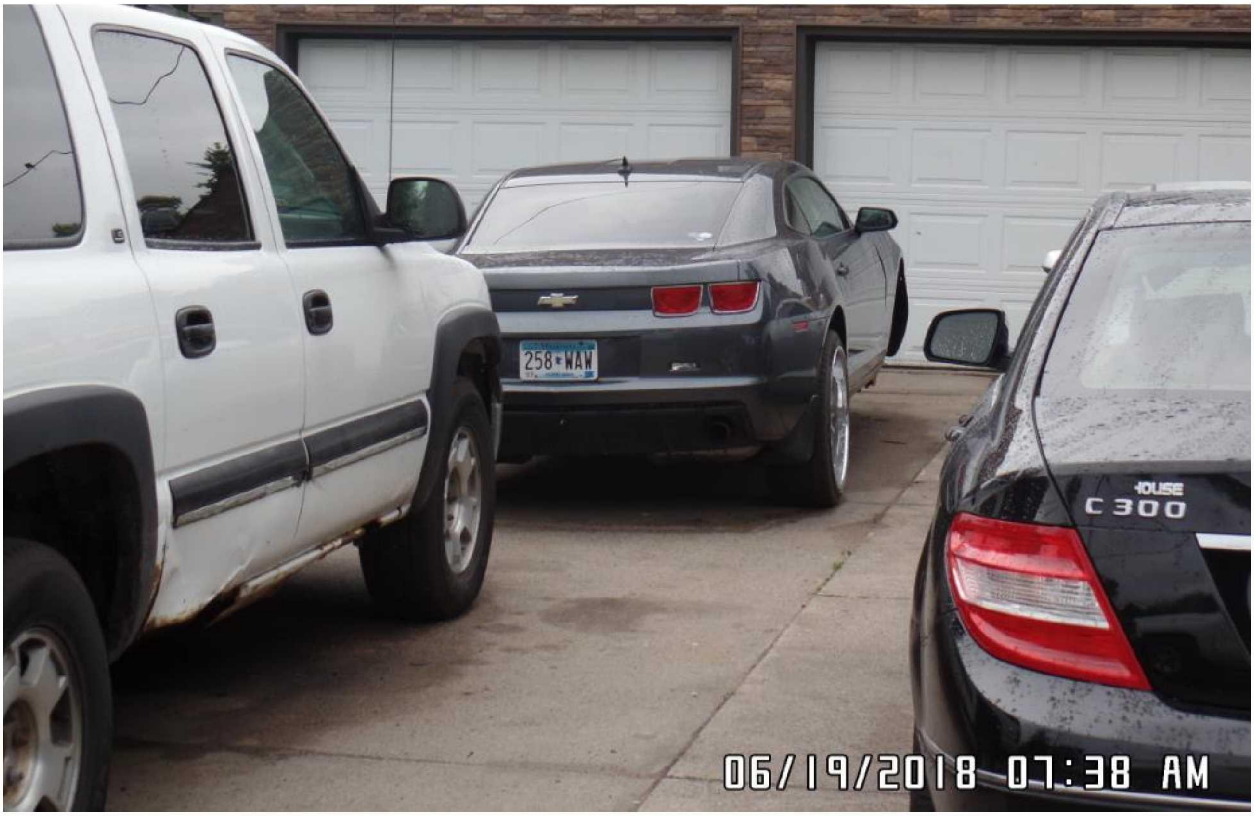

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06/08/2018 07:24 AM


06/15/2018 07:12 AM


CHEVROLET
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C 300
06/15/2018 07:13 AM


150 GZX
06/15/2018 07:13 AM


258 WAW
C 300
06/19/2018 07:38 AM


AWF 130
06/26/2018 06:41 AM


CHEVROLET
SUBURBAN
267 XNT
06/26/2018 06:42 AM


06/26/2018 06:41 AM


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07/10/2018 22:30

Property Number 3

Address: 4207 Lakeside Ave #0240	**Owner: Tommy Conteh**
Appellant's Statement: He stated he was out of the country.	

Findings: The property is a licensed rental property and was issued a Type II – 2 year license with an expiration date of September 30, 2017. The rental license renewal application was received and an inspection was conducted.

The rental inspection was passed on September 20, 2017 and after verifying the total number of property code violations and validated nuisance police calls for service, the property would qualify for a another Type II – 2 year license with an expiration date of 9/30/2019.

Before the rental license can be issued, the owner must be current on the payment of all utility fees, taxes, assessments, fines, penalties, or other financial claims due to the City. After verifying if the property is current on all of the above items, it was found that the owner was delinquent on property taxes. The owner was notified that a rental license cannot be issued if the property taxes are not current.

The rental license expired and the owner was still delinquent on the property taxes. An Administrative Citation for $300 was issued and the owner did not appeal the citation. Once the property taxes were paid and current, the rental license was issued on December 11, 2017.

Recommendation: Legal notification requirements were followed. Staff is recommending that the special assessment in the amount of $300 plus the Certification fees of $40 be specially assessed to the property taxes.

Violation Type	Dates	Action	Fees
Operating a rental dwelling without a license	09/21/2015	The property was issued a Type II – 2 year rental license with an expiration date of September 30, 2017.	
	08//14/2017	The owner submitted the rental license renewal application.	
	08/31/2017	The 1st inspection was completed and failed with 4 property code violations.	
	09/28/2017	The 2nd inspection was completed and passed.	
	09/29/2017	The owner was sent a notice that the rental license could not be issued due to delinquent utility fees, taxes, assessments, fines, penalties, or other financial claims due to the City.	
	10/23/2017	A second notice was sent informing the owner that the property has delinquent property taxes and the rental license cannot be issued.	
	11/16/2017	A $300 Administrative Citation was issued for operating a dwelling without a rental license.	$300
	11/20/2017	A third notice was sent informing the owner that the property has delinquent property taxes and the rental license cannot be issued. An occupancy check was completed and found that the property was still operating a rental property.	
	11/21/2017	The owner came to City Hall and reported that the property taxes were paid. Staff verified that the property taxes were paid and started to prepare the property for .s	
	12/11/2017	A Type II – 2 year rental license was issued with an effective date of 10/1/2017 to expiration date of September 30, 2019.	

Property Number 4

Address: 6612 Ewing Ave	**Owner: Thompson and Anita Seley**
Appellant's Statement: He is not sure what the citation is for. He purchase the property in February 2019.	

Findings: During a proactive property code inspection, several property code violations were found. The property was in violation for: accumulation of junk/furniture/appliance; accumulation of rubbish/brush/debris; illegal parking/storage of vehicles; unlicensed/inoperable vehicle; and a violation to repair the damaged garage door.

Staff spoke with the owner and was granted access to the view the backyard. Staff also informed the occupant of the property code violations during the conversation. Several notices were sent for each violation. Most violations were corrected after the second notice, however, the accumulation of junk/furniture/appliance was not corrected and a third notice was sent. After the third notice, an Administrative Citation for $125 was issued for the accumulation of junk/furniture/appliance violation. The owner did not appeal the Administrative Citation.

Evidence was gathered within legal parameters. City ordinance violations are not permitted in any area of a property and the owner is responsible to maintain his property free of code violations.

Recommendation: The property code violations were incurred by the previous property owner and the current owners were not aware of the Administrative Citation until they received notice for the special assessment hearing. Staff was able to verify that the property was purchase on February 1, 2018 and homesteaded on March 5, 2018. At the time of purchase, it is common practice for title companies to do a search for all fees and special assessments owed to the city and pay them off.

Although legal notification requirements were followed, the violations were incurred by the previous property owner. Since the new ownership, the property is in compliance with city codes. Staff is recommending the special assessment in the amount of $125 plus the Certification fees of $40 be removed.

Violation Type	Dates	Action	Fees
Accumulation of Junk/furniture/appliance	08/16/2017	An inspection was conducted and found that the property had several property code violations. Staff spoke with the owner and informed the occupant of the property code violations. Verbal orders were given to correct the property code violations and a 1st correction notice was sent.	
	08/25/2017	A follow up inspection was completed and the property code violations were not corrected. A 2nd notice was sent.	
	09/05/2017	A follow up inspection was completed and the property code violations were not corrected. Staff spoke with an occupant and staff was informed that the owner has received all of the notices but has not made the corrections yet. A $125 Administrative Citation was issued and compliance notice was sent. The occupant did not appeal the Administrative Citation. During the follow up inspection, staff also notice that the property had tall grass and weeds over 8 inches. A compliance notice was sent to mow the grass.	$125
	09/13/2017	A follow up inspection was completed and the accumulation of rubbish/brush/debris and illegal parking/storage of vehicles, and tall grass and weeds violations were corrected. The accumulation of junk/furniture/appliance, unlicensed/inoperable vehicles, and the garage door violations were not corrected. Staff spoke with the owner and was granted access to the backyard. A 3rd notice was sent for the remaining property code violations.	
	09/27/2017	A follow up inspection was completed and the property was still in violation for accumulation of junk/furniture/appliance, garage door, and unlicensed/inoperable vehicle. Staff spoke with the owner and stated that they are no longer going to sell the property and needed additional time to correct the violations. Staff gave an extension to the occupant.	

	10/11/2017	A follow inspection was conducted and all the property code violations have been corrected.	
	09/17/2018	A follow up inspection was completed and the property had no property code violations.	

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Ginny McIntosh, City Planner / Zoning Administrator

SUBJECT: Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-015 Submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, Requesting Site and Building Plan Approval (Located at 1500 59th Avenue North)

Requested Council Action:

- Motion to approve a Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-015 Submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, Requesting Site and Building Plan Approval (Located at 1500 59th Avenue North)

Background:

The City Council is being asked approve a resolution regarding the disposition of Planning Commission Application No. 2018-015, submitted by Von Petersen of TSP, Inc. on behalf of the Brooklyn Center School District. Approval of the aforementioned resolution would allow Brooklyn Center School District to construct an approximately 1,200-square foot new front entry addition, 23,551-square foot second story addition, and select site improvements along the front entry of Earle Brown Elementary School at 1500 59th Avenue North.

City staff met with the Applicant, Brooklyn Center School District, and other project representatives on multiple occasions to discuss anticipated renovations to the existing 139,357-square foot Earle Brown Elementary School, which was reconstructed in 2003 at its current location on approximately 11.6 acres. The proposal includes plans to construct an approximately 1,200-square foot new front entry addition, 23,551-square foot second story addition, and select site improvements along the new front entry for the Subject Property. These requests are part of a larger plan to renovate the existing school's interior as part of a referendum passed in November 2017 that allowed for increases to the District's operating levy and construction funding.

It should be noted that the proposed *interior improvements*, including the reassignment of classroom space to create a dedicated Pre-Kindergarten pod, construction of two new STEAM classrooms, an additional art room, two flexible classrooms, a multi-purpose room, new stairway, storage space, a new secured entry with reception area, and the addressing of deferred maintenance will be reviewed by City staff separately through the City's Building Permit process. The items for review under the scope of this application are limited to the proposed exterior additions and select site improvements.

City staff noted that there is no minimum parking requirement for school uses, and are typically on a case-by-case basis. As the elementary school shares a number of facilities with adjacent Grandview Park, parking was originally approved at 239 parking spaces, to be shared between the school and park. Currently, there are 188 parking spaces located within proximity to the school, as well as a student drop off circle. The Applicant indicated that there are no plans to incorporate additional parking at this time. Although school uses are not an

identified use under the City's Landscape Point System Policy, a landscape plan was approved as part of the 2002 approval. The Applicant should identify whether deficiencies exist and determine whether additional landscaping might be introduced along the western parking lot along 59th Avenue North (Lot #2).

As the application submitted is for site and building plan approval, no public hearing notice was published in the Brooklyn Center *Sun Post,* and no mail notices were sent.

A representative of the Brooklyn Center School District was present at the Planning Commission meeting on September 13, 2018; however, the Planning Commission did not have any outstanding questions of the School District representative following their review of the staff report and presentation. With regard to the introduction of additional landscaping along the western parking lot, Chair Randall Christensen noted that, while he sees the need for parking lot screening, he also wants to ensure sufficient space is reserved for snow removal on the Subject Property.

No public comments were made prior to or during review of the request. Following a review of the application requests, the Planning Commission unanimously (6-0) recommended approval of the site and building plan requests as identified under Planning Commission Application No. 2018-015.

Copies of the Planning Commission Report, dated September 13, 2018, and City Council resolution are attached as reference.

Budget Issues:

There are no budget issues to consider.

Strategic Priorities and Values:

Enhanced Community Image

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2018-015 SUBMITTED BY VON PETERSEN OF TSP, INC. ON BEHALF OF BROOKLYN CENTER SCHOOL DISTRICT, REQUESTING SITE AND BUILDING PLAN APPROVAL (LOCATED AT 1500 59TH AVENUE NORTH)

WHEREAS, Planning Commission Application No. 2018-015 was submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, requesting consideration of Site and Building Plan approval for an approximately 1,200-square foot front entry addition, 23,551-square foot second story addition, and select site improvements along the front entry for the Subject Property located at 1500 59th Avenue North; and

WHEREAS, on September 13, 2018, the Planning Commission received and reviewed a planning report and Assistant City Engineer's memorandum on the proposed Site and Building Plan for the proposed additions and site improvements on the approximately 11.6 acre Subject Property; and

WHEREAS, in light of all testimony received, and utilizing the guidelines and standards for evaluating site and building plans, as contained in Section 35-230 (Plan Approval) of the City's Zoning Ordinance, along with consideration of the goals and objectives of the City's Comprehensive Plan, the Planning Commission considers this Site and Building Plan an appropriate and reasonable improvement to the Subject Property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Center, Minnesota, hereby recommends to the City Council that the Site and Building Plan for the proposed approximately 1,200-square foot front entry addition, 23,551-square foot second story addition, and select site improvements along the front entry to the Subject Property located at 1500 59th Avenue North, and as comprehended under Planning Commission Application No. 2018-015, may be approved based on the following considerations:

A. The Site and Building Plan is compatible with the standards, purposes and intent of the City's Zoning Ordinance in that the proposed additions and improvements would be constructed well outside the minimum building setback requirements, and will allow for the school to expand and enhance its programs, and create and allow for a more efficient teaching environment that is within the capacity allowances for the school;

B. The improvements and utilization of the Subject Property as an elementary school will be continued through additional investment into the continued function and improved efficiency of the elementary school for students and staff with the addition of the Pre-Kindergarten program, new STEAM, art, flexible, and multi-purpose classrooms, and general safety and security, and

is considered a reasonable use of the property and will conform with ordinance standards;

C. The Site and Building Plan proposal is considered consistent with the recommendations of the City's Comprehensive Plan for this area of the City as it is designated for a school use and has functioned at this location since 2003;

D. The Site and Building Plan proposal appears to be a good and continued long range use of the existing site and the proposed improvements to the front entry off 59th Avenue North, construction of a second story addition, site improvements, and anticipated interior renovations to the existing 139,357-square foot building can be considered an asset to the community; and

E. Based upon the above considerations, it is believed that the guidelines for evaluating and approving a Site and Building Plan, as contained in Section 35-230 (Plan Approval) of the City's Zoning Ordinance, are met and the Site and Building Plan proposal is, therefore, in the best interest of the community.

BE IT FURTHER RESOLVED that the City Council of the City of Brooklyn Center, Minnesota, does hereby recommend that Planning Application No. 2018-015, submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, for the property located at 1500 59th Avenue North, be approved subject to the following conditions and considerations:

1. **Building and Site Plan and Review:** The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits, and other fire related building code items shall be reviewed and approved by the Fire Inspector.
    a. Final construction and demolition plans are to be submitted to the City for review and issuance of a demolition and Building Permit.
    b. A pre-construction conference shall be held with City staff and other entities designated by the City prior to issuance of a Building Permit/Land Disturbance (Alteration) Permit.

2. **Agreements:**
    a. The Developer shall execute a separate Performance Agreement with supporting financial guarantee approved by the City, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications and standards comprehended under this Site Plan.

b. A Construction Management Plan and Agreement and associated escrow deposit is required prior to Building Permit release.

c. The Developer shall submit an as-built survey of the property, improvements, and any utility service lines prior to release of the Performance Agreement financial guarantee.

3. **Engineering Review:** The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's memorandum, dated August 24, 2018.

a. Final grading, drainage, utility and erosion control plans and any other site engineering related issues are subject to review and approval by the City Engineer prior to the issuance of permits.

4. **Construction Standards:**

a. Appropriate erosion and sediment control devices shall be provided on site during construction as approved by the City's Public Works Department.

b. All work performed and materials used for construction of any utilities shall conform to the City of Brooklyn Center Standard Specifications and Details. A Construction Management Plan and Agreement shall be required prior to issuance of a Building or Land Alteration Permit.

5. **Landscaping:** All landscaped areas, shall include approved irrigation systems to facilitate site maintenance.

a. The Applicant shall review the Landscape Plan approved under Planning Commission Application No. 2002-010 and determine whether deficiencies exist.

b. The Applicant shall identify areas to introduce screening landscaping along the parking lot located west of the school and along 59th Avenue North. Landscape Plans shall be submitted as part of any Building Permit approval.

c. The contractor shall submit irrigation shop drawings for review and approval prior to installation of any new landscaping.

6. **Signage:** Signage for the Subject Property is subject to the Public Use allowances as identified within Chapter 34 (*Sign Ordinance*). Any requests for wall or freestanding signage will require the Applicant to submit a Sign Permit application to the City for review and approval.

RESOLUTION NO.

September 24, 2018
Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Planning Commission Report

Meeting Date: September 13, 2018

- Application Filed: 08/14/2018
- Review Period (60-day) Deadline: 10/13/2018
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Application No. 2018-015
Applicant: Von Petersen of TSP, Inc. (on behalf of Brooklyn Center Schools)
Location: 1500 59th Avenue North
Request: Site and Building Plan Approval

INTRODUCTION

Von Petersen of TSP, Inc. ("the Applicant"), on behalf of Brooklyn Center Schools, is requesting the review and consideration of a building and site plan submittal that would result in the construction of a new, secured front entry addition, a second story addition to the easternmost building wing, and select renovations to the existing 139, 357-square foot school building and grounds (refer to Exhibit A).

This application is associated with previous requests by the Brooklyn Center School District to increase the District's operating levy and construction funding for Earle Brown Elementary School and Brooklyn Center Middle and High School. The requested improvements to the Brooklyn Center Middle and High School were approved by City Council at their meeting on July 23, 2018. The levy and construction funding requests were approved through a referendum that was passed on November 7, 2017.

COMPREHENSIVE PLAN AND ZONING STANDARDS

Land Use Plan: S-Schools

Neighborhood: Grandview

Current Zoning: R1 (One Family Residence) District

Surrounding Zoning:
North: Highway 100 | C2 (Commerce) District – Across Highway
East: R1 (One Family Residence) District – Grandview Park
South: R1 (One Family Residence) District – Residential, Churches, and an Apartment Complex
West: Highway 100 | C2 (Commerce) District – Across Highway

Site Area: Approximately 11.6 Acres

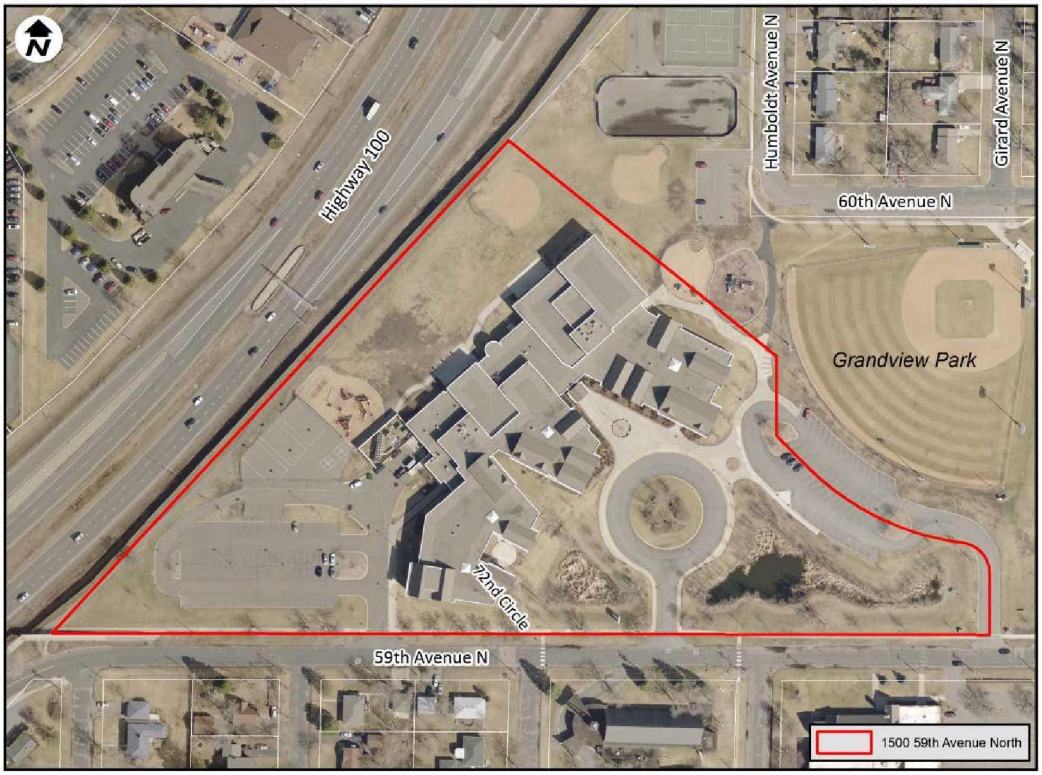
BACKGROUND

The Subject Property, located at 1500 59th Avenue North, was constructed in 2003 following approval of Planning Commission Application No. 2002-010 in August 2002 (Exhibit B). This approval allowed requests for the elementary schools' site and building plan and a special use permit to operate a public elementary school in an R1-zoned district. The Brooklyn Center School District had initially approached the City with a proposal to add a temporary classroom to the original Earle Brown Elementary School

due to enrollment and overcrowding issues. Although temporary classrooms were ultimately approved as an interim use, the City and School District ultimately worked through a more permanent solution to address the school's facility issues and a referendum was passed for the construction of a new elementary school. As part of this collaboration, the City and School District also worked through the identification of an adequate school site, and determined that an exchanging of locations would work best. Today, Earle Brown Elementary School is located on what was once a former baseball field (Cohen Field), sledding hill, and park shelter. As part of the project, the City and School District entered into an agreement for the joint use of the two aforementioned properties, and for School District 286 to enter into a maintenance and utility agreement to cover shared facilities, of which were identified as:

- Storm Water Detention Ponds
- Ballfields and Play Areas
- Sidewalk, Driveway, and Boulevard Areas
- Parking Lots
- Playground Equipment
- Lighting
- Irrigation

Map 1. Existing Subject Property (1500 59th Avenue North).



BUILDING AND SITE PLAN APPROVAL

A substantial portion of the improvements to take place at Earle Brown Elementary School ("the Subject Property") are anticipated to occur within the interior of the building and will require the Applicant to submit full construction plans to the City for review and issuance of a Building Permit. The interior renovations include the addition of instructional space in the proposed second story wing, which would allow the school to re-assign existing rooms in order to create a dedicated Pre-K (Kindergarten) program and incorporate new STEAM, art, flexible and multi-purpose room space. A new stairway would be

introduced, along with storage and mechanical space.

As was the case in the approval of the requests for the Brooklyn Center Middle and High School, many of the anticipated improvements are to address security measures that would allow for a higher level of pedestrian control within the hallways, including the installation of a security vestibule and main reception area in the proposed front entry addition.

The memorandum provided by the Applicant notes that the original building was not designed for the Pre-Kindergarten program Earle Brown Elementary School now offers. The additional students, staffing, and resources has resulted in overcrowding in the school, staffing inefficiencies, and put a strain on the instructional space available.

Although the proposed interior improvements are discussed within this Planning Commission application, the focus of review for building and site plan approval relates to the proposed *exterior alterations*, including the 1,200-square foot new front entry addition, 23,551-square foot second story addition, and select site improvements.

The 2002 approval of the school building noted the use of concrete masonry unit (CMU) insulated walls with a brick veneer and the installation of energy efficient insulated glass with aluminum cased windows and doors. The Applicant intends to utilize a cement stucco wall system and aluminum window and door casings to match the existing school building.

Image 1. Existing Earle Brown Elementary School Campus.



Image 2. Location of New Front Entry Addition.

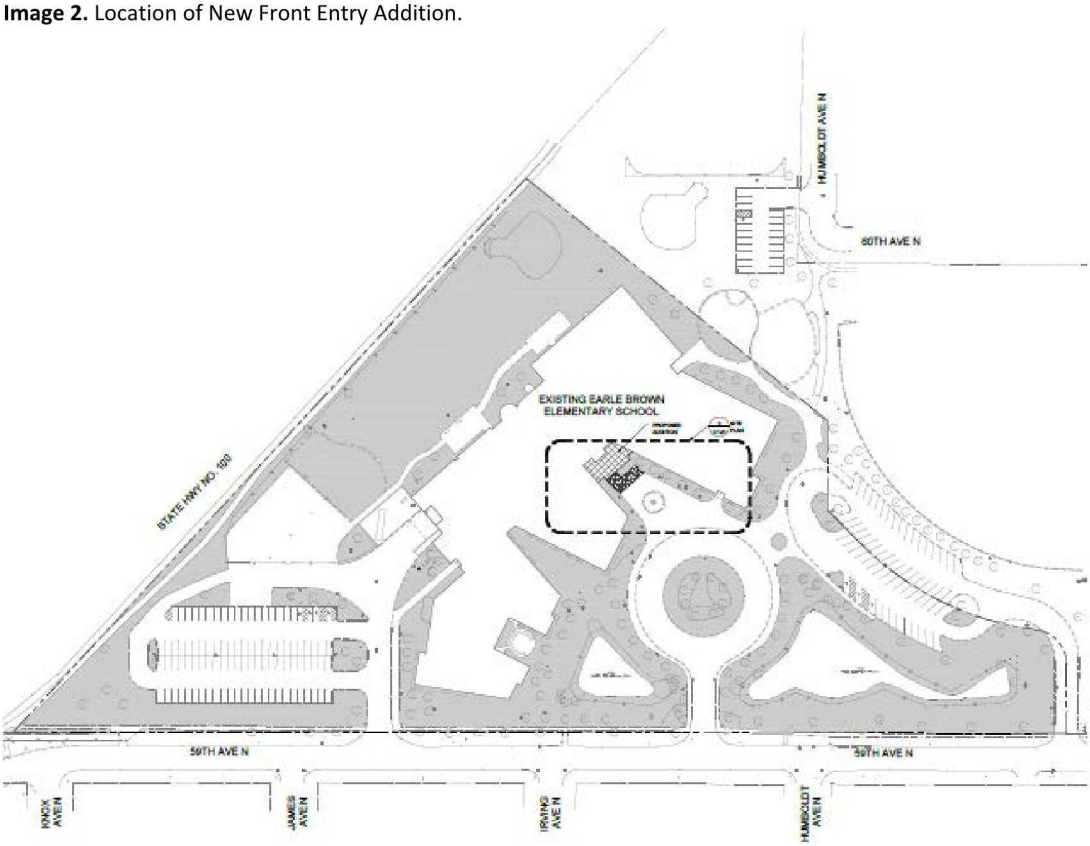
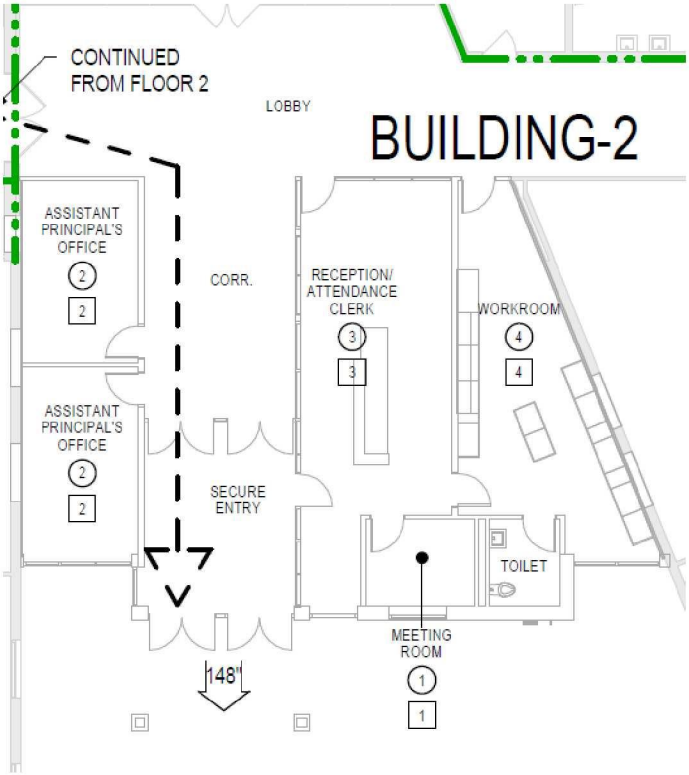


Image 3. Architectural Rendering of New Front Entry Addition.

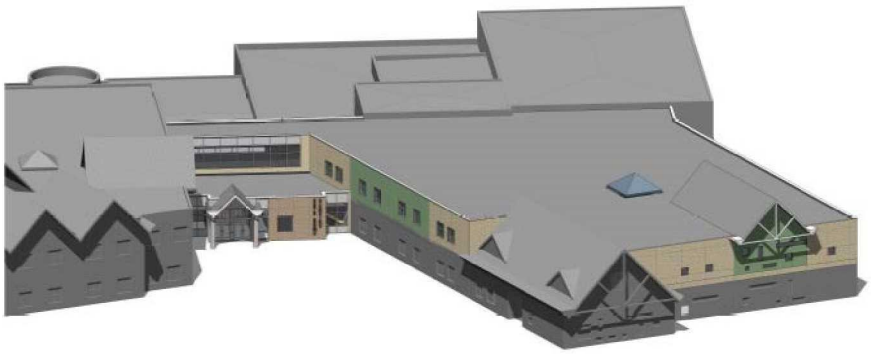


Image 4. Interior Layout of New Front Entry Addition.



As noted in Image 2 and 3 above, the proposed 1,200-square foot front entry addition would bump out from the existing front entry. The existing shrubs and trees located along the front of the existing entry would be salvaged and reinstalled, as well as the bench, and the existing electrical conduit would be relocated. The new addition and entry would feature a security vestibule and the Administration area would be improved with the relocation of the reception area to the new, secured front entry addition. The new front entry addition would also contain the Assistant Principals' offices, a work room, meeting room, bathroom, and corridor leading to the main lobby.

Image 5. Architectural Rendering of Second Story Addition (Eastern Wing).

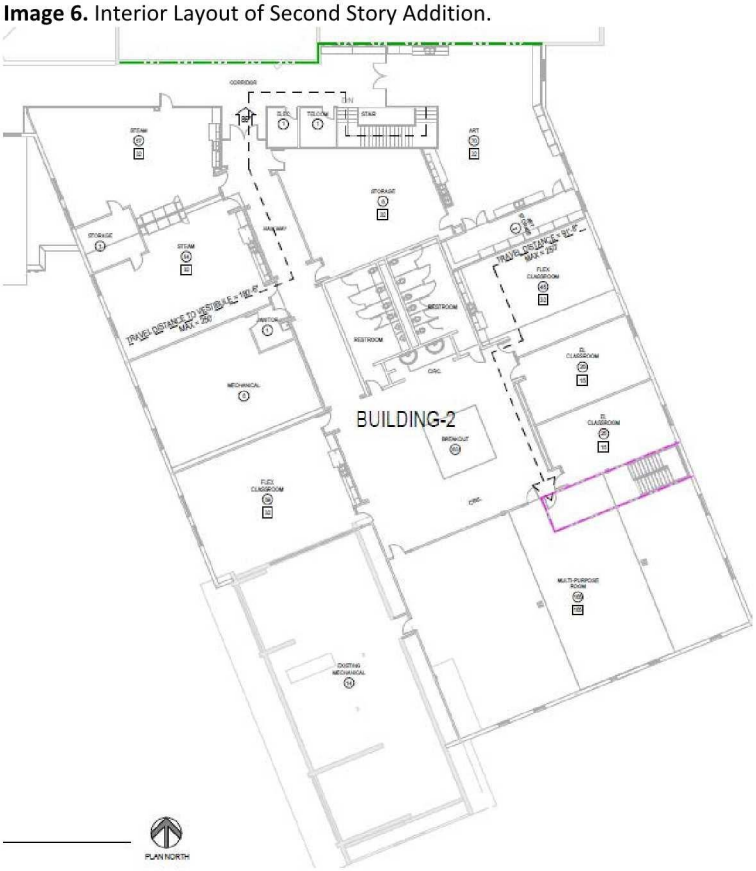


The construction of the proposed approximately 23,551-square foot second story addition will allow for more instructional space and will allow the school to re-assign existing rooms in order to create a dedicated Pre-K pod as well as align other grade levels appropriately. As mentioned previously, the new addition would provide space for two (2) new STEAM classrooms, an additional art room, two (2) flexible

classrooms, and a multi-purpose room. A new stairway and mechanical and storage space would also be allocated as part of the addition. As was the case with the Brooklyn Center Middle and High School, deferred maintenance items would also be incorporated into the project. Please refer to Image 6 below for the interior layout of the new second story addition.

It should be noted that the Applicant will not be reinstalling the existing gabled roofs as part of the second story addition. As shown in Image 5 above, the interior portion to the second story addition will utilize a flat roof, while the end caps to the addition will maintain the gabled roof look.

Image 6. Interior Layout of Second Story Addition.



Access and Parking

The Subject Property is currently served by four access points off 59th Avenue North and an access off Humboldt Avenue North and 60th Avenue North. Per a review of the proposed parking under Planning Commission Application No. 2002-010, the following parking was originally identified for the school/park use:

Parking Location		# Parking Stalls / Access Type
1.	Access off Humboldt Avenue (60th Ave N)	20
2.	First Access on 59th Ave N (westernmost)	99
3.	Second Access on 59th Ave N	Student Drop Off Circle/Main Entrance
4.	Third Access on 59th Ave N (easternmost)	89
5.	South Side of 60th Ave N	31
	Total Parking:	**239** (Actual Parking Spaces)

Map 2. Shared Parking Locations for Earle Brown Elementary School and Grandview Park.



In addition to the aforementioned parking locations, there is also a loading dock and turnaround area located along the western portion of the school. There are no plans to alter the existing parking or drop off areas as part of the site and building plan review request, other than the proposed concrete work along the front of the building. Although there are no specific ordinance parking requirements or parking formulas for school or park uses, the Applicant and City should assess whether the existing shared parking is adequate for their respective uses.

Lighting

No additional lighting is proposed as part of the project other than at the new front entry. The Applicant furnished a photometric plan that addresses the new front entrance and the installation of recessed horizontal mount type lighting. As is specified, no glare shall emanate from or be visible beyond the boundaries of the illuminated premises.

Should any other lighting, including the 25-foot high parking lot light poles, or 70-foot high ball field lights be replaced, any new lighting would need to meet the requirements of Section 35-712 (*Lighting*) of the City Zoning Code by not exceeding three (3) foot candles measured at property lines abutting residentially zoned property, or 10 foot candles when abutting street right-of-way or non-residentially zoned properties.

Landscaping

The Applicant did not submit a Landscape Plan as part of the proposal. As mentioned previously, minimal site work is to take place, and although select trees and shrubs are to be removed to allow for work to be completed on the new front entry addition, the Applicant intends to replant the trees and shrubs once construction is complete.

As "schools" are not specifically outlined as a use under the Landscape Point System Policy, staff reviewed the submitted plans to determine whether adequate screening would be provided for the parking areas. Per Section 35-711 (*Parking Lot Screening*), "such off-street parking and loading areas within any yards which abut along a street which is residentially zoned on the side opposite shall be screened from street view by a screening device as approved by the City Council."

City staff reviewed the parking areas to determine whether adequate screening was provided at the parking lots. Per a review of the Subject Property, there are opportunities to introduce landscaping for screening purposes along the westernmost parking lot off 59th Avenue North (identified as Lot #2 on Map 2 above). As part of the original approval of the school in 2002, a Landscape Plan was submitted that identified landscaping for the new school and park, and the tree types and locations were explained in detail in the staff report submitted under Planning Commission Application No. 2002-010, including the installation of boulevard trees along the green strip running along 59th Avenue North. The Applicant should review the originally approved Landscape Plan and identify any areas of deficiency. Any new areas of landscaping should be irrigated per City Code.

ASSISTANT CITY ENGINEER REVIEW

Assistant City Engineer Andrew Hogg conducted a review of the application submittal and documents. Comments regarding this application can be found in the memorandum to City staff and dated August 24, 2018, attached hereto (Exhibit C). It should be noted that some of the outlined conditions may be applicable at time of approval for future land disturbance or Building Permits.

As the total disturbed area is less than 0.5 acres, no project review is required for the West Mississippi Watershed Commission and an NPDES permit is not required. The Applicant should review the attached memorandum to identify what anticipated permitting and submittal requirements will be necessary in order to work through the City Building Permit review process.

FIRE INSPECTOR REVIEW

The Applicant shall work to ensure all 2015 Minnesota Fire Code requirements have been met as part of any building and site plan approval, including installation of a new Knox box on the front entrance if necessary, fire egress requirements, etc.

SIGNAGE

No formal requests for approval were made as part of the application submittal, although a wall sign is indicated on the new front entry addition. Any new signage, including wall and monument signs, would require conformance with Chapter 34 of the City Code (*Sign Ordinance*), and specifically for Public Uses. Under the Sign Code, Public Uses are permitted one wall sign (not to exceed 36 square feet) and one wall sign immediately above or beside each public entrance to that part of the building that is used as a school and meets the requirements of the Minnesota Department of Education. These sign areas shall not exceed 10 square feet. The Applicant will need to file a separate Building Permit application for any proposed signage.

Based on staff findings, staff recommends Planning Commission recommend approval of the site and building plans for the proposed 1,200-square foot front entry addition, 23,551-square foot second story addition and select site improvements along the proposed new front entrance area for the property located at 1500 59th Avenue North; subject to the Applicant complying with the comments outlined in the Approval Conditions noted below.

APPROVAL CONDITIONS

Staff recommends the following conditions be attached to any positive recommendation on the approval of Planning Commission Application No. 2018-015 for the Subject Property located at 1500 59th Avenue North:

1. **Building and Site Plan and Review:** The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits, and other fire related building code items shall be reviewed and approved by the Fire Inspector.
    a. Final construction and demolition plans are to be submitted to the City for review and issuance of a demolition and Building Permit.
    b. A pre-construction conference shall be held with City staff and other entities designated by the City prior to issuance of a Building Permit/Land Disturbance (Alteration) Permit.

2. **Agreements:**
    a. The Developer shall execute a separate Performance Agreement with supporting financial guarantee approved by the City, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications and standards comprehended under this Site Plan.
    b. A Construction Management Plan and Agreement and associated escrow deposit is required prior to Building Permit release.
    c. The Developer shall submit an as-built survey of the property, improvements, and any utility service lines prior to release of the Performance Agreement financial guarantee.

3. **Engineering Review:** The Applicant agrees to comply with all conditions or provisions noted in the City Engineer's Review memo, dated August 24, 2018 (Exhibit C).
    a. Final grading, drainage, utility and erosion control plans and any other site engineering related issues are subject to review and approval by the City Engineer prior to the issuance of permits.

4. **Construction Standards:**
    a. Appropriate erosion and sediment control devices shall be provided on site during construction as approved by the City's Public Works Department.
    b. All work performed and materials used for construction of any utilities shall conform to the City of Brooklyn Center Standard Specifications and Details. A Construction Management Plan and Agreement shall be required prior to issuance of a Building or Land Alteration Permit.

5. **Landscaping:** All landscaped areas, including street boulevards, shall include approved irrigation systems to facilitate site maintenance.
    a. The Applicant shall review the Landscape Plan approved under Planning Commission Application No. 2002-010 and determine whether deficiencies exist.

b. The Applicant shall identify areas to introduce screening landscaping along the parking lot located west of the school and along 59th Avenue North. Landscape Plans shall be submitted as part of any Building Permit approval.

c. The contractor shall submit irrigation shop drawings for review and approval prior to installation of any new landscaping.

6. **Signage:** Signage for the Subject Property is subject to the Public Use allowances as identified within Chapter 34 (*Sign Ordinance*). Any requests for wall or freestanding signage will require the Applicant to submit a Sign Permit application to the City for review and approval.

RECOMMENDATION

Based on the above-noted findings, staff recommends the Planning Commission recommends:

The Planning Commission recommends approval to the City Council of the as proposed site and building plan approval for the proposed 1,200-square foot new front entry addition, 23,551-square foot second story addition, and select site improvements along the proposed new front entrance area for the property located at 1500 59th Avenue North, subject to the Applicant/Property Owner complying with the conditions outlined in the Approval Conditions of this Staff Report.

Should the Planning Commission accept these recommendations, the Commission may elect to adopt the draft resolution, to be provided at the Planning Commission meeting.

Attachments

Exhibit A- Select Plans for Earle Brown Elementary School, dated August 14, 2018.
Exhibit B- Select Planning Commission Application No. 2002-010 Materials, Earle Brown Elementary School Site and Building Plan and Special Use Permit, City Council Agenda Item No. 8a, dated July 25, 2002.
Exhibit C- Memorandum, prepared by Assistant City Engineer Andrew Hogg, dated August 24, 2018.

Exhibit A

SITE PLAN REVIEW SUBMITTAL

TSP

430 – 2nd Street.
Excelsior, MN 55331

(952) 474-3291
www.teamtsp.com

PROJECT: Brooklyn Center Schools – Earle Brown Elementary School

DATE: August 14, 2018

RE: Site Plan Review Submittal

PROJECT DESIGN NARRATIVE:

This project consists of a new secured entry addition at approximately 1,200 square feet, a 23,551 square foot second story addition to the eastern most building wing and renovations to various portions of the existing 139,357 square foot building.

The intent of the new addition exterior design is to replicate the color, texture and material of the existing building. The design will consist of a composition of stucco, metal wall panels, aluminum framed storefront and window/door framing. The addition will not replicate any of the existing gabled roof forms.

One of the project objectives is to create a more secure public entry. The security aspect is addressed by utilizing a security vestibule arrangement and locating the main reception area in the new addition. Once a building visitor enters through the outer vestibule doors, they would interact with school staff to gain further entry into the building, or have proper credentials that allow them through the security control point.

The original building was not designed for the Pre-Kindergarten program that the school now offers. This has caused Earle Brown to become over capacity and has put strain on square footage needed for instructional space. Currently the school is not able to have all of the Pre-K students in the same location which causes operational and staffing inefficiencies, as well as they are instructing students in any available spaces which are not always the most adequate for the material being taught. The second story addition will allow for more instructional space and will allow the school to re-assign existing rooms in order to create a dedicated Pre-K pod as well as align other grade levels appropriately. The second story addition will provide (2) new STEAM classrooms, (1) additional Art Room, (2) Flexible Classrooms and a Multi-Purpose room along with an additional main stair and other storage and mechanical spaces.

Some building interior reconfigurations are occurring with this project. The family resource area is being updated in order to better support students, family and community, Special Education will be reconfigured to better create spaces that can adapt to student needs, and the Administration area will see some improvements due to the relocation of the reception to the new secured entry addition.

Deferred maintenance items are being incorporated into the project, responding to the referendum descriptions.

CITY OF BROOKLYN CENTER ARCHITECTURAL DESIGN GUIDELINES:

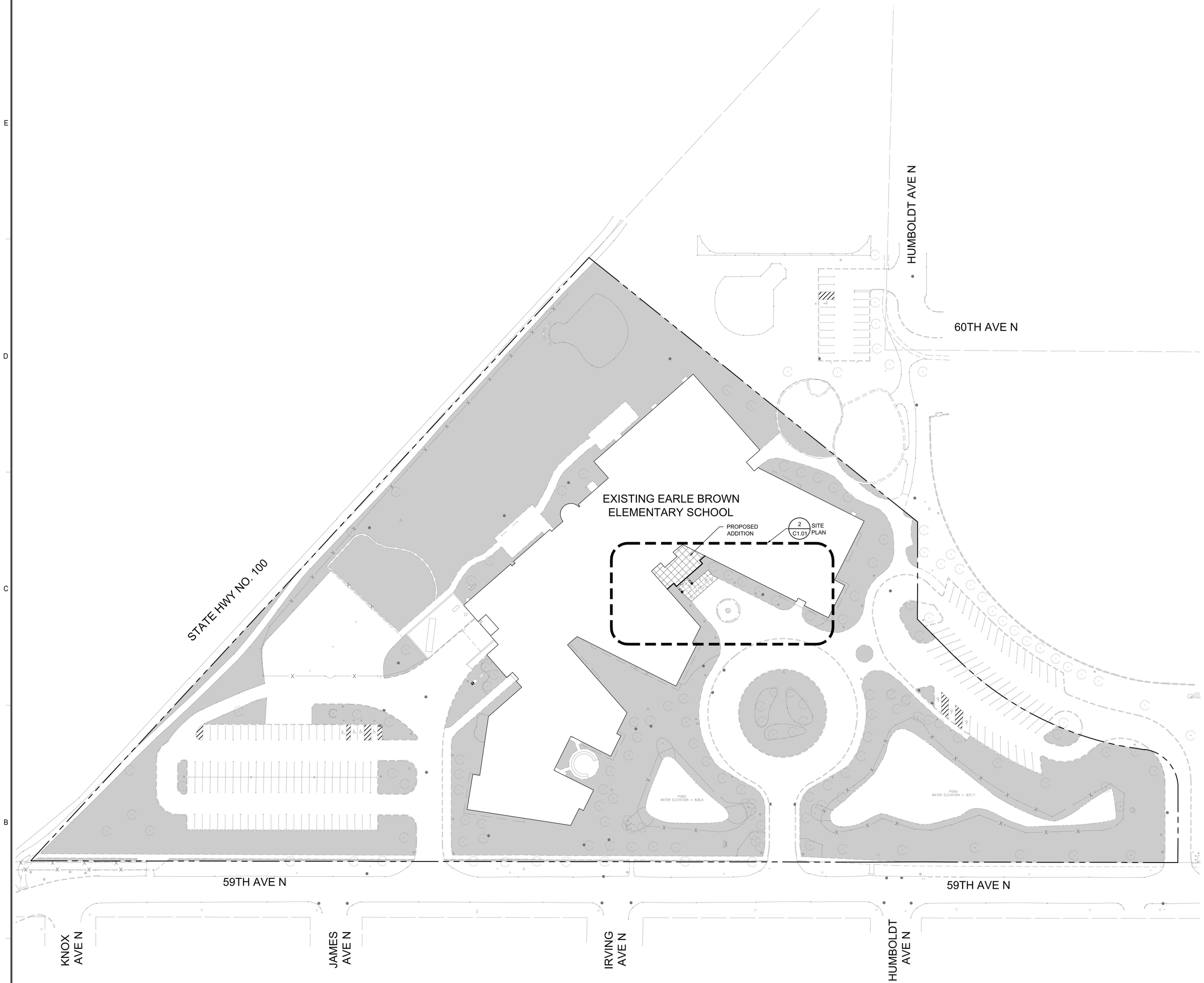
The project will comply with the City of Brooklyn Center Architectural Design Guidelines: Building Materials, Building Mass, Façade Design, Doors and Windows.

BUILDING CODE SUMMARY

See sheets G-101 and G-102 in the drawing set for a complete Building Code Summary

ARCHITECTURAL SPECIFICATIONS TABLE OF CONTENTS:

See attached Table of Contents from the Project Specifications.



LEGEND

PERVIOUS AREA

BUILDING ADDITION

PROJECT AREA SUMMARY

SITE 505,366 SF. (11.60 AC.)

	EXISTING	PROPOSED
BUILDING	100,759 SF.	100,759 SF.
ADDITION	-	1,567 SF.
WALK/DRIVE	152,570 SF.	151,835 SF.
POND	19,276 SF.	19,276 SF.
TOTAL IMPERVIOUS	272,605 SF.	273,437 SF.
PERVIOUS	232,761 SF.	231,929 SF.

2 OVERALL SITE PLAN
1" = 50'

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MINNEAPOLIS, MN 55401
p 612.260.7980
f 612.260.7990
www.elanlab.com

I hereby certify that this plan 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.

NOT FOR CONSTRUCTION

Marcelle J. Wa..., PE, LEED AP
REGISTRATION NO. 42323
DATE 07/13/2018

PROJECT TITLE

BROOKLYN CENTER COMMUNITY SCHOOLS
unifying communities
maximizing learning

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE 07/13/2018	DRAWN BY LTH
PROJECT # 05161256.1	CHECKED BY MJW

SHEET TITLE

OVERALL SITE PLAN

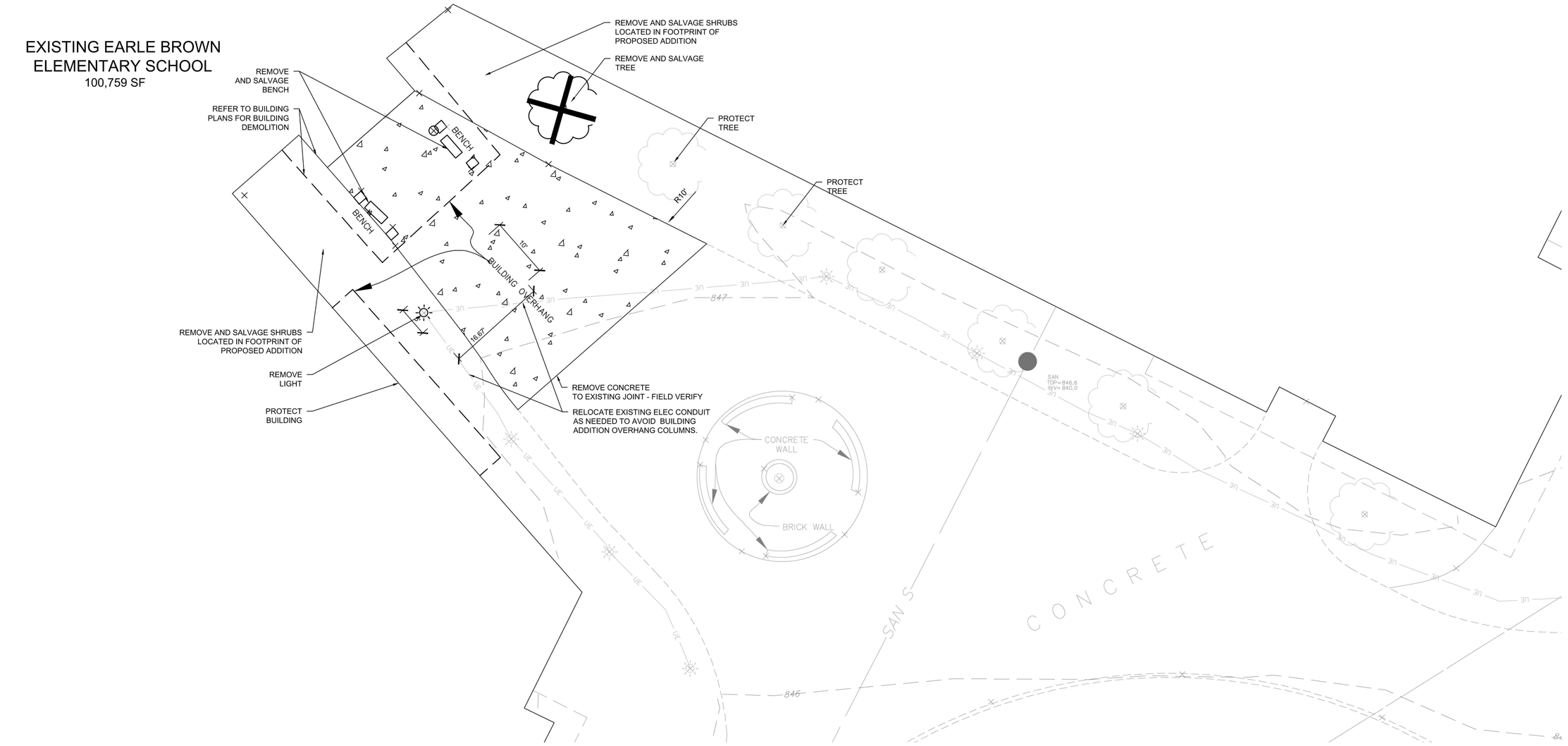
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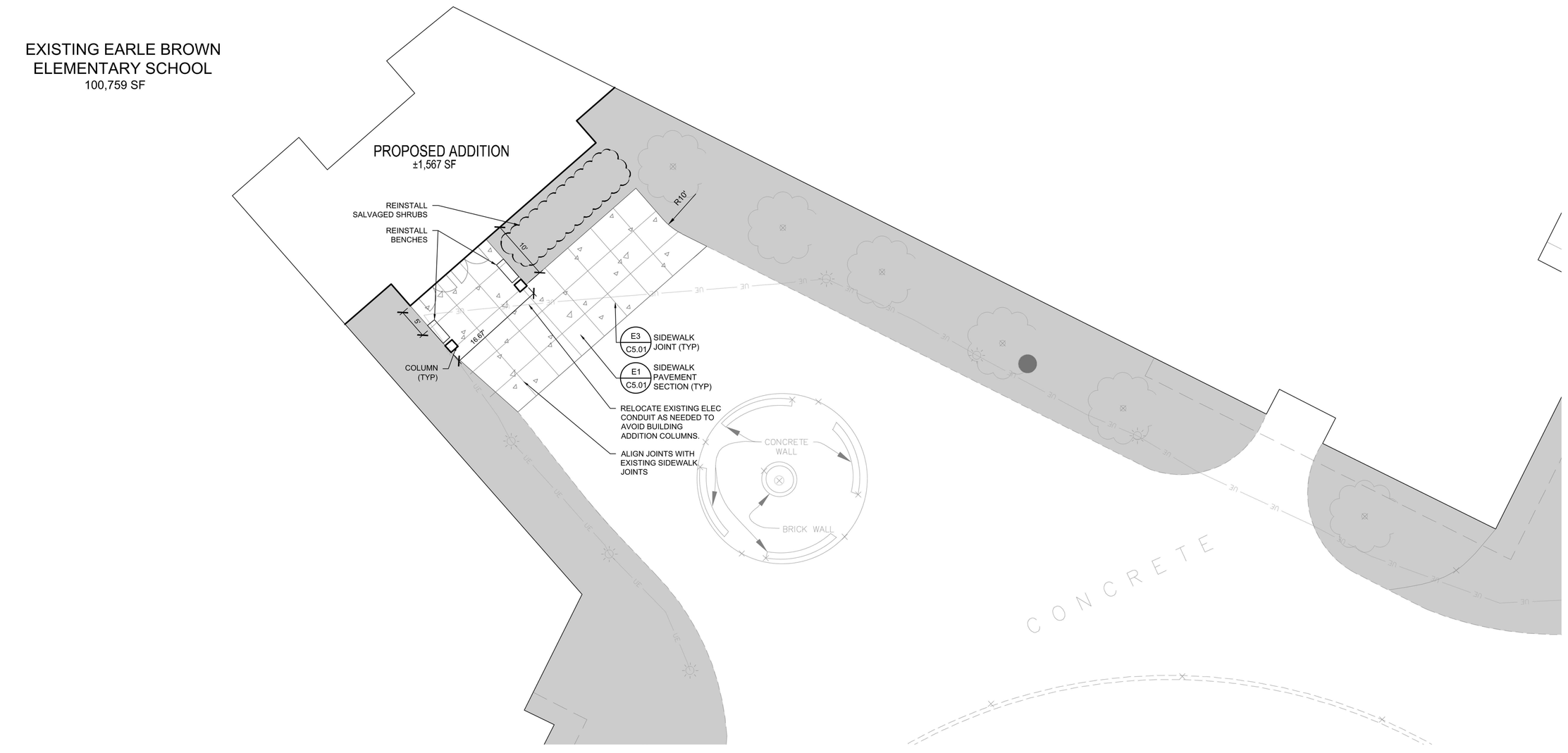
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7/12/2018 11:00:59 AM



1 DEMOLITION PLAN
1" = 10'



2 SITE PLAN
1" = 10'

DEMOLITION PLAN LEGEND

REMOVE CONCRETE

DEMOLITION PLAN NOTES

1. BACKGROUND INFORMATION AND TOPOGRAPHIC SURVEY TAKEN FROM SURVEY DATED MAY 25, 2018 BY SUNDE LAND SURVEYING, BLOOMINGTON, MINNESOTA, EXPRESSLY FOR THIS PROJECT. ELAN DESIGN LAB CANNOT GUARANTY THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. VERIFY ALL FIELD CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES OR UNKNOWN UTILITIES ARE FOUND THAT IMPACT DESIGN OR IMPAIR CONSTRUCTION, THE ENGINEER AND OWNER SHOULD BE IMMEDIATELY NOTIFIED.
2. CONTRACTOR SHALL BRING ANY CHANGED OR UNFORESEEN CONDITIONS THAT COULD RESULT IN ADDITIONAL COST TO THE ATTENTION OF THE OWNER AND ENGINEER AS SOON AS THEY ARE DISCOVERED SO THAT THEY CAN BE PROPERLY DOCUMENTED. FAILURE TO NOTIFY OR COVERING UN-WITNESSED WORK SHALL RESULT IN REJECTION OF CLAIMS FOR ADDITIONAL COMPENSATION.
3. PROTECT ALL STRUCTURES AND LANDSCAPE NOT LABELED FOR DEMOLITION FROM DAMAGE DURING CONSTRUCTION. ANY ON-SITE OR OFF-SITE AREAS DISTURBED DIRECTLY OR INDIRECTLY DUE TO CONSTRUCTION SHALL BE RETURNED TO A CONDITION EQUAL TO OR BETTER THAN THE EXISTING CONDITION. CONTRACTOR IS SOLELY RESPONSIBLE FOR ANY CIVIL PENALTIES RESULTING FROM THEIR WORK UNDER THIS CONTRACT.
4. NO DEMOLITION MATERIALS SHALL BE DISPOSED OF ON-SITE. ALL DEBRIS SHALL BE HAULED OFF-SITE TO A DISPOSAL AREA APPROVED BY APPROPRIATE GOVERNMENTAL AUTHORITIES FOR THE HANDLING OF DEMOLITION DEBRIS. WORK SITE SHALL BE LEFT IN A CONDITION THAT MINIMIZES EROSION POTENTIAL ON A NIGHTLY BASE.
5. LIMIT CONSTRUCTION ACTIVITIES TO THE REMOVAL LIMITS SHOWN ON THE PLAN. ALL CONSTRUCTION ACTIVITIES SHALL COMPLY WITH LOCAL ORDINANCES.
6. CONSTRUCTION ENTRANCE SHALL BE IN PLACE AS SOON AS DEMOLITION OPERATIONS ALLOW. SEE SHEET C2.01 FOR EROSION CONTROL MEASURES AND APPROPRIATE STAGING.
7. PROVIDE NECESSARY BARRICADES, SUFFICIENT LIGHTS, SIGNS AND OTHER PEDESTRIAN AND TRAFFIC CONTROL METHODS AS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC AND MAINTAIN THROUGHOUT THE LIFE OF THE PROJECT.
8. REFER TO BUILDING DEMOLITION PLANS FOR DEMOLITION OF EXTERIOR BUILDING COMPONENTS.

SITE PLAN LEGEND

CONCRETE PAVEMENT

PERVIOUS AREA

SITE PLAN NOTES

1. DIMENSIONS SHOWN ON THIS PLAN ARE TO FACE OF CURB AND EXTERIOR FACE OF BUILDING UNLESS NOTED OTHERWISE.
2. MEET AND MATCH EXISTING CONDITIONS. PROVIDE TRANSITION AS NECESSARY.

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NOT FOR CONSTRUCTION

Marcelle J. Wilson, PE LEED AP — DATE
REGISTRATION NO. 42323 — 07/13/2018

PROJECT TITLE

BROOKLYN CENTER community schools
uniting communities | maximizing potential

BROOKLYN CENTER ISD #286 EARLE BROWN ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE: 07/13/2018	DRAWN BY: LTH
PROJECT #: 05161256.1	CHECKED BY: MJW

SHEET TITLE

DEMOLITION & SITE PLAN

SHEET NUMBER

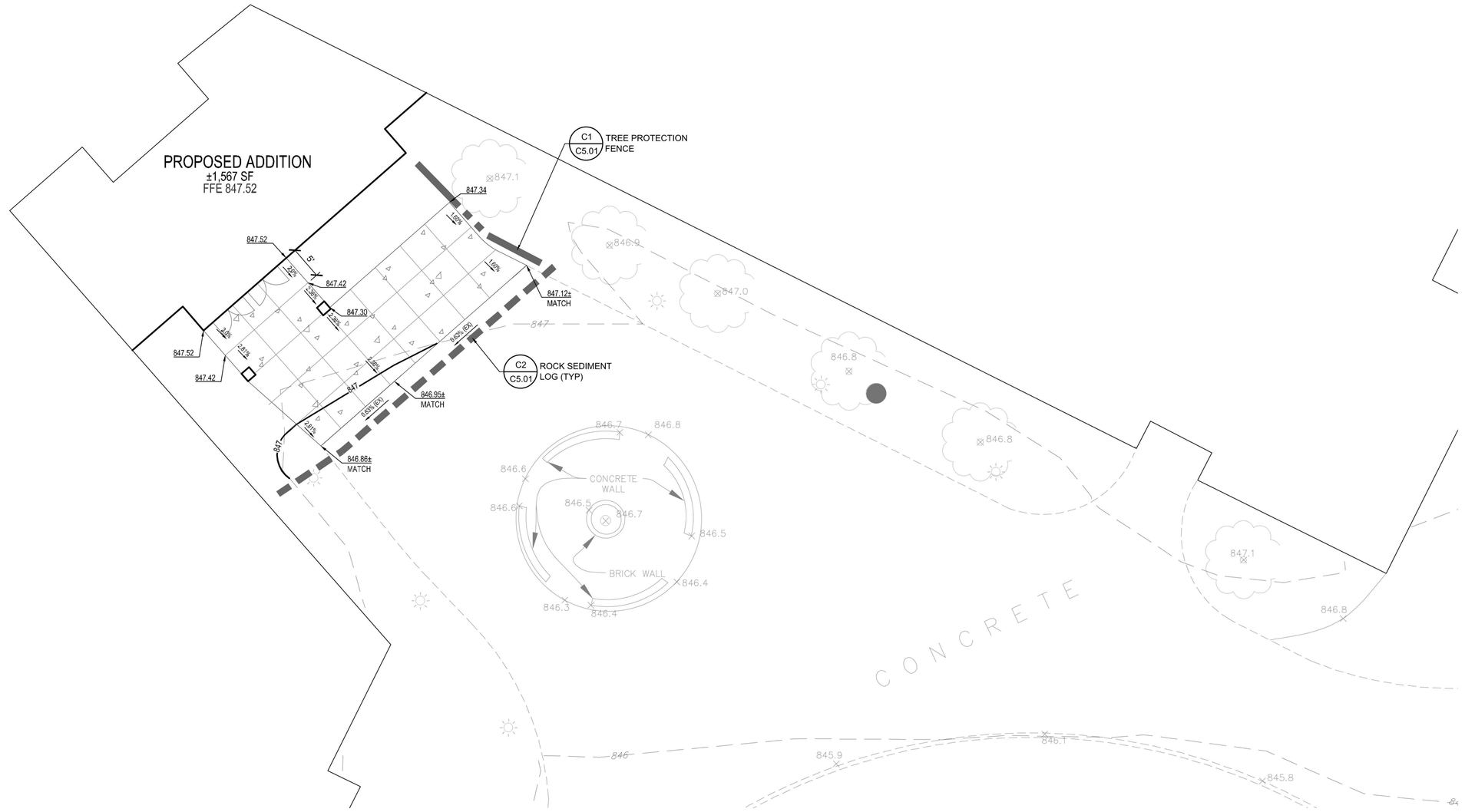
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EXISTING EARLE BROWN
ELEMENTARY SCHOOL
100,759 SF
FFE 847.52



1 GRADING & EROSION CONTROL PLAN
1" = 10'

EROSION CONTROL LEGEND

TREE PROTECTION FENCE

ROCK SEDIMENT LOG

GRADING & EROSION CONTROL NOTES

1. VERIFY ALL FIELD CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES OR UNKNOWN UTILITIES ARE FOUND THAT IMPACT DESIGN OR IMPAIR CONSTRUCTION, THE ENGINEER AND OWNER SHOULD BE IMMEDIATELY NOTIFIED.
2. RELOCATE BENCHMARKS AS NECESSARY WITH NEW BENCHMARK LOCATIONS WITHIN A TOLERANCE OF 0.010 VERTICAL FEET.
3. THE PROPOSED GRADES SHOWN ON THE GRADING PLAN ARE FINISHED GRADES. SPOT ELEVATIONS ALONG CURB LINES REPRESENT THE FLOWLINE UNLESS OTHERWISE NOTED.
4. GRADING ACTIVITY WHICH BLOCKS TRAFFIC OF ANY STREET, ALLEY, OR DRIVE IS SUBJECT TO APPROVAL BY THE CITY OF BROOKLYN CENTER.
5. CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY THE ARCHITECT IF CONTAMINANTS ARE FOUND IN THE EXISTING SOILS.
6. ALONG ACCESSIBLE ROUTES, CROSS-SLOPES SHALL NOT EXCEED 2.0% AND LONGITUDINAL SLOPES SHALL NOT EXCEED 5%.
7. CONTRACTOR SHALL SEED, FERTILIZE AND MULCH ALL DISTURBED AREAS FOLLOWING FINAL GRADING ACTIVITIES.
8. ALL GRADES WITHIN THE LANDSCAPED AREA SHALL NOT EXCEED 3 HORIZONTAL TO 1 VERTICAL AND HAVE A MINIMUM GRADE OF 2%.
9. ALL PAVEMENT GRADES SHALL BE AS FOLLOWS UNLESS OTHERWISE NOTED: CONCRETE PAVEMENT - 0.5% MINIMUM, 5% MAXIMUM
10. FOLLOW ALL LOCAL, COUNTY, WATERSHED, AND STATE REQUIREMENTS COVERING STORMWATER COMPLIANCE.
11. THE CONTRACTOR SHALL LIMIT THEIR ACTIVITIES TO THE GRADING LIMITS SHOWN ON THE GRADING PLAN. ALL CONSTRUCTION ACTIVITIES SHALL COMPLY WITH LOCAL ORDINANCE. THE CONTRACTOR SHALL SCHEDULE THEIR OPERATIONS TO MINIMIZE THE DISTURBED AREA AT ANY GIVEN TIME.

NPDES AREA SUMMARY

	EXISTING	PROPOSED
IMPERVIOUS		
BUILDING	0 SF (0.00 AC)	1,567 SF (0.04 AC)
PAVEMENT	1,505 SF (0.04 AC)	770 SF (0.02 AC)
TOTAL IMPV	1,505 SF (0.04 AC)	2,337 SF (0.06 AC)
PERVIOUS	1,813 SF (0.04 AC)	981 SF (0.02 AC)
TOTAL*	3,318 SF (0.08 AC)	3,318 SF (0.08 AC)

*TABLE REPRESENTS DISTURBED AREA ONLY

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I hereby certify that this plan 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.

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Marcelle J. Wilson, PE, LEED AP — DATE
REGISTRATION NO. 42323 — 07/13/2018

PROJECT TITLE

BROOKLYN CENTER community schools
unifying communities · maximizing potential

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE: 07/13/2018	DRAWN BY: LTH
PROJECT #: 05161256.1	CHECKED BY: MJW

SHEET TITLE

GRADING & EROSION CONTROL PLAN

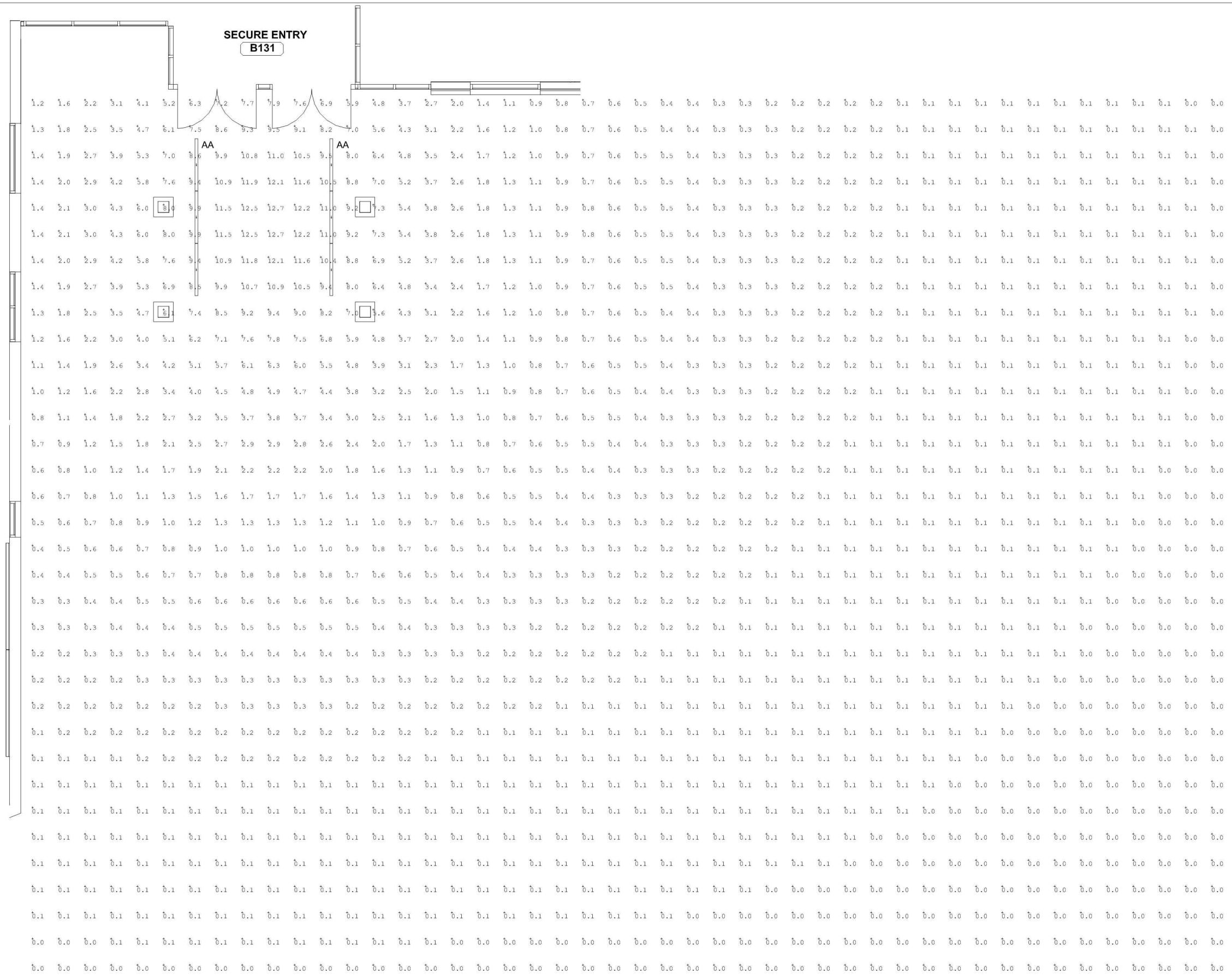
SHEET NUMBER

C2.01

DESIGN DEVELOPMENT SUBMITTAL

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7/12/2018 11:00:59 AM



DRAWING SCALE: 1/8"=1'-0"

TSP, Inc.
430 2nd Street
Excelsior, MN 55331

phone: (952) 474-3291
www.teamtsp.com

PROFESSIONAL ENGINEER

I 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.

Print Name: Darrell L. Bren

Signature: Darrell L. Bren

Date: **8/13/2018** License # 40748

BROOKLYN CENTER ISD #286 EARLE BROWN ADDITION & REMODEL

BROOKLYN CENTER, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE	DRAWN BY
08/14/2018	**JRB**
PROJECT #	CHECKED BY
05161256.1	**DLB**

SHEET NAME

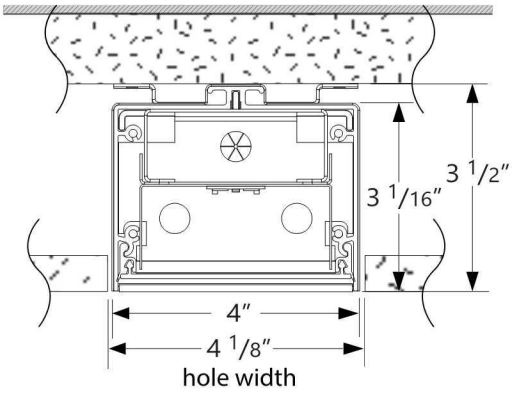
PHOTOMETRICS SECURE ENTRY B103

SITE PLAN REVIEW SUBMITTAL

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Drawing Name: G:\2016\05161256.1 Brooklyn Ctr ISD #286_Earle Brown Addition & Remodel\B-Design\Design Support and Calcs\Electrical\04-Lighting Calc\City Photometrics\BCEB Area B Front Entrance.dwg Plot Date: 8/13/2018 3:





Project Earle Brown Elementary Addition and

Type Type AA

Notes

PERFORMANCE PER LINEAR FOOT AT 3500K

NOMINAL LUMEN OUTPUT	INPUT WATTS*	EFFICACY
500 lm/ft	5.5 W/ft	91 lm/W
750 lm/ft	8.3 W/ft	90 lm/W

Please consult factory for custom lumen output and wattage.

CERTIFIED SAFETY US-CA

CONTROL SENSORS

IC cULus Listed Type I.C.

LED BOARD & DRIVER 5 YEAR LUMINAIRE WARRANTY

Ordering Guide

WBRLED				S	
PRODUCT ID	**NOM.LUMENS/FT**	**CRI**	**COLOR TEMP.**	**SHIELDING**	**LENGTH (FT)**
WBRLED Recessed LED	500 500 lm/ft - Min. 750 750 lm/ft - Max.	80 80 CRI 90 90 CR	27 2700 K 30 3000 K 35 3500 K 40 4000 K	S satin lens	2 2' 3 3' 4 4' 5 5' 8 8' S# system run 12'
	Outputs between listed min and max are available. Consult factory for outputs outside of the listed range.				

FINISH	**VOLTAGE**	**DRIVER**	**CIRCUITS**	**MOUNTINGS**
AP aluminum paint W white C custom	120 120 V 277 277 V 347 347 V (1) UNV universal	DP dimming (0-10V) 1% D dimming (0-10V) 5% 347V standard (2) LT Lutron (3) BI bi-level dimming O other (4)	1 1 circuit 2 2 circuits +E(#) emergency circuit (5) +NL(#) night light circuit (5) +GTD(#) generator transfer device (5)	D drywall flangeless DF drywall flange DS drywall spackle flange
	(1) D dimming (0-10V) 5% standard	(2) Operating up to -20°C; for 347V only (3) Operating up to -20°C; Specify system (4) Please consult factory; see page 2	(5) Specify quantity	

BATTERY (OPTIONAL)	**OTHER (OPTIONAL)**	**IC CONTROLS (OPTIONAL)**	**CUSTOM (OPTIONAL)**
B# battery pack (integral)	F fuse (6) EF end feed *	OS# occupancy sensor EN Enlighted integral WC# wireless control dimming	C custom N natatorium finish
Not available with 347V Please consult factory	(6) Requires 120V or 277V; * See page 3 for more details.	See integrated controls guide for further details Please consult factory	Please specify

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axislighting.com

BROOKLYN CENTER ISD #286

EARLE BROWN ADDITION & REMODEL

Brooklyn Center, MN

SITE PLAN REVIEW SUBMITTAL

08/14/2018



INDEX TO DRAWINGS

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AD111C	FIRST LEVEL DEMOLITION PLAN - AREA C
AD111D	FIRST LEVEL DEMOLITION PLAN - AREA D
AD111E	FIRST LEVEL DEMOLITION PLAN - AREA E
AD211A	SECOND LEVEL DEMOLITION PLAN - AREA A
AD211B	SECOND LEVEL DEMOLITION PLAN - AREA B
AD211C	SECOND LEVEL DEMOLITION PLAN - AREA C
ACD111	REFLECTED CEILING DEMOLITION PLAN - FIRST LEVEL
ACD211	REFLECTED CEILING DEMOLITION PLAN - SECOND LEVEL
AP100	OVERALL FIRST FLOOR PLAN
AP111A	FIRST LEVEL FLOOR PLAN - AREA A
AP111B	FIRST LEVEL FLOOR PLAN - AREA B
AP111C	FIRST LEVEL FLOOR PLAN - AREA C
AP111D	FIRST LEVEL FLOOR PLAN - AREA D
AP111E	FIRST LEVEL FLOOR PLAN - AREA E
AP200	OVERALL SECOND FLOOR PLAN
AP211A	SECOND LEVEL FLOOR PLAN - AREA A
AP211B	SECOND LEVEL FLOOR PLAN - AREA B
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AC111B	FIRST LEVEL REFLECTED CEILING PLAN - AREA B
AC111C	FIRST LEVEL REFLECTED CEILING PLAN - AREA C
AC111D	FIRST LEVEL REFLECTED CEILING PLAN - AREA D
AC111E	FIRST LEVEL REFLECTED CEILING PLAN - AREA E
AC211A	SECOND LEVEL REFLECTED CEILING PLAN - AREA A
AC211B	SECOND LEVEL REFLECTED CEILING PLAN - AREA B
AC211C	SECOND LEVEL REFLECTED CEILING PLAN - AREA C
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IN601	ROOM FINISH SCHEDULE - FIRST LEVEL
IN602	ROOM FINISH SCHEDULE - SECOND LEVEL
IN603	FINISH KEY

MOST COMMONLY USED ABBREVIATIONS

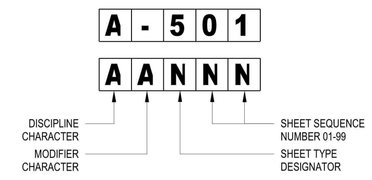
ABBREVIATIONS:

AB	ANCHOR BOLT/ROD
ABV	ABOVE
AC	ASPHALT/C CONCRETE/AIR CONDITIONER
ACC	ACCESSIBLE
ACM	ALUMINUM COMPOSITE MATERIAL
ACOUS	ACOUSTICAL
ADD	ADDENDUM
ADH	ADHESIVE
ADJ	ADJUSTABLE, ADJACENT, ADJOINING
AFF	ABOVE FINISH FLOOR
AFG	ABOVE FINISH GRADE
ALT	ALTERNATE
ALUM	ALUMINUM
APC	ACOUSTICAL PANEL CEILING
ARCH	ARCHITECT (URAL)
ASI	ARCHITECTURAL SUPPLEMENTAL INFORMATION
BD	BOARD
BEV	BEVELED
BFF	BELOW FINISH FLOOR
BL	BRICK LEDGE
BLDG	BUILDING
BLKG	BLOCK (ING)
BM	BEAM
BOT	BOTTOM
BO	BOTTOM OF
BOC	BOTTOM OF CONCRETE
BOF	BOTTOM OF FOOTING
BRG	BEARING
BRK	BRICK
BSMT	BASEMENT
BTWN	BETWEEN
BUR	BUILT-UP ROOFING
C	CHANNEL/CELSIUS
CAB	CABINET
CB	CERAMIC BASE
CD	CONSTRUCTION DOCUMENTS
CEM	CEMENT
CF	CUBIC FEET OR FOOT
CG	CORNER GUARD
CIPC	CAST-IN-PLACE CONCRETE
CJ	CONTROL/CONSTRUCTION JOINT
CL	CENTER LINE
CLG	CEILING
CLKG	CAULKING
CLR	CLEAR, CLEARANCE
CMU	CONCRETE MASONRY UNIT
CO	CHANGE ORDER/CLEAN OUT
COL	COLUMN
COMB	COMBINATION
COMP	COMPOSITE/COMPOSITION
CONC	CONCRETE
CONN	CONNECT (ION)
CONST	CONSTRUCTION
CONT	CONTINUOUS, CONTINUE
CONTR	CONTRACT (OR)
COORD	COORDINATE
CORR	CORRUGATED/CORRIDOR
CPT	CARPET
CSMT	CASEMENT
CT	CERAMIC TILE
CTB	CARPET TILE BASE
CTR	CENTER
D	DEPTH
DBL	DOUBLE
DEMO	DEMOLITION, DEMOLISH
DEPT	DEPARTMENT
DET	DETAIL
DF	DRINKING FOUNTAIN
DFPT	DRYFALL PAINT
DIA	DIAMETER
DIAG	DIAGONAL
DIM	DIMENSION
DIV	DIVIDE, DIVISION
DISP	DISPENSER
DN	DOWN
DR	DOOR
DS	DOWNSPOUT
DW	DISHWASHER
DWG	DRAWING (S)
DWR	DRAWER
DWTR	DUMBWAITER
(E)	EXISTING
E	EAST
EA	EACH
EF	EACH FACE
EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
ELEV	ELEVATOR
ENL	ENLARGED
EMER	EMERGENCY
ENGR	ENGINEER
EOP	EDGE OF PAVEMENT
EPDM	ETHYLENE PROPYLENE DIENE MONOMER
EPS	EXPANDED POLYSTYRENE BOARD
EPT	EPOXY PAINT
EQ	EQUAL
EQUIP	EQUIPMENT
ES	EACH SIDE
EST	ESTIMATE
ETC	ETCETERA
ETR	EXISTING TO REMAIN
EW	EACH WAY
EXIST	EXISTING
EXC	EXCAVATE/EXCAVATION
EXH	EXHAUST
EXP	EXPANSION/EXPOSED
EXT.	EXTERIOR
EWC	ELECTRIC WATER COOLER
EWS	EYE WASH AND SHOWER
FA	FIRE ALARM
FAB	FABRICATE/FABRICATION
FD	FLOOR DRAIN
FDC	FIRE DEPRATIMENT CONNECTION
FDTN	FOUNDATION
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FF	FINISHED FLOOR
FFE	FINISH FLOOR ELEVATION
FIN	FINISH (ED)
FLOUR	FLOURESCENT
FLR	FLOOR (ING)
FO	FACE OF
FOC	FACE OF CONCRETE
FOM	FACE OF MASONRY
FOS	FACE OF STUD
FOF	FACE OF FINISH
FR	FIRE RESISTANT/FRAME
FRP	FIBERGLASS REINFORCED PANEL
FS	FLOOR SINK
FT	FOOT, FEET/FIRE TREATED
FTG	FOOTING
FURR	FURRING
FUT	FUTURE
GA	GAGE, GAUGE
GB	GRAB BAR
GC	GENERAL CONTRACTOR
GALV	GALVANIZED
GI	GALVANIZED IRON
GL	GLASS
GLU LAM	GLUE LAMINATED (BEAM)
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HB	HOSE BIB
HC	HANDICAP / HOLLOW CORE
HD	HEAVY DUTY
HDBD	HARDBOARD
HDR	HEADER
HDWD	HARDWOOD
HDWR	HARDWARE
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HR	HOUR
HT	HEIGHT
HSS	HOLLOW STRUCTURAL STEEL
HVAC	HEATING, VENTILATION, AIR-CONDITIONING
IBC	INTERNATIONAL BUILDING CODE
ID	INSIDE DIAMETER/DIMENISON
IN	INCH(ES)
INCL	INCLUDE (D), INCLUDING
INFO	INFORMATION
INSP	INSPECTION
INSTR	INSTRUCTION(S)
INSUL	INSULATE (D), INSULATION
INT	INTERIOR
JAN	JANITOR
JST	JOIST
JT	JOINT
KCJ	KEYED CONSTRUCTION JOINT
KO	KNOCK OUT
L	LENGTH / ANGLE
LAB	LABORATORY
LAM	LAMINATE (ED)
LAV	LAVATORY
LB	POUND
LF	LINEAR FEET
LH	LEFT HAND
LKR	LOCKER
LOC	LOCATION
LONG	LONGITUDINAL
LT	LIGHT
LVR	LOUVER
LVT	LUXURY VINYL TILE
MBC	MINNESOTA BUILDING CODE
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MC	MEDICINE CABINET
MECH	MECHANICAL
MEMB	MEMBRANE
MEZZ	MEZZANINE
MFR	MANUFACTURE (R)
MIN	MINIMUM
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MR	MIRROR
MTL	METAL
(N)	NEW
N	NORTH
NA	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
OFCI	OWNER FURNISHED / CONTRACTOR INSTALLED
OFOI	OWNER FURNISHED / OWNER INSTALLED
OH	OVERHEAD
OPP	OPPOSITE
OPG	OPENING
ORIG	ORIGINAL
ORD	OVERFLOW ROOF DRAIN
OZ	OUNCE
PAR	PARALLEL
PCF	POUNDS PER CUBIC FOOT
PED	PEDESTAL
PERF	PERFORATED
PERP	PERPENDICULAR
PL	PLATE
PLAM	PLASTIC LAMINATE
PLYWD	PLYWOOD
PNL	PANEL
PR	PAIR/PROPOSAL REQUEST
PRCST	PRECAST CONCRETE
PREFAB	PREFABRICATE
PSI	POUNDS PER SQUARE INCH
PSF	POUNDS PER SQUARE FOOT
PT	PAINT / PRESSURE TREATED
PTD	PAPER TOWEL DISPENSER
PTN	PARTITION
PTR	PAPER TOWEL RECEPTACLE
PVC	POLYVINYL CHLORIDE
QT	QUARRY TILE
R	RADIUS/RISER
RB	RUBBER BASE
RBR	RUBBER
RCP	REFLECTED CEILING PLAN
RD	ROOF DRAIN
REBAR	REINFORCING BAR
REC	RECESSED
REF	REFERENCE/REFRIGERATOR
REINF	REINFORCE (D), (ING), (MENT)
REQ	REQUIRE
REQD	REQUIRED
RES	RESILIANT FLOORING
RET	RETURN
REV	REVISION (S), REVISED
RFI	REQUEST FOR INFORMATION
RFP	REQUEST FOR PROPOSAL
RH	RIGHT HAND
RL	RIDGE LINE
RM	ROOM
RO	ROUGH OPENING
ROW	RIGHT OF WAY
RVS	REVERSE (SIDE)
RWL	RAIN WATER LEADERSSOUTH
SB	SPLASH BLOCK
SC	SOLID CORE
SCHED	SCHEDULE
SCR	SHOWER CURTAIN ROD
SCT	SECTION
SD	SOAP DISPENSER
SF	SQUARE FOOT
SHT	SHEET
SHTHG	SHEATHING
SIM	SIMILAR
SLDG	SLIDING
SLNT	SEALANT
SND	SANITARY NAPKIN DISPENSER
SNDU	SANITARY NAPKIN DISPOSAL UNIT
SOG	SLAB ON GRADE
SPEC	SPECIFICATION (S)
SQ	SQUARE
SSM	SOLID SURFACE MATERIAL
SST	STAINLESS STEEL
ST	STREET
STC	SOUND TRANSMISSION CLASS
STD	STANDARD
STL	STEEL
STOR	STORAGE
STRUCT	STRUCTURAL
SUSP	SUSPENDED
SV	SHEET VINYL
SW	SHEARWALL
SYM	SYMMETRICAL
T	TREAD
T&B	TOP AND BOTTOM
T&G	TONGUE AND GROOVE
TB	TOWEL BAR
TBD	TO BE DETERMINED
TEMP	TEMPORARY/TEMPERED
TER	TERRAZZO
THD	THREAD (ED) (S)
THK	THICKNESS
THRU	THROUGH
TKBD	TACKBOARD
TL	TILE
TO	TOP OF
TOB	TOP OF BEAM
TOC	TOP OF CONCRETE/CURB
TOD	TOP OF DECK
TOF	TOP OF FOOTING (FOUNDATION)
TOP	TOP OF PIER
TOJ	TOP OF JOIST
TOS	TOP OF SLAB/STEEL
TOW	TOP OF WALL
TPD	TOILET PAPER DISPENSER
TPO	THERMOPLATIC POLYOLEFIN
TPTN	TOILET PARTITION
TRANS	TRANSVERSE
TS	TUBE STEEL
TYP	TYPICAL
UG	UNDERGROUND
UH	UNIT HEATER
UNFN	UNFINISHED
UNO	UNLESS NOTED OTHERWISE
UTIL	UTILITY
V	SHEAR
VAR	VARIES
VB	VAPOR BARRIER / VINYL BASE
VCT	VINYL COMPOSITION TILE
VERT	VERTICAL
VEST	VESTIBULE
VIF	VARIFY IN FIELD
VR	VAPOR RETARDER
VWB	VINYL WALL BASE
VWC	VINYL WALL COVERING
W	WEST/WIDTH
W/	WITH
W/O	WITHOUT
WA	WEDGE ANCHOR
WB	WOOD BASE
WC	WATER CLOSET
WD	WOOD/WOODWORK
WDW	WINDOW
WF (W)	WIDE FLANGE
WG	WALL GUARD
WH	WATER HEATER
WI	WROUGHT IRON
WL	WIND LOAD
WP	WATERPROOF (ING)
WR	WATER RESISTANT
WSCT	WAINSCOT
WT	WEIGHT/WINDOW TREATMENT
WWF	WELDED WIRE FABRIC

SYMBOLS USED AS ABBREVIATIONS:

&	AND
L	ANGLE
LL	DOUBLE ANGLE
@	AT
¢	PENNEY
#	POUND OR NUMBER
Ø	ROUND OR DIAMETER

SHEET IDENTIFICATION



DISCIPLINE CHARACTERS

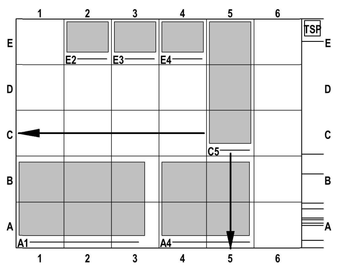
G	GENERAL
H	HAZARDOUS
C	CIVIL
L	LANDSCAPE
S	STRUCTURAL
A	ARCHITECTURAL
I	INTERIOR
P	PLUMBING
M	MECHANICAL
E	ELECTRICAL
T	TELECOMMUNICATIONS
R	RESOURCE

TYPICAL MODIFIER CHARACTERS

B	SUBSTRUCTURES
C	CEILING/CHEMICALS
D	DEMOLITION
E	ELEMENTS
F	FRAMING/FURNISHINGS
G	GRAPHICS/GRADING
H	HVAC
I	INFORMATION/IMPROVEMENTS
L	LIGHTING
N	FINISHES
P	PLAN/PIPING/POWER/PAVING/PLANTING
Q	EQUIPMENT
S	SITE
T	TECHNOLOGY/TRANSPORTATION
U	UTILITIES

SHEET TYPE DESIGNATORS

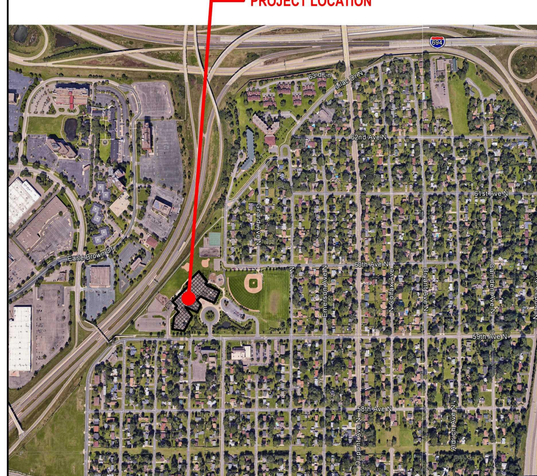
0	GENERAL (SYMBOLS LEGEND, NOTES, ETC)
1	PLANS (HORIZONTAL VIEWS)
2	ELEVATIONS (VERTICAL VIEWS)
3	SECTIONS (SECTIONAL VIEWS)
4	LARGE SCALE VIEWS
5	DETAILS
6	SCHEDULES AND DIAGRAMS
7	USER DEFINED
8	USER DEFINED
9	3D REPRESENTATIONS (ISO, PERSP, PHOTOS)



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VICINITY MAP



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ARCHITECT

I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Print Name: Richard A Collins

Signature:

Date: 08/14/2018 License # 53244

NOT FOR CONSTRUCTION

PROJECT TITLE

BROOKLYN CENTER community schools
unifying communities • illuminating tomorrow

BROOKLYN CENTER ISD #286 EARLE BROWN ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE 08/14/2018	DRAWN BY ---
PROJECT # 05161256.1	CHECKED BY ---

SHEET TITLE

COVER SHEET - VOLUME 1

SHEET NUMBER

GI001

SITE PLAN REVIEW SUBMITTAL

LISTED DRAWINGS SCALE(S) UNLESS REDUCED FROM ORIGINAL 30 x 42 FORMAT

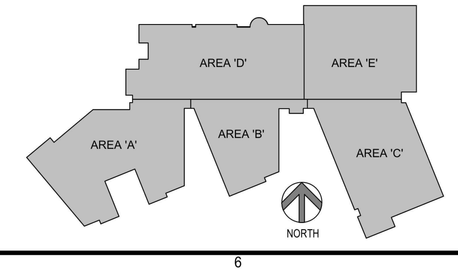
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OVERALL FIRST LEVEL FLOOR PLAN - FOR REFERENCE ONLY
SCALE: 3/64" = 1'-0"

PLAN NORTH



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LISTED DRAWINGS SCALE(S) UNLESS REDUCED FROM ORIGINAL 30 x 42 FORMAT

ARCHITECT

I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

NOT FOR CONSTRUCTION

Print Name: Richard R. Collins
Signature:
Date: 08/14/2018 License # 53244

PROJECT TITLE

BROOKLYN CENTER community SCHOOLS
uniting communities
transforming lives

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE 07/13/2018	DRAWN BY JMK
PROJECT # 05161256.1	CHECKED BY RRC

SHEET TITLE

OVERALL FIRST FLOOR PLAN

SHEET NUMBER

AP100

SITE PLAN REVIEW SUBMITTAL

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FIRST LEVEL FLOOR PLAN - AREA A

SCALE: 1/8" = 1'-0"

PLAN NORTH

THIS SHEET CONTAINS COLOR-CODED INFORMATION. THIS SHEET SHOULD BE PRINTED IN COLOR. TSP LOGO TO THE RIGHT SHOULD BE RED.

SHEET GENERAL NOTES: FLOOR PLAN

A. ALL PENETRATIONS THROUGH FIRE RATED WALLS SHALL COMPLY WITH THE BUILDING CODE AND NFPA.

B. PROVIDE BLOCKING AT PARTITIONS AS REQUIRED FOR MOUNTING OF FURNISHED AND NON-FURNISHED WALL MOUNTED ITEMS.

C. ALIGN FINISHED FACE OF CONTINUOUS PARTITIONS THAT CHANGE PARTITION TYPES ALONG A STRAIGHT RUN.

D. EDGE OF INTERIOR DOOR FRAMES TO BE 4" FROM ADJACENT WALL, UNLESS NOTED OTHERWISE.

E. REFER TO SHEET A-601 FOR DOOR SCHEDULE AND TYPES. ALL FRAMES TO BE HM AND ALL DOORS TO BE WOOD UNLESS NOTED OTHERWISE.

F. REFER TO SHEET A-602 FOR WINDOW TYPES. ALL WINDOWS TO BE MAROON COLORED ALUM SF TO MATCH EXISTING UNLESS NOTED OTHERWISE.

G. ALL WALL DIMENSIONS ARE TO FACE OF GYPSUM BOARD, CMU, BRICK, OR CONCRETE; UNLESS NOTED OTHERWISE.

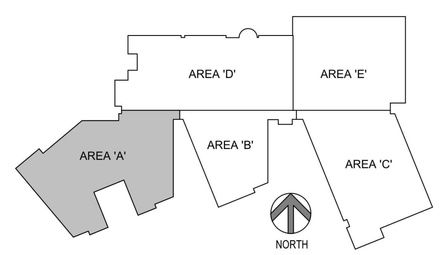
FLOOR PLAN LEGEND

NAME 101	ROOM TAG
101B	DOOR TAG
W1	WINDOW TAG
A1-A	WALL TAG
XXX	EQUIPMENT TAG
1	KEYNOTE TAG
REV	REVISION TAG
CJ	MASONRY CONTROL JOINT
CJ	GYPSUM BOARD CONTROL JOINT
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
CR	CARD READER
	ELECTRICAL PANEL. REF ELECTRICAL PLANS
	1 HR FIRE BARRIER. REF LIFE SAFETY PLANS
	2 HR FIRE BARRIER. REF LIFE SAFETY PLANS

KEY NOTES: FLOOR PLAN

1. CUSTOM CASEWORK RECEPTION DESK, HIGH LEVEL OF FINISH.
2. REMOVE EXISTING STUCCO AND PREP FOR FURRING/ GYP BD WHERE EXTERIOR WALL BECOMES INTERIOR.
3. CANOPY ABOVE.
4. NEW WASH FOUNTAIN.
5. BUILT IN RECESSED TRASH ALCOVE, SIM. TO EXISTING WITH SOFFIT AND BUILT OUT BULKHEAD AT 3'-4" HIGH.
6. NEW HIGH LEVEL FINISH ON EXISTING COLUMN WRAPS.
7. EXISTING FIXTURES TO REMAIN IN BATHROOM. NEW FINISHES AND ACCESSORIES.
8. FLOOR INFILL (INDICATED BY HATCH PATTERN).
9. GUARDRAIL TO EXTEND TO WALL.
10. OVERFRAMING OVER EXISTING SLOPED ROOF IS REQUIRED FOR NEW ROOF (AREA INDICATED BY CROSSHATCH PATTERN). MODIFICATIONS TO EXISTING STRUCTURE AT NEW DOOR WILL BE REQUIRED.
11. CMU INFILL UNDER STAIRS.
12. RELOCATED CASEWORK. REINSTALL SALVAGED CASEWORK FROM WITHIN ROOM.
13. BUILT IN ADJUSTABLE SHELVES.
14. FRAME WALL FOR POTENTIAL FUTURE DOOR/SIDELIGHT -MATCH D140.
15. TYPICAL TEACHING WALL CASEWORK. SEE INTERIOR ELEVATION C2/A-412.
16. CEILING MOUNTED THERAPY SWING, RER. RCP FOR MORE INFORMATION.
17. PROVIDE NEW PLAM FINISH PANEL TO REFINISH END OF EXISTING CABINET/COUNTERTOP.
18. PATCH CONCRETE FLOOR AT DEMOLISHED LOCKER BASES.

NOTE: NOT ALL KEYNOTES MAY BE USED ON EACH PLAN



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Print Name: Christine Collins

Signature:

Date: 08/14/2018 License # 53244

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ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

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PROJECT # 05161256.1	CHECKED BY RRC

SHEET TITLE

FIRST LEVEL FLOOR PLAN - AREA A

SHEET NUMBER

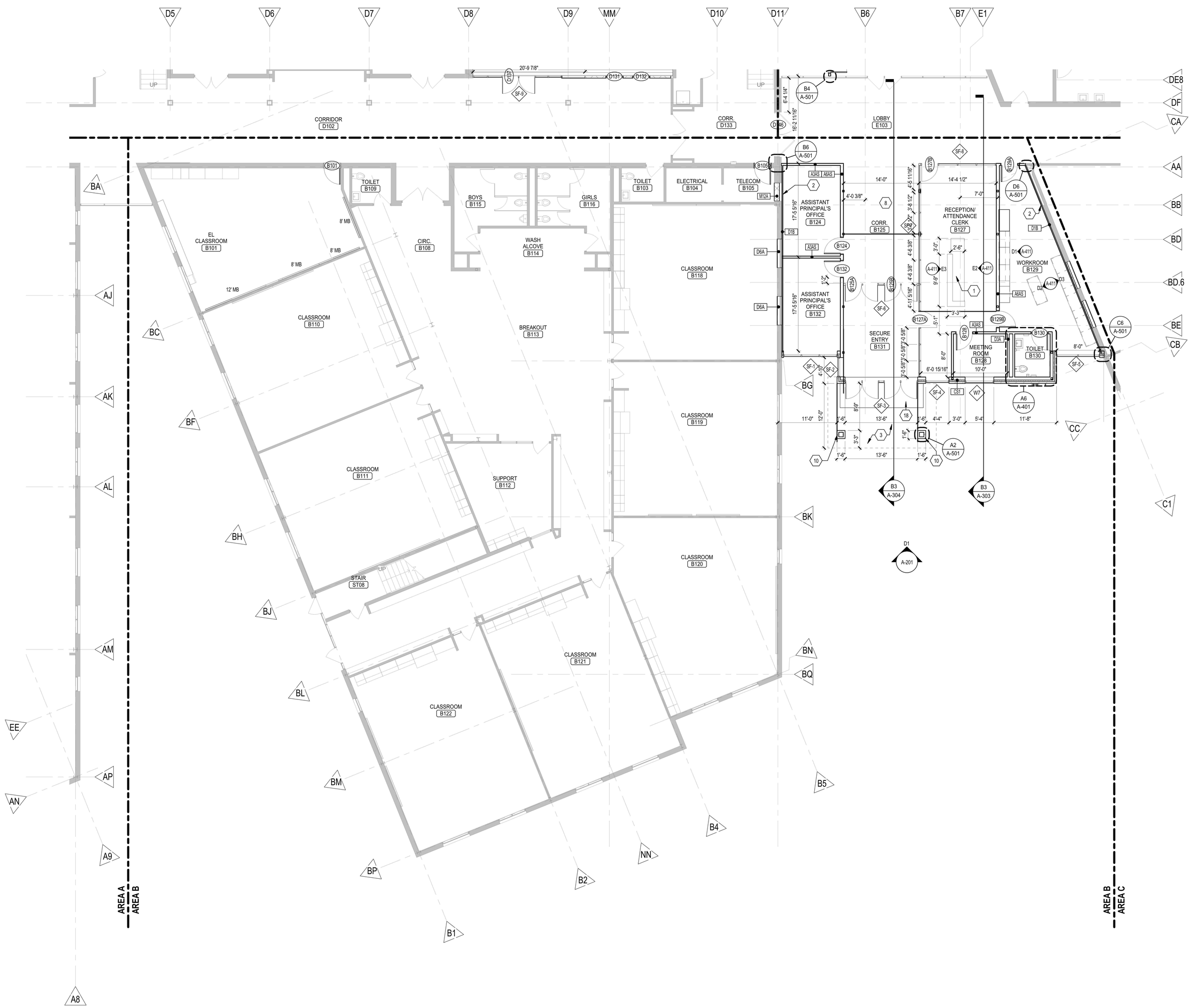
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FIRST LEVEL FLOOR PLAN - AREA B

SCALE: 1/8" = 1'-0"

SHEET GENERAL NOTES: FLOOR PLAN

A. ALL PENETRATIONS THROUGH FIRE RATED WALLS SHALL COMPLY WITH THE BUILDING CODE AND NFPA.

B. PROVIDE BLOCKING AT PARTITIONS AS REQUIRED FOR MOUNTING OF FURNISHED AND NON-FURNISHED WALL MOUNTED ITEMS.

C. ALIGN FINISHED FACE OF CONTINUOUS PARTITIONS THAT CHANGE PARTITION TYPES ALONG A STRAIGHT RUN.

D. EDGE OF INTERIOR DOOR FRAMES TO BE 4" FROM ADJACENT WALL, UNLESS NOTED OTHERWISE.

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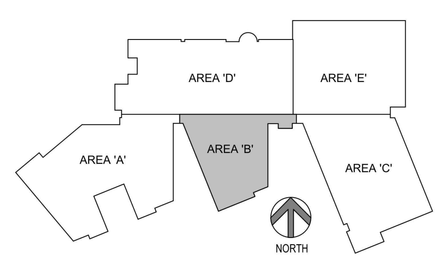
FLOOR PLAN LEGEND

- NAME / 101 — ROOM TAG
- 101B — DOOR TAG
- W1 — WINDOW TAG
- A1-A — WALL TAG
- XXX — EQUIPMENT TAG
- 1 — KEYNOTE TAG
- REV — REVISION TAG
- CJ — MASONRY CONTROL JOINT
- CJ — GYPSUM BOARD CONTROL JOINT
- FE — FIRE EXTINGUISHER
- FEC — FIRE EXTINGUISHER CABINET
- CR — CARD READER
- ELECTRICAL PANEL. REF ELECTRICAL PLANS
- 1 HR FIRE BARRIER. REF LIFE SAFETY PLANS
- 2 HR FIRE BARRIER. REF LIFE SAFETY PLANS

KEY NOTES: FLOOR PLAN

1. CUSTOM CASEWORK RECEPTION DESK, HIGH LEVEL OF FINISH.
2. REMOVE EXISTING STUCCO AND PREP FOR FURRING/ GYP BD WHERE EXTERIOR WALL BECOMES INTERIOR.
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I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Print Name: Richard Cairns

Signature:

Date: 08/14/2018 License # 53244

NOT FOR CONSTRUCTION

PROJECT TITLE

BROOKLYN CENTER community SCHOOLS

BROOKLYN CENTER ISD #286 EARLE BROWN ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE 07/13/2018	DRAWN BY JMK
PROJECT # 05161256.1	CHECKED BY RRC

SHEET TITLE

FIRST LEVEL FLOOR PLAN - AREA B

SHEET NUMBER

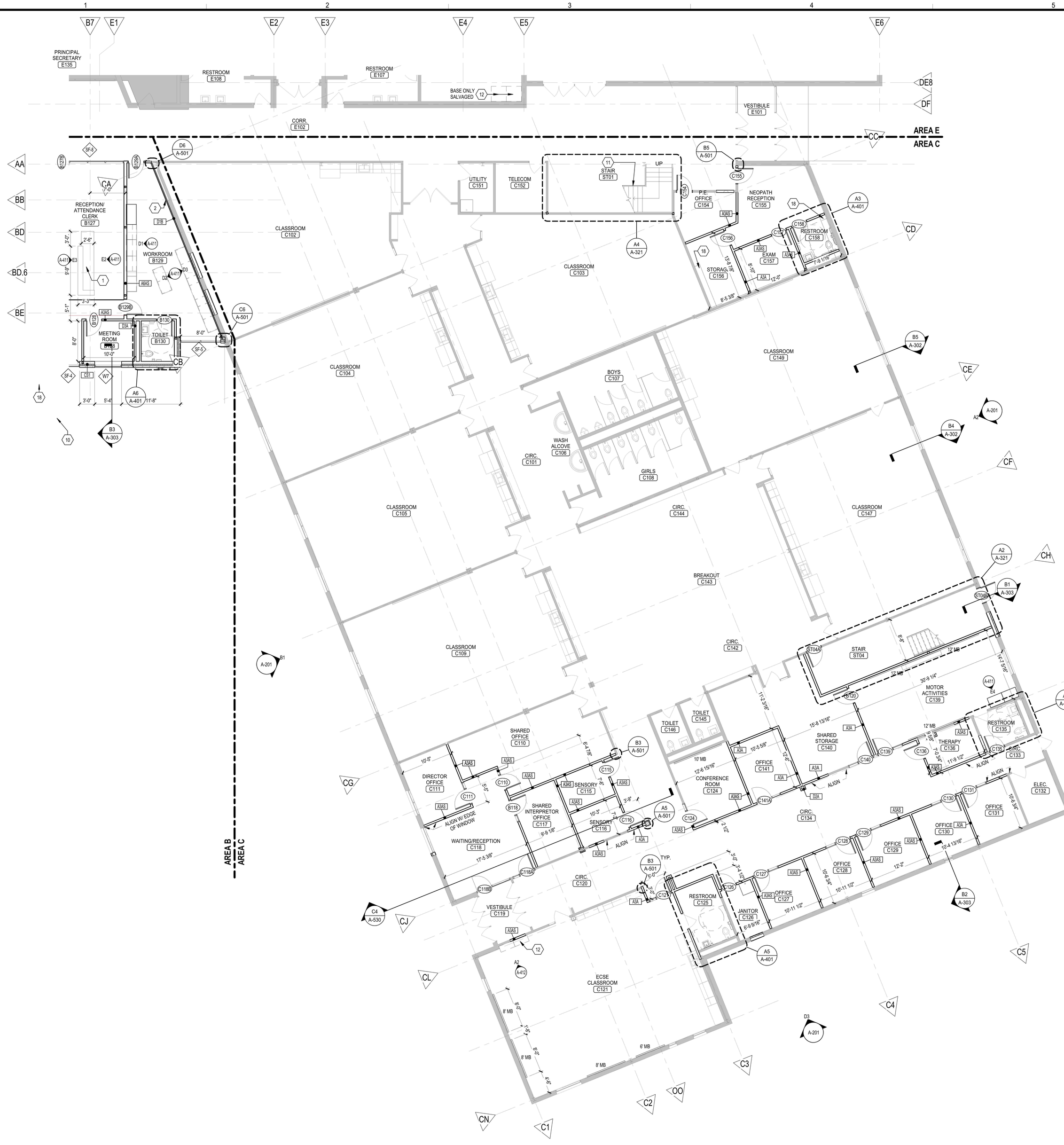
AP111B

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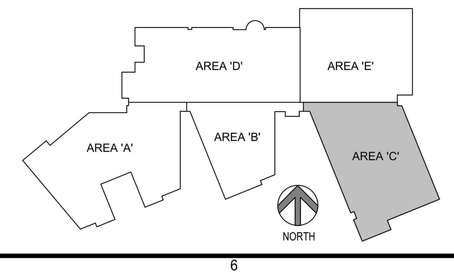
FLOOR PLAN LEGEND

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- W1 — WINDOW TAG
- A1.A — WALL TAG
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FIRST LEVEL FLOOR PLAN - AREA C
SCALE: 1/8" = 1'-0"

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CONSULTANTS

ARCHITECT

I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Print Name: Robert A. Collins
Signature:
Date: 08/14/2018 License # 53244

PROJECT TITLE

BROOKLYN CENTER community services
serving communities, strengthening families

BROOKLYN CENTER ISD #286 EARLE BROWN ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE 07/13/2018	DRAWN BY JMK
PROJECT # 05161256.1	CHECKED BY RRC

SHEET TITLE

FIRST LEVEL FLOOR PLAN - AREA C

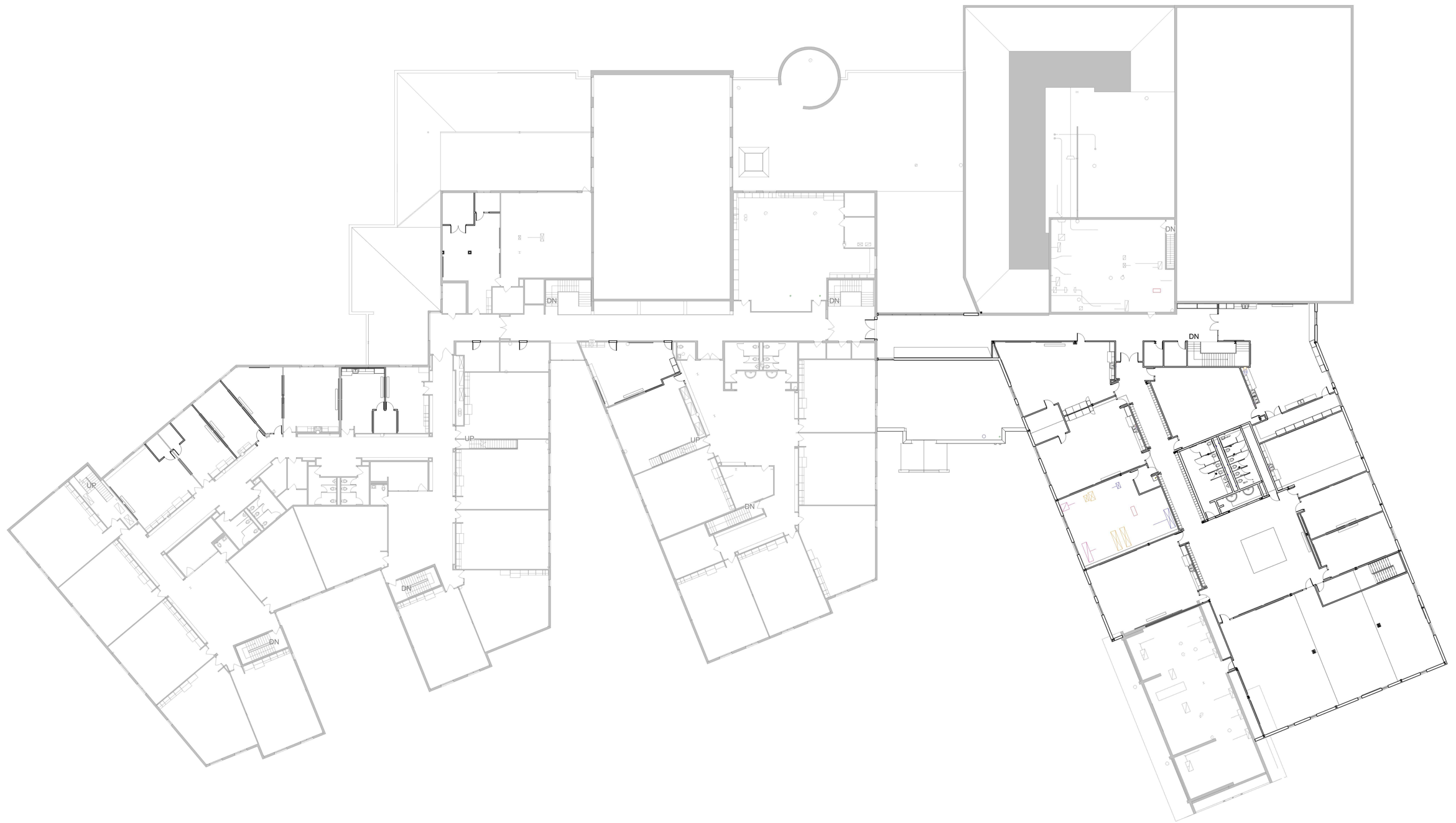
SHEET NUMBER

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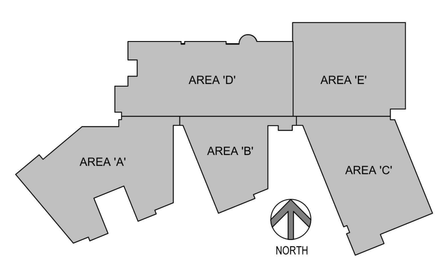
SITE PLAN REVIEW SUBMITTAL

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OVERALL SECOND LEVEL FLOOR PLAN
SCALE: 3/64" = 1'-0"

PLAN NORTH



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Print Name: Richard R. Collins

Signature:

Date: 08/14/2018 License # 53244

PROJECT TITLE

BROOKLYN CENTER community Schools
uniting communities • Brimming Bonanza

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

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SHEET TITLE

OVERALL SECOND FLOOR PLAN

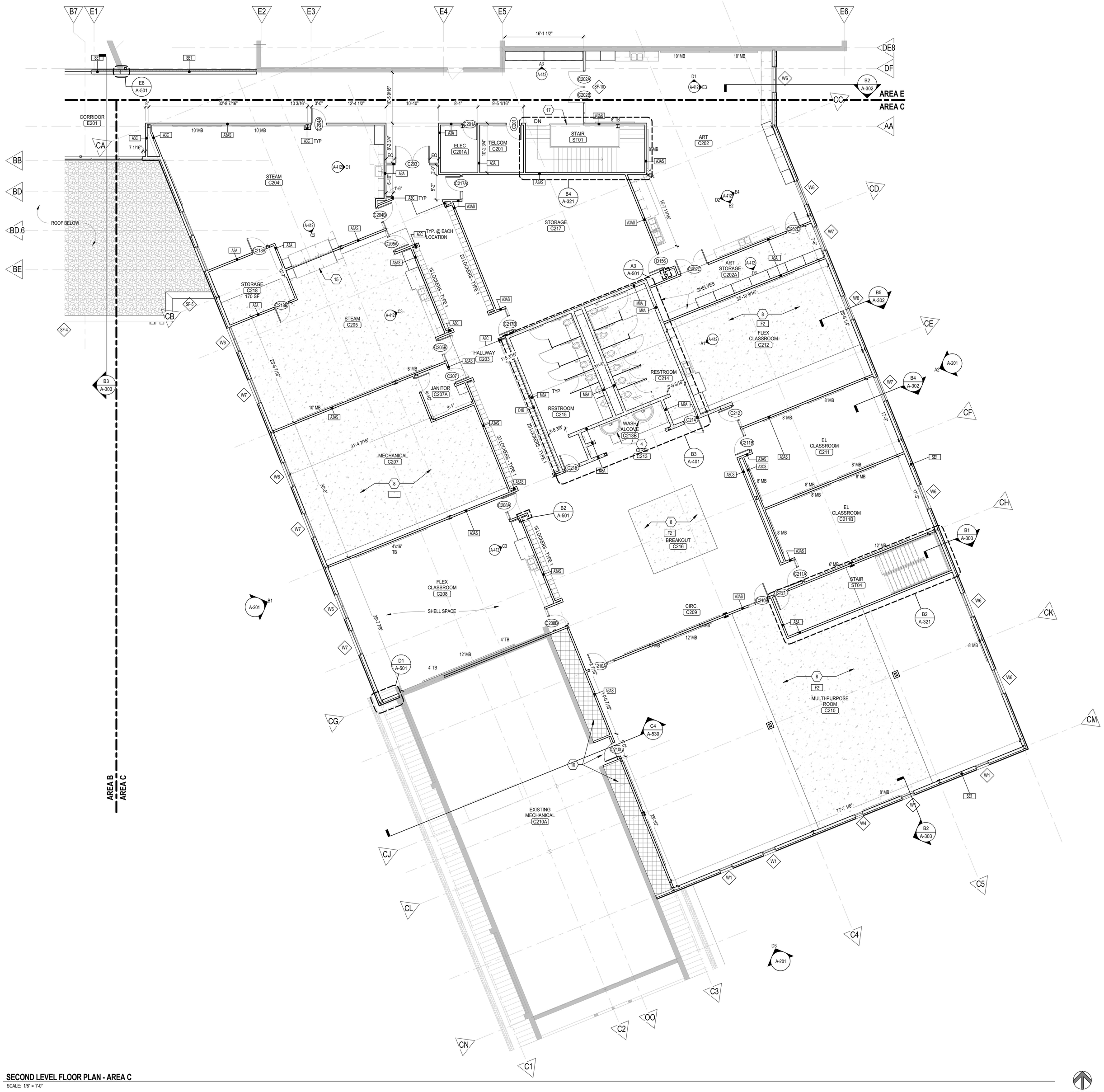
SHEET NUMBER

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SITE PLAN REVIEW SUBMITTAL

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SECOND LEVEL FLOOR PLAN - AREA C

SCALE: 1/8" = 1'-0"

SHEET GENERAL NOTES: FLOOR PLAN

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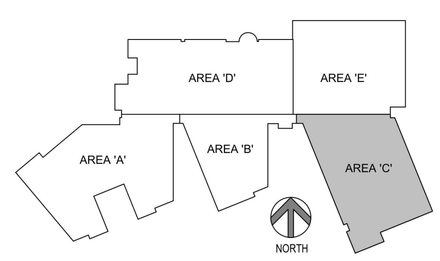
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Brooklyn Center, MN

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SECOND LEVEL FLOOR PLAN - AREA C

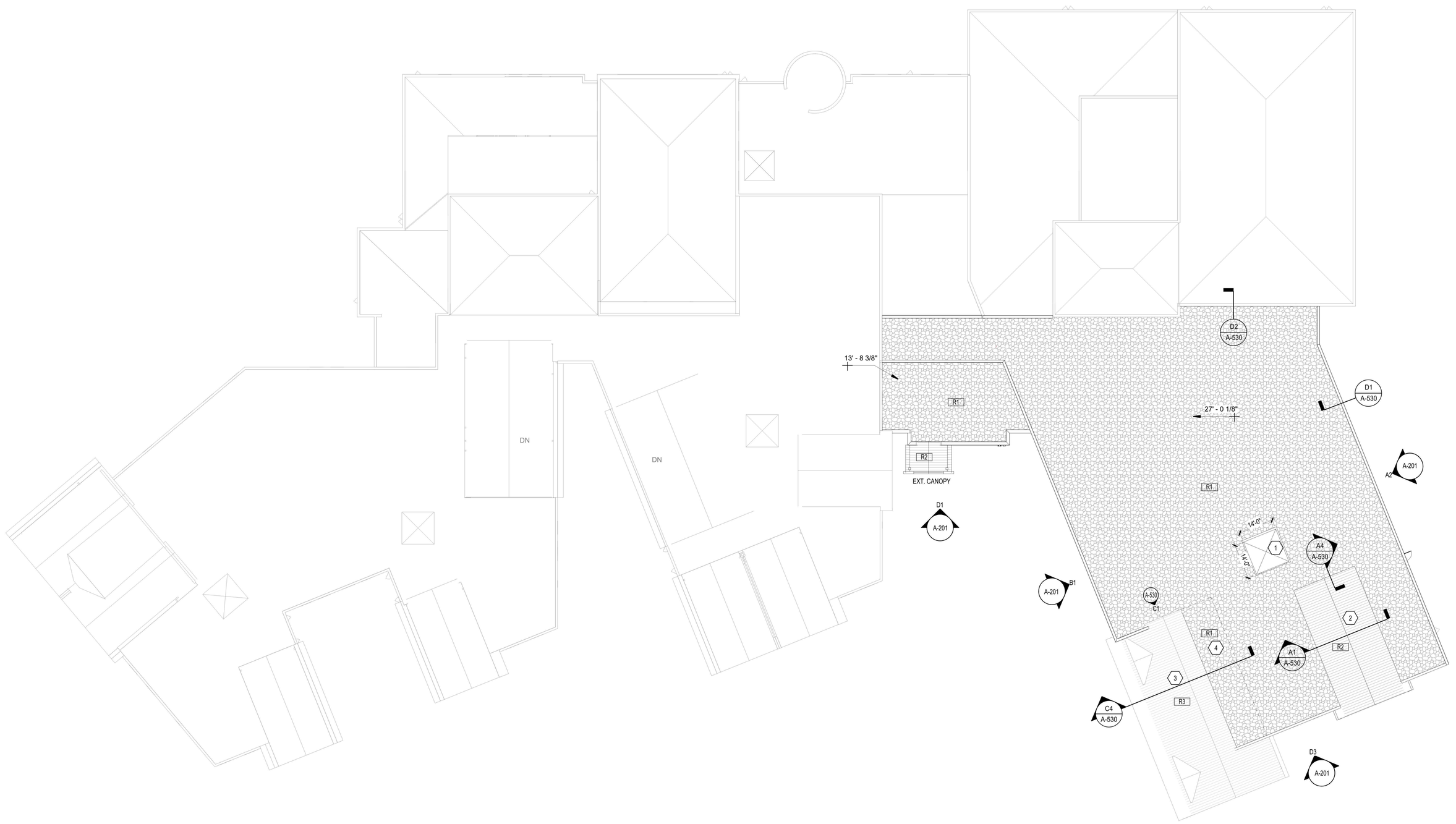
SHEET NUMBER

AP211C

SITE PLAN REVIEW SUBMITTAL

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ROOF PLAN
SCALE: 3/64" = 1'-0"

PLAN NORTH

SHEET GENERAL NOTES: ROOF PLAN

A. ALL SURFACES DAMAGED DURING DEMOLITION SHALL BE REPAIRED FOR APPLICATION OF NEW FINISHES OR PATCHED TO MATCH EXISTING.

B. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS WHICH ARE TO MATCH EXISTING CONSTRUCTION. CONTACT A/E WITH DISCREPANCIES.

C. MODIFICATIONS TO EXISTING ROOF TO BE DONE BY CERTIFIED INSTALLER TO AVOID WARRANTY ISSUES.

D. MINIMUM INSULATION THICKNESS OF 2" AT ROOF DRAINS.

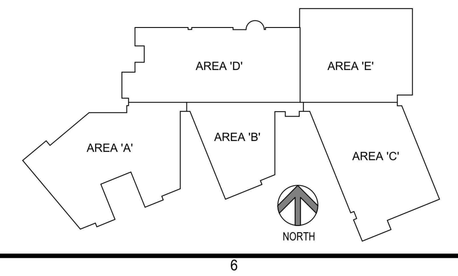
KEY NOTES: ROOF PLAN

1. NEW SKYLIGHT.
2. NEW GLABLE ROOF WITH STANDING SEAM METAL ROOFING. OVERFRAMED ABOVE NEW STEEL ROOF FRAMING. REFERENCE STRUCTURAL.
3. EXISTING GABLE ROOF FRAMING AND DECKING RO REMAIN. REMOVE EXISING ASPHALT SHINGLES AND PROVIDE NEW STANDING SEAM METAL ROOFING.
4. NEW STEEL ROOF FRAMING OVER EXISTING GABLE ROOF FRAMING. REFERENCE STRUCTURAL.

NOTE: NOT ALL KEYNOTES MAY BE USED ON EACH PLAN

ROOF PLAN LEGEND

- REV — REVISION TAG
- 1 — KEYNOTE TAG
- A1 / A-301 — SECTION TAG
- A1 / A-101 SIM — DETAIL TAG
- OS — OVERFLOW SCUPPER
- RD — ROOF DRAIN
- OD — OVERFLOW ROOF DRAIN
- EPDM WALKMATS - PROVIDE AROUND MECHANICAL EQUIPMENT AND AS SHOWN
- 3" — APPROXIMATE ROOF INSULATION THICKNESS
- VTR — VENT THROUGH ROOF - REF PLUMBING



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ARCHITECT

I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Print Name: Christine Collins

Signature:

Date: 08/14/2018 License # 53244

NOT FOR CONSTRUCTION

PROJECT TITLE

BROOKLYN CENTER community SCHOOLS

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE: 07/13/2018	DRAWN BY: JMK
PROJECT #: 05161256.1	CHECKED BY: RRC

SHEET TITLE

ROOF PLAN

SHEET NUMBER

AR111

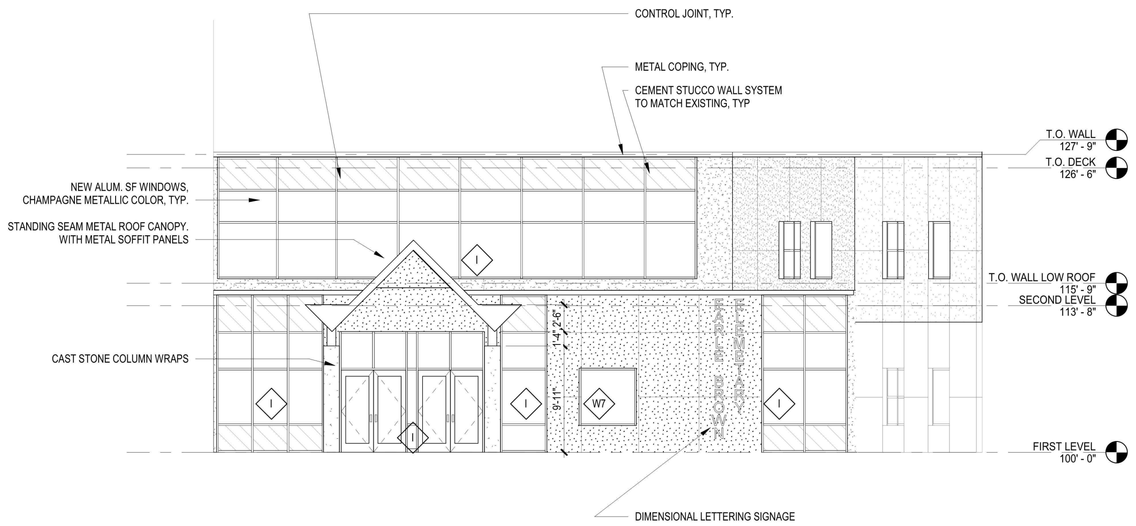
SITE PLAN REVIEW SUBMITTAL

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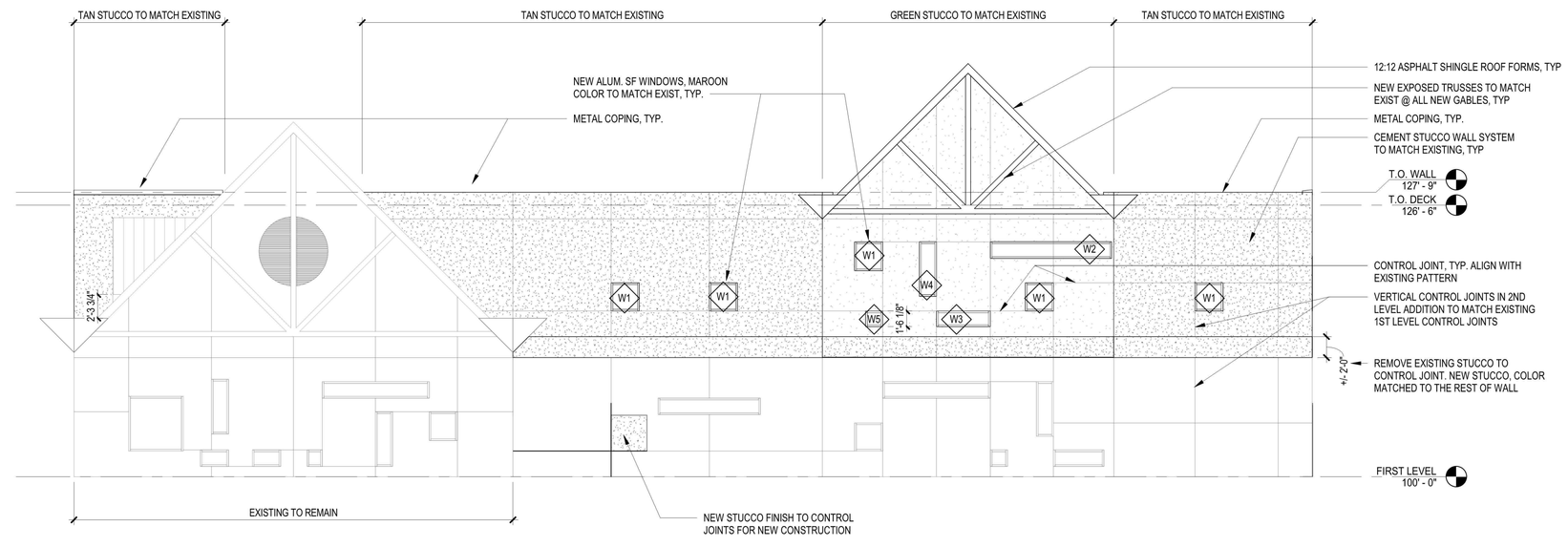
LISTED DRAWINGS SCALE(S) UNLESS REDUCED FROM ORIGINAL 30 x 42 FORMAT

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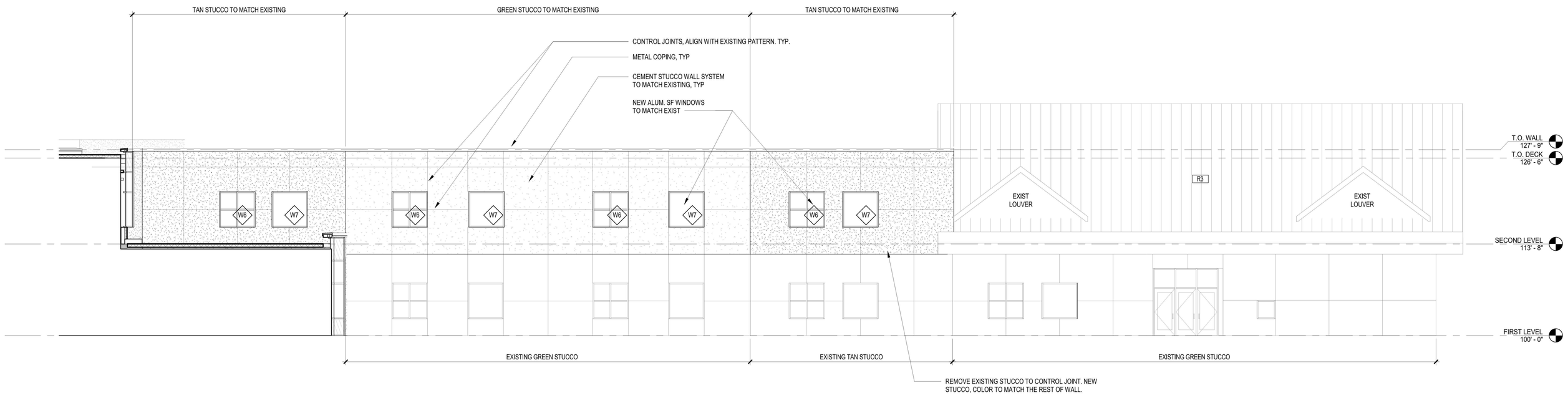
THIS SHEET CONTAINS COLOR-CODED INFORMATION. THIS SHEET SHOULD BE PRINTED IN COLOR. TSP LOGO TO THE RIGHT SHOULD BE RED.



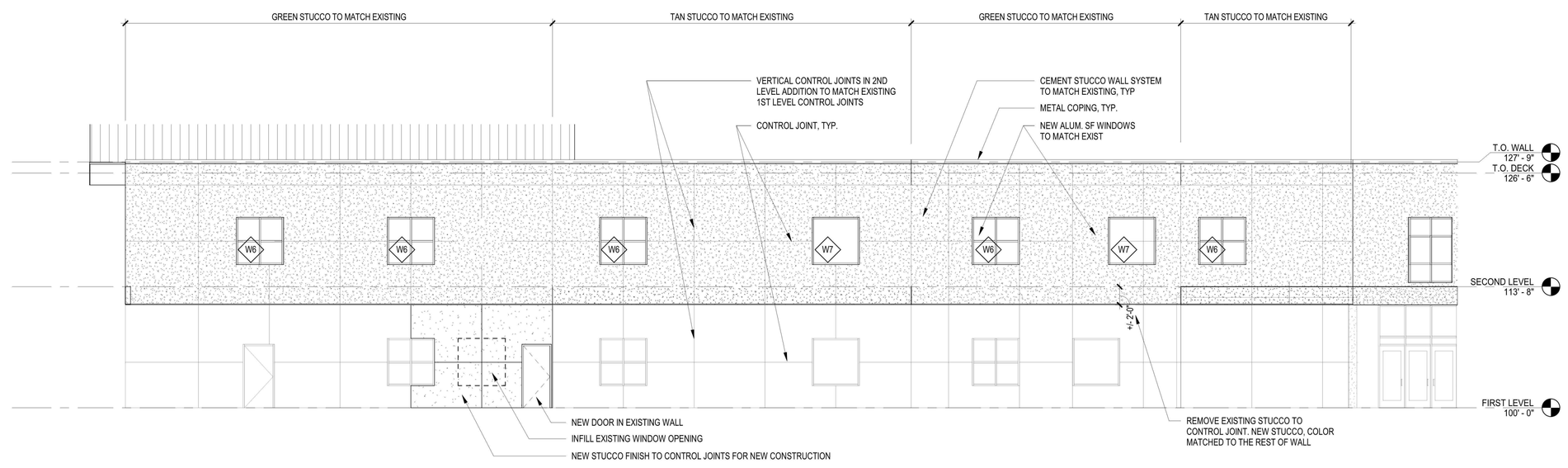
D1 **ENTRY ADDITION ELEVATION**
SCALE: 1/8" = 1'-0"



D3 **AREA C EAST ELEVATION - 2ND LEVEL ADDITION**
SCALE: 1/8" = 1'-0"



B1 **AREA C SOUTH ELEVATION - 2ND LEVEL ADDITION**
SCALE: 1/8" = 1'-0"



A2 **AREA C NORTH ELEVATION - 2ND LEVEL ADDITION**
SCALE: 1/8" = 1'-0"

SHEET GENERAL NOTES: EXTERIOR ELEVATIONS

A. APPLY SEALANT AND BACKER ROD TO ALL JOINTS BETWEEN DISSIMILAR MATERIALS.

B. ALL SURFACES DAMAGED DURING DEMOLITION SHALL BE REPAIRED FOR APPLICATION OF NEW FINISHES OR PATCHED TO MATCH EXISTING.

C. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS WHICH ARE TO MATCH EXISTING CONSTRUCTION. CONTACT A/E WITH DISCREPANCIES.

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ARCHITECT

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NOT FOR CONSTRUCTION

Print Name: Richard R. Collins
Signature:
Date: 08/14/2018 License # 53244

PROJECT TITLE

BROOKLYN CENTER community SCHOOLS
unifying communities | empowering learners

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL
Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE 07/13/2018	DRAWN BY JMK
PROJECT # 05161256.1	CHECKED BY RRC

SHEET TITLE

EXTERIOR ELEVATIONS

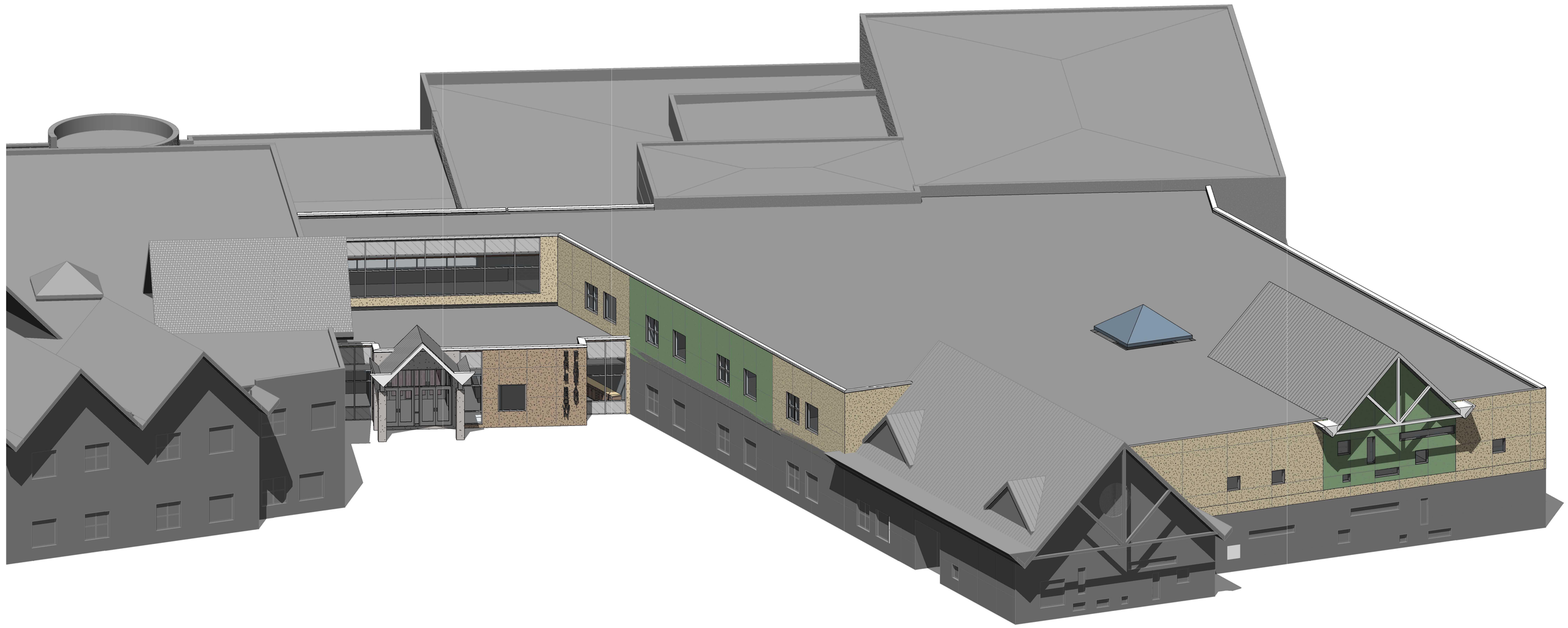
SHEET NUMBER

A-201

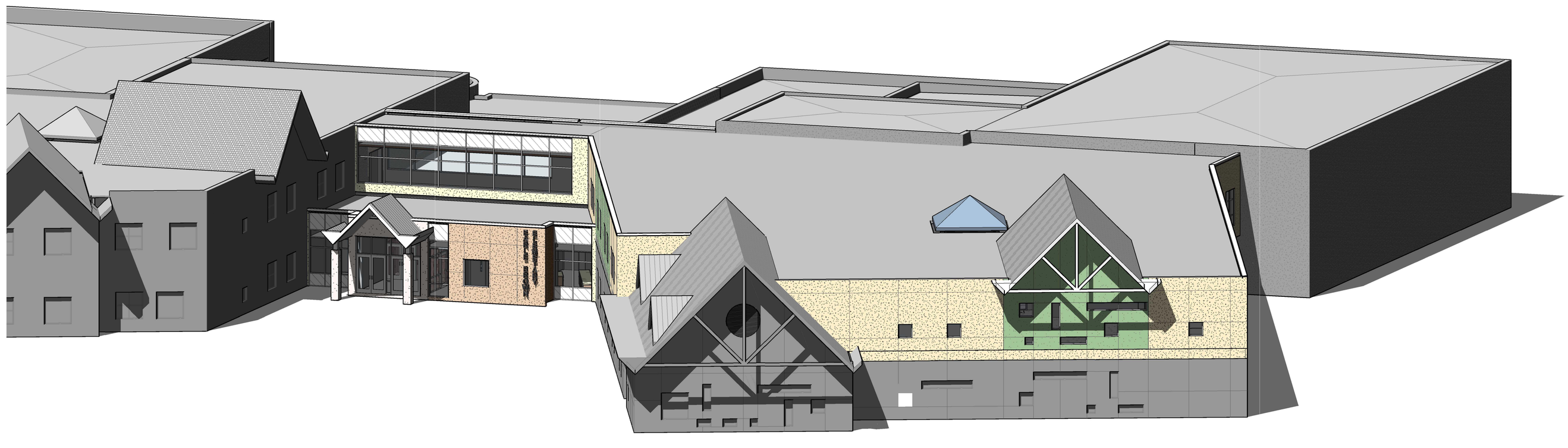
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C1 **S AERIAL VIEW**
SCALE:



A1 **SE AERIAL VIEW**
SCALE:

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I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Print Name: Victoria A. Collins

Signature:

Date: 08/14/2018 License # 53244

NOT FOR CONSTRUCTION

PROJECT TITLE

BROOKLYN CENTER community SCHOOLS
unifying communities
strengthening families

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE **07/13/2018**	DRAWN BY **JMK**
PROJECT # **05161256.1**	CHECKED BY **RRC**

SHEET TITLE

3D VIEWS

SHEET NUMBER

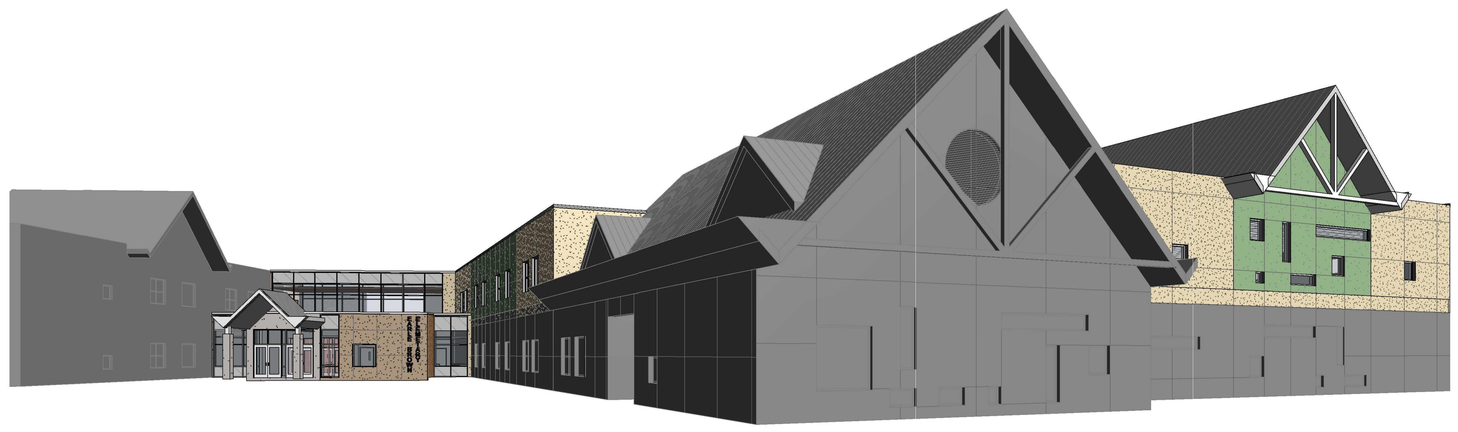
A-901

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D1 ADDTIONS SOUTH VIEW
SCALE:



D4 ENTRY VIEW
SCALE:



C1 2ND LEVEL ADDITION WEST VIEW
SCALE:



A1 2ND LEVEL ADDITION EAST VIEW
SCALE:

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ARCHITECT

I Hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

NOT FOR CONSTRUCTION

Print Name: Robert R. Collins

Signature:

Date: 08/14/2018 License # 53244

PROJECT TITLE

BROOKLYN CENTER
ISD #286
EARLE BROWN
ADDITION & REMODEL

Brooklyn Center, MN

ISSUES

MARK	DATE	DESCRIPTION

ISSUE DATE	DRAWN BY
07/13/2018	JMK
PROJECT #	CHECKED BY
05161256.1	RRC

SHEET TITLE

3D VIEWS

SHEET NUMBER

A-902

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City Council Agenda Item No. 8a

Application Filed on 7-5-02
City Council Action Should Be
Taken By 9-3-02 (60 Days)

Planning Commission Information Sheet
Application No. 2002-010
Applicant: ISD No. 286 (Brooklyn Center School District)
Location: Land Lying East and West of Humboldt Avenue, North of 59th Avenue
Request: Special Use Permit/Site and Building Plan Approval

The applicant, Independent School District No. 286 (Brooklyn Center), is seeking a special use permit and site and building plan approval to construct a new 141,000 sq. ft. Earle Brown Elementary School and the reconfiguration of Grandview Park.

The properties under consideration are the current Earle Brown Elementary School site, addressed as 5900 Humboldt Avenue North; Grandview Park, addressed as 1600 59th Avenue North; and a portion of Humboldt Avenue right of way lying between 59th and 60th Avenues that is proposed to be vacated as a public street. The property is zoned R-1 (One Family Residence) and is bounded on the west by T.H. 100; Humboldt and 60th Avenues on the north; Fremont Avenue on the east and 59th Avenue on the south. Single family residential dwellings surround the site on the north and east and single family residential dwellings, two churches, and an apartment complex on the south. Public and private elementary schools and parks are both special uses in the R-1 zoning district.

New lot configurations for the school and park sites are being created through the platting comprehended under companion Application No. 2002-009.

Generally, the school and park will exchange locations. The new 141,000 Earle Brown Elementary School will be located where the existing baseball field (Cohen Field), softball/football field, sliding hill and park shelter are located. With the demolition of the Earle Brown Elementary School, upon completion of the new school construction, a new baseball field, soccer/football field, sliding hill and parking areas will be in this location. The existing tennis courts will remain in their present location with new bituminous basketball courts to be added west of the tennis courts. A seasonal hockey rink, pleasure skating rink and warming house are planned to be located south of the tennis courts. The bituminous walk path running parallel with T.H. 100 will remain in the same location. Various hard surface play areas and soft play areas along with various play stations will be located as part of the school facilities west of the new elementary school. It should be noted that the City's Park and Recreation Advisory Commission has reviewed this plan on 6-18-02 and has unanimously recommended approval of the plan to the City Council.

ACCESS/PARKING

The plan calls for four access points on 59th Avenue and an access off Humboldt Avenue, north

of 60th which will serve a new 20 stall parking facility. The most westerly access on 59th Avenue serves an expanded parking lot containing 99 parking spaces designed primarily for staff parking related to the school. This access is located between James and Irving Avenues. The second 59th Avenue access is a student drop off access (or circle) serving the main entrance to the elementary school and is located west of Humboldt Avenue. The other two 59th Avenue accesses are easterly of Humboldt, one of which serves an 89 stall parking lot and the other (the most easterly) a separate bus loop access to the school. Also, angled parking on the south side of 60th Avenue accommodating 31 parking spaces is being provided for additional park parking.

There are no specific ordinance parking requirements or parking formulas for school or park parking. The amount of available parking with the new plan will exceed that provided for the current Grandview Park and Earle Brown Elementary School. It appears to be adequate parking to meet the needs of both facilities and will be shared parking to accommodate activities.

A loading dock and turn around area along the westerly side of the elementary school are proposed as well.

GRADING/DRAINAGE/UTILITIES

The applicant has provided preliminary grading, drainage and utility plans which are being reviewed by the interim city engineer and written comments are anticipated and will be attached with this report. Three prominent grading features are shown on the plans, two storm water retention ponds, one on either side of the student drop off area and a sliding hill to be located at the southeast portion of the site close to the intersection of 59th and Fremont Avenues North. The drainage and ponding plan is subject to review and approval by the West MississippiWatershed Management Commission.

No erosion control plan has yet been submitted showing silt fencing around the site, however, general notes do indicate that a plan for erosion control has been considered. The notes indicate that silt fence will be installed and maintained through the entire process.

B-612 curb and gutter is to be provided around all driving and parking areas to assist in site drainage. Storm sewer will be installed to collect storm water run off and direct it to the two storm water retention ponds located on either side of the student drop off area. An 8 in. water main will be looped around the new elementary school building and tied into existing water main in 59th Avenue North. Sanitary sewer will also be tied into 59th Avenue North.

LANDSCAPING

The applicant has submitted a landscape plan showing proposed landscaping for the new elementary school and the park. It should be noted that the landscape point system does not address schools or park facilities specifically in the evaluation criteria. The combined sites are 21.6519 acres and the applicant's architect has listed a planting schedule indicating points for the various trees and shrubs. Their analysis shows total points of 2,590.5 based on our point system.

A service/office land use, which requires the highest point value, would require 1,500 landscape points for a comparable size service/office development. A restaurant/retail/service development would require 1,080 landscape points. The points proposed exceed by over 1,000 points the greatest landscape requirement contained in our landscape point system.

The plan calls for a majority of the landscaping to be in shade trees. Boulevard trees such as Prairie Dome Ash are to be planted in the green strip area along 59th Avenue North. Additional Pin Oak trees will surround the staff parking lot and American Linden are proposed for the west side of the elementary school building in the play station areas as well as the north side of the building separating the warming house and school building. The large landscape area in front of the elementary school (59th Avenue side of the building) will contain Skyline Honey Locust, River Birch and Majestic Maple. Other shade trees include Green Spire Linden, River Birch and Emerald Luster Maple surrounding the general or shared parking area and bus loop. Summit Ash will line the 60th Avenue North green strip and Humboldt Avenues adjacent to the northwest parking lot and the proposed location for the hockey rink.

Decorative trees include Pink Spire Crab and Spring Snow Crab at the entrance to the building and also lining the student drop off area. Coniferous trees such as Colorado Blue Spruce and Colorado Green Spruce are proposed in the area northwest of the hockey rink and also surrounding the sliding hill. Shrubs such as Hughes Juniper, Scandia Juniper and Dark Green Spreading Yew serve as foundation plantings at various locations around the school building and in the student drop off area.

Overall the landscape plans appears to be more than adequate for the sites.

BUILDING

The new building will consist of concrete masonry unit insulated walls with brick veneer. The windows will be energy efficient insulated glass with aluminum frames and exterior doors will be aluminum as well. The building elevations show a two story building with peaked roofs over the southwest portion of the building. A gymnasium will be located on the north end with the cafeteria in the middle of the building. Two floors of classrooms, an office, media and multi purpose areas are to be provided.

Construction on the new Earle Brown Elementary School will begin as soon as possible following grading to take place this fall. Once the elementary school is completed, the old Earle Brown Elementary School will be demolished and the various park improvements undertaken.

The plans do not indicate any trash enclosure areas, however, it is assumed that trash areas will be in the loading dock turn around location along the west side of the building. Sufficient space should be devoted to trash and an enclosure complimentary to the building material should be constructed and noted on the site plan.

LIGHTING

The applicants have submitted a lighting plan showing the location of lighting standards for the parking lots and drive lanes as well as lighting standards for the soccer and baseball fields. Parking lot lighting will be at 25 ft. in height while the ball field lights will be 70 ft. The photometric plan shows foot candles to be in the range of lighting in residential areas.

Section 35-712 of the City Ordinances requires that all exterior lighting shall be provided with lenses, reflectors or shades so as to concentrate illumination on the property. No glare shall emanate from or be visible beyond the boundaries of the illuminated premises. The ordinance also requires that the illumination shall not be of a greater intensity than 3 ft. candles measured at property lines abutting residentially zoned property. The foot candles indicated on the lighting plan are within these parameters.

SPECIAL USE PERMT STANDARDS

As indicated previously, the elementary school and park facilities are special uses in the R-1 zoning district and are subject to the standards for special use permits contained in Section 35-220 of the City Ordinances (copy attached). These standards for special use permits require that the proposed special use permit will promote and enhance the general public welfare and not be detrimental to or endanger the health and safety of the public; not be injurious to the use and enjoyment of other property in the immediate neighborhood, nor substantially diminish or impair property values; not impede the normal and orderly development of surrounding property; be designed so as to minimize traffic congestion on the public streets; and conform with the applicable regulations of the district in which it is located.

The staff would comment that we believe the continuation and expansion of the Earle Brown Elementary School and redevelopment of Grandview Park at the proposed location will not be detrimental to or endanger the public health, safety, morals or comfort. Furthermore, we do not believe that the use will be injurious to other property in the immediate vicinity nor will it diminish or impair property values within the neighborhood. In fact a new elementary school and park facilities can be considered a positive factor with respect to property values and property development. We also believe that adequate measures have been or will be taken to provide proper ingress and egress and that the parking on the site is adequate for the uses provided. We do not see traffic congestion on public streets to be created with this redevelopment.

Some concern has been expressed regarding the vacation of Humboldt Avenue and the ability to provide emergency vehicles in the area. Comments have been made and no anticipated problems are expected by either the police or fire department with respect to emergency response times.

We also believe that the site and building plans submitted conform with the applicable regulations of the district in which they are located. Finally, we believe the proposal meets all of the standards for special use permits contained in the City's Zoning Ordinance and recommend approval of the application.

A public hearing has been scheduled with respect to this special use permit and notices have been sent to surrounding property owners.

RECOMMENDATION

Again, we believe the plans are in order and approval is recommended subject to the following conditions:

1. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits.

2. Grading, drainage, utility and erosion control plans are subject to review and approval by the City Engineer prior to the issuance of permits.

3. Any outside trash disposal facilities and/or rooftop mechanical equipment shall be appropriately screened from view.

4. Building is to be equipped with an automatic fire extinguishing system to meet NFPA standards and shall be connected to a central monitoring device in accordance with Chapter 5 of the City's Ordinances.

5. B-612 curb and gutter shall be provided around all parking and driving areas.

6. An as built survey of the property, improvements and utility service lines shall be submitted to the City Engineering Department.

7. All work performed and materials used for construction of utilities shall conform to the City of Brooklyn Center's current standard specifications and details.

8. The final plat and Humboldt Avenue street right of way vacation shall be approved by the City Council and filed with Hennepin County prior to the issuance of building permits for the construction of the elementary school.

9. Special use permit is granted for the construction of a new Earle Brown Elementary School and the redevelopment of Grandview Park. Any expansion or alteration of the facilities not comprehended by the approval shall require and amendment to the special use permit.

10. The developer shall provide appropriate erosion and sediment control devices on

site during construction as approved by the City Engineering Department.

11. The storm water drainage system and ponding area shall be approved by the West MississippiWatershed Management Commission prior to issuance of permits.

OWNER/SUBDIVIDER:

Brooklyn Center Public Schools
6500 Humboldt Ave N.
Minneapolis, MN 55430

Dr. Tani Juhna, Superintendent
Steve Anderson, Business Manager

ARCHITECT:

The Leonard Parker Associates
Architects, Inc.
430 Oak Grove
Minneapolis MN 55403
612-871-6864
Paul Hagen, AIA

ENGINEER:

Anderson-Johnson Associates Inc.
7575 Golden Valley Rd., Suite 200
Golden Valley MN 55427
763-544-7129
Don Johnson, P. E.

SURVEYOR:

Clark Engineering Corporation
821 Lilac Drive N
Golden Valley MN 55422
763-545-4196
John Chaffee, L. S.

LEGAL DESCRIPTION:

Lots 5 and 6, Lauderdale and Haven's Outlots to Minneapolis; together with:

That part of Lot 61, Auditor's Subdivision No. 218, lying southeasterly of State Highway No. 100;

Except that part of the foregoing taken for roads;

Hennepin County, Minnesota.

AREAS:

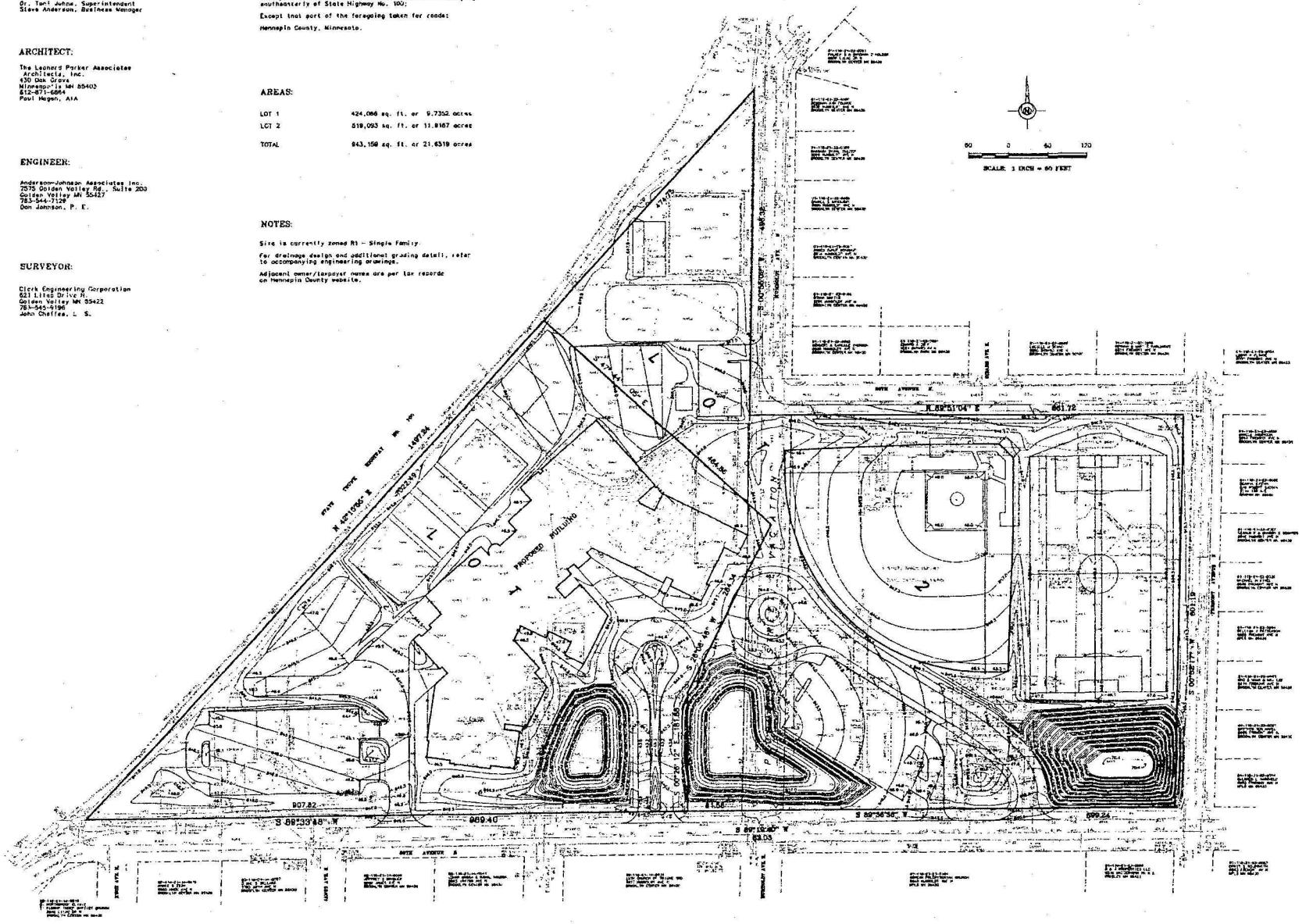
LOT 1	424,086 sq. ft. or	9.7352 acres
LOT 2	519,093 sq. ft. or	11.8167 acres
TOTAL	943,158 sq. ft. or	21.6519 acres

NOTES:

Site is currently zoned R1 - Single Family

For drainage design and additional grading details, refer to accompanying engineering drawings.

Adjacent owner/taxpayer names are per tax records on Hennepin County website.



CLARK ENGINEERING CORPORATION
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Golden Valley, MN
(763) 545-4196
Fax (763) 525-
www.clark-ec

PRELIMINARY PLAT

EARLE BROWN ISD 286
BROOKLYN CENTER, MINNESOTA

SHEET TITLE

PROJECT

REVISIONS

DRAWN BY: MJS
CHECKED BY: J.V.C.
DATE: JAN. 2002
PROJECT NO: 020023
SHEET NO: 1
SHEET 1 OF 1

NAD 83 92

M E M O R A N D U M

DATE: August 24, 2018

TO: Ginny McIntosh, City Planner/Zoning Administrator

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Site Plan Review –Earle Brown Elementary

Public Works Department staff reviewed the following documents submitted for review on August 14, 2018, for Earle Brown Elementary improvements:

- Civil Site Plans dated July 13, 2018

Subject to final staff Site Plan approval, the referenced plans must be revised in accordance with the following comments/revisions and approved prior to issuance of Land Alteration permit:

C1.01 – Site Plan

1. Accessibility shall comply with ADA standards.

Miscellaneous

2. Upon project completion, the applicant must submit an as-built survey of the property, improvements and utility service lines and structures; and provide certified record drawings of all project plan sheets depicting any associated private and/or public improvements, revisions and adjustments prior to issuance of the certificate of occupancy. The as-built survey must also verify that all property corners have been established and are in place at the completion of the project as determined and directed by the City Engineer.

3. The total disturbed area is less than 0.5 acres; no project review is required for the West Mississippi Watershed Commission and an NPDES permit is not required.

Prior to issuance of a Land Alteration

4. Final construction/demolition plans and specifications need to be received and approved by the City Engineer in form and format as determined by the City. The final plan must comply with the approved preliminary plan and/or as amended as required by the City Engineer.

5. A letter of credit or a cash escrow in the amount of up to 125% of the estimated cost as determined by City staff shall be deposited with the City.

6. A Construction Management Plan and Agreement is required that addresses general construction activities and management provisions, traffic control provisions, emergency management provisions, storm water pollution prevention plan provisions, tree protection provisions, general public welfare and safety provisions, definition of responsibility provisions, temporary parking provisions, overall site condition provisions and non- compliance provisions. A separate $2,500 deposit will be required as part of the non-compliance provision.

Anticipated Permitting:

7. Other permits not listed may be required and is the responsibility of the developer to obtain and warranted.

8. Copies of all required permits must be provided to the City prior to issuance of applicable building and land disturbance permits.

9. A preconstruction conference must be scheduled and held with City staff and other entities designated by the City.

The aforementioned comments are provided based on the information submitted by the applicant at the time of this review. Other guarantees and site development conditions may be further prescribed throughout the project as warranted and determined by the City.

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Ginny McIntosh, City Planner / Zoning Administrator

SUBJECT: Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-016 Submitted by Lux Apartments, LLC, for an Amendment to the 1992 Planned Unit Development Plans and Documents and Parking/Site Improvements (Located at 6100 Summit Drive North)

Requested Council Action:

- *Motion to approve a Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2018-016 Submitted by Lux Apartments, LLC, for an Amendment to the 1992 Planned Unit Development Plans and Documents and Parking/Site Improvements (Located at 6100 Summit Drive North)*

Background:

This item is regarding the disposition of Planning Commission Application No. 2018-016, submitted by Lux Apartments, LLC., for the requested amendment to the 1992 Planned Unit Development plans and documents and parking/site improvements that would allow for the conversion of a former senior living facility to market rate apartments for the property located at 6100 Summit Drive North.

City staff met with the Applicant in May 2018 to discuss the Subject Property, then known as Earle Brown Terrace, or Earle Brown Commons, and the redevelopment of the senior living facility to market rate apartments. It was conveyed to City staff at this time that the building was under-occupied and would be closing. All residents have since been relocated out of former Earle Brown Terrace senior living facility.

The building is located on approximately 3.3 acres and consists of the former Minnesota Highway Patrol office building (also known as the "Summit Bank Building") and an 11-story building, constructed in 1987. These buildings are connected via an interior walkway connection and the Subject Property features a two-level parking ramp. The former senior living facility offered independent and "catered" (assisted) living, dining and other services, including a beauty salon.

The Applicant first appeared before the Planning Commission and City Council under Planning Commission Application No. 2018-011 in June and July of 2018. The intent of the Applicant's requests at that time were to determine whether the City would allow the Applicant to convert the existing buildings into market-rate, multi-family residential units at a reduced parking ratio, as the Subject Property was never constructed to the minimum required two (2) parking stalls per dwelling unit necessary for residential uses. The Applicant made additional requests under this Application for an additional wall signage allowance on the south elevation of the existing 11-story building, and an allowance for three additional units, to be constructed in the future. Following a review of the Application, the Planning Commission and City Council ultimately recommended approval of these requests, subject to the Applicant returning with final plans for each approved allowance.

As per these requirements, the Applicant submitted Planning Commission Application No. 2018-016 to address the final off-street parking layout for the Subject Property, assuming an approximately 1.7 parking ratio. Although a PUD Amendment was granted by City Council on July 9, 2018, for the parking ratio allowance, it was determined that final approval of the proposed parking plans should require an amendment as well.

A public hearing notice was published in the Brooklyn Center *Sun Post* on August 30, 2018, and mail notices were sent to surrounding property owners. On September 13, 2018, the Planning Commission conducted a public hearing on the Applicant's requests. No public comments were provided either prior to or during the meeting. The Applicant, Lux Apartments, LLC, was in attendance and answered questions of the Commissioners relating to the proposed renovations. Chair Randall Christensen inquired about snow removal given the limited space on the Subject Property and where bicycles would be stored. The Applicant (Jim Soderberg of Lux Apartments, LLC) indicated that plans are to store the bicycles inside the basement of the 11-story building or within the lower level of the structured parking garage.

Copies of the Planning Commission Report, dated September 13, 2018, and City Council resolution are attached as reference.

Budget Issues:

None to consider at this time.

Strategic Priorities and Values:

Targeted Redevelopment

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2018-016 SUBMITTED BY LUX APARTMENTS, LLC, FOR AN AMENDMENT TO THE 1992 PLANNED UNIT DEVELOPMENT PLANS AND DOCUMENTS AND PARKING/SITE IMPROVEMENTS (LOCATED AT 6100 SUMMIT DRIVE NORTH)

WHEREAS, the City Council of Brooklyn Center, Minnesota, approved site and building plans for the construction of an 11-story, 140-unit apartment complex submitted under Planning Commission Application No. 86027 through City Council Resolution Nos. 86-120 and 86-121on July 28, 1986, which approved an amendment to the comprehensive plan to allow for mixed use developments including high density, high-rise residential and general commerce in addition to service/office uses in the general area of Earle Brown Farm and site and building plan approval of the apartment complex; and

WHEREAS, the City Council adopted Resolution No. 92-234 dated September 28, 1992, which approved the rezoning of two R-7 zoned parcels of land for a mixed use Planned Unit Development, including the Subject Property formerly known as Earle Brown Commons apartment building, and more recently as Earle Brown Terrace senior living facility, and located at 6100 Summit Drive North; and

WHEREAS, the Planning Advisory Commission held a duly called public hearing on September 13, 2018, whereby a staff report, Assistant City Engineer's memorandum, and public testimony regarding the Planned Unit Development Amendment and proposed parking and site plan improvements were received and considered by the Planning Advisory Commission; and the Planning Advisory Commission gave proper consideration of the requested Planned Unit Development Amendment and parking and site plans by utilizing the guidelines for evaluating such amendments as contained in Section 35-355 (Planned Unit Developments) and Section 35-230 (Plan Approval) of the City's Zoning Ordinance, and the City's Comprehensive Plan; and

WHEREAS; in light of all testimony received, the Planning Advisory Commission of the City of Brooklyn Center, Minnesota, determined that Planning Commission Application No. 2018-016, submitted by Lux Apartments, LLC, be approved based upon the following considerations:

a) The request for amendment to the 1992 Planned Unit Development plans and documents is consistent with the initial approval of the PUD under City Council Resolution No. 92-234, and the approximately 1.7 parking ratio allowance approved under City Council Resolution No. 2018-137 in

that the intent is for the Subject Property to remain as multi-family residential property with sufficient off-street, on-site parking, and is compatible with the standards, purposes, and intent of the Planned Unit Development section of the City's Zoning Ordinance.

b) The proposal for an amendment to the 1992 Planned Unit Development will allow for the continued utilization of the land in question in a manner that is compatible with, complementary to, and of comparable intensity to adjacent land uses and those previously housed within the buildings on site, as well as those permitted on the surrounding land, with the exception that the additional land necessary to install parking on-site, which was never implemented in full under the original site and building plan approval in 1986 under City Council Resolution No. 86-121, be approved as outlined in the parking and site plan submitted with Planning Commission Application No. 2018-016 and at the approximately 1.7 parking ratio as approved under City Council Resolution No. 2018-137.

c) The proposed internal site organization, circulation, and parking facilities for the as proposed market rate apartments would be improved by providing the additional parking necessary for continued use of the buildings as multi-family residential.

AND WHEREAS, the Planning Advisory Commission of the City of Brooklyn Center, Minnesota, did determine that the guidelines for evaluating a Planned Unit Development Amendment, as contained in Section 35-355, and Site Plan Approval, as contained in Section 35-230 of the City's Zoning Ordinance, have been met, and the proposal is therefore, in the best interest of the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Brooklyn Center, Minnesota, that Planning Commission Application No. 2018-016, submitted by Lux Apartments, LLC, which requests approval of an amendment to the Planned Unit Development of 1992, and would allow for the as proposed off-street parking on the Subject Property at a parking ratio of approximately 1.7 parking spaces per dwelling unit based upon a total allowance of 143 dwelling units, for the Subject Property located at 6100 Summit Drive North, be approved, subject to the Applicant complying with the following conditions:

1. **PUD Amendment/Site Improvement Review:**
   All requested alterations will need to be approved by City staff with respect to applicable codes prior to the issuance of permits, and fire related building code items shall be reviewed and approved by the Fire Chief.
   a. Any major changes or modifications made to this request can only be made by an amendment to the approved Planned Unit Development plans and documents as approved by the City Council.

i. The parking/site plan shall be revised to remove one parking space within the southwest parking lot to allow for better turnaround capabilities at the end of the lot.

ii. The proposed fence along Earle Brown Drive is to be removed from the City right-of-way. The Applicant should consider potential landscaping options for parking lot screening (refer to Approval Condition 5.b). The Applicant shall also work with the adjacent Ecumen Prairie Lodge Property (6001 Earle Brown Drive) to identify whether it is possible to install a fence between the two parking lots.

iii. The Applicant shall identify safety features (e.g., mirrors) to incorporate for the parking located between the parking structure and 90-degree parking off the structure's drive access.

iv. If the trash dumpsters are to remain outside the 11-story building, the Applicant shall identify means to completely contain or obscure views of the dumpsters per City Code. Should the enclosure be reconstructed, the Applicant shall use materials complementary to the building.

b. Any exterior improvements to the existing two buildings or additions to the buildings will need to meet the City's Architectural Design Guidelines, which requires that at least 50-percent of each elevation (face) of the buildings be constructed of Class I materials, with the remainder constructed of Class II materials.

c. The approvals under Planning Commission Application No. 2018-016 are only as they relate to off-street parking and site improvements and do not address previously approved allowances for additional dwelling units or wall signage. The Applicant will need to submit separate applications to the City for review and consideration of these items.

d. The Applicant shall provide written verification to City staff as to whether the historic former Minnesota State Patrol office building (also known as the "Summit Bank Building") is subject to any design considerations as part of state or federal historic society designation prior to performing any interior or exterior work.

2. **Agreements:**

a. The existing PUD Agreement with the City of Brooklyn Center shall be revised to reflect these and any future approvals. This agreement is to be reviewed and approved by the City Attorney prior to the issuance of building permits. The agreement shall further assure compliance with the development plans submitted

with this application.

b. A Performance Agreement with supporting financial guarantee approved by the City shall be executed upon any approval of the to-be submitted building permit for site improvements, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications, and standards.

c. The Developer shall submit an as-built survey of the property, improvements, and utility service lines prior to release of any Performance Agreement financial guarantee.

3. **Engineering Review:** The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's Review memorandums, dated September 10, 2018.

   a. Final grading, drainage, utility, and erosion control plans and any other site engineering related issues are subject to review and approval by the City Engineer for City site and building plan approval and prior to the issuance of permits.

   b. Bicycle facilities and pedestrian sidewalk connections are to be incorporated as part of the project. Plans shall be revised as necessary.

   c. The Applicant shall review the proposed grading plans to identify opportunities to redirect runoff to the proposed rain garden (located at the end of the proposed southwest parking lot) and overall grading for the eastern parking lot (located along Earle Brown Drive).

4. **Fire Inspector/Building Official Review:** The Applicant shall work to ensure all applicable 2015 Minnesota Fire Code requirements have been met as part of any site plan approval.

   a. Per the Fire Inspector, the existing FDC connection, located along Earle Brown Drive, is to be painted red.

   b. Per the Building Official, a sign (red background with white letters and stating "FDC" or similar) is to be installed.

   c. The area around the connection should be cleared of snow during the winter months for access.

5. **Landscaping:** All landscaped areas shall include approved irrigation systems to facilitate site maintenance.

   a. The contractor shall submit irrigation shop drawings for review and approval prior to installation.

   b. The Applicant shall identify opportunities to incorporate additional landscaping along parking areas to allow for a textural breakup and

some screening. Any proposed landscaping in these areas should not result in sight visibility issues for drivers or pedestrians.

6. **Lighting:** Per the submitted photometric plan dated June 5, 2018:
    a. Fixture specifications shall be provided prior to issuance of any building permits.
    b. The Applicant should determine whether sufficient lighting is provided within the existing patio area between the 11-story building and Ecumen Prairie Lodge (6001 Earle Brown Drive) and the grassy area located between the 11-story building and Summit Bank Building for resident use.
    c. Lighting along Ecumen Prairie Lodge (6001 Earle Brown Drive) is to be maintained at 3-foot candles or less.

7. **Signage:** The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding).
    a. The proposed wall sign on the south elevation of the 11-story building, which received approval for a sign allowance at the City Council meeting on July 9, 2018, and under City Council Resolution No. 2018-137, will require that the Applicant submit final plans for review and consideration to the City as part of a Planning Commission Application.
    b. All other signage not approved otherwise is subject to Chapter 34 of the City Code of Ordinances and shall be approved under separate sign permits.

September 24, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Planning Commission Report

Meeting Date: September 13, 2018

- Application Filed: 08/14/2018
- Review Period (60-day) Deadline: 10/13/2018
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Application No. 2018-016
Applicant: Lux Apartments, LLC
Location: 6100 Summit Drive North (PID: 35-119-21-44-0012)
Request: **(1)** Amendment to Planned Unit Development plans and documents, and **(2)** Parking/Site Improvements to Allow for the Conversion of a Former Senior Living Facility to Market Rate Apartments

INTRODUCTION

Lux Apartments, LLC (the "Applicant") is requesting review and consideration of an amendment to the 1992 Planned Unit Development (PUD) plans and documents and approval of parking/site improvements that would allow for the improvements necessary to proceed with the conversion of a former senior living facility to market rate apartments (Exhibit A).

As part of the application process, a public hearing notice was published in the Brooklyn Center *Sun Post* on August 30, 2018, and notices were mailed to surrounding property owners (Exhibit B).

COMPREHENSIVE PLAN AND ZONING STANDARDS

Land Use Plan: MF- Multi Family (High Density)

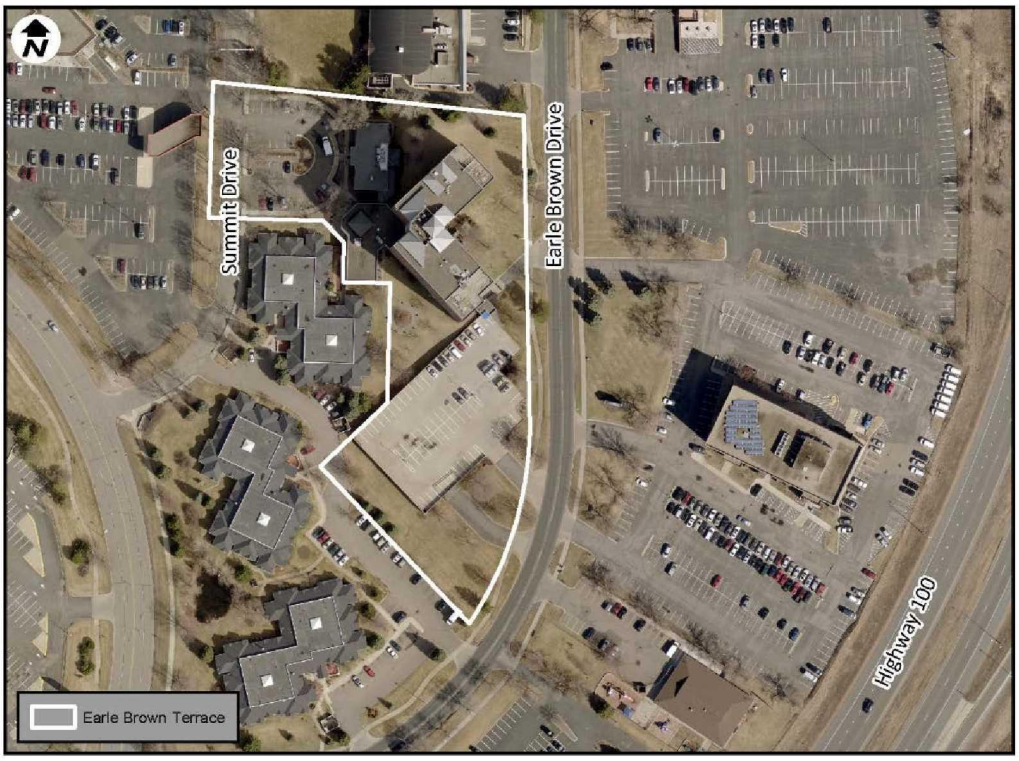
Neighborhood: Central

Current Zoning: PUD-Mixed (Planned Unit Development-Mixed) District

Surrounding Zoning:
North: C2 (Commerce) District - Earle Brown Heritage Center
East: C2 (Commerce) District and C1A (Service/Office) District – Office Buildings and Parking Lots
South: C2 (Commerce) District – Office Buildings and Daycare
West: PUD-Mixed (Planned Unit Development-Mixed) District and C1A (Service/Office) District – Ecumen Prairie Lodge Senior Living Facility and Office Buildings

Site Area: Approximately 3.3 acres

Map 1. Subject Property Location (6100 Summit Drive North).



BACKGROUND

City staff met with the Applicant in May 2018 to discuss the Subject Property, known as Earle Brown Terrace, or Earle Brown Commons, and the redevelopment of the then-senior living facility to market rate apartments. It was conveyed to City staff that the building was under-occupied and would be closing. The Applicant has since purchased the building and all former Earle Brown Terrace residents have been relocated.

The building is located on approximately 3.3 acres and consists of the historic Minnesota Highway Patrol office building (also known as the "Summit Bank Building") and an 11-story building, constructed in 1987. These buildings are connected via an interior connection and feature a two-level parking ramp. The former senior living facility offered independent and "catered" (assisted) living, dining and other services, including a beauty salon.

The Applicant first appeared before the Planning Commission and City Council under Planning Commission Application No. 2018-011 in June and July of 2018. The intent of the Applicant's requests at that time were to determine whether the City would allow the Applicant to convert the existing buildings into market-rate, multi-family residential units at a reduced parking ratio, as the Subject Property was never constructed to the minimum required two (2) parking stalls per dwelling unit necessary for residential uses. The Applicant made additional requests under this Application for an additional wall signage allowance on the south elevation of the existing 11-story building, and an allowance for three additional units, to be constructed in the future.

Ultimately, the Planning Commission recommended approval of the requests, as did City Council. Please refer to the City Council meeting minutes dated July 9, 2018, for details surrounding the initial proposal

and approval (Exhibit C).

It should be noted that the approvals were for allowances *only* and the resolutions approved specified that the Applicant would need to return with final plan sets to address each allowance request. As per these requirements, the Applicant submitted Planning Commission Application No. 2018-016 to address the final off-street parking layout for the Subject Property, assuming an approximately 1.7 parking ratio. Although a PUD Amendment was granted by City Council on July 9, 2018, for the parking ratio allowance, it was determined that final approval of the proposed parking plans should require an amendment as well. As Planned Unit Developments (PUDs) are intended to "promote flexibility in land development," approval of a subsequent PUD amendment for the parking allows for all changes to be tracked and incorporated.

AMENDMENT TO PLANNED UNIT DEVELOPMENT

In 1986, under Planning Commission Application No. 86007, the Subject Property received plat approval to re-subdivide land surrounding Earle Brown Farm. This land was at that time zoned I-1 (Industrial Park) District and was bounded by Summit and Earle Brown Drives. Planning Commission Application No. 86010, approved by City Council under Resolution No. 86-121, resulted in the re-zoning of approximately 7.1 acres, of which included the Subject Property, from I-1 to R-7 (Multiple Family Residence) District. Approval of site and building plans for an 11-story, 140-unit apartment complex with a brick exterior, one story lounge, and connecting parking ramp were approved under Planning Commission Application No. 86027 on July 17, 1986, by the Planning Commission, and on July 28, 1986, by City Council.

This approval was part of a previously recommended amendment by City Council to the Brooklyn Center Comprehensive Plan "to allow mixed use development, including high-rise, high-density residential development on the land in and around the Earle Brown Farm." The 2030 Brooklyn Center Comprehensive Plan identifies the Subject Property's existing and future use as "MF" or high density multi-family residential.

In 1992, under Planning Commission Application No. 92013, the Subject Property and the property to the south (6001 Earle Brown Drive) were re-zoned from R7 (Multiple Family Residence) District to PUD-Mixed. This re-zoning was partially in order to help facilitate the development of neighboring 6001 Earle Brown Drive into a senior housing facility, which was to be located in three buildings or "houses." Today, this property is home to the Ecumen Prairie Lodge.

As part of the PUD approval, staff comments at that time noted that the Earle Brown Commons (Terrace) senior living facility project was, "clearly intended to be a two phase development with the second phase to be another high rise building, attached to the phase one building at the property line. With the proposal of the Evergreen residential care facility (now known as Ecumen Prairie Lodge), phase two of the Earle Brown Commons (Terrace) is being abandoned."

SITE PLAN

Access and Parking

Construction of the Ecumen Prairie Lodge (6001 Earle Brown Drive) in 1992 resulted in the Subject Property losing the majority of its proof-of-parking spaces, which would have been located on the phase two parcel (now the site of Ecumen Prairie Lodge). As residential units require a minimum of two (2) parking spaces per unit, the Subject Property would have required a total of 280 parking spaces for 140 units. At the time of PUD consideration in 1992, there were 173 parking spaces on-site, including 140

spaces in the two-level parking ramp.

The Applicant has noted in their submittal the presence of 178 parking stalls, which has been revised since the last noted figure of 171 parking stalls (per the last Planning Commission Report dated June 28, 2018). The existing parking, assuming the 140 existing dwelling units, is at a 1.27 parking ratio. The Applicant is requesting to install an additional 67 stalls on-site of the Subject Property, which would bring the total number of parking spaces to 245 off-street parking spaces. Per Zoning Code regulations, which require two (2) parking spaces per dwelling unit, this would leave the Subject Property 35 spaces shy of the 280 spaces necessary for the existing 140 units, or 41 spaces shy of the minimum 286 spaces necessary for the approved 143 units. At the City Council meeting on July 9, 2018, Council members approved an allowance for an approximately 1.7 parking ratio. The proposed 245 parking spaces would therefore meet this threshold (1.7 parking ratio).

In reviewing the proposed off-street parking layout, City staff noted that the parking located along the southwestern edge of the Subject Property could result in difficult turnaround navigations should the parking lot be full. City staff determined that the Applicant should revise the parking plan to utilize one (1) parking space as a loading or turnaround space. The removal of one parking space would bring the total number of parking spaces down to 244 parking spaces, which was originally outlined under Planning Commission Application No. 2018-011 and still allows for a 1.71 parking ratio. Please refer to Image 2 below. A similar tight turnaround exists along the eastern parking lot (adjacent to Earle Brown Drive), however, as there are only 15 proposed parking spaces, and as this area is highly visible from the street, City staff is less concerned with the turnaround capabilities.

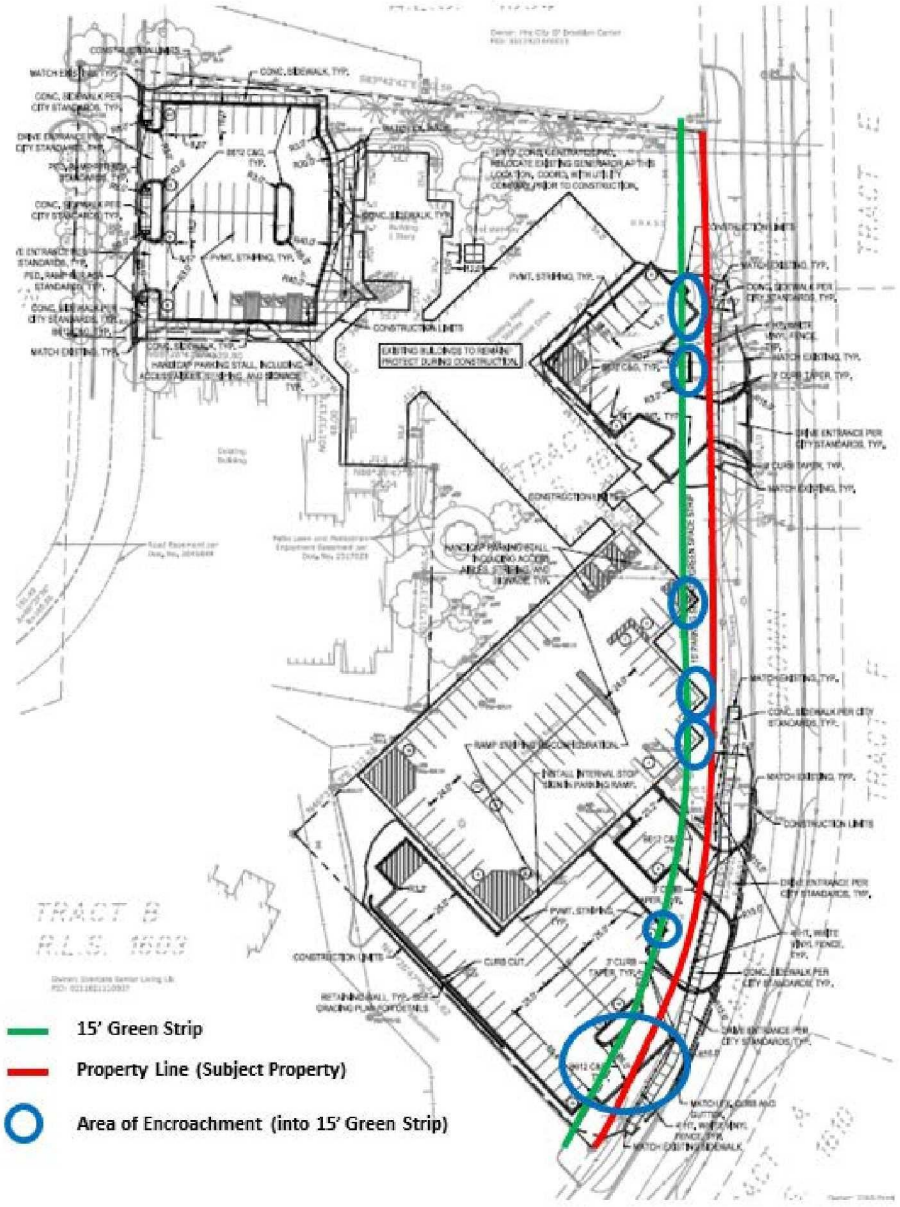
Image 1. Subject Property Proposed Parking Areas (6100 Summit Drive North).



Per the Zoning Code, no parking shall be permitted within 15 feet of the street right-of-way, and this area shall be maintained as a green strip. Installation of the additional parking would result in the encroachment of some new surface parking spaces and a turnaround into the 15-foot green strip area along the south and east entrances to the Subject Property. Upon a review of the existing conditions survey, it was determined that the existing two-level parking ramp already encroaches slightly at three

different points along the structure. None of the outlined encroachments would encroach over the property line or into the City's right-of-way.

Image 2. Subject Property Proposed Parking Layout (6100 Summit Drive North).



A minimum 24-foot wide drive aisle is required for 90-degree two way parking. Although the photometric plan notes drive aisle dimensions as well as typical parking space dimensions, the site plan only notes the widths of some drive aisles. Pending approval of the Planning Commission Application and submittal of a building permit, the site plan should be updated to reflect all aisles and dimensions.

It should be noted that the existing uphill drive to the upper parking ramp falls just below the minimum width requirement at 23.2 feet in width. 90-degree parking spaces would need to meet the minimum 8 foot, 8 inch width and 18-foot length requirements per the City's Zoning Code. The Applicant will also

need to provide sufficient accessible parking and loading spaces to comply with the 2015 Minnesota Accessibility Code requirements near the main entrances to the buildings. Finally, the Applicant should identify means to incorporate safety features (e.g., mirrors) between the parking located on the parking structure and parking located along the drive access to the parking structure.

Although the construction of additional levels to the existing two-level parking structure were discussed, it was noted by City Manager Curt Boganey at the City Council meeting on July 9, 2018, that, "there is no place to put 280 parking spaces on this site so it has been out of compliance since Day 1." He added, "There is no economic way to add 109 parking spaces. For that reason, the purchaser (the Applicant) is rightfully hesitant to acquire the vacant property with the expectation that he will have to add 109 spaces to comply with the current Ordinances. The purchaser would like some indication the City Council is willing to offer some flexibility beyond the ordinance requirement for 280 parking spaces."

Regarding the Applicant's anticipated acquisition of the former Earle Brown Terrace (Subject Property), Jim Soderberg (the Applicant) further noted that, "if they (the Applicant) did not think they had enough parking, they would not do this deal." As an added note, the Applicant noted to City staff that, in addition to the economic infeasibility (of constructing additional levels of structured parking), it would be unsightly, and would block views for residents residing on the south side of the 11-story building.

As part of the parking review under Planning Commission Application No. 2018-011, the Applicant conducted an internal survey of existing parking at other Soderberg Apartment Specialists' owned apartment buildings and determined the following parking ratios and allocations of bedroom units per property:

Table 1. Parking and Unit Type Breakdown of Subject Property and Other Soderberg Apartment Specialists' Owned Apartment Buildings.

Property Location	# Dwelling Units	Bedroom Breakdown	Parked Cars	Parking Ratio
Hopkins	150 (1 bd only)	100% - 1 bd	170	1.14
Saint Louis Park	120 (70-1 bd | 50-2 bd)	58%-1 bd |42%-2 bd	142	1.18
Brooklyn Center*	72 (24-1 bd | 48-2 bd)	33%-1 bd | 67%-2 bd	123	1.71
Subject Property	140 (81-1 bd | 59-2 bd) + 3 proposed units (2-1 bd | 1 studio/efficiency**)	59%-1 bd/studio | 41%-2 bd	244 (assuming one space is removed for turnaround)	**1.71**

* Indicates greater percentage of two unit apartments than Subject Property.
** For purposes of calculation, the proposed studio/efficiency unit is included with 1 bedroom units for "Bedroom Breakdown."

The Applicant did indicate that preliminary discussions had been held regarding potential parking use agreements for residents and their guests at neighboring properties; however, it is the Applicant's intent to provide sufficient parking on-site as the Applicant has indicated in the past that convenient parking is necessary when looking at overall tenant satisfaction and the retaining of tenants.

Per the Assistant City Engineer's memorandum dated September 10, 2018, and previous memorandum dated June 25, 2018, the Applicant shall provide bicycle facilities, given the Subject Property's relative proximity to nearby trails, and provide sidewalk connections along the Subject Property. For public transportation options, the Subject Property is about a six minutes' walk to the 722 bus line, which runs north to Brooklyn Park and the Target North Campus, and south to the Brooklyn Center Transit Center.

LIGHTING | TRASH | SCREENING

Lighting

Per the City Zoning Code, "all exterior lighting shall be provided with lenses, reflectors, or shades, so as to concentrate illumination of the property of the owner or operator of said illumination devices." The submitted photometric plan notes lighting that will be of the cutoff type and identifies a total of 32 new and existing fixture locations on the Subject Property.

This includes the installation of 11 LED, downcast, flat lens wall pack lights, and 14 LED decorative style light poles, mounted at a 12 foot height. Two-22 foot high light poles would remain, and five (5) additional light poles, also mounted at a 22-foot height, would be installed as part of the project.

Per the City Zoning Code, lighting shall not exceed three (3) foot candles measured at property lines abutting residentially zoned property, or 10 foot candles measured at the property lines abutting the street right-of-way or non-residentially zoned properties. As is specified, no glare shall emanate from or be visible beyond the boundaries of the illuminated premises.

The photometric plan notes that the maximum number of foot candles for any light poles or wall-pack fixtures around the Subject Property would be not more than 15.1 foot candles (North West area of Subject Property) and no more than 3.81 foot candles on average. As the Subject Property abuts Ecumen Prairie Lodge (senior living facility), the Applicant will need to ensure that the maximum 3-foot candles for abutting residential properties is maintained at or below this threshold. As is noted along the southwest parking lot, the foot candles identified appear to fall just below the threshold.

The Applicant may also want to consider the installation or reallocation of lighting near the patio area located between the Subject Property and Ecumen Prairie Lodge and the grassy area located between the 11-story building and former Summit Bank Building, as residents with pets may want to access these areas. Although traditional lighting could be considered, the Applicant may want to identify opportunities for illuminated pedestrian bollards, particularly if pedestrian pathways are to be introduced. The Applicant should also verify whether sufficient lighting is provided over the trash/loading area, which is located between the 11-story building and parking structure (along Earle Brown Drive).

Trash

The existing trash area is located within/just outside the 11-story building. It is understood that the Applicant intends to maintain this trash area, along with the existing loading area for trash pickup. The Applicant should verify that the existing trash/loading area is maintained and clean of any debris or trash as this area is highly visible from Earle Brown Drive. If the dumpsters are to remain outside the 11-story building the Applicant should construct a trash enclosure that completely covers or obscures the view of the dumpsters. This enclosure should be complementary to the building. As the drive access to the loading area is to be shared with a small parking lot, the Applicant may want to consider the use of signage or paint markings to ensure tenants or visitors do not attempt to park in this area.

Screening

All other ground mounted equipment (e.g., transformers, mechanical) shall be effectively screened from adjacent public rights-of-way and properties by a solid wall or fence constructed of wood, masonry, or other durable materials that are complementary to the materials used on the primary building. Per Chapter 12 (*Building Maintenance and Occupancy*) of the City Code, roof-mounted equipment shall also be screened from view through use of parapets, wall/fencing materials, or paint to match surrounding

colors when visible from the public right-of-way.

As is noted in the Assistant City Engineer's memorandum dated September 10, 2018, the Applicant should remove the proposed fence along Earle Brown Drive from the plans as it is not only off the property (in City right-of-way), but due to concerns regarding sight visibility for both drivers and pedestrians.

Per Section 35-711 (*Parking Lot Screening*), "All open off-street parking areas having more than six spaces and all off-street loading and unloading spaces shall be effectively screened from any abutting residential lots by a solid wall or opaque fence six feet high, or by such other device as may be approved by the City Council." Although the proposed southwest parking lot does not provide much in the way of room for fencing, the Applicant shall work with neighboring Ecumen Prairie Lodge (6001 Earle Brown Drive) to determine whether a fence is desired, as the proposed southwest parking lot would abut Ecumen's parking lot and residential facility.

Landscaping

The project submittal includes a landscape plan and planting schedule, Although City Code does not have any specific requirements on the species of landscaping, the City has operated under and held new and redeveloped areas to complying with the City's adopted Landscape Point System policy, which assigns points to a given site based on the acreage of a development.

The point system requires multi-family residential sites to provide a specific amount or number of landscaping units, and is based on the maximum percentage of certain materials (i.e., 50% shade trees; 40% coniferous trees; 35% decorative trees; and 25% shrubs). Given a "Multi-Family Residential" use and assuming an approximately 3.3 acre site, the Applicant would need to achieve a minimum of 277.5 points.

Planting Type	Minimum Size	Points Per Planting	Maximum Points (%)	Points Accrued
Shade (Deciduous) Trees	2 ½" diameter	10	50% or 139 points	**120** (12 trees x 10 = 120)
Coniferous (Evergreen) Trees	5' height	6	40% or 111 points	**96** (16 trees x 6 = 96)
Decorative (Ornamental) Trees	1" diameter	1.5	35% or 97 points	**12** (8 trees x 1.5 = 12)
Shrubs	12" diameter	0.5	25% or 69 points	**76.5** (153 shrubs x 0.5 = 76.5)
Total			100% or ~277.5 points	**304.5 points**

Based on a review of the Landscape Plan, dated August 14, 2018, the plan would meet and exceed the minimum requirements under the Landscape Point System Policy at 304.5 points achieved. In addition to the proposed deciduous tree, ornamental tree, evergreen tree, and shrub plantings, the Applicant also intends to incorporate Karl Foerster grasses, Russian sage, and daylilies along the front of the former Summit Bank Building. The Applicant should review the submitted Landscape Plan to determine additional opportunities that might provide some textural breakup of the parking lot areas through the installation of additional plantings, as City staff has recommended the removal of the proposed fence along Earle Brown Drive.

Per City requirements, the Applicant will need to ensure an irrigation system is installed as part of the landscape installations. Shop drawings are to be submitted to the City once the location of the system has been determined and as part of any approval of the project and building permit submittal.

ENGINEERING REVIEW

Per Assistant City Engineer Andrew Hogg's memorandum dated September 10, 2018, and pending approval of Planning Commission Application No. 2018-016, the Applicant will need to revise the plan sets in accordance with the comments and revisions as outlined in the aforementioned memorandums (Exhibit D).

As was mentioned in the original memorandum dated June 25, 2018, any stormwater runoff shall be treated on-site, in rain gardens, swales, and any other water quality Best Management Practices (BMPs) shall include pre-treatment. The proposed run off rates submitted as part of the required site and building plan approval will require that they be equal to or below the existing runoff rates.

Per conversations with the Assistant City Engineer, the Applicant should review the plan set to confirm grading, as it appears any runoff in the southwest parking lot would likely utilize the catch basin located west of the Subject Property, rather than the rain garden located at the end of the parking lot. Additionally, the Applicant should review the proposed grading for the small parking lot located along Earle Brown Drive.

FIRE INSPECTOR/BUILDING OFFICIAL REVIEW

The Applicant shall work to ensure all 2015 Minnesota Fire Code requirements have been met as part of any building and site plan approval. The Applicant shall work with the Fire Inspector to ensure the site plan meets 2015 Minnesota Fire Code provisions, including, but not limited to: maximum distance from fire hydrants, emergency access, fire sprinkler systems, etc. As the FDC connection is located off the building and along Earle Brown Drive, Fire Inspector Brandon Gautsch requested that the Applicant paint this connection point red as it currently blends in with the surroundings and may be difficult to find during the winter months. Building Official Dan Grinsteinner also noted that a sign (red background with white letters and stating "FDC" or similar) be installed for clear identification. With this in mind, this area should also be kept clear of snow in order to provide access if ever needed.

SIGNAGE

As part of the PUD amendment approved by City Council on July 9, 2018, a signage allowance was granted for a wall sign on the south elevation of the 11-story building. The Applicant will need to follow up and submit a separate Planning Commission Application with final plans in order for the Planning Commission and City Council to provide any formal, final consideration of this wall sign.

With the exception of the proposed wall sign on the south elevation of the 11-story building, all other signage will need to comply with the Sign Code requirements for multiple family dwellings and cluster developments as outlined in Chapter 34 of the City Code. The Applicant will need to apply for and receive issuance of a sign permit in order to install any new signage.

Based on staff findings, staff recommends Planning Commission recommendation of the amendment to the 1992 Planned Unit Development plans and documents and approval of the proposed parking/site plan at the previously approved, approximately 1.7 parking ratio, and approval of the anticipated site improvements for the Subject Property located at 6100 Summit Drive North, subject to the Applicant complying with the Approval Conditions as noted below.

APPROVAL CONDITIONS

Staff recommends the following conditions be attached to any positive recommendation on the approval of an amendment to the 1992 Planned Unit Development plans and documents and aforementioned parking and site improvements to allow for the conversion of a former senior living facility to market rate apartments:

1. **PUD Amendment/Site Improvement Review:**

   All requested alterations will need to be approved by City staff with respect to applicable codes prior to the issuance of permits, and fire related building code items shall be reviewed and approved by the Fire Chief.

   a. Any major changes or modifications made to this request can only be made by an amendment to the approved Planned Unit Development plans and documents as approved by the City Council.

      i. The site plan shall be revised to remove one parking space within the southwest parking lot to allow for better turnaround capabilities at the end of the lot.

      ii. The proposed fence along Earle Brown Drive is to be removed from the City right-of-way. The Applicant should consider potential landscaping options for parking lot screening (refer to Approval Condition 5.b). The Applicant shall also work with the adjacent Ecumen Prairie Lodge Property (6001 Earle Brown Drive) to identify whether it is possible to install a fence between the two parking lots.

      iii. The Applicant shall identify safety features (e.g., mirrors) to incorporate for the parking located between the parking structure and 90-degree parking off the structure's drive access.

      iv. If the trash dumpsters are to remain outside the 11-story building, the Applicant shall identify means to completely contain or obscure views of the dumpsters. Should the enclosure be reconstructed, the Applicant shall use materials complementary to the building.

   b. Any exterior improvements to the existing two buildings or additions to the buildings will need to meet the City's Architectural Design Guidelines, which requires that at least 50-percent of each elevation (face) of the buildings be constructed of Class I materials, with the remainder constructed of Class II materials.

   c. The approvals under Planning Commission Application No. 2018-016 are only as they relate to off-street parking and site improvements and do not address previously approved allowances for additional dwelling units or wall signage. The Applicant will need to submit separate applications to the City for review and consideration of these items.

   d. The Applicant shall provide written verification to City staff as to whether the historic former Minnesota State Patrol office building (also known as the "Summit Bank Building") is subject to any design considerations as part of state or federal historic society designation prior to performing any interior or exterior work.

2. **Agreements:**
    a. The existing PUD agreement with the City of Brooklyn Center shall be revised to reflect these and any future approvals. This agreement is to be reviewed and approved by the City Attorney prior to the issuance of building permits. The agreement shall further assure compliance with the development plans submitted with this application.
    b. A Performance Agreement with supporting financial guarantee approved by the City shall be executed upon any approval of the to-be submitted building permit for site improvements, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications, and standards.
    c. The Developer shall submit an as-built survey of the property, improvements, and utility service lines prior to release of any Performance Agreement financial guarantee.

3. **Engineering Review:** The Applicant agrees to comply with all conditions or provisions noted in the City Engineer's Review memorandums, dated September 10, 2018 (Exhibit D).
    a. Final grading, drainage, utility, and erosion control plans and any other site engineering related issues are subject to review and approval by the City Engineer for City site and building plan approval and prior to the issuance of permits.
    b. Bicycle facilities and pedestrian sidewalk connections are to be incorporated as part of the project. Plans shall be revised as necessary.
    c. The Applicant shall review the proposed grading plans to identify opportunities to redirect runoff to the proposed rain garden (located at the end of the proposed southwest parking lot) and overall grading for the eastern parking lot (located along Earle Brown Drive).

4. **Fire Inspector/Building Official Review:** The Applicant shall work to ensure all applicable 2015 Minnesota Fire Code requirements have been met as part of any site plan approval.
    a. Per the Fire Inspector, the existing FDC connection, located along Earle Brown Drive, is to be painted red.
    b. Per the Building Official, a sign (red background with white letters and stating "FDC" or similar) is to be installed.
    c. The area around the connection should be cleared of snow during the winter months for access.

5. **Landscaping:** All landscaped areas shall include approved irrigation systems to facilitate site maintenance.
    a. The contractor shall submit irrigation shop drawings for review and approval prior to installation.
    b. The Applicant shall identify opportunities to incorporate additional landscaping along parking areas to allow for a textural breakup and some screening. Any proposed landscaping in these areas should not result in sight visibility issues for drivers or pedestrians.

6. **Lighting:** Per the submitted photometric plan dated June 5, 2018:
    a. Fixture specifications shall be provided prior to issuance of any building permits.
    b. The Applicant should determine whether sufficient lighting is provided within the existing patio area between the 11-story building and Ecumen Prairie Lodge (6001 Earle Brown Drive) and the grassy area located between the 11-story building and Summit Bank Building for resident use.
    c. Lighting along Ecumen Prairie Lodge (6001 Earle Brown Drive) is to be maintained at 3-foot candles or less.

7. **Signage:** The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding).
    a. The proposed wall sign on the south elevation of the 11-story building, which received approval for a sign allowance at the City Council meeting on July 9, 2018, will require that the Applicant submit final plans to the City as part of a Planning Commission Application for review and consideration.
    b. All other signage not approved otherwise is subject to Chapter 34 of the City Code of Ordinances and shall be approved under separate sign permits.

RECOMMENDATION

Based on the above-noted findings, staff recommends:

The Planning Commission recommends City Council approval of the amendment to the 1992 Planned Unit Development plans and documents and approval of the proposed parking/site plan at the previously approved approximately 1.7 parking ratio, and approval of the anticipated site improvements for the Subject Property located at 6100 Summit Drive North, subject to the Applicant complying with the Approval Conditions as noted above.

Should the Planning Commission accept these recommendations, the Commission may elect to adopt the resolution to be provided prior to the scheduled Planning Commission meeting on September 13, 2018.

Attachments

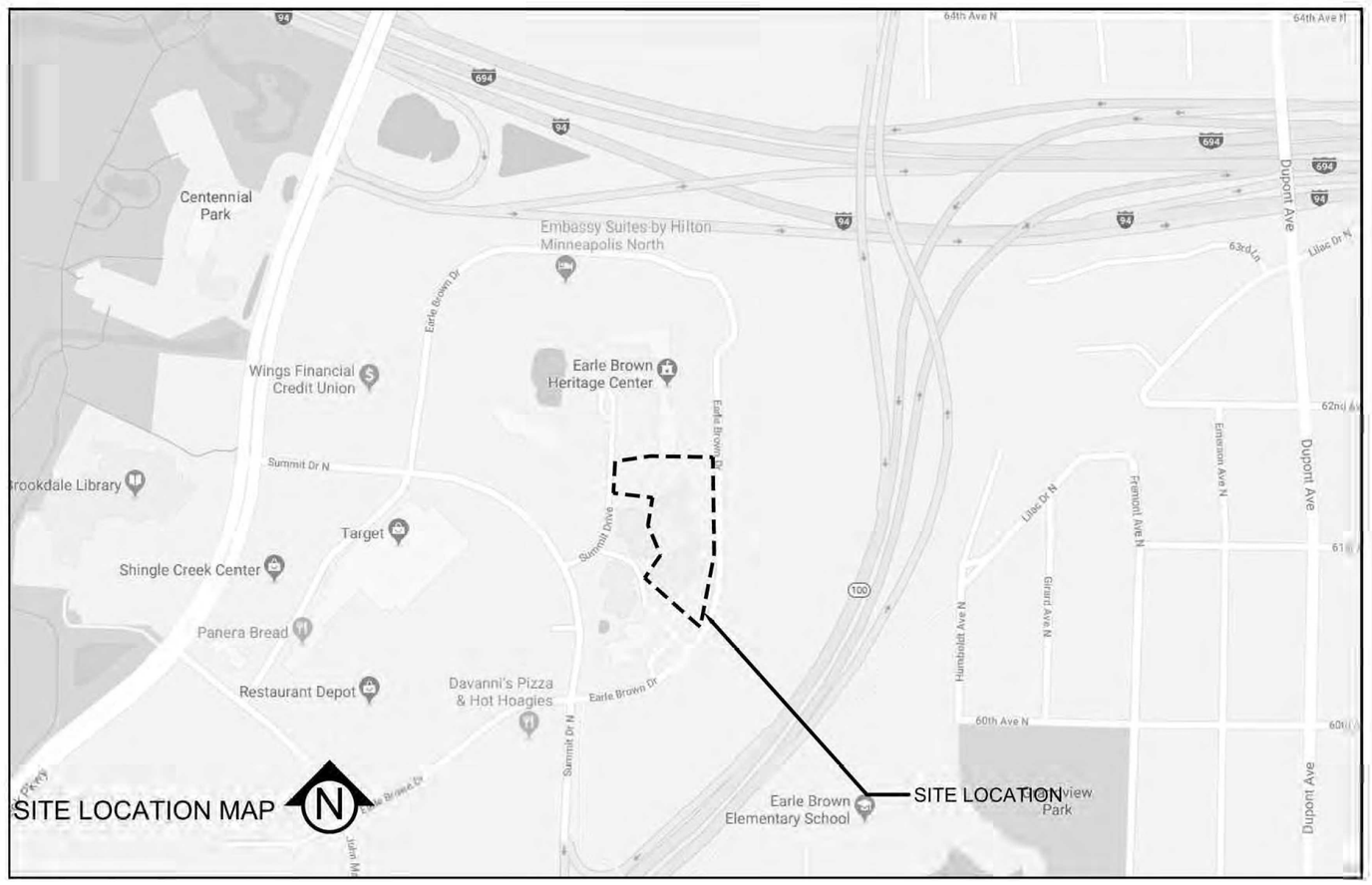
Exhibit A- City Submittal for 6100 Summit Drive North by Lux Apartments, LLC, and CivilSite Group dated August 14, 2018.
Exhibit B- Public Hearing Notice for 6100 Summit Drive North, published by Brooklyn Center *Sun Post,* dated August 30, 2018.
Exhibit C- Select City Council Meeting Minutes, Item 9.b, dated July 9, 2018.
Exhibit D- Review Memorandum, prepared by Assistant City Engineer Andrew Hogg, dated September 10, 2018.

Exhibit A

LUX APARTMENTS

BROOKLYN CENTER, MINNESOTA

ISSUED FOR: CITY SUBMITTAL



DEVELOPER / PROPERTY OWNER:

SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE
MINNEAPOLIS, MN 55430
763-746-4020

ENGINEER / LANDSCAPE ARCHITECT / LAND SURVEYOR:

CIVIL SITE GROUP
4931 W 35TH STREET
SUITE 200
ST LOUIS PARK, MN 55416
612-615-0060

GEOTECHNICAL ENGINEER:

TBD

MASTER LEGEND:

1125	EX. 1' CONTOUR ELEVATION INTERVAL
1137.12	EXISTING SPOT GRADE ELEVATION
1137	1.0' CONTOUR ELEVATION INTERVAL
41.26	SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
891.00 G	SPOT GRADE ELEVATION TOP OF CURB (GUTTER TOP)
891.00 TC	SPOT GRADE ELEVATION TOP OF WALL
891.00 BS/TS	SPOT GRADE ELEVATION BOTTOM OF WALL
	DRAINAGE ARROW
EOF=1135.52	EMERGENCY OVERFLOW
	SILT FENCE / BIOROLL - GRADING LIMIT
	INLET PROTECTION
	STABILIZED CONSTRUCTION ENTRANCE
SB-1	SOIL BORING LOCATION
TO	CURB AND GUTTER (T.O = TIP OUT)

	PROPOSED MANHOLE STORM
	PROPOSED CATCH BASIN OR CATCH BASIN MANHOLE STORM
	PROPOSED GATE VALVE
	PROPOSED FIRE HYDRANT
	PROPOSED MANHOLE SANITARY
	PROPOSED SIGN
	PROPOSED LIGHT
	PROPOSED SANITARY SEWER
	PROPOSED STORM SEWER
	PROPOSED WATER MAIN
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING WATER MAIN
	EXISTING GAS MAIN
	EXISTING UNDERGROUND ELECTRIC
	EXISTING UNDERGROUND CABLE

EXISTING MANHOLE	EXISTING STOPBOX	EXISTING LIGHT
EXISTING CATCH BASIN	EXISTING GATE VALVE	EXISTING GAS METER
EXISTING HYDRANT	EXISTING ELECTRIC BOX	EXISTING GAS VALVE

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(651) 454-0002 LOCAL

SHEET INDEX

SHEET NUMBER	SHEET TITLE
C0.0	TITLE SHEET
V1.0	SITE SURVEY
C1.0	REMOVALS PLAN
C2.0	SITE PLAN
C3.0	GRADING & UTILITY PLAN
C5.0	DETAILS
C5.1	DETAILS
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN NOTES & DETAILS
SW1.0	SWPPP - EXISTING CONDITIONS
SW1.1	SWPPP - PROPOSED CONDITIONS
SW1.2	SWPPP - DETAILS
SW1.3	SWPPP - NARRATIVE

CivilSite GROUP
Civil Engineering • Surveying • Landscape Architecture
4931 W. 35th Street, Suite 200
St. Louis Park, MN 55416
civilsitegroup.com 612-615-0060

PRELIMINARY: NOT FOR CONSTRUCTION

PROJECT
LUX APARTMENTS
6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430
SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

I 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.

Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY:
KELSEY BEDNAR

REVIEWED BY:
.

PROJECT NUMBER: 18165

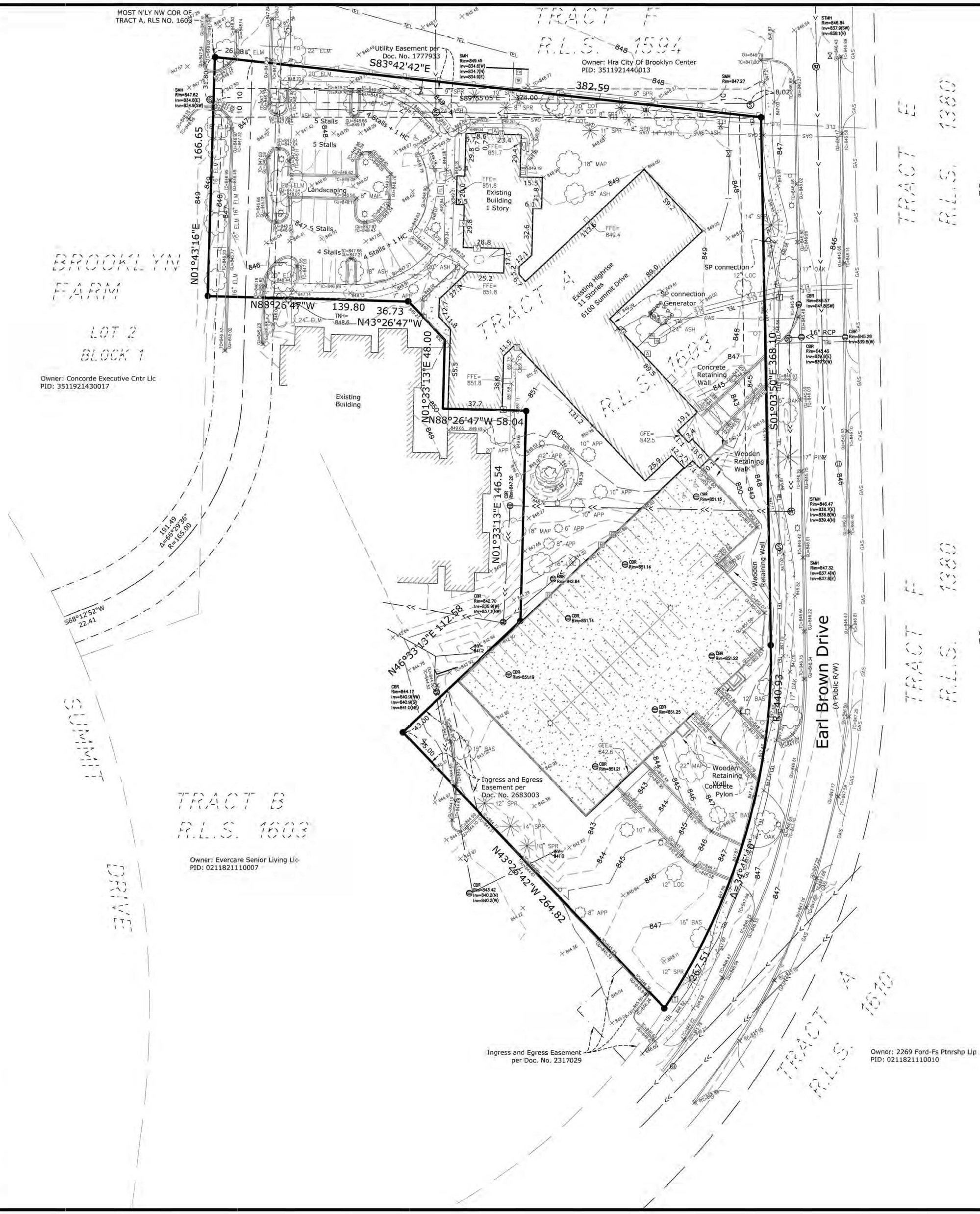
REVISION SUMMARY

DATE	DESCRIPTION

TITLE SHEET

C0.0

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Description of Property Surveyed
(Per Old Republic National Title Insurance Company Commitment for Title Insurance File No. 64104, dated March 8, 2018.)

Tract A, Registered Land Survey 1603, Hennepin County, Minnesota.

Together with an easement for patio, lawn, pedestrian and ingress and egress purposes over portions of adjoining Tract B, Registered Land Survey No. 1603, as created in Document No. 2317029; see Order Document No. 3101571.

Together with a valid non-exclusive easement for roadway purposes over portions of adjoining Tract B, Registered Land Survey No. 1603, and Lot 2, Block 1, Brooklyn Farm, as created in Document No. 2045849; see Order Document No. 3101571.

Being Registered land as is evidenced by Certificate of Title No. 1415088.

ALTA/NSPS Land Title Survey Notes
(numbered per Table A)

1. Bearings are based on the Hennepin County Coordinate System.(NAD 83, 86 Adj)

2. Site Address: 6100 Summit Drive, Brooklyn Center, Minnesota.

3. This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0208F, effective date of November 4th, 2016.

4. The Gross land area is 142,085+/- square feet or 3.26+/- acres.

7(a). Exterior dimensions of all buildings are shown at ground level.

8. Substantial features observed in the process of conducting the fieldwork are shown hereon.

9. The number of parking stalls on this site are as follows: Outside 27 Regular + 2 Handicap = 29 Total Parking Stalls.
Lower Level Ramp 74 Regular + 3 Handicap = 77 Total Parking Stalls.
Upper Level Ramp 70 Regular + 2 Handicap = 72 Total Parking Stalls.

11. We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

13. The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from Hennepin County GIS Maps.

19. Easements and servitudes disclosed in documents provided to or obtained by surveyor shown hereon.

20. A Professional Liability Insurance certificate will be provided upon request.

Survey Report

1. This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Old Republic National Title Insurance Company File No. 64104, dated March 8, 2018. We note the following with regards to Schedule B of the herein referenced Title Commitment:

a. Schedule D, Part 1, item no.'s 1-5 are not survey related. Property is subject to Declaration of Covenants dated February 1990, by and between Presbyterian Homes
Housing and Assisted Living, Inc., a Minnesota nonprofit corporation, and the City of Brooklyn Center, per Doc. No. 2683011.

b. Schedule B, Part 2, item no.'s 1-6 are not survey related.

c. The following are numbered per the referenced title Commitment:

7. Water main, sanitary sewer and storm sewer easement(s) over subject property in favor of City of Brooklyn Center, as created in Document No. 1147857.

8. Terms and conditions of Easement Grant and Maintenance Agreement by and between Earle Brown Commons Limited Partnership, The Housing and Redevelopment Authority in and for the City of Brooklyn Center, and the City of Brooklyn Center, dated October 9, 1986, filed November 24th, 1986, as
Document No. 1777933.

9. Ingress and egress easement(s) over subject property as evidenced by Document No(s). 2683003.

2. Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:

a. There are no conflicts to my knowledge.

ALTA Certification

To: OGC Earle Brown, LLC, a Minnesota limited liability company, and Old Republic National Title Insurance Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, 11, 13, 19, and 20 of Table A thereof. The field work was completed on August 2nd, 2018.
Dated this 14th day of August, 2018.

Rory L. Synstelien Minnesota License No. 44565
rory@civilsitegroup.com

N

30 15 0 15 30 60
SCALE IN FEET

Linetype & Symbol Legend

FIBER OPTIC	SIGN	AIR CONDITIONER
GASMAIN	UTILITY MANHOLE	BOLLARD
WATERMAIN	SANITARY MANHOLE	ELECTRIC MANHOLE
SANITARY SEWER	STORM MANHOLE	FLAG POLE
STORM SEWER	CATCH BASIN	FLARED END SECTION
OVERHEAD UTILITIES	TELEPHONE BOX	GAS VALVE
TELEPHONE LINE	TELEPHONE MANHOLE	HANDICAP SYMBOL
ELECTRIC LINE	ELECTRIC TRANSFORMER	HYDRANT
CABLE LINE	TRAFFIC SIGNAL	WATER MANHOLE
CHAINLINK FENCELINE	CABLE TV BOX	WATER VALVE
CONCRETE SURFACE	ELECTRICAL METER	POWER POLE
PAVER SURFACE	GAS METER	GUY WIRE
BITUMINOUS SURFACE	FOUND IRON MONUMENT	CONIFEROUS TREE
GRAVEL SURFACE	SET IRON MONUMENT	DECIDUOUS TREE
	CAST IRON MONUMENT	

CivilSite GROUP
4931 W. 35TH ST. SUITE 200
ST. LOUIS PARK, MN 55416
CivilSiteGroup.com

PROJECT
Lux Apartments
6100 Summit Drive, Brooklyn Center, MN 55430
Soderberg Apartment Specialists
6401 N Camden Ave. Minneapolis, MN 55430

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

RORY L. SYNSTELIEN
DATE SIGN-DATE LICENSE NO. 44565

VICINITY MAP



REVISION SUMMARY

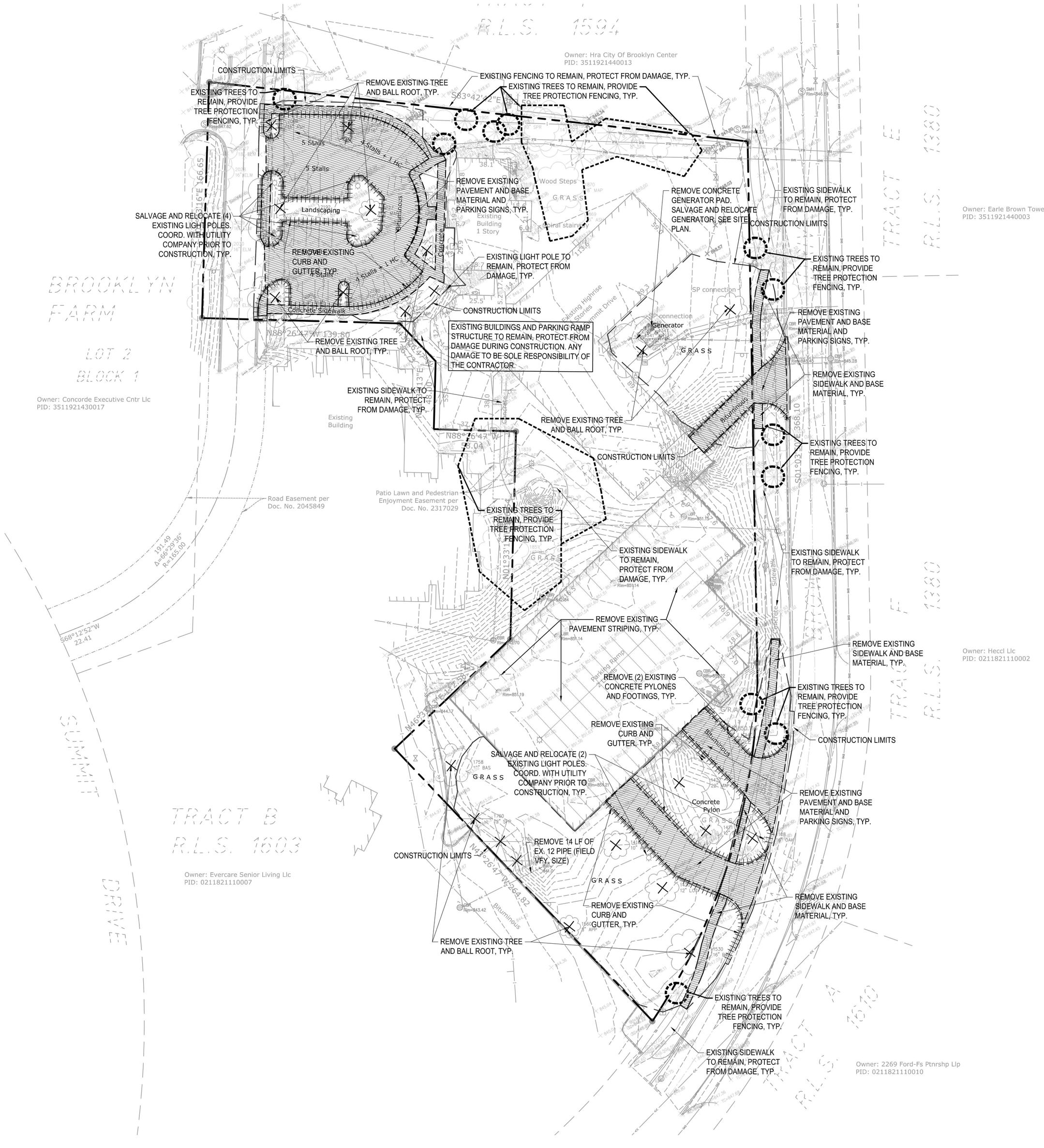
DATE	DESCRIPTION

PROJECT NO.: 18165

ALTA/NSPS LAND TITLE SURVEY

V1.0

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REMOVAL NOTES:

1. SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
2. REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
3. REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
4. EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
5. REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
6. ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
7. EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
8. PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
9. MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS.
10. DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
11. PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
12. SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM, AND THEFT, DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY.
13. VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
14. ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
15. SHORING FOR BUILDING EXCAVATION MAY BE USED AT THE DISCRETION OF THE CONTRACTOR AND AS APPROVED BY THE OWNERS REPRESENTATIVE AND THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
16. STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.

CITY OF BROOKLYN CENTER REMOVAL NOTES:

1. RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0-SW1.3

REMOVALS LEGEND:

- 1125 — EX. 1' CONTOUR ELEVATION INTERVAL
- REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL PVMTS.
- REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
- REMOVE CURB AND GUTTER. IF IN RIGHT-OF-WAY, COORDINATE WITH LOCAL GOVERNING UNIT.
- TREE PROTECTION
- TREE REMOVAL - INCLUDING ROOTS AND STUMPS

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(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

1" = 40'-0"
20'-0" 0 40'-0"

CivilSite GROUP
Civil Engineering • Surveying • Landscape Architecture
4931 W. 35th Street, Suite 200
St. Louis Park, MN 55416
civilsitegroup.com 612-615-0060

PRELIMINARY: NOT FOR CONSTRUCTION

PROJECT

LUX APARTMENTS

6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430

SODERBERG APARTMENT SPECIALISTS

6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

I 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.

Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY: KELSEY BEDNAR

REVIEWED BY: .

PROJECT NUMBER: 18165

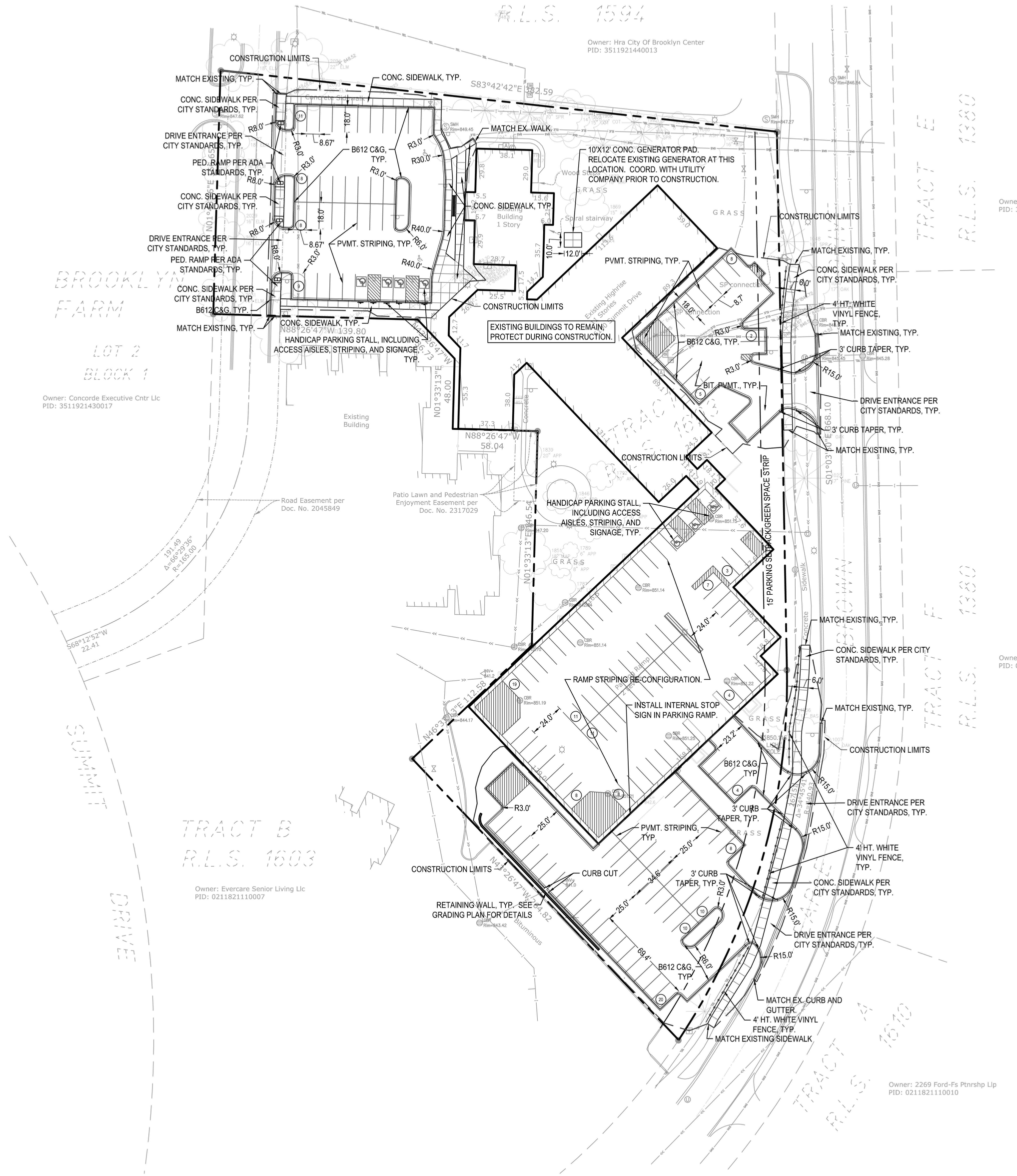
REVISION SUMMARY

DATE	DESCRIPTION

REMOVALS PLAN

C1.0

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SITE LAYOUT NOTES:

1. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCATIONAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
2. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
3. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
4. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
5. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
6. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
7. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
8. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
9. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
10. SEE SITE PLAN FOR CURB AND GUTTER TYPE. TAPER BETWEEN CURB TYPES-SEE DETAIL.
11. ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
12. CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
13. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
14. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
15. ALL PARKING LOT PAINT STRIPPING TO BE WHITE, 4" WIDE TYP.
16. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
17. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

CITY OF BROOKLYN CENTER SITE SPECIFIC NOTES:

1. RESERVED FOR CITY SPECIFIC NOTES.

SITE AREA TABLE:

SITE AREA CALCULATIONS	EXISTING CONDITION		PROPOSED CONDITION	
BUILDING COVERAGE	48,749 SF	34.3%	48,749 SF	34.3%
ALL PAVEMENTS	27,189 SF	19.1%	47,731 SF	33.6%
ALL NON-PAVEMENTS	66,147 SF	46.6%	45,605 SF	32.1%
TOTAL SITE AREA	142,085 SF	100.0%	142,085 SF	100.0%
IMPERVIOUS SURFACE				
EXISTING CONDITION	75,938 SF	53.4%		
PROPOSED CONDITION	96,480 SF	67.9%		
DIFFERENCE (EX. VS PROP.)	20,542 SF	14.5%		

SURFACE AREA INFORMATION:

SURFACE INFO	SF	% OF ACRE
EXISTING IMPERVIOUS	27,189	62%
PROPOSED IMPERVIOUS	47,731	110%
DIFFERENCE (EX. VS. PROI	20542	47%

LESS THAN 1/2 ACRE OF IMPERVIOUS SURFACE IS BEING ADDED TO THE SITE. PER CITY AND WATERSHED DISTRICT REGULATIONS, NO STORMWATER BEST MANAGEMENT PRACTICE IS REQUIRED. HOWEVER, ONE RAIN GARDEN WILL BE ADDED TO THE SOUTHWESTERN CORNER OF THE SITE FOR WATER QUALITY ENHANCEMENT AND AESTHETICS.

PARKING CALCULATIONS:

PARKING INFO		Per Unit
EXISTING	178	1.3
PROPOSED	245	1.8

SITE PLAN LEGEND:

- LIGHT DUTY BITUMINOUS PAVEMENT. SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH, SEE DEATIL.
- HEAVY DUTY BITUMINOUS PAVEMENT. SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH, SEE DETAIL.
- CONCRETE PAVEMENT AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS, SEE DETAIL.
- PROPERTY LINE
- CONSTRUCTION LIMITS
- CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
- TRAFFIC DIRECTIONAL ARROW PAVEMENT MARKINGS
- SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED. HC = ACCESSIBLE SIGN NP = NO PARKING FIRE LANE ST = STOP CP = COMPACT CAR PARKING ONLY

GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

1" = 40'-0"
20'-0" 0 40'-0"

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PRELIMINARY: NOT FOR CONSTRUCTION

PROJECT
LUX APARTMENTS
6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430

SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

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Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY: KELSEY BEDNAR

REVIEWED BY: .

PROJECT NUMBER: 18165

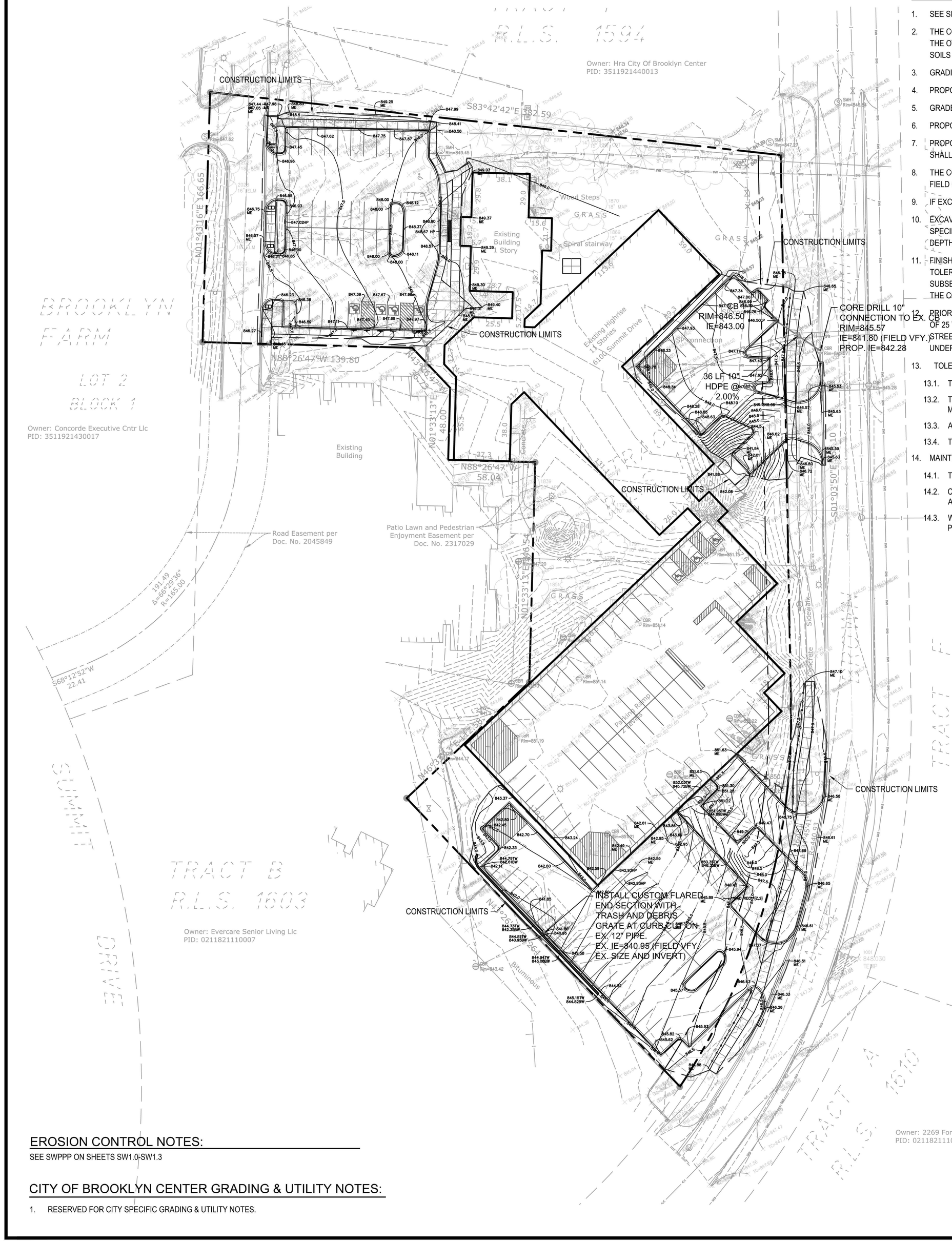
REVISION SUMMARY

DATE	DESCRIPTION

NORTHWEST SITE PLAN

C2.0

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GENERAL GRADING NOTES:

1. SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
2. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
3. GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
4. PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
5. GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
6. PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1
7. PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
9. IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
10. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
11. FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
12. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/DETENTION SYSTEMS.
13. TOLERANCES
    - 13.1. THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
    - 13.2. THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
    - 13.3. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
    - 13.4. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
14. MAINTENANCE
    - 14.1. THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
    - 14.2. CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDED AND MULCHED.
    - 14.3. WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GENERAL UTILITY NOTES:

1. SEE SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
2. CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILTIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
4. UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
5. CASTINGS SHALL BE SALVAGED FROM STRUCTURE REMOVALS AND RE-USED OR PLACED AT THE DIRECTION OF THE OWNER.
6. ALL WATER PIPE SHALL BE CLASS 52 DUCTILE IRON PIPE (DIP) AWWA C151, ASME B16.4, AWWA C110, AWWA C153 UNLESS OTHERWISE NOTED.
7. ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) ASTM D3034 & F679, OR SCH 40 ASTM D1785, 2665, ASTM F794, 1866) UNLESS OTHERWISE NOTED.
8. ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 & F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
9. PIPE LENGTHS SHOWN ARE FROM CENTER TO CENTER OF STRUCTURE OR TO END OF FLARED END SECTION.
10. UTILTIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
11. CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.15 FEET PER DETAILS. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
12. ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB UNLESS OTHERWISE NOTED.
13. HYDRANT TYPE, VALVE, AND CONNECTION SHALL BE IN ACCORDANCE WITH CITY REQUIREMENTS. HYDRANT EXTENSIONS ARE INCIDENTAL.
14. A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INCIDENTAL.
15. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
16. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
17. CONNECTIONS TO EXISTING STRUCUTRES SHALL BE CORE-DRILLED.
18. COORDINATE LOCATIONS AND SIZES OF SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
19. COORDINATE INSTALLATION AND SCHEDULING OF THE INSTALLATION OF UTILITIES WITH ADJACENT CONTRACTORS AND CITY STAFF.
20. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL PAVEMENT CONNECTIONS SHALL BE SAWCUT. ALL TRAFFIC CONTROLS SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE BUT NOT BE LIMITED TO SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
21. ALL STRUCTURES, PUBLIC AND PRIVATE, SHALL BE ADJUSTED TO PROPOSED GRADES WHERE REQUIRED. THE REQUIREMENTS OF ALL OWNERS MUST BE COMPLIED WITH. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
22. CONTRACTOR SHALL CORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
23. CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES.
24. CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
25. ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.
26. ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.0.

GRADING & UTILITY PLAN LEGEND:

- CATCH BASIN
- MANHOLE
- GATE VALVE AND VALVE BOX
- PROPOSED FIRE HYDRANT
- WATER MAIN
- SANITARY SEWER
- STORM SEWER
- FES AND RIP RAP
- 1125 — EX. 1' CONTOUR ELEVATION INTERVAL
- 1137 — 1.0' CONTOUR ELEVATION INTERVAL
- 41.26 — SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
- 891.00 G — SPOT GRADE ELEVATION GUTTER
- 891.00 TC — SPOT GRADE ELEVATION TOP OF CURB
- 891.00 BS/TS — SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- TO — CURB AND GUTTER (T.O = TIP OUT)
- EOF=1135.52 — EMERGENCY OVERFLOW

GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

1" = 40'-0"
20'-0" 0 40'-0"

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0-SW1.3

CITY OF BROOKLYN CENTER GRADING & UTILITY NOTES:

1. RESERVED FOR CITY SPECIFIC GRADING & UTILITY NOTES.

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LUX APARTMENTS

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SODERBERG APARTMENT SPECIALISTS

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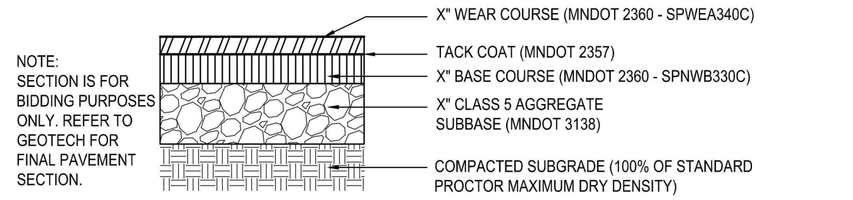
REVISION SUMMARY

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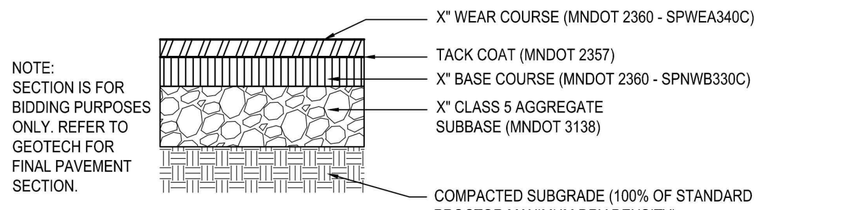
GRADING & UTILITY PLAN

C3.0

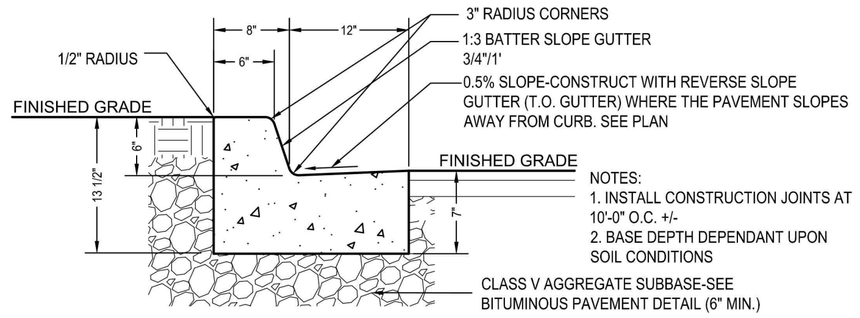
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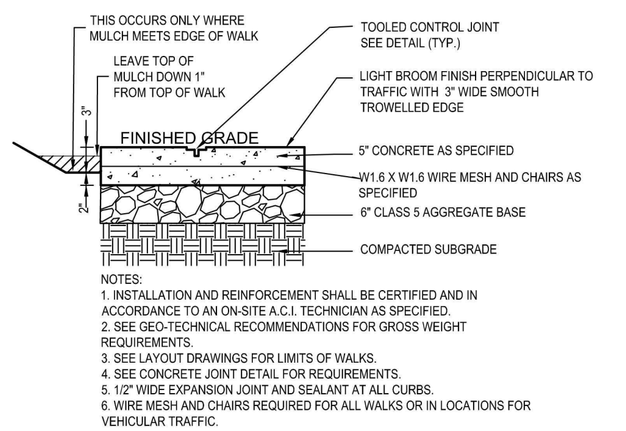
1 HEAVY DUTY BITUMINOUS PAVEMENT
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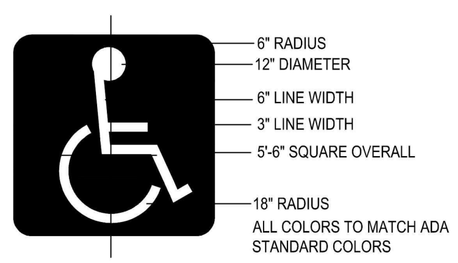
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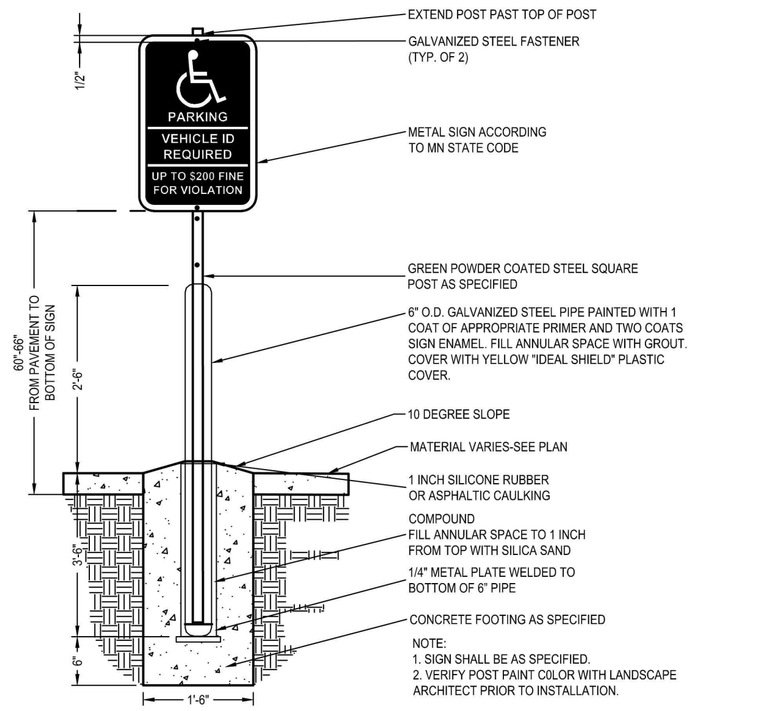
3 B-612 CONCRETE CURB AND GUTTER
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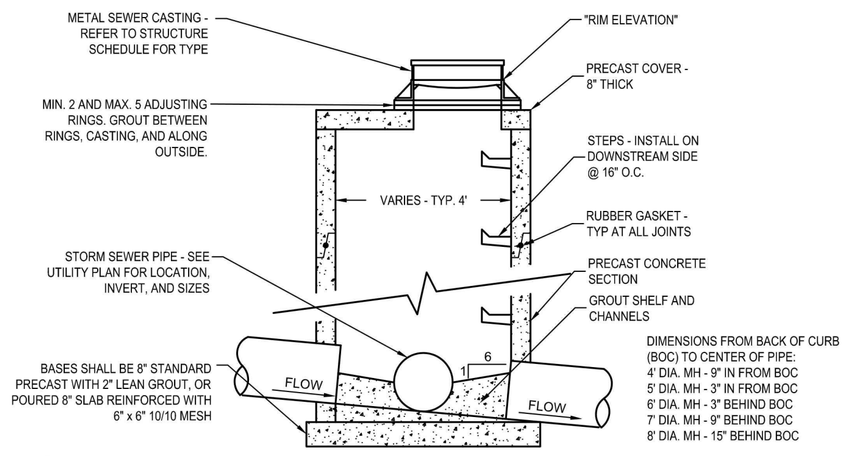
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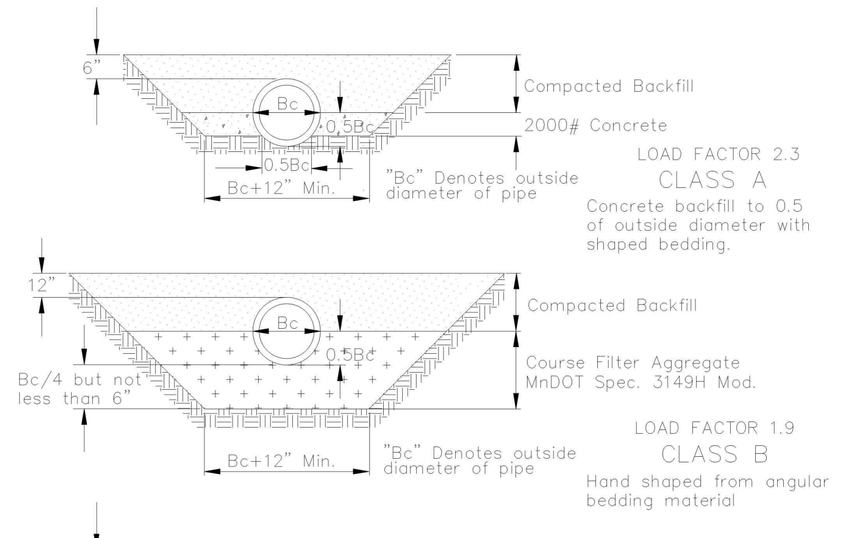
5 ACCESSIBLE PARKING PAVEMENT MARKING
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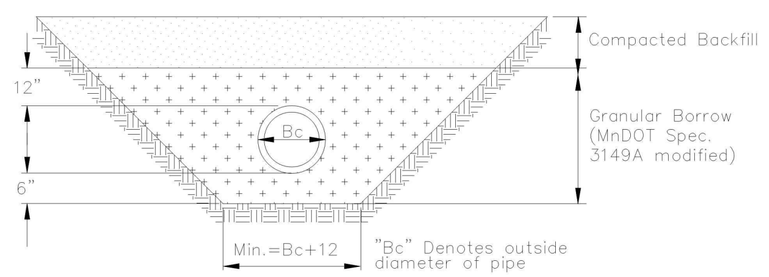
6 ACCESSIBLE SIGN AND POST
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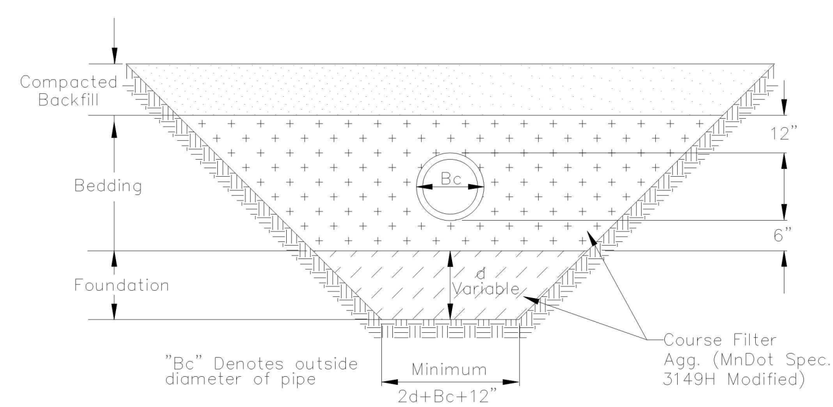
7 CATCH BASIN
NTS



8 PIPE BEDDING - RCP & DIP
NTS



PIPE FOUNDATION & BEDDING IN GOOD SOILS



PIPE FOUNDATION & BEDDING IN POOR SOILS

9 PIPE BEDDING - PVC
NTS

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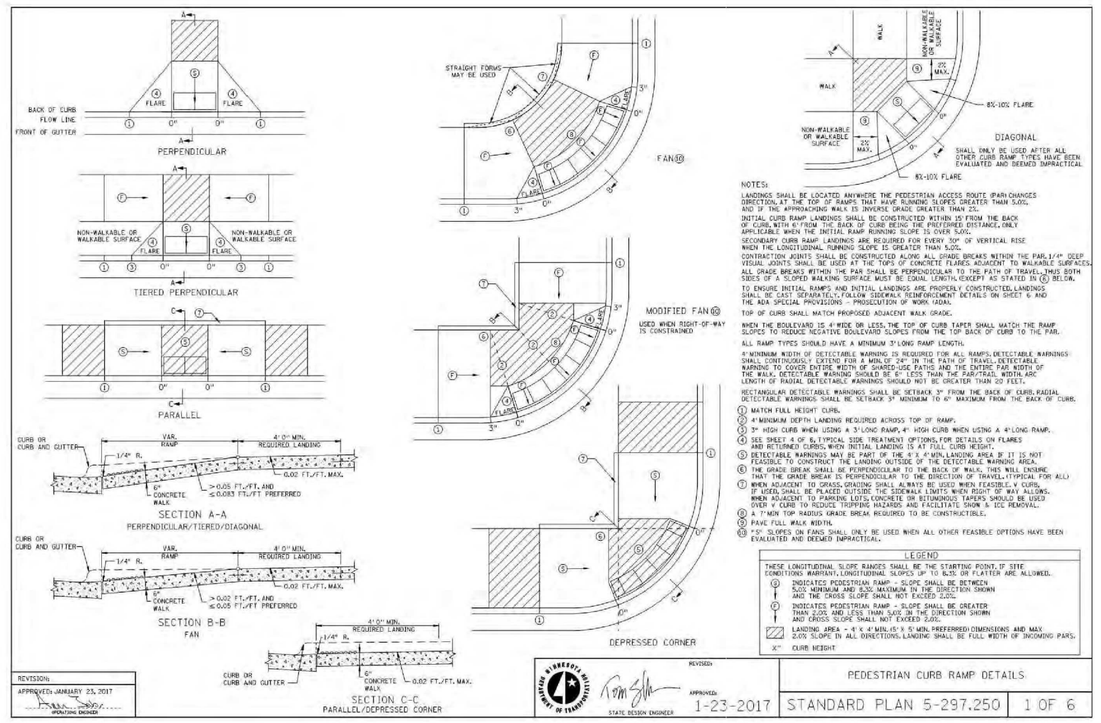
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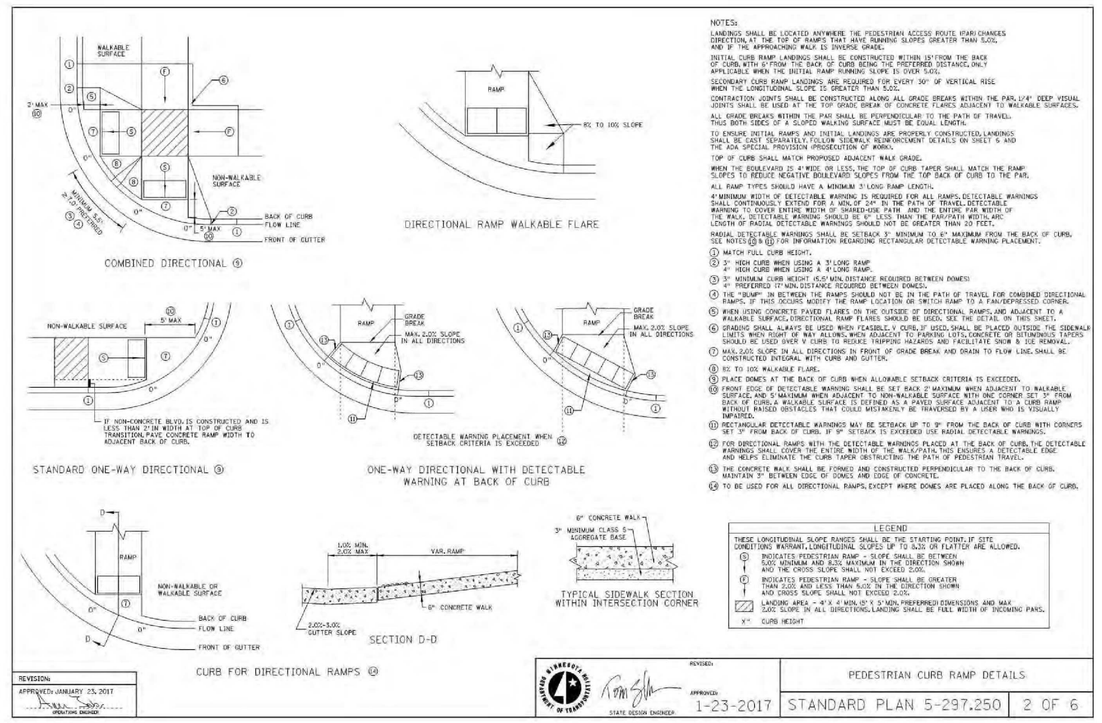
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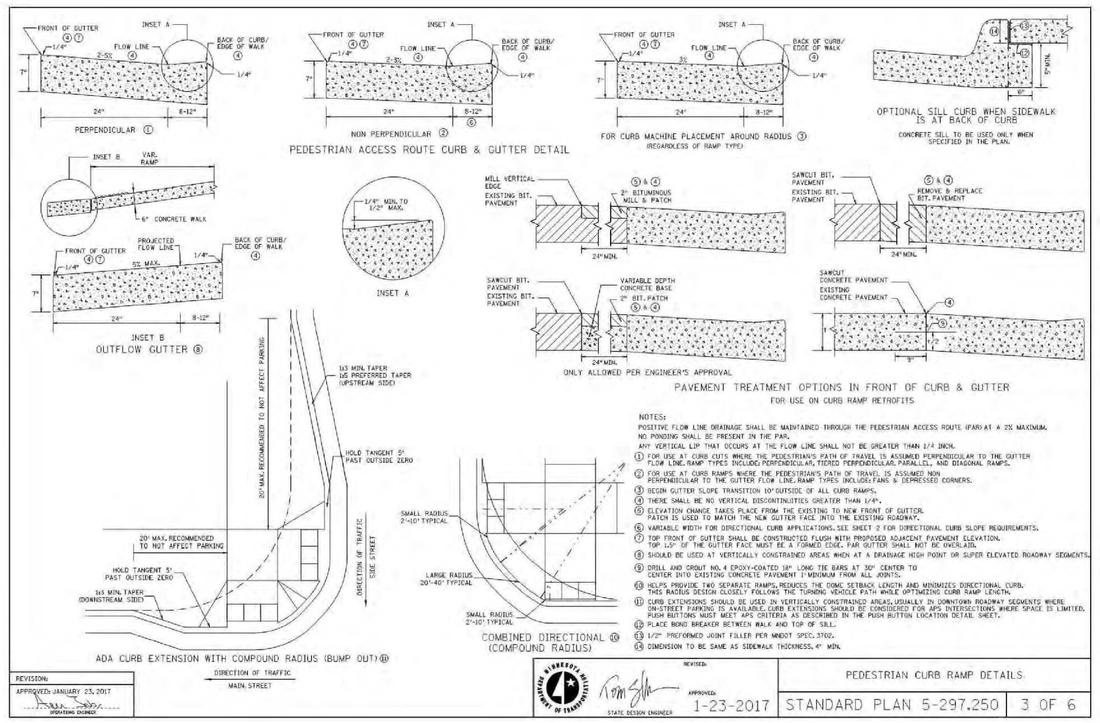
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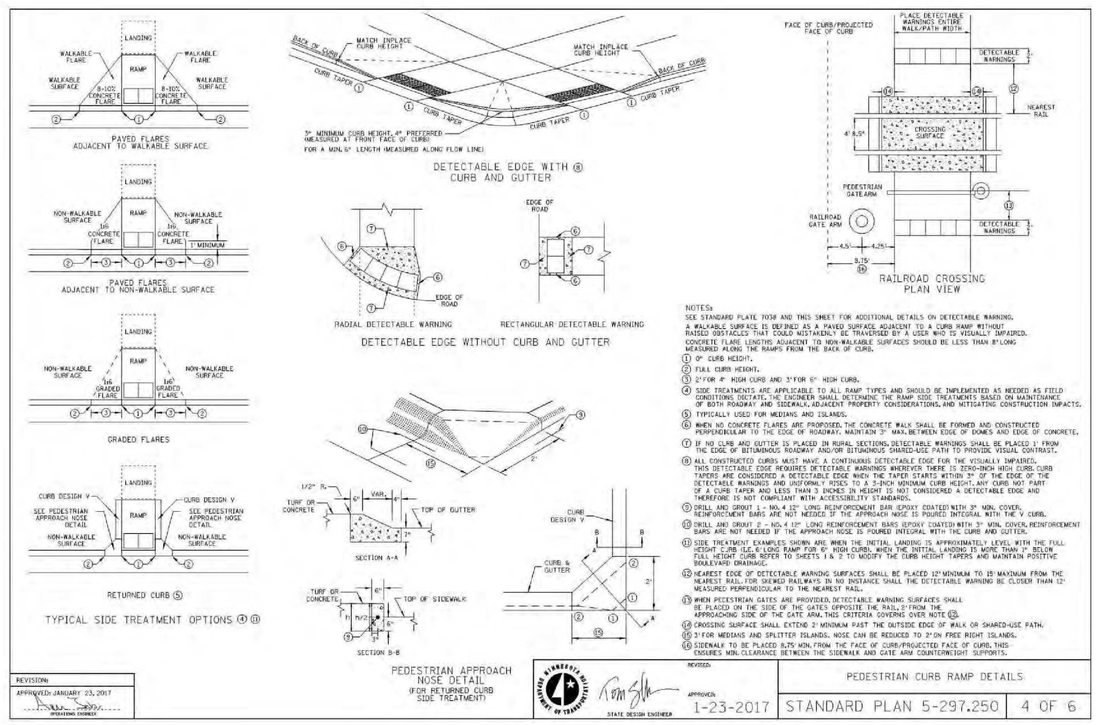
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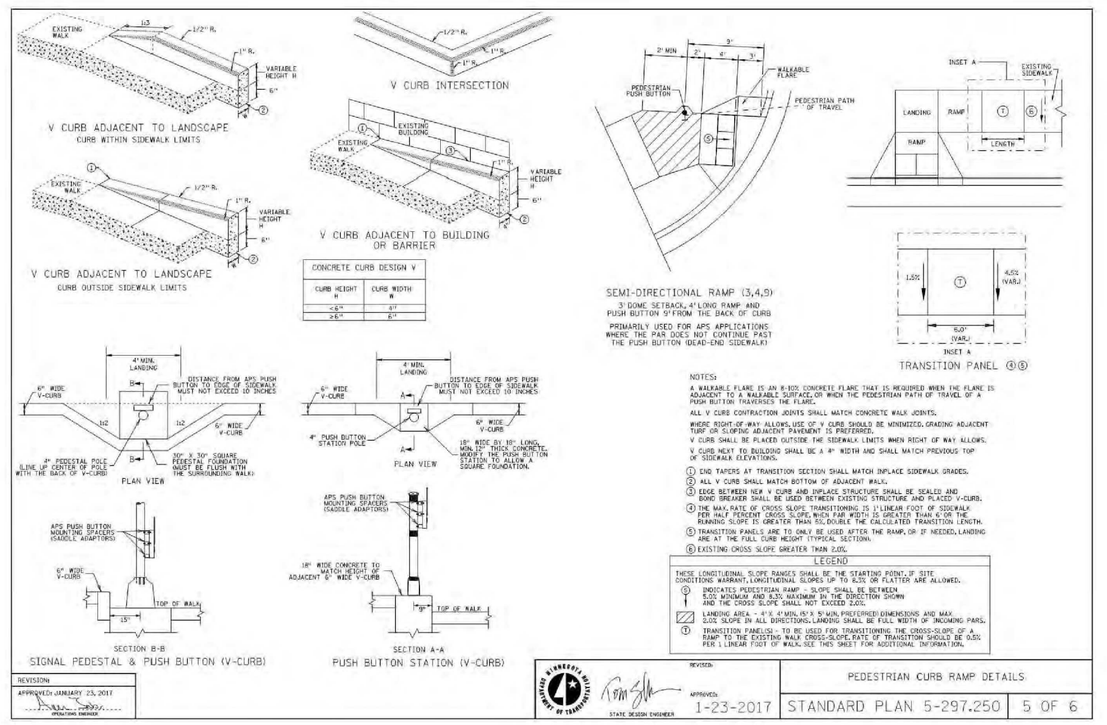
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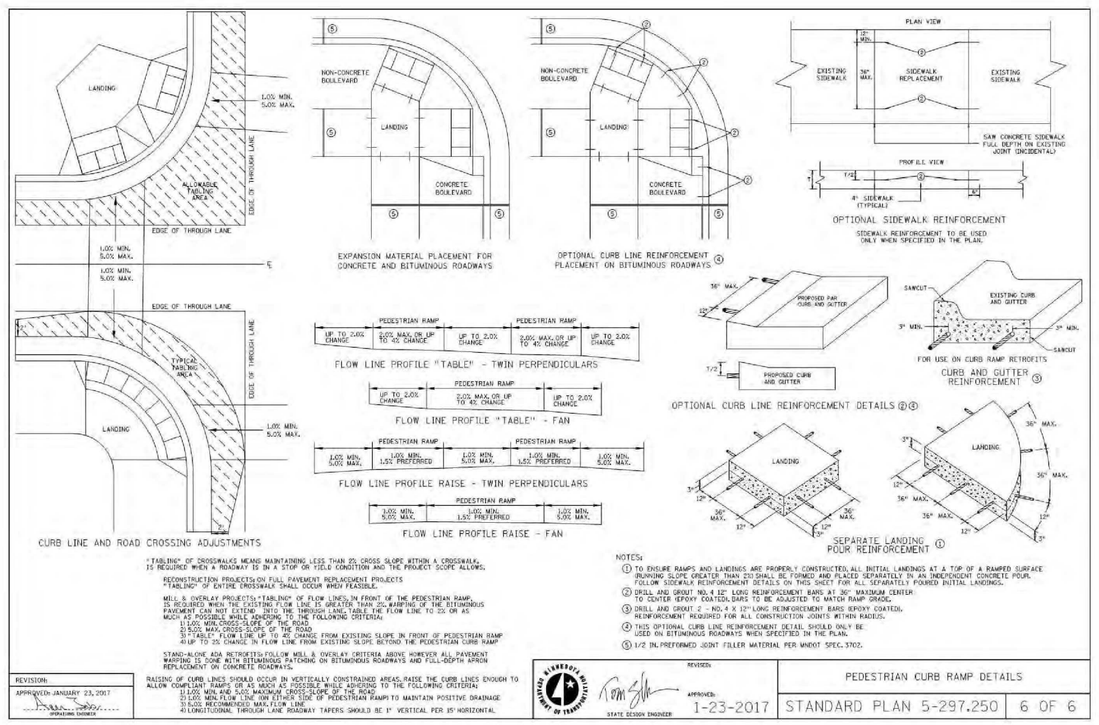












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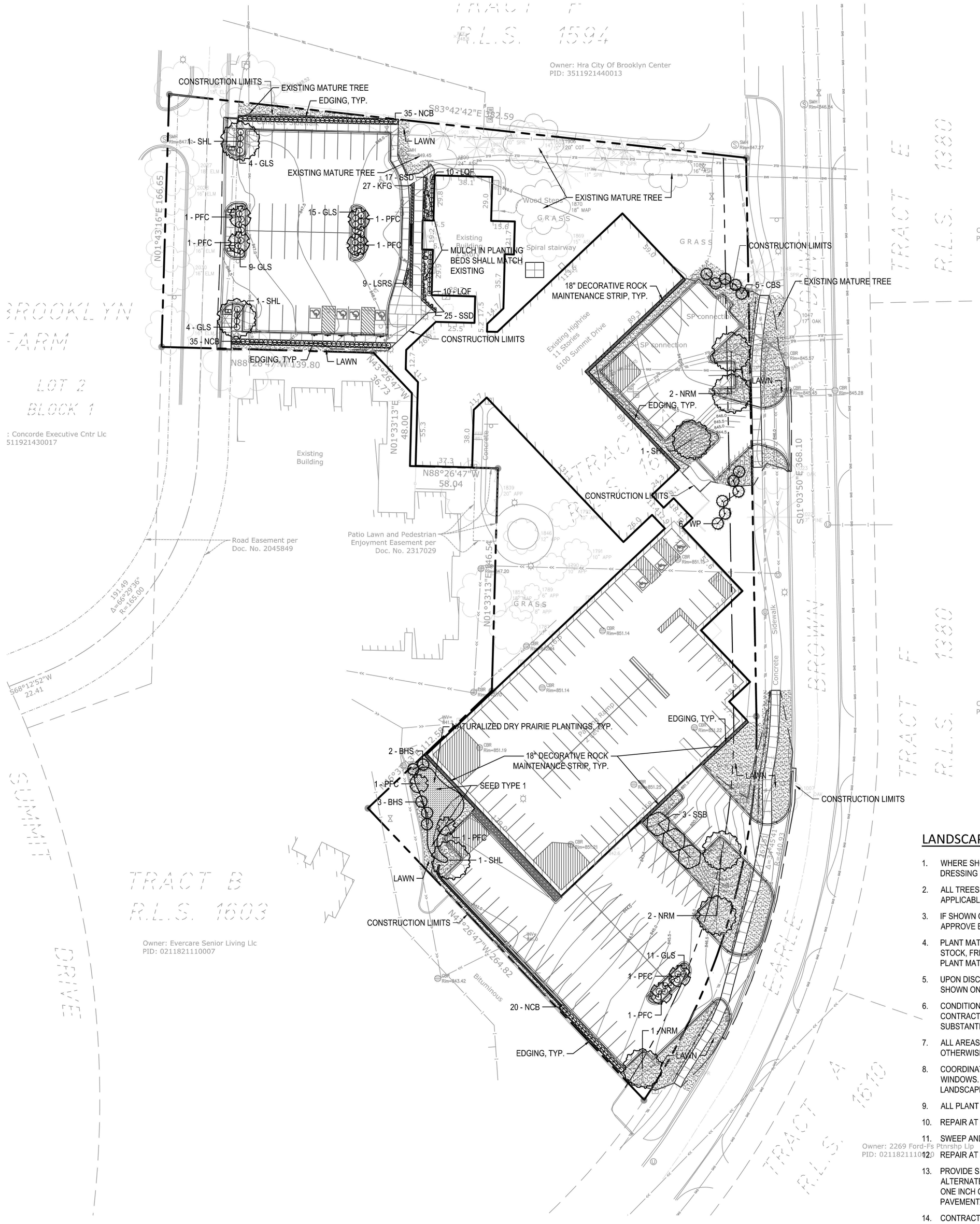
REVISION SUMMARY

DATE	DESCRIPTION

CIVIL DETAILS

C5.1

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PLANT SCHEDULE - ENTIRE SITE

SYM	QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENTS
		DECIDUOUS TREES				
NRM	5	NORTHWOOD RED MAPLE	Acer rubrum 'Northwood'	2.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
SHL	4	SKYLINE HONEYLOCUST	Gleditsia triacanthos 'Skycole'	2.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
SSB	3	SHILOH SPLASH RIVER BIRCH	Betula nigra 'Shiloh Splash'	2.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
		ORNAMENTAL TREES				
PFC	8	PRAIRIEFIRE FLOWERING CRAB	Malus 'Prairiefire'	1.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
		EVERGREEN TREES				
BHS	5	BLACK HILLS SPRUCE	Picea glauca 'Densata'	5' HT.	B&B	STRAIGHT LEADER. FULL FORM
CBS	5	COLORADO SPRUCE	Picea pungens	5' HT.	B&B	STRAIGHT LEADER. FULL FORM
WP	6	WHITE PINE	Pinus strobus	5' HT.	B&B	STRAIGHT LEADER. FULL FORM
		SHRUBS - CONIFEROUS & EVERGREEN				
NCB	90	NORTHERN CHARM BOXWOOD	Buxus 'Wilson'	24" HT.	CONT.	
GLS	43	GRO-LOW SUMAC	Rhus aromatica 'Gro-Low'	24" HT.	CONT.	
LQF	20	LITTLE QUICK FIRE HYDRANGEA	Hydrangea paniculata 'SMHPLQF'	24" HT.	CONT.	
		PERENNIALS & GRASSES				
KFG	27	KARL FOERSTER GRASS	Calamagrostis x acutiflora "Karl Foerster"	#1	CONT.	
LSRS	9	LITTLE SPIRE RUSSIAN SAGE	Perovskia 'Little Spire'	#1	CONT.	
SSD	42	STELLA SUPREME DAYLILY	Hemerocallis 'Stella Supreme'	#1	CONT.	

LANDSCAPE REQUIREMENTS:

	COMMENTS
SITE AREA (SF)	142,095
SITE AREA (ACRE)	3.3
	MULTIFAMILY DEVELOPMENT 2 ACRES @ 90 PTS PER ACRE (0-2)
POINTS REQUIRED	**278** ACRES @ 75 POINTS PER ACRE (2-10)

PLANTING TYPE	MINIMUM SIZE	POINTS PER PLANTING	PLANTINGS	TYPE POINTS	% OF POINTS	MAX % OF POINTS	COMMENTS
SHADE TREES (DECIDUIOUS, MAPLE, LINDEN, ASH, OAK, LOCUST, ETC.)	2.5" DIAMETER	10	18	180	49%	50%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT
CONIFEROUS TREES (PINE, SPRUCE, CEDAR)	5' HEIGHT	6	16	96	26%	40%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT
DECORATIVE TREES (RUSSIAN OLIVES, RADIANT CRAB, CANADA RED CHERRY, ETC.)	1" DIAMETER	1.5	8	12	3%	35%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT
SHRUBS (DOGWOOD, SPIREA, MOCKORANGE, JUNIPER, ARBORVITAE, ETC.)	12" DIAMETER	0.5	153	76.5	21%	25%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT

NEW PLANTINGS TOTAL **364.5**
Meets requirement? **YES**

NOTES:

1. Plan is preliminary and not for construction.
2. Existing Mature trees counted toward shade tree points. (trees called out on sheet L1.0.)

LANDSCAPE NOTES:

1. WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED WITH 4" DEPTH (MINIMUM AFTER INSTALLATION AND/OR TOP DRESSING OPERATIONS) OF SHREDDED CYPRESS MULCH.
2. ALL TREES SHALL BE MULCHED WITH SHREDDED CYPRESS MULCH TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ALL MULCH SHALL BE KEPT WITHIN A MINIMUM OF 2" FROM TREE TRUNK.
3. IF SHOWN ON PLAN, RANDOM SIZED LIMESTONE BOULDERS COLOR AND SIZE TO COMPLIMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
4. PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
5. UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
6. CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR ONE (1) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
7. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 4" LAYER TOPSOIL LOAM AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
9. ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
10. REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
11. SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
12. REPAIR AT NO COST TO THE OWNER IRRIGATION SYSTEM DAMAGED FROM LANDSCAPE CONSTRUCTION ACTIVITIES.
13. PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
14. CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INLCUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

LEGEND

- SEED TYPE 1 - MNDOT 35-221 DRY PRAIRIE GENERAL, PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014)
- 1" DIA. DECORATIVE ROCK MAINTENANCE STRIP OVER FILTER FABRIC, SAMPLES REQUIRED. PROVIDE EDGING AS SHOWN ON PLAN
- 1" DIA. DECORATIVE ROCK MULCH, SAMPLES REQUIRED PROVIDE EDGING AS SHOWN ON PLAN
- SHREDDED CYPRESS MULCH, SAMPLES REQUIRED PROVIDE EDGING AS SHOWN ON PLAN
- SOD
- PROPOSED CANOPY & EVERGREEN TREE SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- PROPOSED DECIDUOUS AND EVERGREEN SHRUB SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- PROPOSED PERENNIAL PLANT SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- DECORATIVE BOULDERS, 18"-30" DIA.

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N

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PROJECT

LUX APARTMENTS

6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430

SODERBERG APARTMENT SPECIALISTS

6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

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Patrick J. Sarver
DATE 08/14/18 LICENSE NO. 24904

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY:
KELSEY BEDNAR

REVIEWED BY:
.

PROJECT NUMBER: 18165

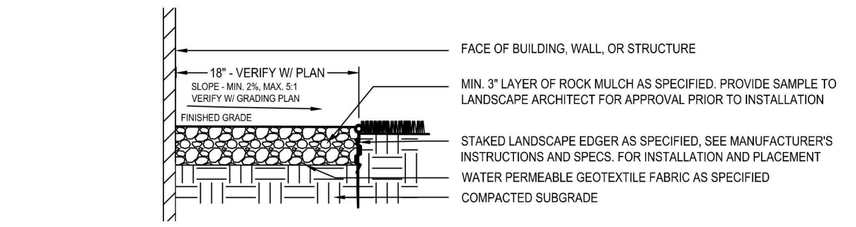
REVISION SUMMARY

DATE	DESCRIPTION

LANDSCAPE PLAN

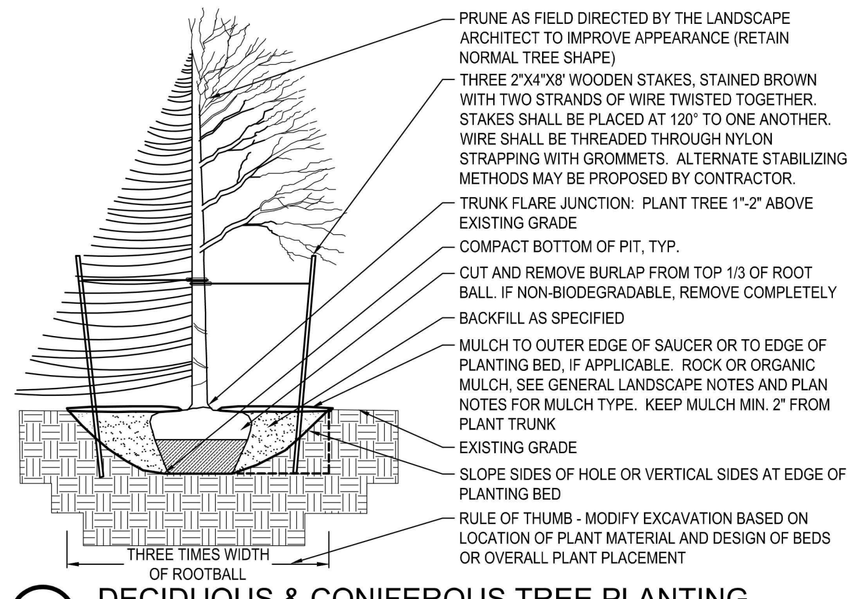
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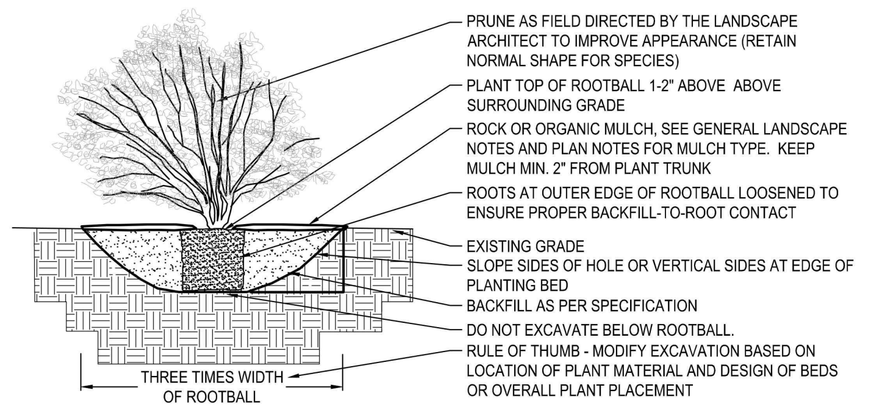
1 AGGREGATE MAINTANENCE STRIP

NTS



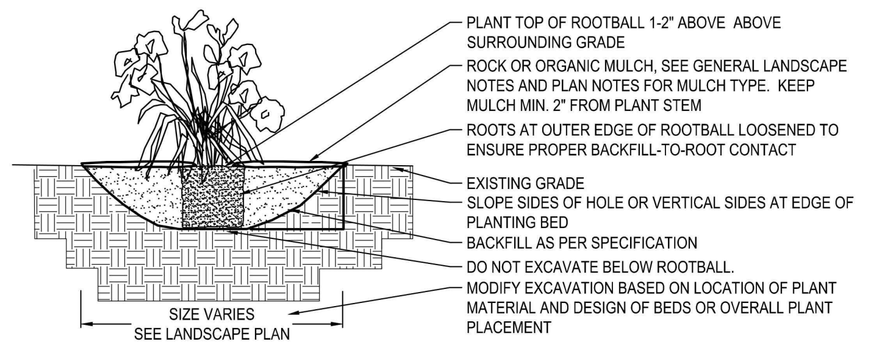
2 DECIDUOUS & CONIFEROUS TREE PLANTING

NTS



3 DECIDUOUS & CONIFEROUS SHRUB PLANTING

NTS



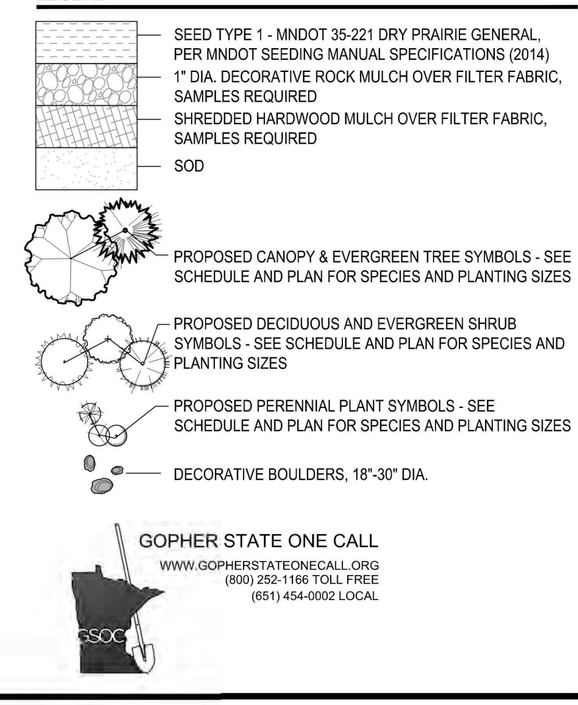
4 PERENNIAL BED PLANTING

NTS

IRRIGATION NOTES:

1. ENTIRE SITE SHALL BE FULLY IRRIGATED. THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
2. SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
3. CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND/ABOVE GROUND FACILITIES PRIOR TO ANY EXCAVATION/INSTALLATION. ANY DAMAGE TO UNDERGROUND/ABOVE GROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COSTS ASSOCIATED WITH CORRECTING DAMAGES SHALL BE BORNE ENTIRELY BY THE CONTRACTOR.
4. SERVICE EQUIPMENT AND INSTALLATION SHALL BE PER LOCAL UTILITY COMPANY STANDARDS AND SHALL BE PER NATIONAL AND LOCAL CODES. EXACT LOCATION OF SERVICE EQUIPMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT OR EQUIVALENT AT THE JOB SITE.
5. CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
6. IRRIGATION WATER LINE CONNECTION SIZE IS 1-½" AT BUILDING. VERIFY WITH MECHANICAL PLANS.COVAGE.
7. ALL MAIN LINES SHALL BE 18" BELOW FINISHED GRADE.
8. ALL LATERAL LINES SHALL BE 12" BELLOW FINISHED GRADE.
9. ALL EXPOSED PVC RISERS, IF ANY, SHALL BE GRAY IN COLOR.
10. CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2'-0" BELOW THE FINISHED GRADE OF THE TOP OF PAVEMENT. EXTEND SLEEVES TO 2'-0" BEYOND PAVEMENT.
11. CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL "ELLED" TO 2'-0" ABOVE FINISHED GRADE AND CAPPED.
12. FABRICATE ALL PIPE TO MANUFACTURE'S SPECIFICATIONS WITH CLEAN AND SQUARE CUT JOINTS. USE QUALITY GRADE PRIMER AND SOLVENT CEMENT FORMULATED FOR INTENDED TYPE OF CONNECTION.
13. BACKFILL ALL TRENCHES WITH SOIL FREE OF SHARP OBJECTS AND DEBRIS.
14. ALL VALVE BOXES AND COVERS SHALL BE BLACK IN COLOR.
15. GROUP VALVE BOXES TOGETHER FOR EASE WHEN SERVICE IS REQUIRED. LOCATE IN PLANT BED AREAS WHENEVER POSSIBLE.
16. IRRIGATION CONTROLLER LOCATION SHALL BE VERIFIED ON-SITE WITH OWNER'S REPRESENTATIVE.
17. CONTROL WIRES: 14 GAUGE DIRECT BURIAL, SOLID COPPER IRRIGATION WIRE. RUN UNDER MAIN LINE. USE MOISTURE-PROOF SPLICES AND SPLICE ONLY AT VALVES OR PULL BOXES. RUN SEPARATE HOT AND COMMON WIRE TO EACH VALVE AND ONE (1) SPARE WIRE AND GROUND TO FURTHEST VALVE FROM CONTROLLER. LABEL OR COLOR CODE ALL WIRES.
18. AVOID OVER SPRAY ON BUILDINGS, PAVEMENT, WALLS AND ROADWAYS BY INDIVIDUALLY ADJUSTING RADIUS OR ARC ON SPRINKLER HEADS AND FLOW CONTROL ON AUTOMATIC VALVE.
19. ADJUST PRESSURE REGULATING VALVES FOR OPTIMUM PRESSURE ON SITE.
20. USE SCREENS ON ALL HEADS.
21. A SET OF AS-BUILT DRAWINGS SHALL BE MAINTAINED ON-SITE AT ALL TIMES IN AN UPDATED CONDITION.
22. ALL PIPE 3" AND OVER SHALL HAVE THRUST BLOCKING AT EACH TURN.
23. ALL AUTOMATIC REMOTE CONTROL VALVES WILL HAVE 3" MINIMUM DEPTH OF 3/4" WASHED GRAVEL UNDERNEATH VALVE AND VALVE BOX. GRAVEL SHALL EXTENT 3" BEYOND PERIMETER OF VALVE BOX.
24. THERE SHALL BE 3" MINIMUM SPACE BETWEEN BOTTOM OF VALVE BOX COVER AND TOP OF VALVE STRUCTURE.

LEGEND



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PROJECT

LUX APARTMENTS
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SODERBERG APARTMENT SPECIALISTS
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Patrick J. Sarver
DATE 08/14/18 LICENSE NO. 24904

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REVIEWED BY: .

PROJECT NUMBER: 18165

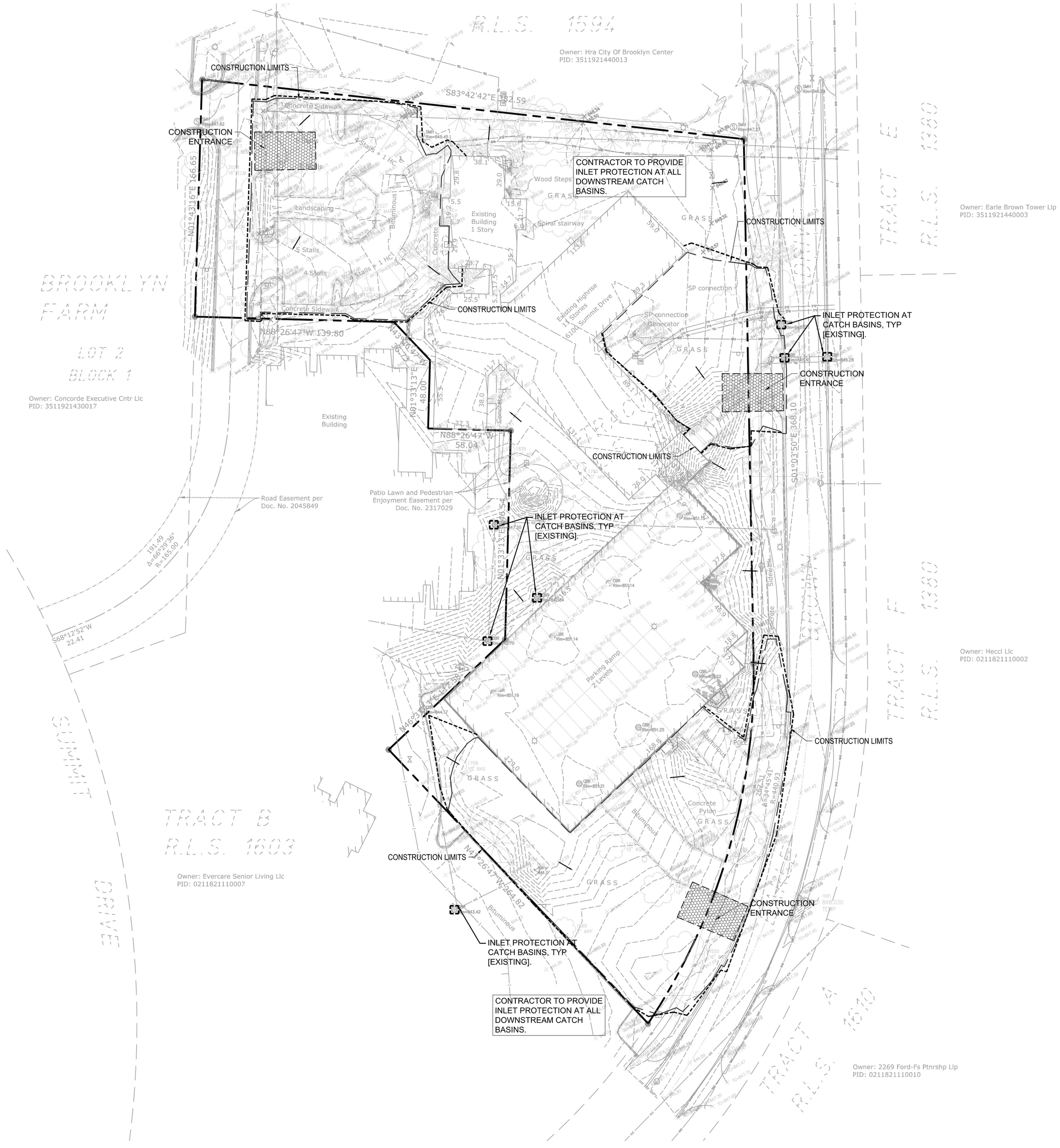
REVISION SUMMARY

DATE	DESCRIPTION

LANDSCAPE PLAN NOTES & DETAILS

L1.1

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SWPPP NOTES:

1. THIS PROJECT'S CONSTRUCTION LIMITS ARE LESS THAN ONE ACRE AND WILL NOT REQUIRE AN MPCA NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.

2. SEE SHEETS SW1.0 - SW1.3 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.

3. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.

4. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, AND COMPLIANCE WITH NPDES PERMIT.

CITY OF BROOKLYN CENTER EROSION CONTROL NOTES:

1. RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES, AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. ADDITIONAL PRACTICES MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.

LEGEND:

- 1125 — EX. 1' CONTOUR ELEVATION INTERVAL
- 1137 — 1.0' CONTOUR ELEVATION INTERVAL
- DRAINAGE ARROW
- SILT FENCE / BIOROLL - GRADING LIMIT
- INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE
- EROSION CONTROL BLANKET

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Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

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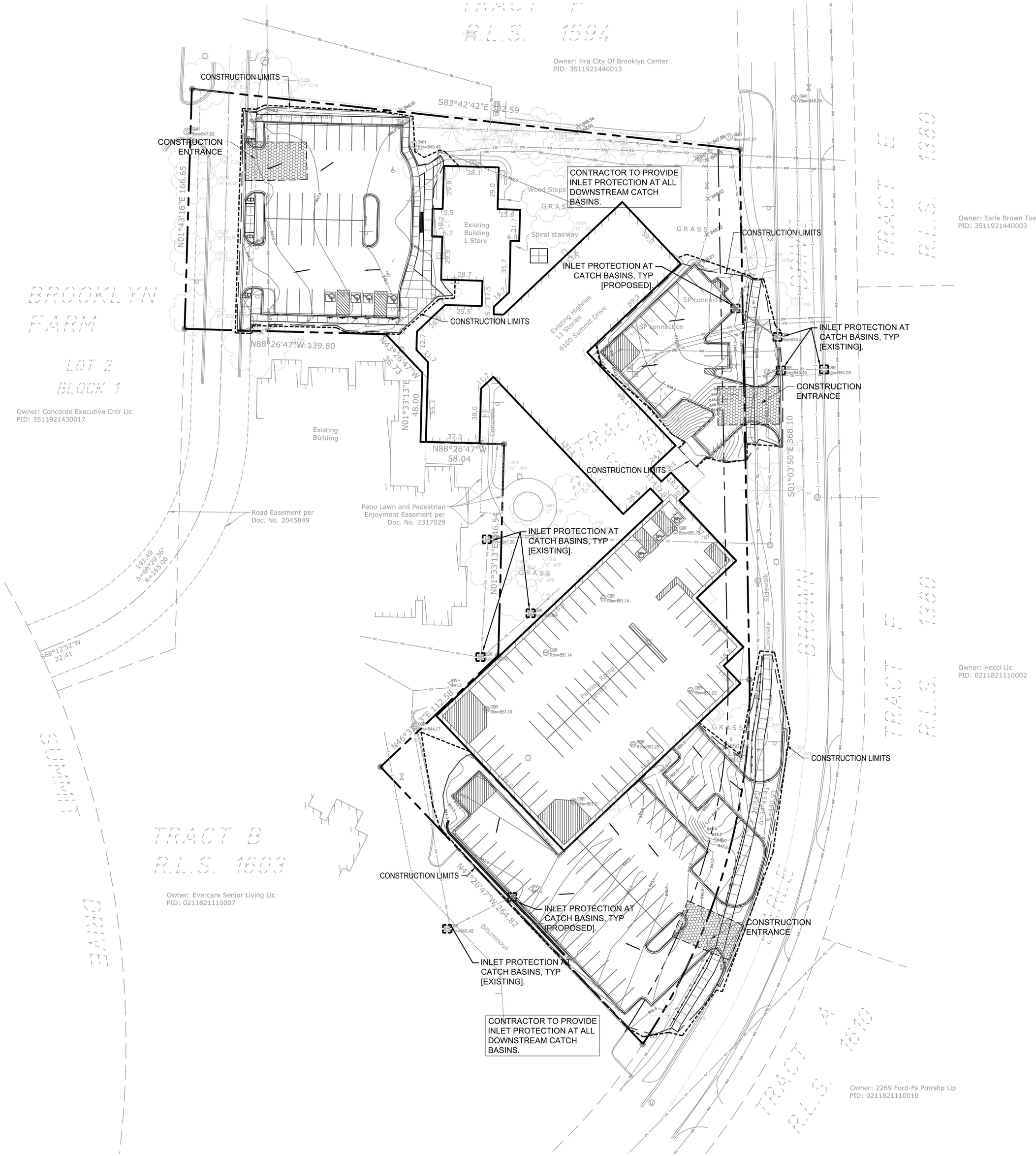
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DATE	DESCRIPTION

SWPPP - EXISTING CONDITIONS

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LEGEND:

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- 1.0' CONTOUR ELEVATION INTERVAL (1137)
- DRAINAGE ARROW
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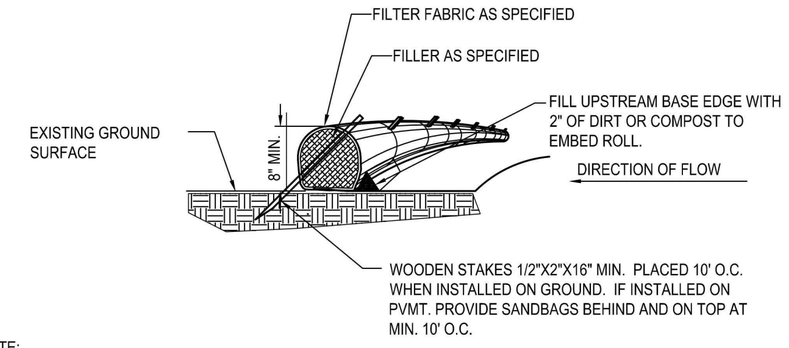
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DATE	DESCRIPTION

SWPPP - PROPOSED CONDITIONS

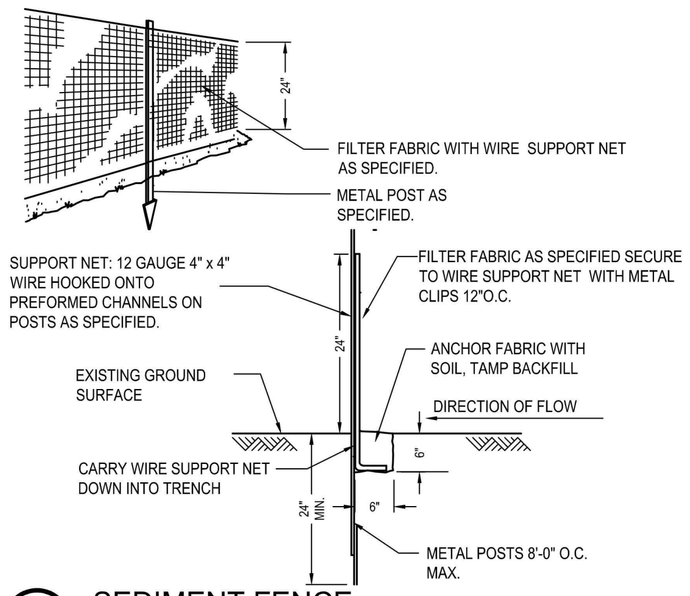
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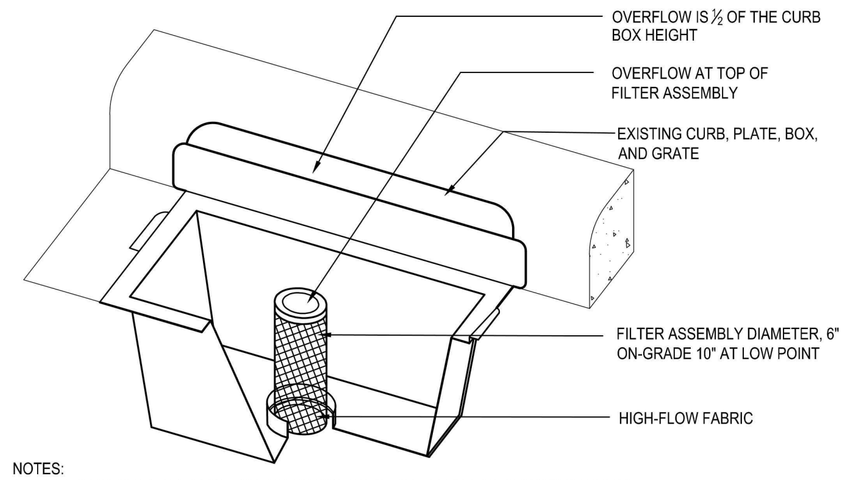


NOTE:
1. COMPOST FILTER LOGS (BIO ROLLS) SHALL BE FILTREXX EROSION CONTROL SOXX OR APPROVED EQUAL.
2. COMPOST FILLER TO BE MADE FROM A COMPOST BLEND 30%-40% GRADE 2 (SPEC 3890) AND 60%-70% PARTIALLY DECOMPOSED WOOD CHIPS, PER MNDOT SPEC 3897.
3. FILTER FABRIC SHALL BE GEOTEXTILE KNITTED MATERIAL WITH MAX. OPENINGS OF 3/8".
4. IF MULTIPLE ROLLS NEEDED, OVERLAP BY MIN. 12" AT ENDS AND STAKE.
5. SILT SHALL BE REMOVED ONCE IT REACHES 80% OF THE HEIGHT OF THE ROLL OR AS DEEMED NECESSARY BY SITE CONTRACTOR TO MAINTAIN PROPER FUNCTION.

4 SEDIMENT BIO-ROLL / COMPOST FILTER LOG
N T S

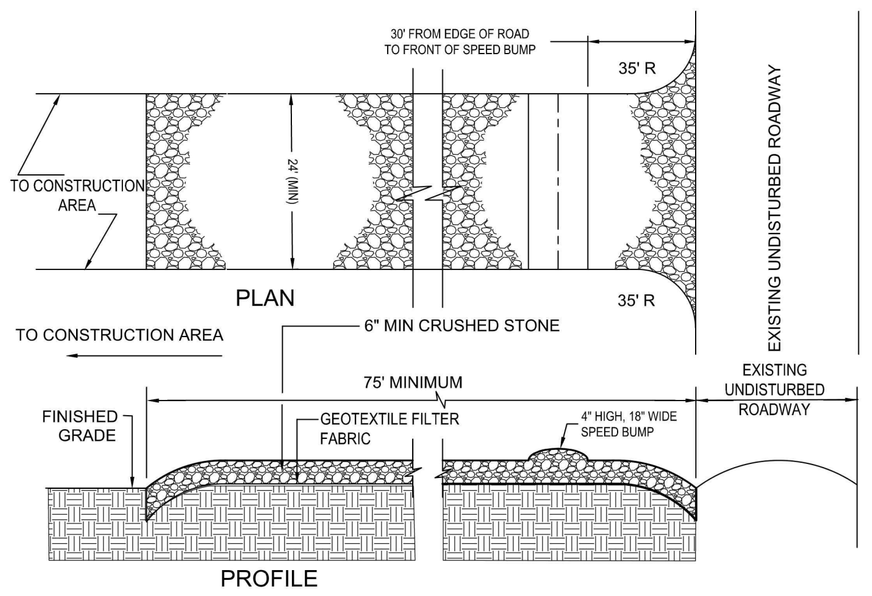


5 SEDIMENT FENCE
N T S



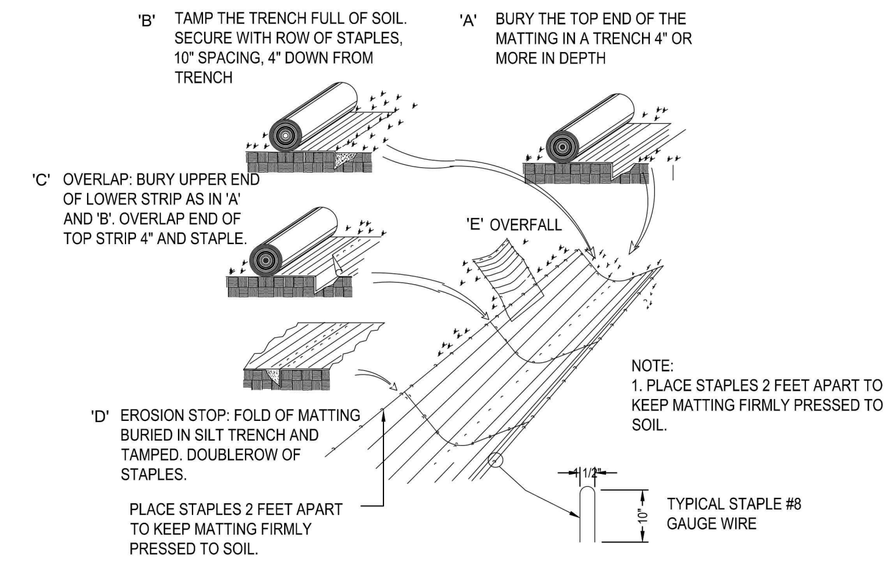
NOTES:
1. REPLACE INLET GRATE UPON COMPLETE INSTALLATION OF INLET PROTECTION FABRIC.
2. CONTRACTOR SHALL REMOVE ALL ACCUMULATED SEDIMENT AND DEBRIS FROM THE SURFACE OF THE SYSTEM AFTER EACH STORM EVENT AND AT THE COMPLETION OF THE CONTRACT.
3. REFERENCE APPLE VALLEY STANDARD PLATE ERO-4C.

1 CURB INLET FILTER
N T S



NOTES:
1. PROVIDE APPROPRIATE TRANSITION BETWEEN STABILIZED CONSTRUCTION ENTRANCE AND UNDISTURBED ROADWAY.
2. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO UNDISTURBED ROADWAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE OR ADDING STONE TO THE LENGTH OF THE ENTRANCE.
3. REPAIR AND CLEANOUT MEASURES USED TO TRAP SEDIMENT.
4. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO UNDISTURBED ROADWAY SHALL BE REMOVED AS DIRECTED BY THE ENGINEER.
5. FINAL LOCATION AND INSTALLATION SHALL BE COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
6. CRUSHED STONE SHALL BE 1-1/2" DIA. CLOSE GRADED, AND IN ACCORDANCE TO MNDOT SECTION 2118.

2 STABILIZED CONSTRUCTION ACCESS
N T S



3 EROSION BLANKET
N T S

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SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

I 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.

Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY: KELSEY BEDNAR

REVIEWED BY: .

PROJECT NUMBER: 18165

REVISION SUMMARY

DATE	DESCRIPTION

SWPPP - DETAILS

SW1.2

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GENERAL SWPPP REQUIREMENTS AND NOTES:

THE CONTRACTOR AND ALL SUBCONTRACTORS INVOLVED WITH A CONSTRUCTION ACTIVITY THAT DISTURBS SITE SOIL OR WHO IMPLEMENT A POLLUTANT CONTROL MEASURE IDENTIFIED IN THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) MUST COMPLY WITH THE REQUIREMENTS OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT (DATED AUGUST 1, 2013 # MNR100001 PAGES 1-35) AND ANY LOCAL GOVERNING AGENCY HAVING JURISDICTION CONCERNING EROSION AND SEDIMENTATION CONTROL.

PART III STORMWATER DISCHARGE DESIGN REQUIREMENTS

SWPPP (PART III.A)

THE NATURE OF THIS PROJECT WILL BE CONSISTENT WITH WHAT IS REPRESENTED IN THIS SET OF CONSTRUCTION PLANS AND SPECIFICATIONS. SEE THE SWPPP PLAN SHEETS AND SWPPP NARRATIVE (ATTACHMENT A: CONSTRUCTION SWPPP TEMPLATE) FOR ADDITIONAL SITE SPECIFIC SWPPP INFORMATION. THE PLANS SHOW LOCATIONS AND TYPES OF ALL TEMPORARY AND PERMANENT EROSION PREVENTION AND SEDIMENT CONTROL BMP'S. STANDARD DETAILS ARE ATTACHED TO THIS SWPPP DOCUMENT.

THE INTENDED SEQUENCING OF MAJOR CONSTRUCTION ACTIVITIES IS AS FOLLOWS:
1. INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE
2. INSTALLATION OF SILT FENCE AROUND SITE
3. INSTALL ORANGE CONSTRUCTION FENCING AROUND INFILTRATION AREAS.
4. CLEAR AND GRUB FOR TEMPORARY SEDIMENT BASIN / POND INSTALL
5. CONSTRUCT TEMPORARY SEDIMENT BASIN / POND (PART III.B)
6. CLEAR AND GRUB REMAINDER OF SITE
7. STRIP AND STOCKPILE TOPSOIL
8. ROUGH GRADING OF SITE
9. STABILIZE DENUDED AREAS AND STOCKPILES
10. INSTALL SANITARY SEWER, WATER MAIN STORM SEWER AND SERVICES
11. INSTALL SILT FENCE / INLET PROTECTION AROUND CB'S
12. INSTALL STREET SECTION
13. INSTALL CURB AND GUTTER
14. BITUMINOUS ON STREETS
15. FINAL GRADE BOULEVARD, INSTALL SEED AND MULCH
16. REMOVE ACCUMULATED SEDIMENT FROM BASIN / POND
17. FINAL GRADE POND / INFILTRATION BASINS (DO NOT COMPACT SOILS IN INFILTRATION AREAS.) (PART III.C)
18. WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE IS STABILIZED BY EITHER SEED OR SOD/LANDSCAPING, REMOVE SILT FENCE AND RESEED ANY AREAS DISTURBED BY THE REMOVAL.

RECORDS RETENTION (PART III.E):

THE SWPPP (ORIGINAL OR COPIES) INCLUDING, ALL CHANGES TO IT, AND INSPECTIONS AND MAINTENANCE RECORDS MUST BE KEPT AT THE SITE DURING CONSTRUCTION BY THE PERMITTEE WHO HAS OPERATIONAL CONTROL OF THAT PORTION OF THE SITE. THE SWPPP CAN BE KEPT IN EITHER THE FIELD OFFICE OR IN AN ON SITE VEHICLE DURING NORMAL WORKING HOURS.

ALL OWNER(S) MUST KEEP THE SWPPP, ALONG WITH THE FOLLOWING ADDITIONAL RECORDS, ON FILE FOR THREE (3) YEARS AFTER SUBMITTAL OF THE NOT AS OUTLINED IN PART II.C. THIS DOES NOT INCLUDE ANY RECORDS AFTER SUBMITTAL OF THE NOT.

1. THE FINAL SWPPP;
2. ANY OTHER STORMWATER RELATED PERMITS REQUIRED FOR THE PROJECT;
3. RECORDS OF ALL INSPECTION AND MAINTENANCE CONDUCTED DURING CONSTRUCTION (SEE PART IV.E. INSPECTIONS AND MAINTENANCE);
4. ALL PERMANENT OPERATION AND MAINTENANCE AGREEMENTS THAT HAVE BEEN IMPLEMENTED, INCLUDING ALL RIGHT OF WAY, CONTRACTS, COVENANTS AND OTHER BINDING REQUIREMENTS REGARDING PERPETUAL MAINTENANCE; AND
5. ALL REQUIRED CALCULATIONS FOR DESIGN OF THE TEMPORARY AND PERMANENT STORMWATER MANAGEMENT SYSTEMS.

SWPPP IMPLEMENTATION RESPONSIBILITIES:

1. THE OWNER AND CONTRACTOR ARE PERMITTEE(S) AS IDENTIFIED BY THE NPDES PERMIT.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ON-SITE IMPLEMENTATION OF THE SWPPP, INCLUDING THE ACTIVITIES OF ALL OF THE CONTRACTOR'S SUBCONTRACTORS.
3. CONTRACTOR SHALL PROVIDE A PERSON(S) KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMPS TO OVERSEE ALL INSTALLATION AND MAINTENANCE OF BMPS AND IMPLEMENTATION OF THE SWPPP.
4. CONTRACTOR SHALL PROVIDE PERSON(S) MEETING THE TRAINING REQUIREMENTS OF THE NPDES PERMIT TO CONDUCT INSPECTION AND MAINTENANCE OF ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PERMIT. ONE OF THESE INDIVIDUAL(S) MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY MPCA. CONTRACTOR SHALL PROVIDE TRAINING DOCUMENTATION FOR THESE INDIVIDUAL(S) AS REQUIRED BY THE NPDES PERMIT. THIS TRAINING DOCUMENTATION SHALL BE RECORDED IN OR WITH THE SWPPP BEFORE THE START OF CONSTRUCTION OR AS SOON AS THE PERSONNEL FOR THE PROJECT HAVE BEEN DETERMINED. DOCUMENTATION SHALL INCLUDE:
   - 4.1. NAMES OF THE PERSONNEL ASSOCIATED WITH THE PROJECT THAT ARE REQUIRED TO BE TRAINED PER PART III.F.1 OF THE PERMIT.
   - 4.2. DATES OF TRAINING AND NAME OF INSTRUCTOR AND ENTITY PROVIDING TRAINING.
   - 4.3. CONTENT OF TRAINING COURSE OR WORKSHOP INCLUDING THE NUMBER OF HOURS OF TRAINING.
5. FOLLOWING FINAL STABILIZATION AND THE TERMINATION OF COVERAGE FOR THE NPDES PERMIT, THE OWNER IS EXPECTED TO FURNISH LONG TERM OPERATION AND MAINTENANCE (O & M) OF THE PERMANENT STORM WATER MANAGEMENT SYSTEM.

PART IV. CONSTRUCTION ACTIVITY REQUIREMENTS

CONSTRUCTION ACTIVITY FIELD REQUIREMENTS:

1. ALL FIELD REQUIREMENTS SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NPDES PERMIT AND STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
2. THE CONTRACTOR MUST IMPLEMENT THE SWPPP AND PROVIDE BMPS IDENTIFIED IN THE SWPPP IN AN APPROPRIATE AND FUNCTION MANNER.
3. THE CONTRACTOR SHALL RESPOND TO CHANGING SITE CONDITIONS AND IMPLEMENT/SUPPLEMENT EROSION PREVENTION AND SEDIMENT CONTROL MEASURES UTILIZED TO PROVIDE ADEQUATE PROTECTION OF DISTURBED SOILS AND ADEQUATE PREVENTION OF SEDIMENT TRANSPORT OFF-SITE. AT A MINIMUM, THE FOLLOWING STORMWATER POLLUTION PREVENTION CONSTRUCTION ACTIVITY FIELD REQUIREMENTS SHALL BE FURNISHED BY THE CONTRACTOR.

EROSION PREVENTION (PART IV.B):

THE CONTRACTOR IS RESPONSIBLE FOR PLANING FOR AND IMPLEMENTING APPROPRIATE CONSTRUCTION PHASING, VEGETATIVE BUFFER STRIPS, HORIZONTAL SLOPE GRADING, AND OTHER CONSTRUCTION PRACTICES THAT MINIMIZE EROSION, SO THAT THE INSPECTION AND MAINTENANCE REQUIREMENTS OF PART IV.E. ARE COMPLIED WITH. THE LOCATION OF AREAS NOT TO BE DISTURBED MUST BE DELINEATED (E.G. WITH FLAGS, STAKES, SIGNS, SILT FENCE ETC.) ON THE DEVELOPMENT SITE BEFORE WORK BEGINS.

ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT NO LATER THAN THE END OF THE NEXT WORK DAY WHEN EARTH-DISTURBING ACTIVITIES WILL CEASE FOR AT LEAST 14 DAYS. TEMPORARY STOCKPILES WITHOUT SIGNIFICANT SILT, CLAY OR ORGANIC COMPONENTS (E.G., CLEAN AGGREGATE STOCKPILES, DEMOLITION CONCRETE STOCKPILES, SAND STOCKPILES) AND THE CONSTRUCTED BASE COMPONENTS OF ROADS, PARKING LOTS AND SIMILAR SURFACES ARE EXEMPT FROM THIS REQUIREMENT BUT MUST COMPLY WITH PART IV.C.5.

SOILS WITHIN 200 FEET OF A PUBLIC WATER (AS DESIGNATED BY THE MINNESOTA DNR) MUST BE STABILIZED WITHIN 24 HOURS DURING FISH SPAWNING TIMES.

THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE THAT DRAINS WATER FROM ANY PORTION OF THE CONSTRUCTION SITE, OR DIVERTS WATER AROUND THE SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE INTO ANY SURFACE WATER. STABILIZATION OF THE LAST 200 LINEAL FEET MUST BE COMPLETED WITHIN 24 HOURS AFTER CONNECTING TO A SURFACE WATER.

STABILIZATION OF THE REMAINING PORTIONS OF ANY TEMPORARY OR PERMANENT DITCHES OR SWALES MUST BE COMPLETE WITHIN 14 DAYS AFTER CONNECTING TO A SURFACE WATER AND CONSTRUCTION IN THAT PORTION OF THE DITCH HAS TEMPORARILY OR PERMANENTLY CEASED.

TEMPORARY OR PERMANENT DITCHES OR SWALES THAT ARE BEING USED AS A SEDIMENT CONTAINMENT SYSTEM (WITH PROPERLY DESIGNED ROCK DITCH CHECKS, BIO ROLLS, SILT DIKES ETC.) DO NOT NEED TO BE STABILIZED. THESE AREAS MUST BE STABILIZED WITHIN 24 HOURS AFTER NO LONGER BEING USED AS A SEDIMENT CONTAINMENT SYSTEM.

PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER.

SEED NOTES (PART III.A.4.A):

ALL SEED MIXES AND APPLICATION SHALL BE IN ACCORDANCE WITH THE MNDOT SEEDING MANUAL.

GENERAL RECOMMENDATIONS:
IMMEDIATELY BEFORE SEEDING THE SOIL SHALL BE TILLED TO A MINIMUM DEPTH OF 3 INCHES.

TEMPORARY EROSION CONTROL SEEDING, MULCHING & BLANKET.

SEED
- TEMPORARY SEED SHALL BE MNDOT SEED MIX 21-112 (WINTER WHEAT COVER CROP) FOR WINTER AND 21-111 (OATS COVER CROP) FOR SPRING/SUMMER APPLICATIONS. BOTH SEED MIXES SHALL BE APPLIED AT A SEEDING RATE OF 100 LBS/ACRE.

MULCH
- IMMEDIATELY AFTER SEEDING, WITHIN 24 HOURS, MNDOT TYPE 1 MULCH SHOULD BE APPLIED TO PROTECT AND ENHANCE SEED GERMINATION. MULCH SHALL BE APPLIED AT 90% COVERAGE (2 TONS PER ACRE OF STRAW MULCH)

SLOPES
- 3:1 (HORIZ/VERT.) OR FLATTER MUCH SHALL BE COVERED WITH MULCH
- SLOPES STEEPER THAN 3:1 OR DITCH BOTTOMS SHALL BE COVERED WITH EROSION CONTROL BLANKET.
- SEE PLAN FOR MORE DETAILED DITCH AND STEEP SLOPE EROSION CONTROL TREATMENTS.

SEDIMENT CONTROL (PART IV.C):

SEDIMENT CONTROL PRACTICES MUST MINIMIZE SEDIMENT FROM ENTERING SURFACE WATERS, INCLUDING CURB AND GUTTER SYSTEMS AND STORM SEWER INLETS.
- a. TEMPORARY OR PERMANENT DRAINAGE DITCHES AND SEDIMENT BASINS THAT ARE DESIGNED AS PART OF A SEDIMENT CONTAINMENT SYSTEM (E.G., DITCHES WITH ROCK CHECK DAMS) REQUIRE SEDIMENT CONTROL PRACTICES ONLY AS APPROPRIATE FOR SITE CONDITIONS.
- b. IF THE DOWN GRADIENT TREATMENT SYSTEM IS OVERLOADED, ADDITIONAL UPGRADIENT SEDIMENT CONTROL PRACTICES OR REDUNDANT BMPS MUST BE INSTALLED TO ELIMINATE THE OVERLOADING, AND THE SWPPP MUST BE AMENDED TO IDENTIFY THESE ADDITIONAL PRACTICES AS REQUIRED IN PART III.A.4. A. THROUGH C.
- c. IN ORDER TO MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, THERE SHALL BE NO UNBROKEN SLOPE LENGTH OF GREATER THAN 75 FEET FOR SLOPES WITH A GRADE OF 3:1 OR STEEPER.

SEDIMENT CONTROL PRACTICES MUST BE ESTABLISHED ON ALL DOWN GRADIENT PERIMETERS BEFORE ANY UPGRADIENT LAND DISTURBING ACTIVITIES BEGIN. THESE PRACTICES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION HAS BEEN ESTABLISHED IN ACCORDANCE WITH PART IV.G.

THE TIMING OF THE INSTALLATION OF SEDIMENT CONTROL PRACTICES MAY BE ADJUSTED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING OR GRUBBING, OR PASSAGE OF VEHICLES. ANY SHORT-TERM ACTIVITY MUST BE COMPLETED AS QUICKLY AS POSSIBLE AND THE SEDIMENT CONTROL PRACTICES MUST BE INSTALLED IMMEDIATELY AFTER THE ACTIVITY IS COMPLETED. HOWEVER, SEDIMENT CONTROL PRACTICES MUST BE INSTALLED BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE ACTIVITY IS NOT COMPLETE.

ALL STORM DRAIN INLETS MUST BE PROTECTED BY APPROPRIATE BMPS DURING CONSTRUCTION UNTIL ALL SOURCES WITH POTENTIAL FOR DISCHARGING TO THE INLET HAVE BEEN STABILIZED. INLET PROTECTION MAY BE REMOVED FOR A PARTICULAR INLET IF A SPECIFIC SAFETY CONCERN (STREET FLOODING/FREEZING) HAS BEEN IDENTIFIED AND THE PERMITTEE(S) HAVE RECEIVED WRITTEN CORRESPONDENCE FROM THE JURISDICTIONAL AUTHORITY (E.G. CITY/COUNTY/TOWNSHIP/MNDOT ENGINEER) VERIFYING THE NEED FOR REMOVAL. THE WRITTEN CORRESPONDENCE MUST BE DOCUMENTED IN THE SWPPP OR AVAILABLE WITHIN 72 HOURS UPON REQUEST. WHEN WRITTEN CORRESPONDENCE CAN NOT BE OBTAINED IN A TIMELY MANNER, THE SPECIFIC INLET PROTECTION CAN BE REMOVED TO ALLEVIATE THE IMMEDIATE SAFETY CONCERN. HOWEVER, EFFORTS TO OBTAIN WRITTEN CORRESPONDENCE MUST BE DOCUMENTED IN THE SWPPP AND AVAILABLE WITHIN 72 HOURS UPON REQUEST. PERMISSION TO REMOVE INLET PROTECTION BASED ON A SPECIFIC SAFETY CONCERN MUST STILL BE OBTAINED FROM THE JURISDICTIONAL AUTHORITY WITHIN 30 DAYS OF REMOVAL.

TEMPORARY SOIL STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS, AND
CANNOT BE PLACED IN SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, OR CONDUITS AND DITCHES UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER.

VEHICLE TRACKING OF SEDIMENT FROM THE CONSTRUCTION SITE (OR ONTO STREETS WITHIN THE SITE) MUST BE MINIMIZED BY BMPS SUCH AS STONE PADS, CONCRETE OR STEEL WASH RACKS, OR EQUIVALENT SYSTEMS. STREET SWEEPING MUST BE USED IF SUCH BMPS ARE NOT ADEQUATE TO PREVENT SEDIMENT FROM BEING TRACKED ONTO THE STREET (SEE PART IV.E.4.D.).

THE PERMITEE MUST MINIMIZE SOIL COMPACTION AND, UNLESS INFEASIBLE, PRESERVE TOPSOIL. MINIMIZING SOIL COMPACTION IS NOT REQUIRED WHERE THE FUNCTION OF THE SPECIFIC AREA OF THE SITE DICTATES THAT IT BE COMPACTED. METHODS FOR MINIMIZING COMPACTION INCLUDE THE USE OF TRACKED EQUIPMENT, AND STAYING OFF OF AREAS TO BE LEFT UN-COMPACTED. METHODS TO PRESERVE TOPSOIL INCLUDE STRIPPING AND STOCKPILING TOPSOIL PRIOR TO GRADING OR EXCAVATION OPERATIONS.

THE PERMITTEE MUST INSTALL TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN PART III.B. OF THIS PERMIT.

DEWATERING AND BASIN DRAINING (PART IV.D):

DEWATERING OR BASIN DRAINING (E.G., PUMPED DISCHARGES, TRENCH/DITCH CUTS FOR DRAINAGE) RELATED TO THE CONSTRUCTION ACTIVITY THAT MAY HAVE TURBID OR SEDIMENT LADEN DISCHARGE WATER MUST BE DISCHARGED TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE WHENEVER POSSIBLE. IF THE WATER CANNOT BE DISCHARGED TO A SEDIMENTATION BASIN PRIOR TO ENTERING THE SURFACE WATER, IT MUST BE TREATED WITH THE APPROPRIATE BMP'S SUCH THAT THE DISCHARGE DOES NOT ADVERSELY AFFECT THE RECEIVING WATER, DOWNSTREAM LANDOWNERS OR WETLANDS. THE CONTRACTOR MUST ENSURE THAT DISCHARGE POINTS ARE ADEQUATELY PROTECTED FROM EROSION AND SCOUR. THE DISCHARGE MUST BE DISPERSED OVER NATURAL ROCK RIPRAP, SAND BAGS, PLASTIC SHEATHING OR OTHER ACCEPTED ENERGY DISSIPATION MEASURES. ADEQUATE SEDIMENTATION CONTROL MEASURES ARE REQUIRED FOR DISCHARGE WATER THAT CONTAINS SUSPENDED SOLIDS.

FILTER BACKWASH WATERS MUST BE HAULED AWAY FOR DISPOSAL, RETURNED TO THE BEGINNING OF THE TREATMENT PROCESS, OR INCORPORATE INTO THE SITE IN A MANNER THAT DOES NOT CAUSE EROSION. DISCHARGE OF THE BACKWASH WATER TO SANITARY SEWER IS ALLOWED WITH PERMISSION OF THE SANITARY SEWER AUTHORITY.

INSPECTIONS AND MAINTENANCE (PART IV.E):

THE CONTRACTOR IS RESPONSIBLE AT ALL TIMES FOR THE MAINTENANCE AND PROPER OPERATION OF EROSION AND SEDIMENT CONTROL FACILITIES. THE CONTRACTOR SHALL AT A MINIMUM, INSPECT, MAINTAIN AND REPAIR ALL DISTURBED SURFACES AND ALL EROSION AND SEDIMENT CONTROL FACILITIES AND SOIL STABILIZATION MEASURES ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS FOLLOWING A RAINFALL OF 0.5 INCHES OR GREATER AND WITHIN 7 DAYS AFTER THAT. CONTINUE INSPECTION ACTIVITIES UNTIL LAND-DISTURBING ACTIVITY HAS CEASED. THEREAFTER THE CONTRACTOR SHALL PERFORM THESE RESPONSIBILITIES AT LEAST WEEKLY UNTIL VEGETATIVE COVER IS ESTABLISHED. INSPECTIONS MUST INCLUDE STABILIZED AREAS, EROSION PREVENTION AND SEDIMENT CONTROL BMP'S AND INFILTRATION AREAS.

BASED ON INSPECTION RESULTS THE CONTRACTOR MAY MODIFY THE SWPPP IN ORDER TO PREVENT POLLUTANTS FROM LEAVING THE SITE VIA STORM WATER RUNOFF. THIS MODIFICATION MUST BE MADE WITHIN 7 CALENDAR DAYS OF THE INSPECTION UNLESS OTHERWISE REQUIRED BY THE TERMS OF THE PERMIT, LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS.

INSPECTION REPORTS MUST BE RECORDED WITHIN 24 HOURS IN WRITING AND KEPT ON FILE BY THE CONTRACTOR AS AN INTEGRAL PART OF THE SWPPP ON SITE AND THEN FOR AT LEAST 3 YEARS FROM THE DATE OF COMPLETION OF THIS PROJECT.

ALL PERIMETER CONTROL DEVICES MUST BE REPAIRED, REPLACED OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES 1/2 OF THE HEIGHT OF THE DEVICE. THESE REPAIRS MUST BE MADE BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR THEREAFTER AS SOON AS FIELD CONDITIONS ALLOW ACCESS.

REMOVE ALL DELTAS AND SEDIMENT DEPOSITED IN SURFACE WATERS, INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS, AND RESTABILIZE THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED TOPSOIL. THIS REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN 7 DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS.

SEE (ATTACHMENT A: CONSTRUCTION SWPPP TEMPLATE) FOR SITE SPECIFIC INSPECTIONS AND MAINTENANCE REQUIREMENTS.

POLLUTION PREVENTION MANAGEMENT (PART IV.F):

THE CONTRACTOR SHALL IMPLEMENT THE FOLLOWING POLLUTION PREVENTION MANAGEMENT MEASURES ON THE SITE;

SOLID WASTE: COLLECTED SEDIMENT, ASPHALT AND CONCRETE MILLINGS, FLOATING DEBRIS, PAPER, PLASTIC, FABRIC, CONSTRUCTION AND DEMOLITION DEBRIS AND OTHER WASTES MUST BE DISPOSED OF PROPERLY AND MUST COMPLY WITH MINNESOTA POLLUTION CONTROL AGENCY (MPCA) DISPOSAL REQUIREMENTS.

HAZARDOUS MATERIALS: OIL, GASOLINE, PAINT AND ANY HAZARDOUS SUBSTANCES MUST BE PROPERLY STORED, INCLUDING SECONDARY CONTAINMENT, TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. RESTRICTED ACCESS TO STORAGE AREAS MUST BE PROVIDED TO PREVENT VANDALISM. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MUST BE IN COMPLIANCE WITH MPCA REGULATIONS.

EXTERNAL WASHING OF TRUCKS AND OTHER CONSTRUCTION VEHICLES MUST BE LIMITED TO A DEFINED AREA OF THE SITE. RUNOFF MUST BE CONTAINED AND WASTEWATER PROPERLY DISPOSED OF. NO ENGINE DEGREASING IS ALLOWED ON SITE.

CONCRETE WASHOUT: ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. A COMPACTED CLAY LINER THAT DOES NOT ALLOW WASHOUT LIQUIDS TO ENTER THE GROUND IS CONSIDERED AN IMPERMEABLE LINER. THE LIQUID AND SOLID WASTES MUST NOT CONTACT THE GROUND, AND THERE MUST NOT BE RUNOFF FROM THE CONCRETE WASHOUT OPERATIONS OR AREAS. LIQUID AND SOLID WASTES MUST BE DISPOSED OF PROPERLY AND IN COMPLIANCE WITH MPCA REGULATIONS. A SIGN MUST BE INSTALLED ADJACENT TO EACH WASHOUT FACILITY TO INFORM CONCRETE EQUIPMENT OPERATORS TO UTILIZE THE PROPER FACILITIES. CONCRETE WASHOUT MAY ALSO OCCUR OFF SITE ACCORDING TO THE APPROPRIATE REGULATIONS.

FUELING OPERATION PLAN: ALL FUELING SHALL TAKE PLACE AT THE DESIGNATED FUELING LOCATION AND ACCORDING TO BEST PRACTICES FOR SITE FUELING OPERATIONS AS TO MINIMIZE THE POTENTIAL FOR SPILLS.

SPILL PREVENTION PLAN: ALL SPILLS SHALL BE IMMEDIATELY CLEANED UP AFTER DISCOVERY. THE SITE SUPERINTENDENT, WHO IS RESPONSIBLE FOR DAY-TO-DAY ONSITE CONSTRUCTION OPERATIONS WILL BE THE SPILL PREVENTION COORDINATOR AND WILL BE RESPONSIBLE FOR IMPLEMENTING CLEAN UP PROCEDURES, POSTING CLEAN UP RECOMMENDATIONS, AND ENSURING PROPER CLEAN UP TRAINING OF APPROPRIATE PERSONNEL.

SANITARY AND SEPTIC WASTE: SANITARY/SEPTIC FACILITIES SHALL BE PROVIDED AND MAINTAINED IN A NEAT AND SANITARY CONDITION, FOR THE USE OF THE CONTRACTOR'S EMPLOYEES. A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR AS REQUIRED BY STATE REGULATIONS WILL COLLECT SANITARY WASTE FROM PORTABLE UNITS.

FINAL STABILIZATION (PART IV.G):

THE CONTRACTOR MUST ENSURE FINAL STABILIZATION OF THE SITE ACCORDING THE DEFINITIONS IN THE NPDES GENERAL PERMIT PART IV SECTION G. THE CONTRACTOR MUST SUBMIT A NOTICE OF TERMINATION (N.O.T.) WITHIN 30 DAYS AFTER FINAL STABILIZATION IS COMPLETE OR WITHIN 7 DAYS AFTER SELLING THE SITE OR PORTION OF THE SITE (THAT HAS NOT UNDERGONE FINAL STABILIZATION) TO ANOTHER PARTY. A COPY OF THIS NOTICE OF TERMINATION / PERMIT MODIFICATION FORM MUST GO TO THE NEW OWNER. THE ORIGINAL CURRENT OWNER MUST PROVIDE A SWPPP TO THE NEW OWNER THAT SPECIFICALLY ADDRESSES THE REMAINING CONSTRUCTION ACTIVITY. SEE THE SWPPP PLAN SHEETS AND SWPPP NARRATIVE (ATTACHMENT A: CONSTRUCTION SWPPP TEMPLATE) AND SWPPP PLAN SHEETS FOR FINAL STABILIZATION MEASURES

TRAINING (PART III.A.2)

DESIGN ENGINEER: MATTHEW R. PAVEK P.E.
TRAINING COURSE: DESIGN OF SWPPP
TRAINING ENTITY: UNIVERSITY OF MINNESOTA
INSTRUCTOR: JOHN CHAPMAN
DATES OF TRAINING COURSE: 5/15/2011 - 5/16/2011
TOTAL TRAINING HOURS: 12
RE-CERTIFICATION: 3/16/2017 (8 HOURS), EXP. 5/31/2020

OWNER INFORMATION

OWNER:
SODERBERG APARTMENT SPECIALTIES
6401 N CAMDEN AVENUE
MINNEAPOLIS, MN 55403

CONTACT:
TBD

AREAS AND QUANTITIES (PART III.A.4.B&C):

SITE AREA CALCULATIONS

	EXISTING CONDITION		PROPOSED CONDITION	
BUILDING COVERAGE	48,749 SF	34.3%	48,749 SF	34.3%
ALL PAVEMENTS	27,189 SF	19.1%	47,731 SF	33.6%
ALL NON-PAVEMENTS	66,147 SF	46.6%	45,605 SF	32.1%
TOTAL SITE AREA	142,085 SF	100.0%	142,085 SF	100.0%

IMPERVIOUS SURFACE	
EXISTING CONDITION	75,938 SF 53.4%
PROPOSED CONDITION	96,480 SF 67.9%
DIFFERENCE (EX. VS PROP.)	20,542 SF 14.5%

EROSION CONTROL QUANTITIES	
DISTURBED AREA	56,000 SF 1.29
SILT FENCE/BIO-ROLL	1,900 LF
EROSION CONTROL BLANKET	0 SF
INLET PROTECTION DEVICES	±9 EA

NOTE: QUANTITIES ARE FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR SHALL DETERMINE FOR THEMSELVES THE EXACT QUANTITIES FOR BIDDING AND CONSTRUCTION.

SWPPP CONTACT PERSON

CONTRACTOR:

SWPPP INSPECTOR TRAINING:
ALL SWPPP INSPECTIONS MUST BE PERFORMED BY A PERSON THAT MEETS THE TRAINING REQUIREMENTS OF THE NPDES CONSTRUCTION SITE PERMIT.
TRAINING CREDENTIALS SHALL BE PROVIDED BY THE CONTRACTOR AND KEPT ON SITE WITH THE SWPPP

PARTY RESPONSIBLE FOR LONG TERM OPERATION AND MAINTENANCE OF PERMANENT STORM WATER MANAGEMENT SYSTEM

PERMANENT STORMWATER MANAGEMENT IS NOT REQUIRED AS PART OF THIS PROJECT TO MEET NPDES PERMIT REQUIREMENTS. THE PROPERTY OWNER IS RESPONSIBLE FOR THE LONG TERM OPERATION AND MAINTENANCE OF THE PROPOSED STORMWATER SYSTEM.

SWPPP ATTACHMENTS (ONLY APPLICABLE IF SITE IS 1 ACRE OR GREATER):

CONTRACTOR SHALL OBTAIN A COPY OF THE FOLLOWING SWPPP ATTACHMENTS WHICH ARE A PART OF THE OVERALL SWPPP PACKAGE:
ATTACHMENT A: CONSTRUCTION SWPPP TEMPLATE - SITE SPECIFIC SWPPP DOCUMENT
ATTACHMENT B. CONSTRUCTION STORMWATER INSPECTION CHECKLIST
ATTACHMENT C. MAINTENANCE PLAN FOR PERMANENT STORM WATER TREATMENT SYSTEMS
ATTACHMENT D: STORMWATER MANAGEMENT REPORT - ON FILE AT THE OFFICE OF PROJECT ENGINEER. AVAILABLE UPON REQUEST.
ATTACHMENT E: GEOTECHNICAL EVALUATION REPORT - ON FILE AT THE OFFICE OF PROJECT ENGINEER. AVAILABLE UPON REQUEST.

SUPPLEMENTARY SITE SPECIFIC EROSION CONTROL NOTES:

THESE NOTES SUPERCEDE ANY GENERAL SWPPP NOTES.

THIS PROJECT'S ADDED PROPOSED IMPERVIOUS SURFACE IS LESS THAN 1.0 ACRES SO AN NPDES PERMIT IS NOT REQUIRED TO BE SUBMITTED TO THE MPCA. THE CONTRACTOR IS REQUIRED TO FOLLOW THE GUIDELINES IN THE NPDES PERMIT THROUGHOUT CONSTRUCTION.

PROJECT NARRATIVE:

PROJECT IS A REDEVELOPMENT OF AN EXISTING APARTMENT COMPLEX'S SITE INTO NEW SURFACE PARKING LOTS. RESTRIPING TO AN EXISTING PARKING GARAGE, LANDSCAPING AND SITE IMPROVEMENTS WILL OCCUR.

SPECIAL TMDL BMP REQUIREMENTS SITE SPECIFIC (IF REQUIRED):

XXXXX

1. DURING CONSTRUCTION:
   A. STABILIZATION OF ALL EXPOSED SOIL AREAS MUST BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION BUT IN NO CASE COMPLETED LATER THAN SEVEN (7) DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
   B. TEMPORARY SEDIMENT BASIN REQUIREMENTS DESCRIBED IN PART III.C. MUST BE USED FOR COMMON DRAINAGE LOCATIONS THAT SERVE AN AREA WITH FIVE (5) OR MORE ACRES DISTURBED AT ONE TIME.

2. POST CONSTRUCTION:THE WATER QUALITY VOLUME THAT MUST BE RETAINED ON SITE BY THE PROJECT'S PERMANENT STORMWATER MANAGEMENT SYSTEM DESCRIBED IN PART III.D. SHALL BE ONE (1) INCH OF RUNOFF FROM THE NEW IMPERVIOUS SURFACES CREATED BY THE PROJECT. SEE PART III.D.1. FOR MORE INFORMATION ON INFILTRATION DESIGN, PROHIBITIONS AND APPROPRIATE SITE CONDITIONS.

PERMANENT STABILIZATION NOTES SITE SPECIFIC:

PERMANENT SEED MIX
- FOR THIS PROJECT ALL AREAS THAT ARE NOT TO BE SODDED OR LANDSCAPED SHALL RECEIVE A NATIVE PERMANENT SEED MIX.
  - •• AREAS IN BUFFERS AND ADJACENT TO OR IN WET AREAS MNDOT SEED MIX 33-261 (STORMWATER SOUTH AND WEST) AT 35 LBS PER ACRE.
  - •• DRY AREAS MNDOT SEED MIX 35-221 (DRY PRAIRIE GENERAL) AT 40 LBS PER ACRE.
- MAINTENANCE SHALL BE IN ACCORDANCE TO THE MNDOT SEEDING MANUAL.

CivilSite GROUP
Civil Engineering • Surveying • Landscape Architecture
4931 W. 35th Street, Suite 200
St. Louis Park, MN 55416
civilsitegroup.com 612-615-0060

PRELIMINARY: NOT FOR CONSTRUCTION

PROJECT
LUX APARTMENTS
6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430

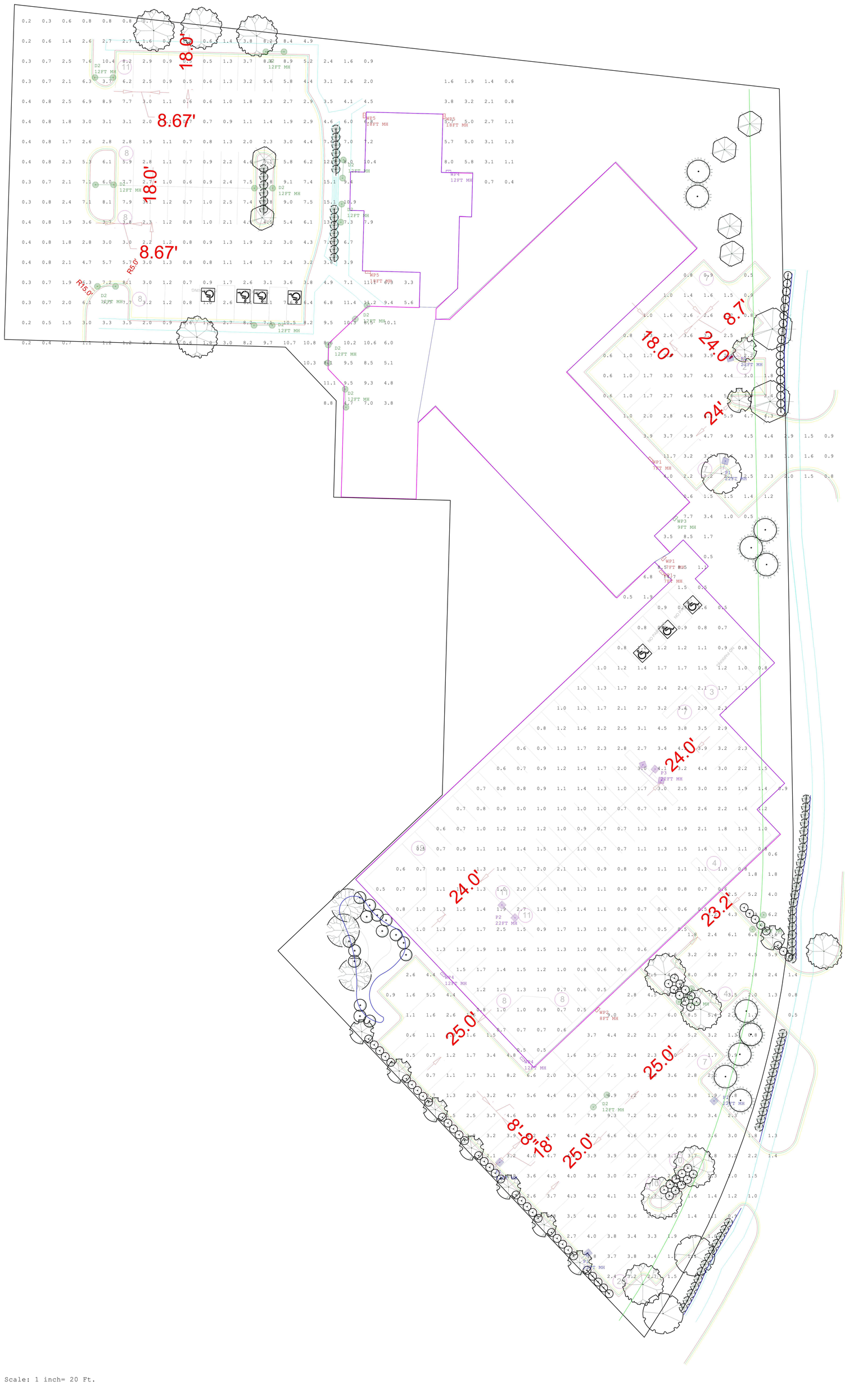
SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

I 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.

Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SU

These drawings are for conceptual use only and are not intended for construction. Fixture runs and quantities should be verified prior to order. Values represented are an approximation generated from manufacturers photometric inhouse or independent lab tests with data supplied by lamp manufacturers.



Luminaire Schedule

Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Description
	3	WP5	SINGLE	6700	0.900	GE EWS3-0-D3-D1-40-1-DKBZ
	3	WP4	SINGLE	5000	0.900	GE EWS3-0-C7-D1-40-1-DKBZ
	1	WP3	SINGLE	3800	0.900	GE EWS3-0-B7-D1-40-1-DKBZ
	1	WP2	SINGLE	2900	0.900	GE EWS3-0-A7-D1-40-1-DKBZ
	3	WP1	SINGLE	2900	0.900	GE EWS3-0-A7-D1-40-1-DKBZ
	1	P3	3 WAY T20	15000	0.900	GE EALS-02-F4-AF-7-40-N-D-D1-BKBZ-SSS
	1	P2	B-B 20T	15000	0.900	GE EALS-02-F4-AF-7-40-N-D-D1-BKBZ-SSS
	5	P1	SINGLE	15000	0.900	GE EALS-02-F4-AF-7-40-N-D-D1-BKBZ-SSS
	14	D2	BACK-BACK	6894	0.900	LSI XLXM3-PT-5-LED-HO-NW

Tag	Lum. Watts	Total Watts
18FT MH	67	201
12FT MH	41	123
9FT MH	32	32
8FT MH	25	25
7FT MH	25	75
22FT MH	137	411
22FT MH	137	274
22FT MH	137	685
12FT MH	108	3024

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
EAST PARKING	Illuminance	Fc	2.82	14.7	0.5	5.64	29.40
NORTH WEST AREA	Illuminance	Fc	3.81	15.1	0.2	19.05	75.50
ROOF PARKING Top	Illuminance	Fc	1.44	8.5	0.5	2.88	17.00
SOUTH PARKING	Illuminance	Fc	3.37	9.8	0.5	6.74	19.60
Northwest Parking	Illuminance	Fc	3.24	10.5	0.5	6.48	21.00

Page Size: 36 x 44	**Project:** 6100 Summit Drive Mpls, MN	Luma Sales: Steve Hahn	Luma Sales Associates — Lighting and Controls
		Layout By: Kathy Frey	
IPA-d.com Project # LS952-3099-2	**Details:** Site Lighting	Date:6/5/2018	
		Filename: LS952-3099.AGI	

Parking:

We request approval for construction of an additional 73 surface parking spaces to be deemed adequate to provide off street parking for residents of a market rate apartment building. All constructed parking areas will include landscape features, screening and/or fencing cosnistent with the surrounding area.

We believe this amount is adequate at a 1:1.7 ratio and serves our residents and their guests effectively.

Our internal parking study of three of our similar properties with no garages located in Brooklyn Center, St. Louis Park, and Hopkins, all inner-ring suburbs of Minneapolis, clearly identify parking requirements to adeqautely serve our residents.

Property one: Hopkins; 150 one bedroom units. Survey conducted at 1:14 AM when most residents are home indicated 172 vehicles parked for 150 one bedroom units.

A 1.14 ratio on a per unit and per bedroom basis.

Property two: St. Louis Park; 120 units, approximately 70 one bedrooms and 50 two bedroom units. Close in unit mix to the subject property. Survey conducted at 1:57 AM 142 cars parked in the lot.

A 1.18 ratio on a per unit basis

A .83 ratio on a per bedroom basis

Property three: Brooklyn Center; 72 units, approximately 24 one nedroom units and 48 two bedroom units. A higher percentage of two bedrooms than the subject property. Survey conducted at 2:30 AM. 123 vehicles for 72 units.

A 1.71 ratio on a per unit basis

A 1.025 ratio on a per bedroom basis.

Subject property: 143 units, approximately 83 one bedrooms, 58 two bedrooms and 2 studios. Proposed parking of 244 spaces.

A 1.7 ratio on a per unit basis

A 1.21 ratio on a per bedroom basis.

The subject property is also in close proximity to public transportation as well as surrounding office buildings that have substantial parking spaces available, specifically in evening hours when businesses are closed. Preliminary discussions have been made regarding these properties and use agreements for our residents and their guests for additional parking availability if needed.

Similarly located cities on proximity to Minneapolis have determined that adequate parking for multifamily can be based on a per bedroom basis, such as St. Louis Park:

Multi-family	One space per bedroom. 10% of the required parking shall be permitted for use as guest parking. Multi-family residential developments shall not be eligible for a transit or Planned Unit Development reduction in required parking.

https://www.stlouispark.org/business/zoning-code-241

Richfield has a similar guideline as Brooklyn Center with qualifying language highlighted below:

Subd. 2. Minimum parking. Two off-street parking spaces shall be provided for each dwelling unit. The Council, at its discretion, may reduce the minimum required parking to not less than 1.25 parking spaces per unit for multifamily structures with ten (10) or more units, after consideration of factors including but not limited to the present or future availability of transit services, shared parking, pedestrian orientation, and occupancy characteristics. In addition, the Council may further reduce the parking requirement for senior housing complexes. (Amended, Bill No. 2011-19)

https://library.municode.com/mn/richfield/codes/code_of_ordinances?nodeId=APXBRIZOCO_S527HINSREDIMR_527.11DIPAREMUMIST

The proposed parking at the subject property surpasses the per bedroom basis of similar properties in our portfolio in similar locations and is on the high end on a per unit basis. Based on reasonable discretion and the availability of shared parking and public transportation we are confident that the proposed 244 parking spaces will adequately serve future residents at the property.

Exhibit B

CITY OF BROOKLYN CENTER NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold a public hearing on Thursday, September 13, 2018, at approximately 7:00 p.m., at Brooklyn Center City Hall, located at 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUEST: Amendment to a Planned Unit Development (PUD) and Site Improvements that would allow for the Conversion of a Former Senior Living Facility to Market Rate Apartments

PETITIONER/PROPERTY OWNER: Lux Apartments, LLC

PROPERTY NAMED IN THE PETITION: 6100 Summit Drive North, Brooklyn Center, MN 55430

PROPERTY ID:
35-119-21-44-0012

LEGAL DESCRIPTION: Registered Land Survey No. 1603, Hennepin County, Minnesota

BRIEF STATEMENT OF CONTENTS OF PETITION:

The Petitioner is proposing to convert the former Earle Brown Terrace senior living facility into market rate apartments. The proposal includes interior and exterior site and building improvements and the construction of additional off-street parking stalls at an approximately 1.7 parking ratio. The proposal necessitates certain amendments to the existing PUD related to off-street parking and site requirements.

Questions, comments, statements of support or objections should be directed to City Planner/ Zoning Administrator Ginny McIntosh at (763) 569-3319 or email to gmcintosh@ci.brooklyn-center.mn.us.

Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at (763) 569-3300 to make arrangements.

Respectfully,
Ginny McIntosh
City Planner / Zoning Administrator

Published in the
Brooklyn Center Sun Post
August 30, 2018
850784

Councilmember Ryan noted the area of the new car storage will be on the existing paved surface and fenced. Ms. McIntosh stated that is correct and described the shift in parking row/drive aisle and arrangement of parking. Councilmember Ryan stated the reason Luther is making this request is so they can store new car inventory in another location because the present storage location is under construction for the new Mazda Mitsubishi dealership. Ms. McIntosh stated that is correct.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 018-136, Regarding the Recommended Deposition of Planning Commission Application No. 2018-010, submitted by Linda McGinty of The Luther Company, LLLP, for the issuance of an of an Interim Use Permit for the off-site storage of new vehicles (located at 5900, Shingle Creek Parkway.

Motion passed unanimously.

Mayor Willson stated his support for considering this request from one of the City's premiere businesses. He noted they now have eight dealerships, are one of the highest paying tax payers, creates jobs, presence, and been good to the City with a number of other contributions.

9b. PLANNING COMMMISISON APPLICATION NO. 2018-011, SUBMITTED BY LUK APARTMENTS, LLC, REQUESTING APPROVAL OF AN AMENDMENT TO THE 1992 PLANNED UNIT DEVELOPMENT PLANS AND DOCUMENTS AND SITE IMPROVEMENTS TO ALLOW FOR THE CONVERSION OF A FORMER SENIOR LIVING FACILITY TO MARKET RATE APARTMENTS (LOCATED AT 6100 SUMMIT DRIVE NORTH)

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2018-011 regarding the request of Luk Apartments, LLC for an amendment to the 1992 Planned Unit Development (PUD) plans and documents and site improvements to convert a former senior living facility (currently closed) to market rate apartments at 6100 Summit Drive N. The request includes an allowance for off-street parking ratio of approximately 1.7 parking spaces per dwelling unit versus the minimum required two parking spaces per dwelling unit; wall signage allowance of up to 350-square feet on the south elevation of the existing 11-story apartment building; and, allowance of three additional dwelling units for future approval of a total of 143 units versus the existing 140 units.

Ms. McIntosh explained consideration tonight is only for the three allowance requests, not final approval and if approved, the applicant will be required to return with final plan sets, site plan, and make application through the Planning Commission.

Councilmember Butler asked why the City Council should encourage under parking as many residents own cars, more than one per rental unit, and there is already a parking issue at current apartment parking lots. Ms. McIntosh stated the applicant conducted an informal survey of their other apartment properties and calculated approximately how many cars were parked based on the number of apartments. Based on that survey, the applicants have indicated they are

comfortable with a ratio of about 1.7 parking spaces per unit. Ms. McIntosh noted since this will be for market rate apartments, the applicant will not want to be in a situation where people won't rent because there is not enough parking in the lot. She stated that issue can be addressed when they return with final plan sets.

Councilmember Butler stated she is not comfortable approving an allowance at 1.7 spaces per unit considering what she already knows about the situation at existing apartment parking lots. She asked whether the three requested allowances are considered as one or separately as she does not have a problem with the other two requests. Mayor Willson stated based on past practice, a Councilmember can request to separate considerations.

Mayor Willson noted this consideration is slightly out of order from what has occurred in the past and he thought these allowances would first be considered by the Planning Commission with a recommendation for the City Council's consideration. He asked if the allowances are binding on the City Council if approved. Ms. McIntosh clarified that the property is not owned by the applicant but they are in talks with the owner. Because the applicant wants to convert the building from senior housing to market rate, parking is a determining factor. In that effort, the applicant has addressed parking by adding surface parking as there is no intent to add to the parking structure.

Mayor Willson stated the City Council does not get into the property purchase negotiations between private properties but this feels like that may be the case. He asked if the allowances are binding if approved tonight or can the allowances be changed later by City Council action. City Attorney Troy Gilchrist advised this action would approve the scope of flexibility allowed with this property. He stated he suspects this is before the City Council because the applicant would like to exercise this flexibility in deciding whether to purchase this property. City Attorney Gilchrist advised the City would not be bound by these allowances, if approved tonight, but that may be counter to what the applicant expects the City Council to consider in final design.

Mayor Willson expressed concern with considering allowance flexibility before ever seeing the project plans. He stated he has no problem with the three requests other than the way the process is going forward because normally, the Planning Commission would have looked at this in conjunction with the final plans and then make a recommendation to the City Council. Mayor Willson stated his concern that if approved tonight, the City Council 'goes in blind.' Ms. McIntosh stated this process is also different for City staff as they usually get full plan sets so instead this is like looking at changing the Master Plan to a PUD. She noted the applicant has indicated they are looking at surface parking but if the City Council is not comfortable with surface parking and would want a ramp, then that should be indicated now. Ms. McIntosh noted the full plan sets still need to be submitted for Planning Commission review and recommendation.

Mayor Willson stated again his concern that these allowances would be binding on a future consideration and that by approving tonight, the City Council has no control over building plans when they come forward on these three issues. City Attorney Gilchrist advised the City Council will have control but the plans come with the expectation the City Council will grant the flexibility being considered tonight. In addition, approving allowances tonight does not approve

specific building plans as that comes later. City Attorney Gilchrist stated if approved, there would be an expectation from the applicant that if the plans reflect these allowances, it would be acceptable. But, the City Council still has authority to make changes, such as to parking location.

Councilmember Ryan stated the substance of consideration is the applicant cannot go below 1.7 parking spaces and if this is an upscale conversion, there is strong economic interest to increase parking availability. Ms. McIntosh stated the 1.7 parking spaces are all on site. Councilmember Ryan noted there is also opportunity to consider off-site parking on neighboring properties that can be considered later. Ms. McIntosh stated that is correct and a condition can be added to require the applicant to take additional action if parking is deemed to be insufficient at any point in the future.

Mayor Willson stated he has no problem with the three allowances being requested, though he thinks it is the wrong time. He stated he is willing to consider the allowances separately. Mayor Willson stressed to staff that he does not want to consider a precedence or consider this process again in the future.

Councilmember Graves stated Councilmember Butler expressed her same thoughts and especially if the project converts from senior living to market rate multi-family, which conceivably could have more than one driver per apartment and only 1.7 parking spaces per unit are being provided. She felt that ratio makes more sense for senior housing. Also, adding three more units would then potentially increase the need for parking. Councilmember Graves stated she does not have a problem with the requested signage allowance.

Mayor Willson stated the applicant and owners will have to deal with the parking issues. The City deals with rental licensing and number of police calls to the property. Mayor Willson noted if there are police calls about parking on the street, then that is where the City's enforcement of the rental license comes in.

Councilmember Graves stated her preference to prevent police calls from happening in the first place and not after the fact.

Mr. Boganey agreed this is an unusual consideration and he appreciates the Mayor's comments in that regard. He stated from his perspective, it is important to explain why it was brought before the City Council in this way. Mr. Boganey noted the current building has 140 units and under current standard that requires 280 parking spaces. There is no place to put 280 parking spaces on this site so it has been out of compliance since Day 1. Now the building is unoccupied and a purchaser wants to take a 'lemon and make lemonade' but there is no economic way to add 109 spaces. For that reason, the purchaser is rightfully hesitant to acquire the vacant property with the expectation that he will have to add 109 spaces to comply with the current Ordinances. The purchaser would like some indication the City Council is willing to offer some flexibility beyond the ordinance requirement for 280 parking spaces. Mr. Boganey noted the purchaser has some options to negotiate with the seller an agreement to allow for additional days to go through the site plan review process and get all required approvals before entering into the final purchase

agreement or do what is being done today to get a clear read from the City Council as to whether they are willing to be flexible.

Mr. Boganey stated the question may be what makes staff think this apartment will function effectively without two parking spaces per unit when parking on the street is also prohibited. That information was provided to staff and the owner has indicated they feel comfortable that 1.7 spaces per unit is adequate based on their experience with the market they intend to serve. If staff had not seen that data, staff would not be presenting it to the City Council.

Mayor Willson asked about the option for parking off site.

Erik Falkman, Lux Apartments LLC, 6401 Camden Avenue N., addressed the City Council. He stated they own close to 650 apartment units in Brooklyn Center, in four separate buildings, and conducted an informal internal survey of those apartment properties at 2:30 a.m., when the parking lot was the most full. Based on that survey, they determined that 1.7 was the maximum used by their apartments. Mr. Falkman stated they are making a substantial investment in this property and he appreciates the City Council's consideration of this request. He agreed the sequencing is out of order from the normal process but they want to have control of the parking issue. Mr. Falkman noted this property has 140 units, with 90 one-bedrooms, 50 two-bedrooms and no three-bedrooms.

Jim Soderberg, Lux Apartments LLC, 6401 Camden Avenue N., addressed the City Council. He stated they will install upgraded finishes including new doors with electronic locks, granite, stainless steel appliances, upgraded exterior materials, two roof-top decks, and signage to attract traffic from Highway 100. Mr. Soderberg stated they came to Brooklyn Center in 1995 and since then, think the changes in Brooklyn Center are spectacular. He described other crime-ridden apartment buildings they have purchased and improved and stated they have over $50 million in Brooklyn Center and this new project would add $3.5 million of improvements.

Mr. Soderberg addressed Councilmember Graves' concern and assured the City Council that if they did not think they had enough parking, they would not do this deal. He stated they also surveyed their Hopkins apartment where they had 1.9 parking spaces per unit. Mr. Soderberg stated their support of the Top Golf business and anything that benefits Brooklyn Center, noting levels of crime in the City's apartments have been greatly reduced.

Mayor Willson stated he does not dispute the good improvements the applicants have made to apartments in the City but his struggle is the procedural piece, which he finds to be odd. But, on the other hand, Mayor Willson acknowledged the applicant is paying the money so he understands their desire to ask the City Council to move in the direction with which they are comfortable.

Councilmember Lawrence-Anderson asked about the bedroom mix. Mr. Falkman stated there are currently 140 units, with 90 one-bedrooms and 50 two-bedrooms.

Councilmember Ryan thanked the applicants for sharing additional information, noting he is more comfortable with the procedural anomalies after further explanation that the parking

requirements meet their expectations and comments by Mr. Boganey. He stated he is encouraged by the level of improvements and acknowledged and thanked the applicants for turning around other multi-family properties in the City to address those significant and serious problems in the past. Councilmember Ryan stated he is now comfortable supporting this request.

Councilmember Graves asked about the parking spaces, noting if every two-bedroom had two drivers, and half of the one-bedrooms had two drivers, then parking is still under their number. She stated she made an estimated guess that they need 235 spaces and 244 spaces are being provided. Mr. Falkman stated that is a good observation and roughly the same calculations they used. Plus, they can expand that number if using some of their surrounding properties.

Councilmember Lawrence-Anderson asked if there are any plans for a future parking ramp. Mr. Soderberg stated there is a two-level parking ramp but you could not add on three more floors. In addition, a parking ramp is economically impossible and would look horrible as it would be in front of a gorgeous building. Mr. Soderberg assured the City Council that with the intended landscaping and fencing, the on-site parking will not look that bad.

Councilmember Butler asked about visitor parking when there is not enough parking for each unit if there are two drivers per unit. She stated in going to community meetings, 40-50 people have told her there is not enough parking for apartment residents and no parking for their visitors. Mr. Soderberg agreed with the importance of providing adequate visitor parking, which will be located the farthest away from the doors, the same as at their other 24 apartment communities.

Mr. Falkman stated he is not a parking expert but they deal with it every day and receive feedback from their residents. He stated they have a lot of ways to maximize the flow of parking, noting they have other properties where parking is constrained but they understand how that parking has to be moved around.

Mr. Boganey stated if you begin with the assumption that reducing the parking requirement is potentially problematic, he would ask why then add three units and make it even worse. Mr. Soderberg stated 1.7 is not problematic because they think they will have a lot of left over parking spots at 1.7. With regard to the three additional units, there is a seventh-floor balcony that could be used for a penthouse apartment or maybe two units. He noted the tenth-floor balcony will have views of downtown, they will change the metal balcony railings to glass railings, and add other nice amenities. Mr. Soderberg stated they want to create statement units and for people to think it is a brand-new building.

Mr. Boganey asked what is the principal reason the applicants are unable to delay closing until after they have gone through the typical application process for site and building plan review by the Planning Commission with recommendation to the City Council.

Mr. Soderberg explained discussions with the sellers started in December, this has already been delayed, and the sellers have run out of patience at this point. He would like a resolution tonight to gain a comfort level to move forward. Mr. Soderberg noted this is one of the last areas to redevelop and assured the City Council this will be an incredible improvement.

Councilmember Graves stated she contacted people who were displaced from an apartment and was told they were not given much notice about moving out. She asked why residents were not aware of what was happening sooner. Mr. Falkman stated that happened before they became involved but some of the issues came down to process and legalities with senor living. He noted they were at 30% occupancy for a period of time, the building was functionally obsolete for senior housing use, and they were not financially able to continue operation. He stated his understanding they went above and beyond in notice and upgraded those residents living situation within 30-45 days.

Mr. Soderberg stated in December, the timing had to do with The Sanctuary, which was also delayed, and they wanted to make sure they had a place for displaced residents. He agreed the people were relocated quickly and into better housing.

Mayor Willson noted City staff also stepped up to work with those residents and went beyond what was required to make sure those residents had a place to go. In addition, The Sanctuary went above and beyond. Mayor Willson commended staff for what they had done for those residents. Mr. Soderberg stated they also covered some moving expenses for those residents even though they were not required to do so.

Councilmember Ryan moved and Mayor Willson seconded to approve an allowance for an off-street parking ratio of approximately 1.7 parking spaces per dwelling unit versus the minimum required two parking spaces per dwelling unit.

Councilmember Butler voted against the same and Councilmember Graves abstained. Motion passed.

Councilmember Lawrence-Anderson moved and Councilmember Graves seconded to approve a wall signage allowance of up to 350-square feet on the south elevation of the existing 11-story apartment building

Motion passed unanimously.

Councilmember Ryan moved and Councilmember Butler seconded to approve an allowance of three additional dwelling units for future approval of a total of 143 units versus the existing 140 units.

Councilmember Lawrence Anderson asked whether the number of additional dwelling units can be amended to be allowed only if there are no issues with parking at a ratio of 1.7 parking spaces. Mayor Willson stated that is not an issue as the allowance is 1.7 parking spaces no matter the number of units.

Councilmember Lawrence-Anderson stated she wants to assure there is not a parking issue already and then units are added. Councilmember Ryan noted the motion references the need for future approval so that decision can be made at a future point.

Motion passed unanimously.

Mayor Willson stated his appreciation to the applicant for taking on another large project and making an investment in the City.

10. COUNCIL CONSIDERATION ITEMS

10a. CONSIDERATION OF TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSES

Mayor Willson explained the streamlined process that will now be used to consider Type IV 6-Month Provisional Rental Licenses.

Mayor Willson polled the audience and asked whether anyone was in attendance to provide testimony on any of the rental licenses as listed on tonight's meeting agenda. Seeing no one coming forward, Mayor Willson called for a motion on Agenda Items 10a1 through 10a2.

10a1. 7131 HALIFAX AVENUE NORTH
10a2. RESOLUTION NO. 2018-138 APPROVING A TYPE IV RENTAL LICENSE FOR 5351 IRVING AVENUE NORTH

Councilmember Ryan moved and Councilmember Graves seconded to approve the issuance of a Type IV six-month provisional rental license and mitigation plan for the following: 7131 Halifax Avenue North; and, adopt RESOLUTION NO. 2018-138 Approving a Type IV Rental License for 5351 Irving Avenue North, with the requirement that the mitigation plans and all applicable ordinances must be strictly adhered to before renewal licenses would be considered.

Motion passed unanimously.

11. COUNCIL REPORT

Councilmember Ryan reported on his attendance at the following and provided information on the following upcoming events:

- July 7, 2018: Pop Up Market
- July 9, 2018: Joint Work Session with the Planning Commission on the Comp Plan
- July 12, 2018: Association for Responsible Management
- July 9-11, 2018: Policy Management Meetings on Transportation
- July 19, 2018: Southeast Bellvue Park Neighborhood Meeting

Councilmember Lawrence-Anderson reported on her attendance at the following and provided information on the following upcoming events:

- June 29, 2018: Dudley Classic
- July 7, 2018: Pop Up Market
- July 9, 2018: Joint Work Session with the Planning Commission on the Comp Plan

M E M O R A N D U M

DATE: September 10, 2018

TO: Ginny McIntosh, Planning/Zoning Administrator

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Site Plan Review – Earle Brown Terrace

Public Works Department staff reviewed the following documents submitted for review on August 18, 2018, for the proposed site plan improvements for the Unity Place:

- Civil Site Plans dated August 18, 2018

Subject to final staff Site Plan approval, the referenced plans must be revised in accordance with the following comments/revisions and approved prior to issuance of Land Alteration permit:

C3 –Site Plan

1. Provide bike facilities, per the Plan Review Memo dated June 25, 2018.
2. Provide connections to existing side walk along Earle Brown Terrace, per the Plan Review Memo dated June 25, 2018

C4 – Grading, Drainage, and Erosion Control

3. Provide and list a SWPPP inspector/manager with contact information that must be available within 4-hrs notification to respond to and implement SWPPP related corrective measures. If the applicant is found to be non-responsive, the City may issue a stop work order and/or take other means necessary to correct SWPPP related issues.

C6 – Detail Sheet

4. Use City details for curb within road, driveway entrances, and public storm water pipes and structures.

L1.1 – Landscape Plan

5. Provide irrigation plan.

Miscellaneous

6. See redlines for additional Site Plan comments.
7. Provide turning template for delivery vehicles and trash removal vehicles.
8. Upon project completion, the applicant must submit an as-built survey of the property, improvements and utility service lines and structures; and provide certified record drawings of all project plan sheets depicting any associated private and/or public improvements, revisions and adjustments prior to issuance of the certificate of occupancy. The as-built survey must also verify that all property corners have been established and are in place at the completion of the project as determined and directed by the City Engineer.

9. Inspection for the private site improvements must be performed by the developer's design/project engineer. Upon project completion, the design/project engineer must formally certify through a letter that the project was built in conformance with the approved plans and under the design/project engineer's immediate and direct supervision. The engineer must be certified in the state of Minnesota and must certify all required as- built drawings (which are separate from the as-built survey).

10. The total disturbed area doesn't exceed one acre, therefore an NPDES permit is not required. In addition, the total disturbed area is less than 0.5 acres; so a project review on behalf on the Shingle Creek Watershed Commission is not required. The City requests the applicant attempt to install BMP's to improve water quality, where possible and feasible. Per the Plan review memo dated June 25, 2018; "stormwater runoff shall be treated on-site, in rain gardens, swales and other water quality BMP's and such improvements shall include pretreatment. Proposed runoff rates shall be equal to or below existing runoff rates."

11. Applicant must apply for a land disturbance permit.

Prior to issuance of a Land Alteration

12. Final construction/demolition plans and specifications need to be received and approved by the City Engineer in form and format as determined by the City. The final plan must comply with the approved preliminary plan and/or as amended as required by the City Engineer.

13. A letter of credit or a cash escrow in the amount of up to 125% of the estimated cost as determined by City staff shall be deposited with the City.

14. A Construction Management Plan and Agreement is required that addresses general construction activities and management provisions, traffic control provisions, emergency management provisions, storm water pollution prevention plan provisions, tree protection provisions, general public welfare and safety provisions, definition of responsibility provisions, temporary parking provisions, overall site condition provisions and non-compliance provisions. A separate $2,500 deposit will be required as part of the non-compliance provision.

Anticipated Permitting:

15. A City of Brooklyn Center land disturbance permit is required.

16. Other permits not listed may be required and is the responsibility of the developer to obtain and warranted.

17. Copies of all required permits must be provided to the City prior to issuance of applicable building and land disturbance permits.

18. A preconstruction conference must be scheduled and held with City staff and other entities designated by the City.

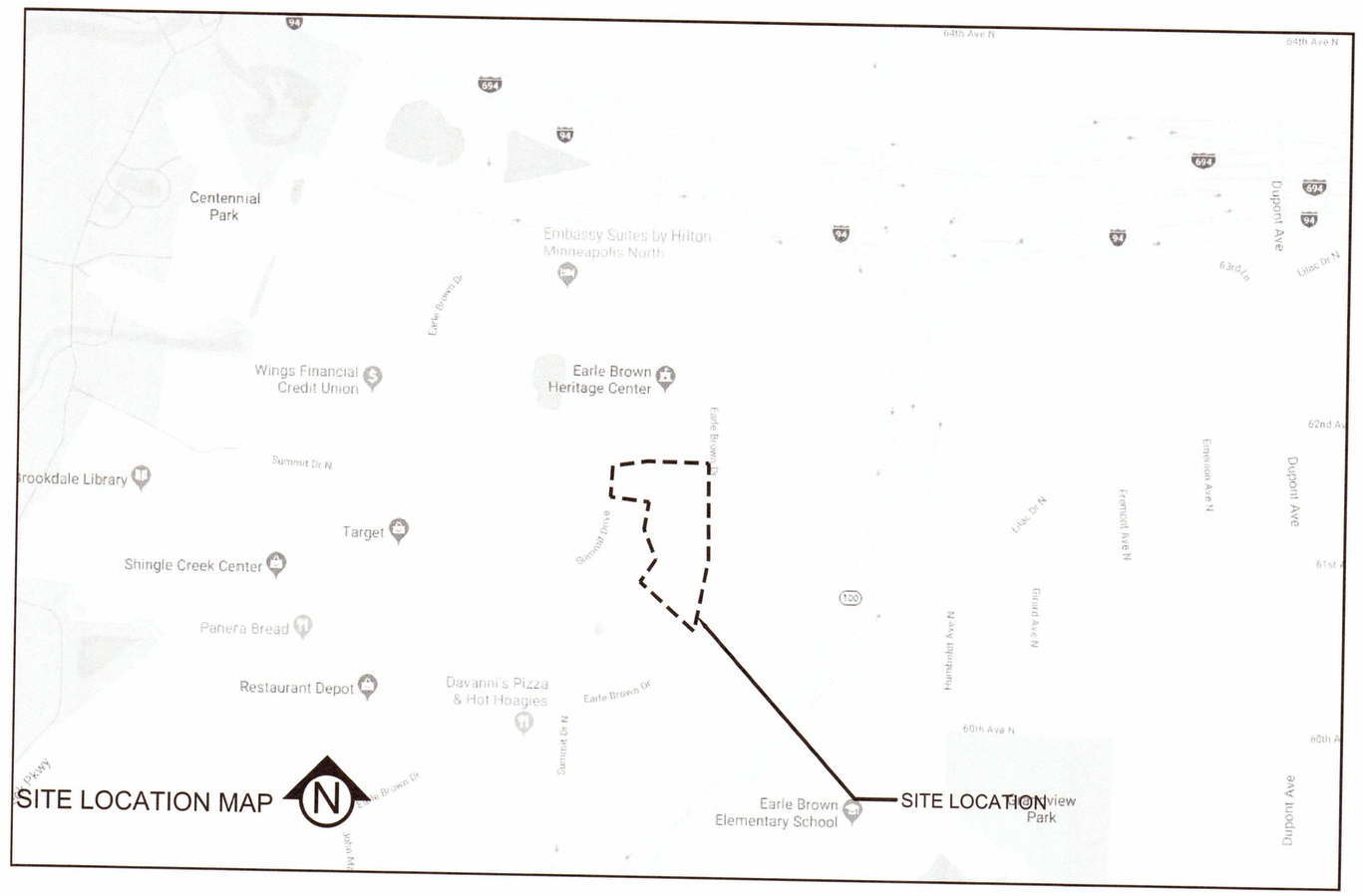
The aforementioned comments are provided based on the information submitted by the applicant at the time of this review. Other guarantees and site development conditions may be further prescribed throughout the project as warranted and determined by the City.

LUX APARTMENTS

BROOKLYN CENTER, MINNESOTA

ISSUED FOR: CITY SUBMITTAL

ath 9/10/2018
* no comment/redlines on remaining pages of plan set



DEVELOPER / PROPERTY OWNER:

SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE
MINNEAPOLIS, MN 55430
763-746-4020

ENGINEER / LANDSCAPE ARCHITECT / LAND SURVEYOR:

CIVIL SITE GROUP
4931 W 35TH STREET
SUITE 200
ST LOUIS PARK, MN 55416
612-615-0060

GEOTECHNICAL ENGINEER:

TBD

MASTER LEGEND:

1125	EX. 1' CONTOUR ELEVATION INTERVAL
×1137.12	EXISTING SPOT GRADE ELEVATION
1137	1.0' CONTOUR ELEVATION INTERVAL
41.26	SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
891.00 G	SPOT GRADE ELEVATION TOP OF CURB (GUTTER TOP)
891.00 TC	SPOT GRADE ELEVATION TOP OF WALL
891.00 BS/TS	SPOT GRADE ELEVATION BOTTOM OF WALL
	DRAINAGE ARROW
EOF=1135.52	EMERGENCY OVERFLOW
	SILT FENCE / BIOROLL - GRADING LIMIT
	INLET PROTECTION
	STABILIZED CONSTRUCTION ENTRANCE
SB-1	SOIL BORING LOCATION
	CURB AND GUTTER (T.O = TIP OUT)

	PROPOSED MANHOLE STORM
	PROPOSED CATCH BASIN OR CATCH BASIN MANHOLE STORM
	PROPOSED GATE VALVE
	PROPOSED FIRE HYDRANT
	PROPOSED MANHOLE SANITARY
	PROPOSED SIGN
	PROPOSED LIGHT
	PROPOSED SANITARY SEWER
	PROPOSED STORM SEWER
	PROPOSED WATER MAIN
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING WATER MAIN
	EXISTING GAS MAIN
	EXISTING UNDERGROUND ELECTRIC
	EXISTING UNDERGROUND CABLE

EXISTING MANHOLE	EXISTING STOPBOX	EXISTING LIGHT
EXISTING CATCH BASIN	EXISTING GATE VALVE	EXISTING GAS METER
EXISTING HYDRANT	EXISTING ELECTRIC BOX	EXISTING GAS VALVE

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SHEET INDEX

SHEET NUMBER	SHEET TITLE
C0.0	TITLE SHEET
V1.0	SITE SURVEY
C1.0	REMOVALS PLAN
C2.0	SITE PLAN
C3.0	GRADING & UTILITY PLAN
C5.0	DETAILS
C5.1	DETAILS
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN NOTES & DETAILS
SW1.0	SWPPP - EXISTING CONDITIONS
SW1.1	SWPPP - PROPOSED CONDITIONS
SW1.2	SWPPP - DETAILS
SW1.3	SWPPP - NARRATIVE

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Civil Engineering • Surveying • Landscape Architecture
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St. Louis Park, MN 55416
civilsitegroup.com
612-615-0060

PRELIMINARY: NOT FOR CONSTRUCTION

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6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430
SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

I 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.

Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY:
KELSEY BEDNAR

REVIEWED BY:
.

PROJECT NUMBER: 18165

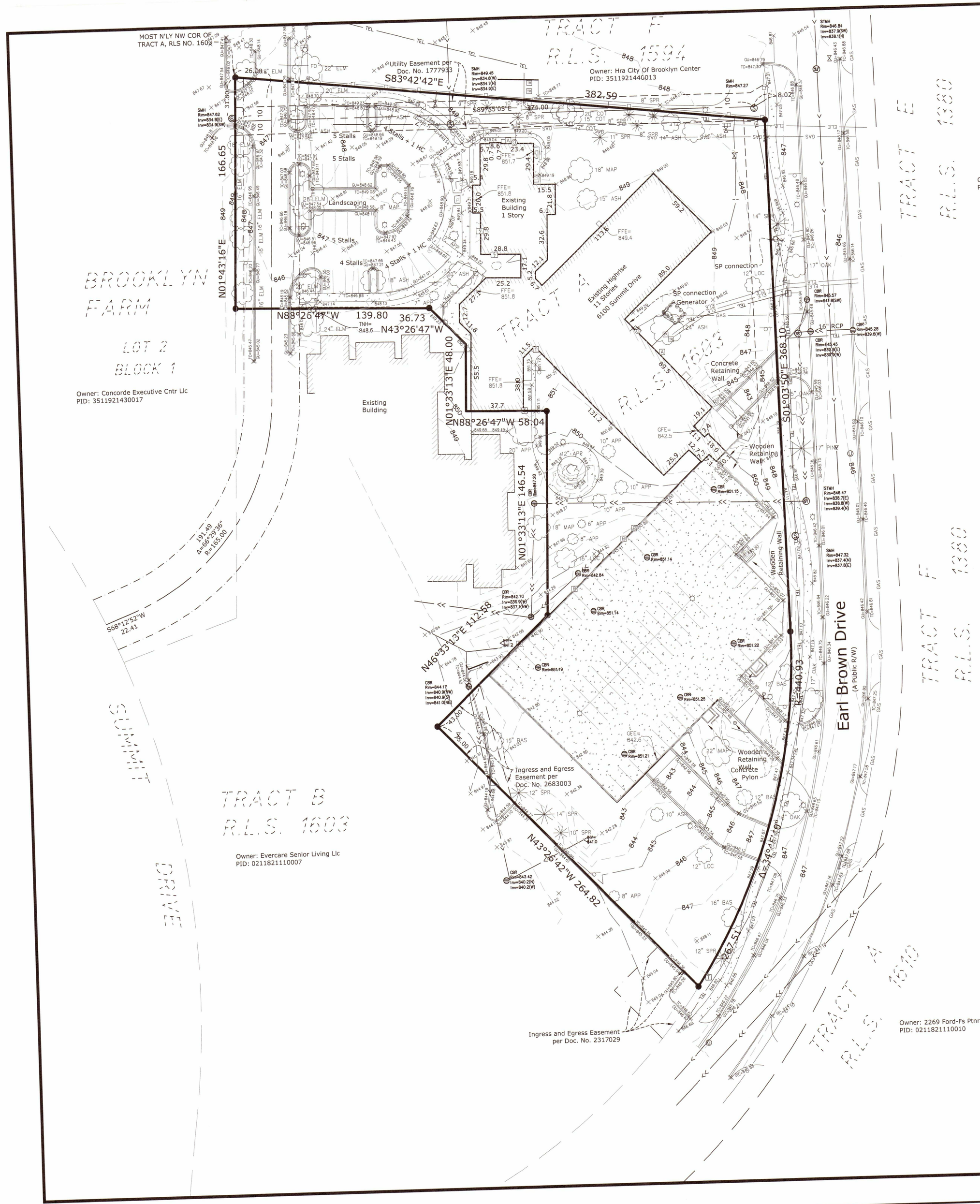
REVISION SUMMARY

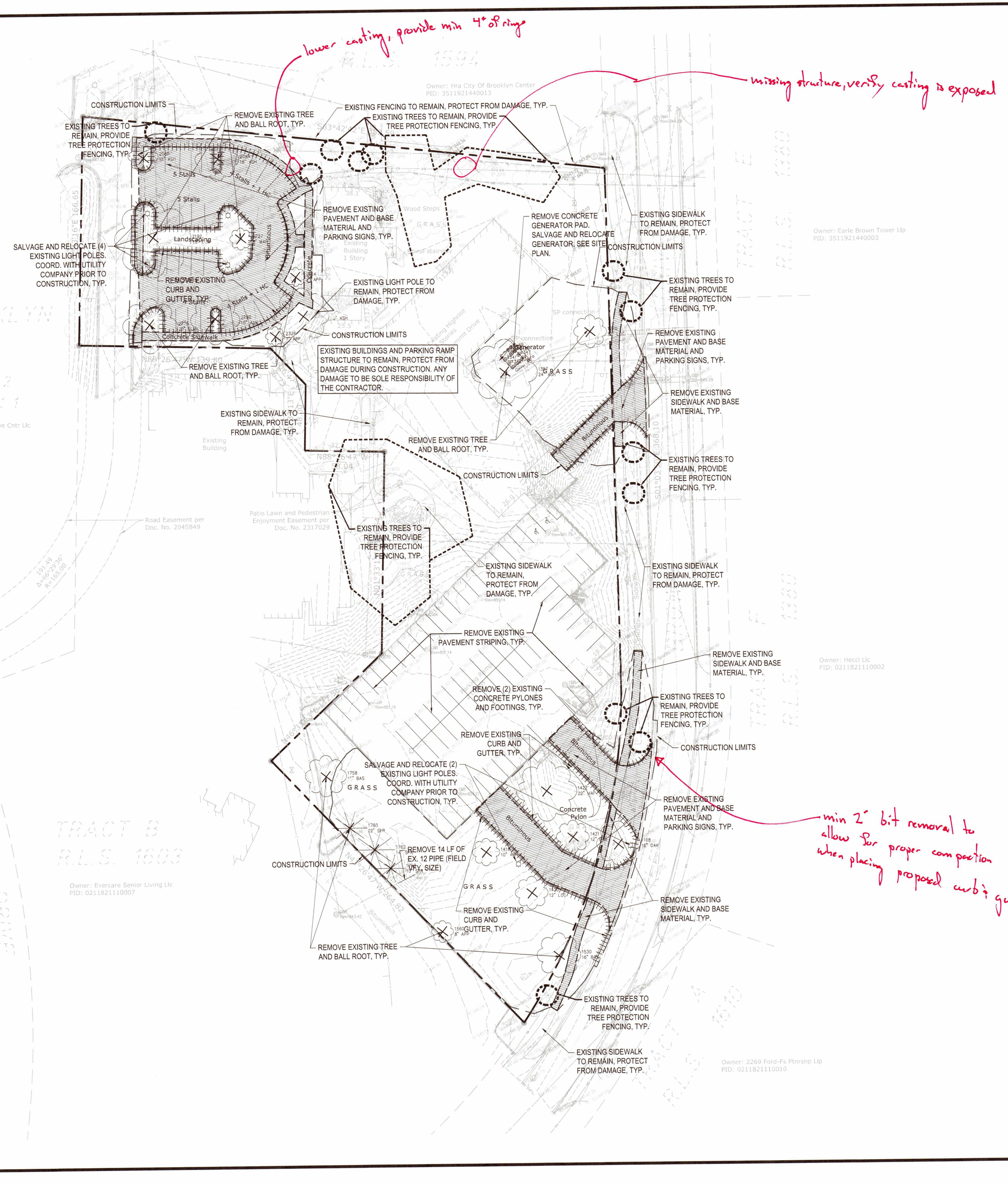
DATE	DESCRIPTION

TITLE SHEET

C0.0

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MOST N'LY NW COR OF TRACT A, RLS NO. 1603
Utility Easement per Doc. No. 1777933
S83°42'42"E
382.59
S89°55'05"E
374.00
26.08
166.65
N01°43'16"E
N88°26'47"W
139.80
36.73
N43°26'47"W
N01°33'13"E 48.00
N88°26'47"W 58.04
N01°33'13"E 146.54
N46°33'13"E 112.58
35.00
N43°26'47"W 264.82
S01°03'50"E 368.10
N 440.93
Δ=34°45'40"
191.49
Δ=66°29'36"
R=165.00
S68°12'52"W
22.41
Owner: Hra City Of Brooklyn Center
PID: 3511921440013
Owner: Earle Brown Tower Llp
PID: 3511921440003
Owner: Concorde Executive Cntr Llc
PID: 3511921430017
Owner: Heccl Llc
PID: 0211821110002
Owner: Evercare Senior Living Llc
PID: 0211821110007
Owner: 2269 Ford-Fs Ptnrshp Llp
PID: 0211821110010
Earl Brown Drive
(A Public R/W)
Existing Building
1 Story
Existing Highrise
11 Stories
6100 Summit Drive
Landscaping
5 Stalls
4 Stalls + 1 HC
SP connection
SP connection
Generator
Concrete Retaining Wall
Wooden Retaining Wall
Wooden Retaining Wall
Concrete Pylon
Ingress and Egress Easement per Doc. No. 2683003
Ingress and Egress Easement per Doc. No. 2317029
BROOKLYN FARM
LOT 2
BLOCK 1
TRACT B
R.L.S. 1603
TRACT A
R.L.S. 1603
TRACT A
R.L.S. 1603
TRACT A



REMOVAL NOTES:

1. SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
2. REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
3. REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
4. EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
5. REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
6. ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
7. EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
8. PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
9. MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS.
10. DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
11. PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
12. SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM, AND THEFT, DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY.
13. VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
14. ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
15. SHORING FOR BUILDING EXCAVATION MAY BE USED AT THE DISCRETION OF THE CONTRACTOR AND AS APPROVED BY THE OWNERS REPRESENTATIVE AND THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
16. STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.

CITY OF BROOKLYN CENTER REMOVAL NOTES:

1. RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0-SW1.3

REMOVALS LEGEND:

- 1125 — EX. 1' CONTOUR ELEVATION INTERVAL
- REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL PVMTS.
- REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
- REMOVE CURB AND GUTTER. IF IN RIGHT-OF-WAY, COORDINATE WITH LOCAL GOVERNING UNIT.
- TREE PROTECTION
- TREE REMOVAL - INCLUDING ROOTS AND STUMPS

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N

1" = 40'-0"
20'-0" 0 40'-0"

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civilsitegroup.com 612-615-0060

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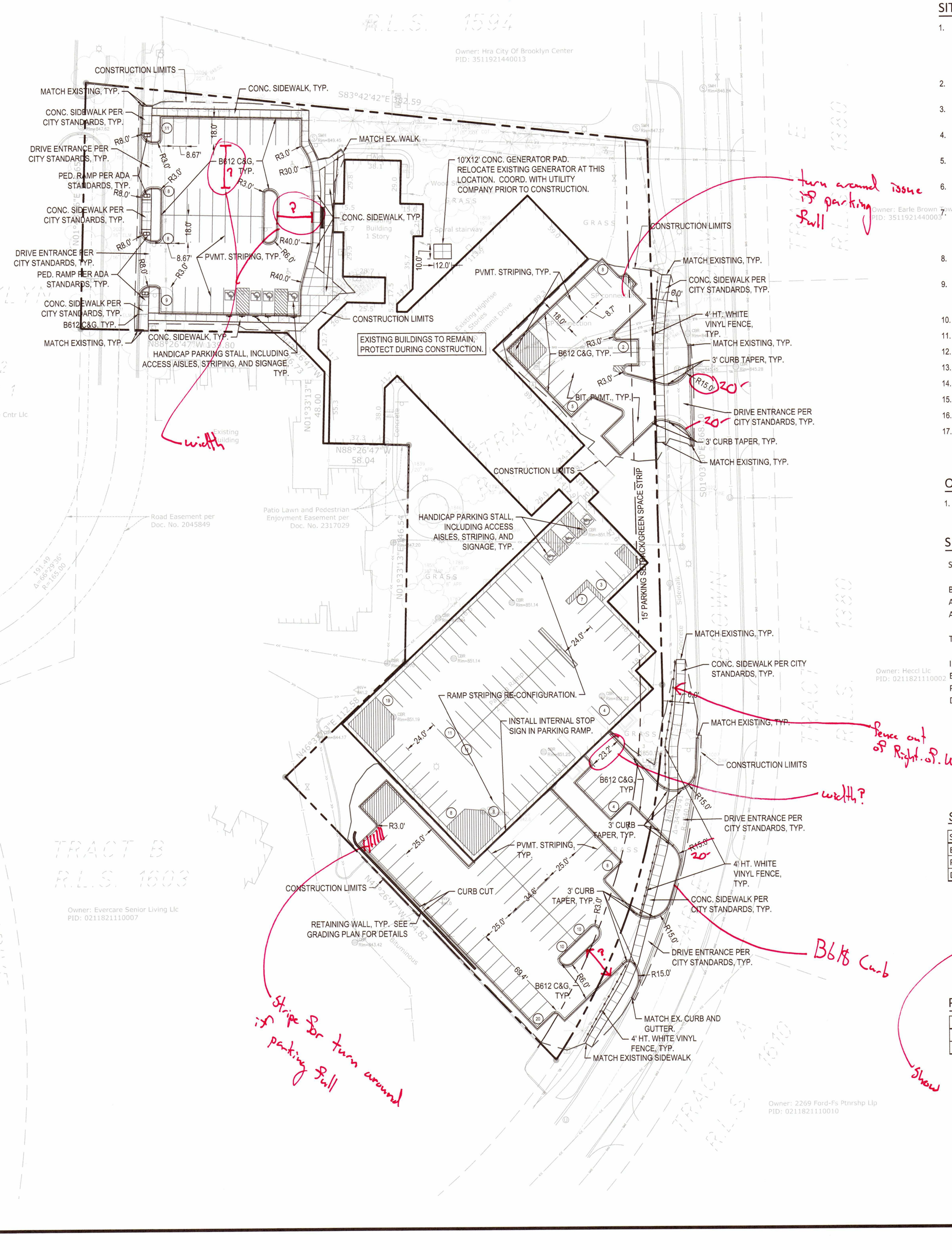
REVISION SUMMARY

DATE	DESCRIPTION

REMOVALS PLAN

C1.0

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SITE LAYOUT NOTES:

1. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCATIONAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
2. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
3. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
4. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
5. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
6. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
7. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
8. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
9. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
10. SEE SITE PLAN FOR CURB AND GUTTER TYPE. TAPER BETWEEN CURB TYPES-SEE DETAIL.
11. ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
12. CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
13. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
14. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
15. ALL PARKING LOT PAINT STRIPPING TO BE WHITE, 4" WIDE TYP.
16. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
17. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

CITY OF BROOKLYN CENTER SITE SPECIFIC NOTES:

1. RESERVED FOR CITY SPECIFIC NOTES.

SITE AREA TABLE:

SITE AREA CALCULATIONS	EXISTING CONDITION		PROPOSED CONDITION	
BUILDING COVERAGE	48,749 SF	34.3%	48,749 SF	34.3%
ALL PAVEMENTS	27,189 SF	19.1%	47,731 SF	33.6%
ALL NON-PAVEMENTS	66,147 SF	46.6%	45,605 SF	32.1%
TOTAL SITE AREA	142,085 SF	100.0%	142,085 SF	100.0%
IMPERVIOUS SURFACE				
EXISTING CONDITION	75,938 SF	53.4%		
PROPOSED CONDITION	96,480 SF	67.9%		
DIFFERENCE (EX. VS PROP.)	20,542 SF	14.5%		

SURFACE AREA INFORMATION:

SURFACE INFO	SF	% OF ACRE
EXISTING IMPERVIOUS	27,189	62%
PROPOSED IMPERVIOUS	47,731	110%
DIFFERENCE (EX. VS. PRO!	20542	47%

LESS THAN 1/2 ACRE OF IMPERVIOUS SURFACE IS BEING ADDED TO THE SITE. PER CITY AND WATERSHED DISTRICT REGULATIONS, NO STORMWATER BEST MANAGEMENT PRACTICE IS REQUIRED. HOWEVER, ONE RAIN GARDEN WILL BE ADDED TO THE SOUTHWESTERN CORNER OF THE SITE FOR WATER QUALITY ENHANCEMENT AND AESTHETICS.

PARKING CALCULATIONS:

PARKING INFO		Per Unit
EXISTING	178	1.3
PROPOSED	245	1.8

SITE PLAN LEGEND:

- LIGHT DUTY BITUMINOUS PAVEMENT. SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH, SEE DEATIL.
- HEAVY DUTY BITUMINOUS PAVEMENT. SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH, SEE DETAIL.
- CONCRETE PAVEMENT AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS, SEE DETAIL.
- PROPERTY LINE
- CONSTRUCTION LIMITS
- CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
- TRAFFIC DIRECTIONAL ARROW PAVEMENT MARKINGS
- SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED. HC = ACCESSIBLE SIGN NP = NO PARKING FIRE LANE ST = STOP CP = COMPACT CAR PARKING ONLY

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1" = 40'-0"
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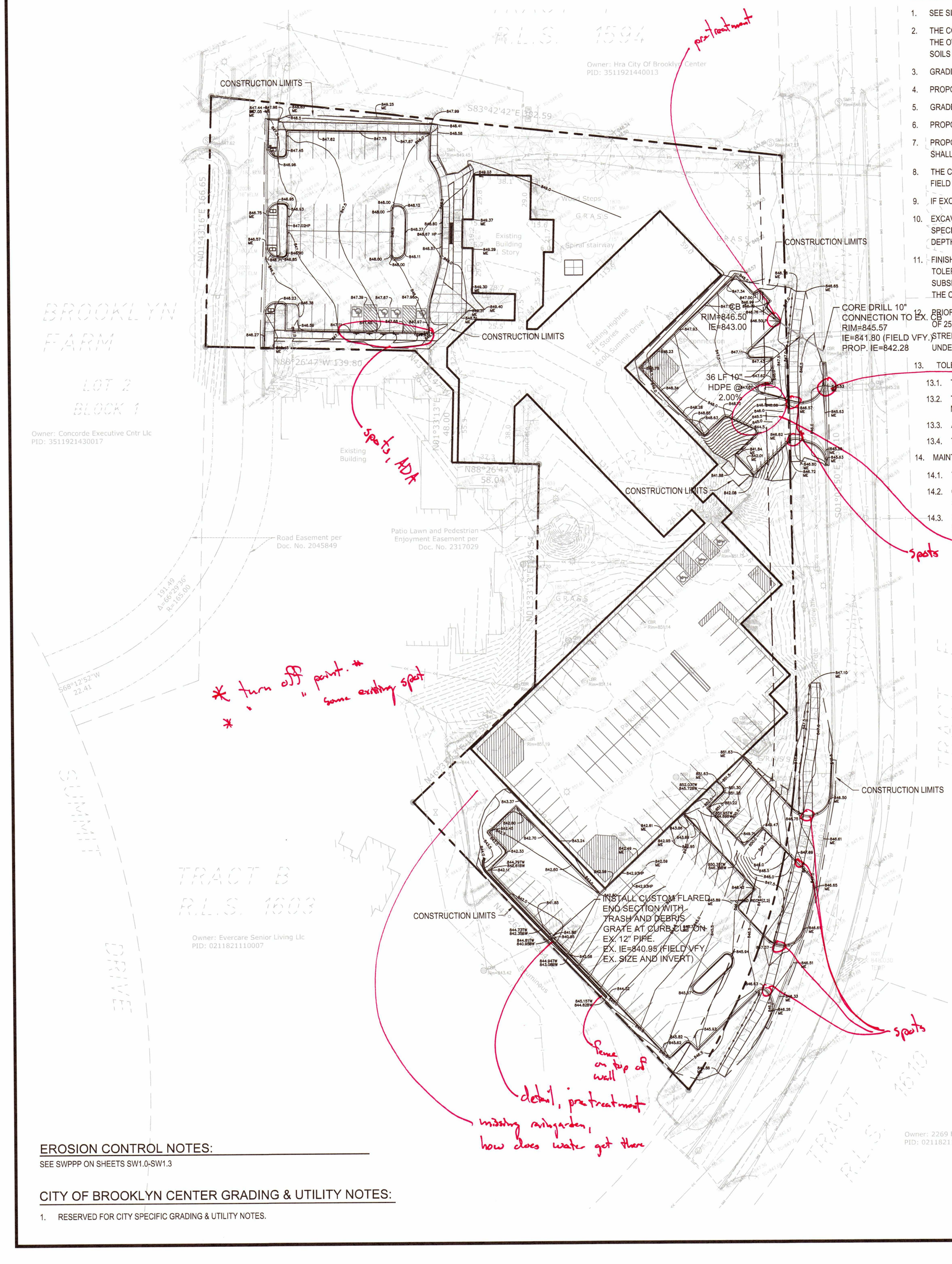
REVISION SUMMARY

DATE	DESCRIPTION

NORTHWEST SITE PLAN

C2.0

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GENERAL GRADING NOTES:

1. SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
2. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
3. GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
4. PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
5. GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
6. PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1
7. PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
9. IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
10. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
11. FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
12. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/DETENTION SYSTEMS.
13. TOLERANCES
    - 13.1. THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
    - 13.2. THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
    - 13.3. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
    - 13.4. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
14. MAINTENANCE
    - 14.1. THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
    - 14.2. CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDED AND MULCHED.
    - 14.3. WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GENERAL UTILITY NOTES:

1. SEE SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
2. CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILTIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
4. UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
5. CASTINGS SHALL BE SALVAGED FROM STRUCTURE REMOVALS AND RE-USED OR PLACED AT THE DIRECTION OF THE OWNER.
6. ALL WATER PIPE SHALL BE CLASS 52 DUCTILE IRON PIPE (DIP) AWWA C151, ASME B16.4, AWWA C110, AWWA C153 UNLESS OTHERWISE NOTED.
7. ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) ASTM D3034 & F679, OR SCH 40 ASTM D1785, 2665, ASTM F794, 1866) UNLESS OTHERWISE NOTED.
8. ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 & F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
9. PIPE LENGTHS SHOWN ARE FROM CENTER TO CENTER OF STRUCTURE OR TO END OF FLARED END SECTION.
10. UTILTIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
11. CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.15 FEET PER DETAILS. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
12. ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB UNLESS OTHERWISE NOTED.
13. HYDRANT TYPE, VALVE, AND CONNECTION SHALL BE IN ACCORDANCE WITH CITY REQUIREMENTS. HYDRANT EXTENSIONS ARE INCIDENTAL.
14. A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INCIDENTAL.
15. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
16. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
17. CONNECTIONS TO EXISTING STRUCUTRES SHALL BE CORE-DRILLED.
18. COORDINATE LOCATIONS AND SIZES OF SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
19. COORDINATE INSTALLATION AND SCHEDULING OF THE INSTALLATION OF UTILITIES WITH ADJACENT CONTRACTORS AND CITY STAFF.
20. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL PAVEMENT CONNECTIONS SHALL BE SAWCUT. ALL TRAFFIC CONTROLS SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE BUT NOT BE LIMITED TO SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
21. ALL STRUCTURES, PUBLIC AND PRIVATE, SHALL BE ADJUSTED TO PROPOSED GRADES WHERE REQUIRED. THE REQUIREMENTS OF ALL OWNERS MUST BE COMPLIED WITH. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
22. CONTRACTOR SHALL CORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
23. CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES.
24. CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
25. ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.
26. ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.0.

GRADING & UTILITY PLAN LEGEND:

- CATCH BASIN
- MANHOLE
- GATE VALVE AND VALVE BOX
- PROPOSED FIRE HYDRANT
- WATER MAIN
- SANITARY SEWER
- STORM SEWER
- FES AND RIP RAP
- 1125 — EX. 1' CONTOUR ELEVATION INTERVAL
- 1137 — 1.0' CONTOUR ELEVATION INTERVAL
- 41.26 — SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
- 891.00 G — SPOT GRADE ELEVATION GUTTER
- 891.00 TC — SPOT GRADE ELEVATION TOP OF CURB
- 891.00 BS/TS — SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- CURB AND GUTTER (T.O = TIP OUT)
- EOF=1135.52 — EMERGENCY OVERFLOW

GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

1" = 40'-0"
20'-0" 0 40'-0"

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0-SW1.3

CITY OF BROOKLYN CENTER GRADING & UTILITY NOTES:

1. RESERVED FOR CITY SPECIFIC GRADING & UTILITY NOTES.

CivilSite GROUP
Civil Engineering • Surveying • Landscape Architecture
4931 W. 35th Street, Suite 200
St. Louis Park, MN 55416
civilsitegroup.com 612-615-0060

PRELIMINARY: NOT FOR CONSTRUCTION

PROJECT

LUX APARTMENTS
6100 SUMMIT DRIVE, BROOKLYN CENTER, MN 55430

SODERBERG APARTMENT SPECIALISTS
6401 N. CAMDEN AVE., MINNEAPOLIS, MN 55430

I 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.

Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY: KELSEY BEDNAR

REVIEWED BY: .

PROJECT NUMBER: 18165

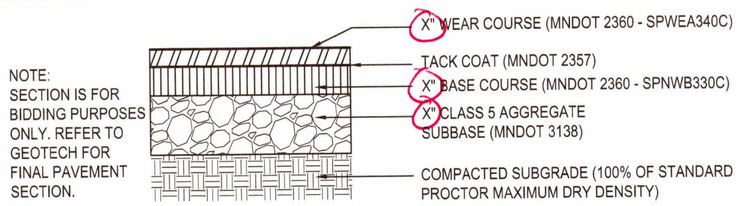
REVISION SUMMARY

DATE	DESCRIPTION

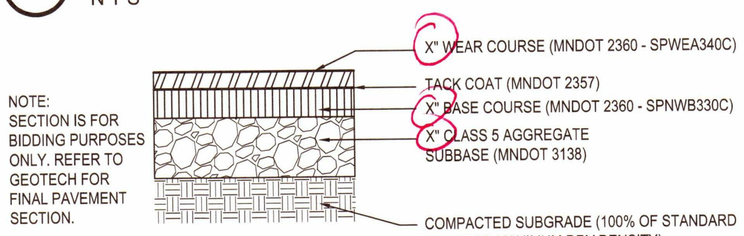
GRADING & UTILITY PLAN

C3.0

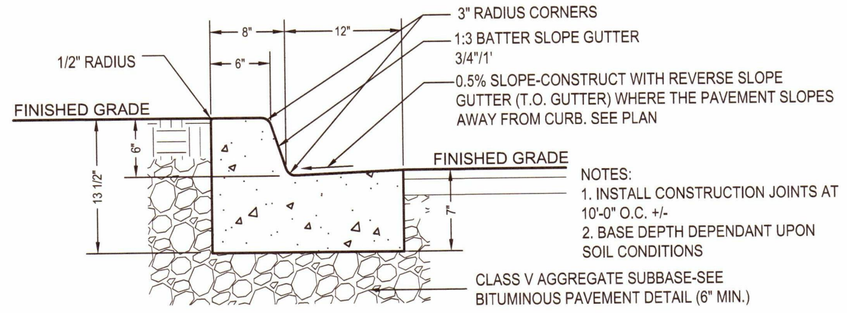
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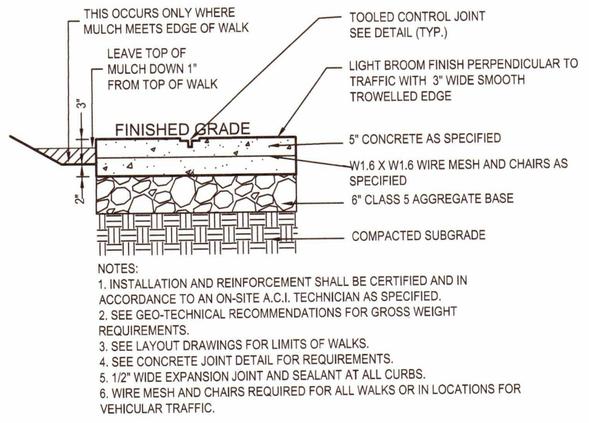
1 HEAVY DUTY BITUMINOUS PAVEMENT
NTS



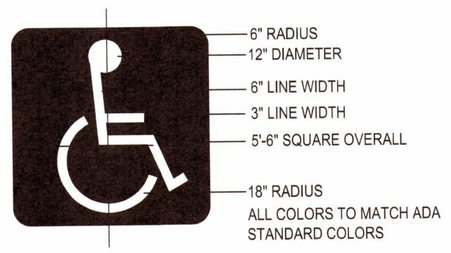
2 LIGHT DUTY BITUMINOUS PAVEMENT
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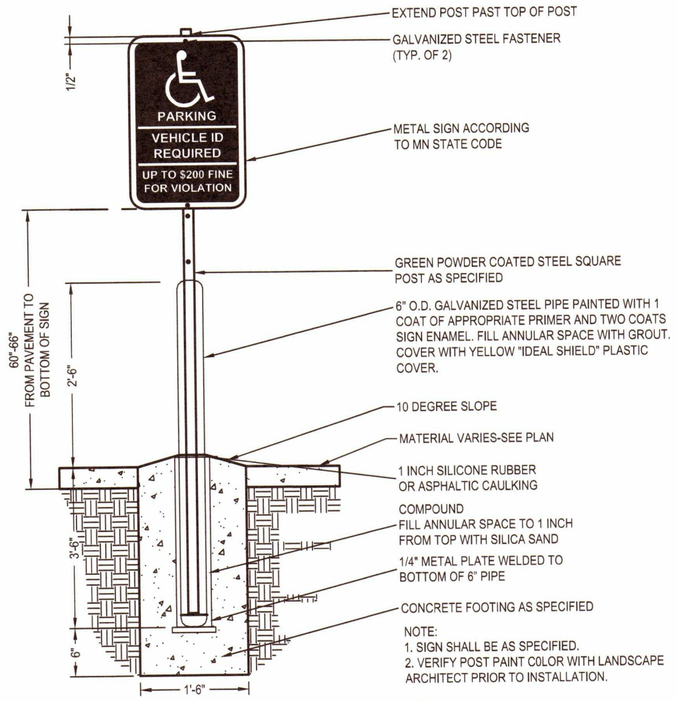
3 B-612 CONCRETE CURB AND GUTTER
NTS



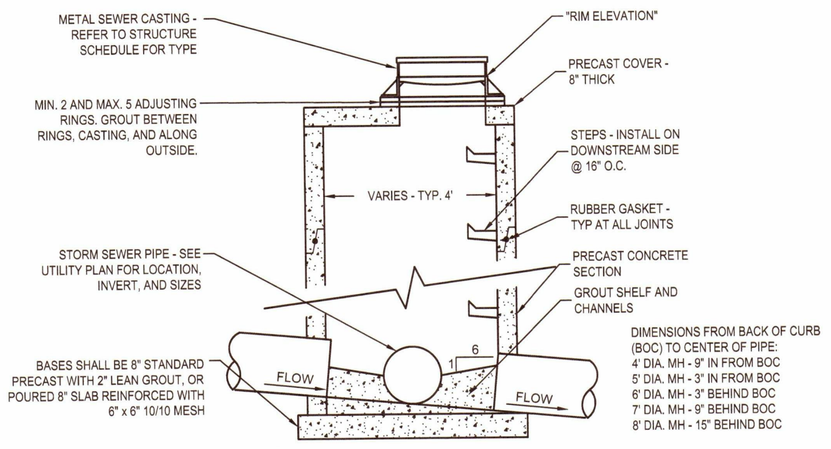
4 LIGHT DUTY CONCRETE WALK/PAD
NTS



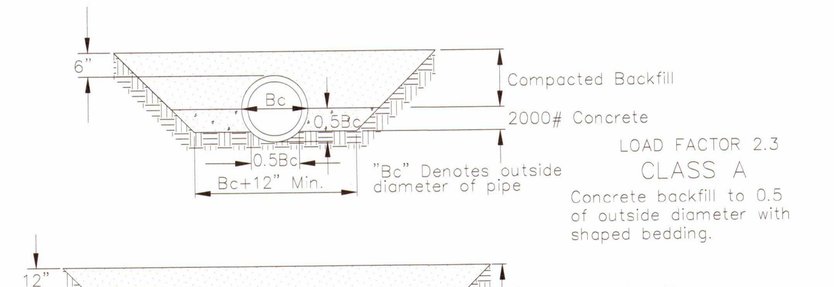
5 ACCESSIBLE PARKING PAVEMENT MARKING
NTS



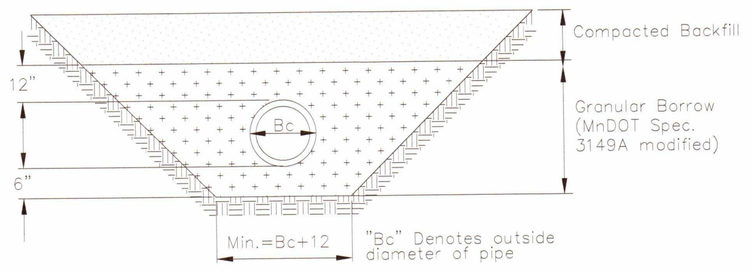
6 ACCESSIBLE SIGN AND POST
NTS



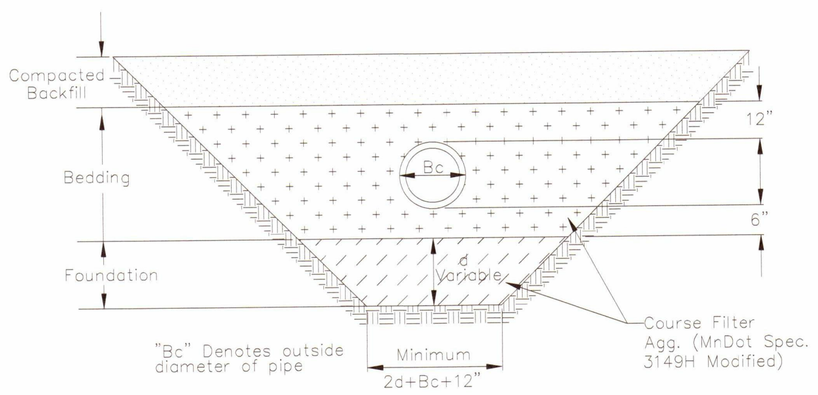
7 CATCH BASIN
NTS



8 PIPE BEDDING - RCP & DIP
NTS



PIPE FOUNDATION & BEDDING IN GOOD SOILS



PIPE FOUNDATION & BEDDING IN POOR SOILS

9 PIPE BEDDING - PVC
NTS

* use city details as needed -driveway, etc

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Matthew R. Pavek
DATE 08/14/18 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
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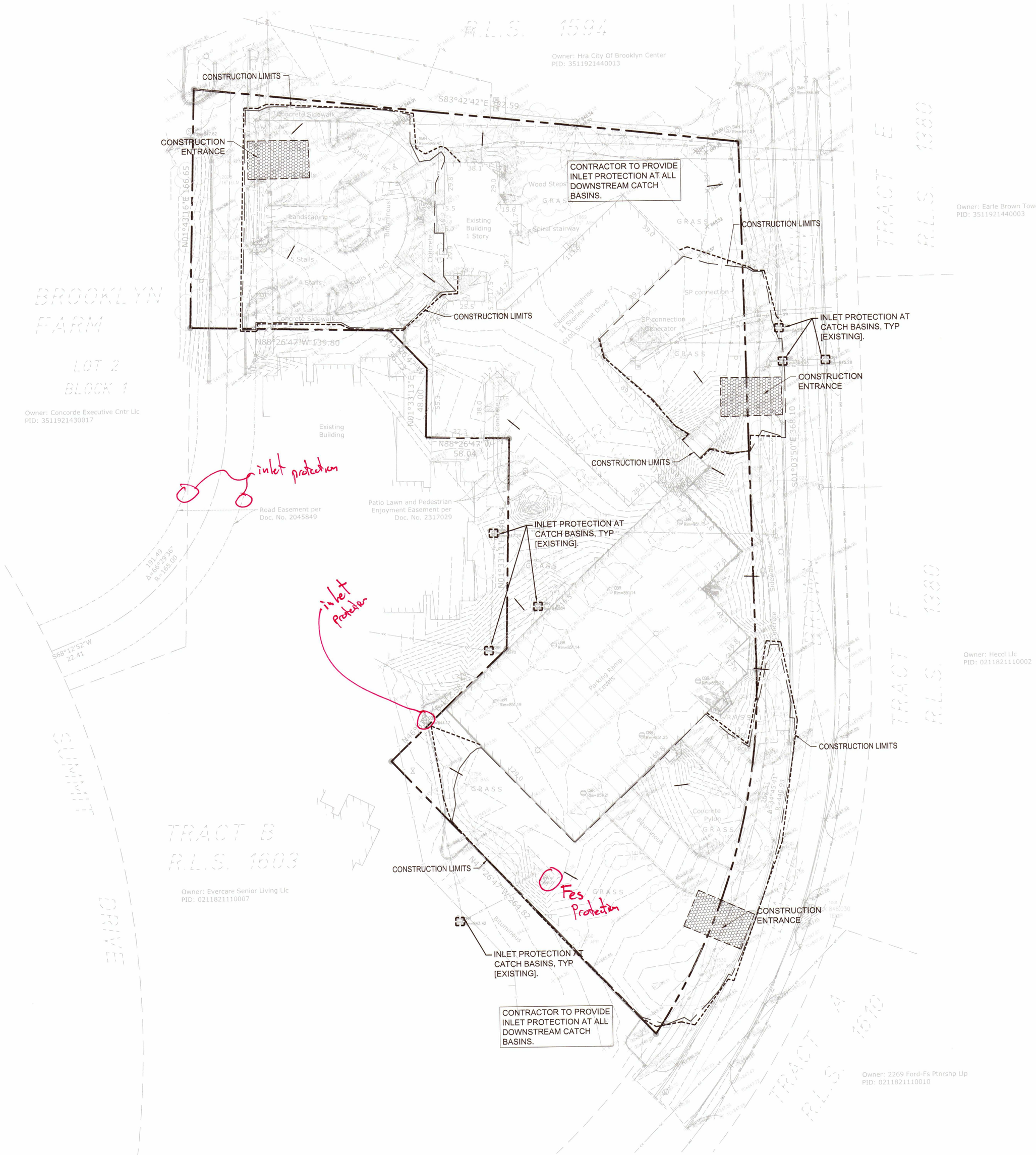
REVISION SUMMARY

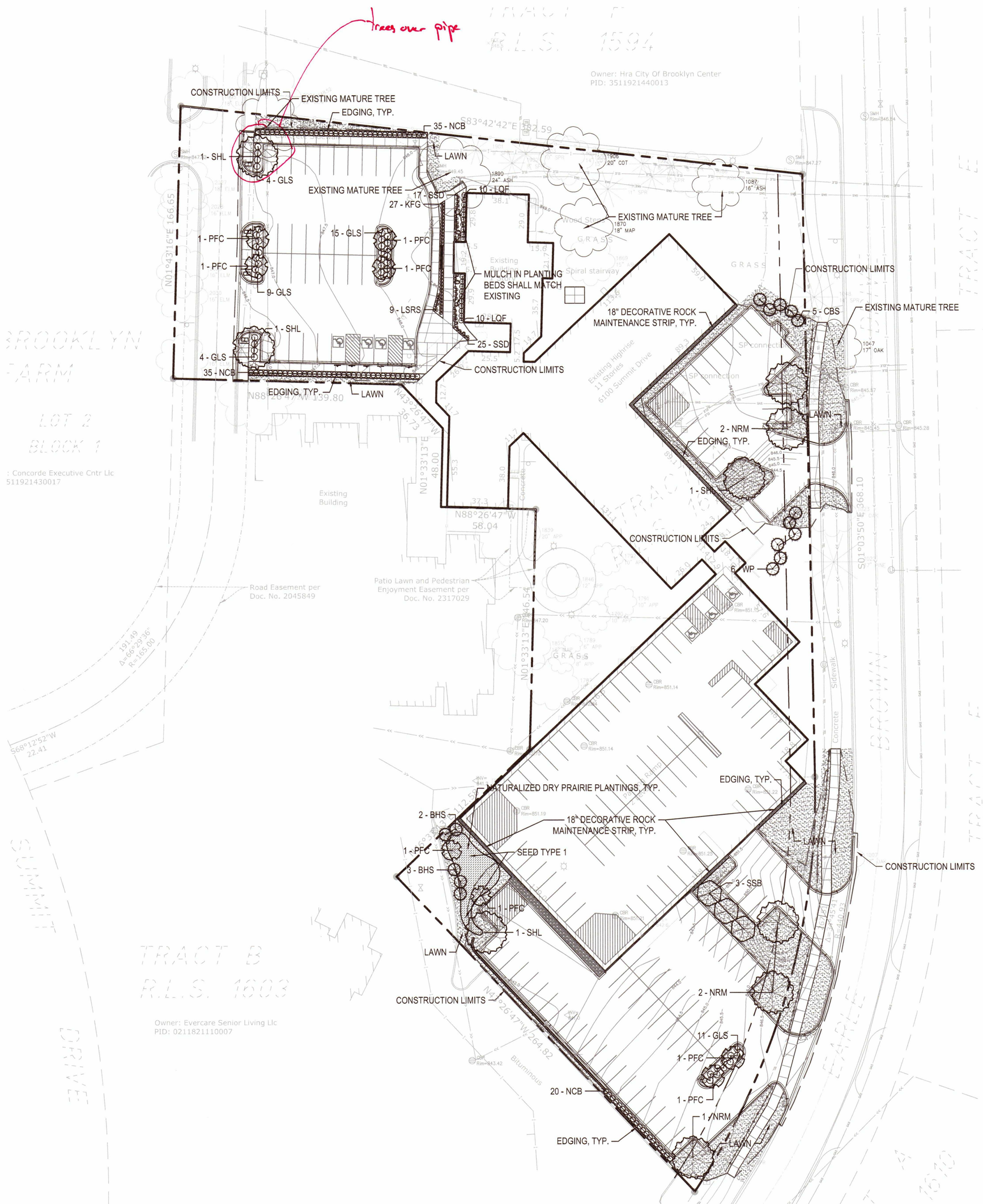
DATE	DESCRIPTION

CIVIL DETAILS

C5.0

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CONSTRUCTION LIMITS
CONSTRUCTION ENTRANCE
CONTRACTOR TO PROVIDE INLET PROTECTION AT ALL DOWNSTREAM CATCH BASINS.
CONSTRUCTION LIMITS
INLET PROTECTION AT CATCH BASINS, TYP [EXISTING].
CONSTRUCTION ENTRANCE
CONSTRUCTION LIMITS
CONSTRUCTION LIMITS
inlet protection
INLET PROTECTION AT CATCH BASINS, TYP [EXISTING].
inlet Protection
CONSTRUCTION LIMITS
Fes Protection
CONSTRUCTION ENTRANCE
INLET PROTECTION AT CATCH BASINS, TYP [EXISTING].
CONTRACTOR TO PROVIDE INLET PROTECTION AT ALL DOWNSTREAM CATCH BASINS.
Owner: Hra City Of Brooklyn Center PID: 3511921440013
Owner: Earle Brown Tower Llp PID: 3511921440003
Owner: Concorde Executive Cntr Llc PID: 3511921430017
Owner: Evercare Senior Living Llc PID: 0211821110007
Owner: Hecd Llc PID: 0211821110002
Owner: 2269 Ford-Fs Ptnrshp Llp PID: 0211821110010
BROOKLYN FARM
LOT 2
BLOCK 1
TRACT B R.L.S. 1803
TRACT E R.L.S. 1380
R.L.S. 1594
Road Easement per Doc. No. 2045849
Patio Lawn and Pedestrian Enjoyment Easement per Doc. No. 2317029
Existing Building 1 Story
Existing Building
Existing Retaining Wall
Existing Entrance Canopy
Existing Entrance Canopy
Existing Retaining Wall
Existing Retaining Wall
Existing Retaining Wall



PLANT SCHEDULE - ENTIRE SITE

SYM	QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENTS
		DECIDUOUS TREES				
NRM	5	NORTHWOOD RED MAPLE	Acer rubrum 'Northwood'	2.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
SHL	4	SKYLINE HONEYLOCUST	Gleditsia triacanthos 'Skycole'	2.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
SSB	3	SHILOH SPLASH RIVER BIRCH	Betula nigra 'Shiloh Splash'	2.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
		ORNAMENTAL TREES				
PFC	8	PRAIRIEFIRE FLOWERING CRAB	Malus 'Prairiefire'	1.5" CAL.	B&B	STRAIGHT LEADER. FULL FORM
		EVERGREEN TREES				
BHS	5	BLACK HILLS SPRUCE	Picea glauca 'Densata'	5' HT.	B&B	STRAIGHT LEADER. FULL FORM
CBS	5	COLORADO SPRUCE	Picea pungens	5' HT.	B&B	STRAIGHT LEADER. FULL FORM
WP	6	WHITE PINE	Pinus strobus	5' HT.	B&B	STRAIGHT LEADER. FULL FORM
		SHRUBS - CONIFEROUS & EVERGREEN				
NCB	90	NORTHERN CHARM BOXWOOD	Buxus 'Wilson'	24" HT.	CONT.	
GLS	43	GRO-LOW SUMAC	Rhus aromatica 'Gro-Low'	24" HT.	CONT.	
LQF	20	LITTLE QUICK FIRE HYDRANGEA	Hydrangea paniculata 'SMHPLQF'	24" HT.	CONT.	
		PERENNIALS & GRASSES				
KFG	27	KARL FOERSTER GRASS	Calamagrostis x acutiflora "Karl Foerster"	#1	CONT.	
LSRS	9	LITTLE SPIRE RUSSIAN SAGE	Perovskia 'Little Spire'	#1	CONT.	
SSD	42	STELLA SUPREME DAYLILY	Hemerocallis 'Stella Supreme'	#1	CONT.	

LANDSCAPE REQUIREMENTS:

		COMMENTS
SITE AREA (SF)	142,095	
SITE AREA (ACRE)	3.3	
		MULTIFAMILY DEVELOPMENT 2 ACRES @ 90 PTS PER ACRE (0-2)
POINTS REQUIRED	**278**	ACRES @ 75 POINTS PER ACRE (2-10)

PLANTING TYPE	MINIMUM SIZE	POINTS PER PLANTING	PLANTINGS	TYPE POINTS	% OF POINTS	MAX % OF POINTS	COMMENTS
SHADE TREES (DECIDUIOUS, MAPLE, LINDEN, ASH, OAK, LOCUST, ETC.)	2.5" DIAMETER	10	18	180	49%	50%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT
CONIFEROUS TREES (PINE, SPRUCE, CEDAR)	5' HEIGHT	6	16	96	26%	40%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT
DECORATIVE TREES (RUSSIAN OLIVES, RADIANT CRAB, CANADA RED CHERRY, ETC.)	1" DIAMETER	1.5	8	12	3%	35%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT
SHRUBS (DOGWOOD, SPIREA, MOCKORANGE, JUNIPER, ARBORVITAE, ETC.)	12" DIAMETER	0.5	153	76.5	21%	25%	AMOUNT OF EACH SPECIES TBD, ALL PLANTINGS TO MEET MINIMUM SIZE REQUIREMENT

NEW PLANTINGS TOTAL **364.5**
Meets requirement? **YES**

NOTES:

1. Plan is preliminary and not for construction.
2. Existing Mature trees counted toward shade tree points. (trees called out on sheet L1.0.)

LANDSCAPE NOTES:

1. WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED WITH 4" DEPTH (MINIMUM AFTER INSTALLATION AND/OR TOP DRESSING OPERATIONS) OF SHREDDED CYPRESS MULCH.
2. ALL TREES SHALL BE MULCHED WITH SHREDDED CYPRESS MULCH TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ALL MULCH SHALL BE KEPT WITHIN A MINIMUM OF 2" FROM TREE TRUNK.
3. IF SHOWN ON PLAN, RANDOM SIZED LIMESTONE BOULDERS COLOR AND SIZE TO COMPLIMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
4. PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
5. UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
6. CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR ONE (1) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
7. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 4" LAYER TOPSOIL LOAM AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
9. ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
10. REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
11. SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
12. REPAIR AT NO COST TO THE OWNER IRRIGATION SYSTEM DAMAGED FROM LANDSCAPE CONSTRUCTION ACTIVITIES.
13. PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
14. CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INLCUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

LEGEND

- SEED TYPE 1 - MNDOT 35-221 DRY PRAIRIE GENERAL, PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014)
- 1" DIA. DECORATIVE ROCK MAINTENANCE STRIP OVER FILTER FABRIC, SAMPLES REQUIRED. PROVIDE EDGING AS SHOWN ON PLAN
- 1" DIA. DECORATIVE ROCK MULCH, SAMPLES REQUIRED PROVIDE EDGING AS SHOWN ON PLAN
- SHREDDED CYPRESS MULCH, SAMPLES REQUIRED PROVIDE EDGING AS SHOWN ON PLAN
- SOD
- PROPOSED CANOPY & EVERGREEN TREE SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- PROPOSED DECIDUOUS AND EVERGREEN SHRUB SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- PROPOSED PERENNIAL PLANT SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- DECORATIVE BOULDERS, 18"-30" DIA.

GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

N

1" = 40'-0"
20'-0" 0 40'-0"

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Patrick J. Sarver
DATE 08/14/18 LICENSE NO. 24904

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
08/14/18	CITY SUBMITTAL

DRAWN BY: KELSEY BEDNAR

REVIEWED BY: .

PROJECT NUMBER: 18165

REVISION SUMMARY

DATE	DESCRIPTION

LANDSCAPE PLAN

L1.0

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COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Nate Reinhardt, Finance Director

SUBJECT: Resolution Approving the Preliminary Tax Capacity Levy for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable in 2019 and Resolution Adopting a Preliminary Budget for the 2019 Fiscal Year

Requested Council Action:

- Motion to Approve a Resolution Approving the Preliminary Tax Capacity Levy for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable in 2019
- Motion to Approve a Resolution Adopting a Preliminary Budget for the 2019 Fiscal Year

Background:

It is recommended that the City Council consider approval/adoption of two resolutions. The first resolution establishes the preliminary property tax levy for the 2019 fiscal year. This levy, upon adoption, becomes the maximum levy allowed to the City for the 2019 fiscal year. The second resolution adopts the preliminary budgets for those funds using portions of the property tax levy for operations

Each year the City is required by State Law to establish a maximum levy and preliminary budget for the use of that levy. Once adopted, the City may not increase the levy but the levy may be decreased. Citizens will receive notice of the maximum levy with their tax notice in the fall. On December 3, 2018 the City Council will hold a public hearing and adopt the final levy and the final spending plan (budget) for all funds.

By City Charter the City Manager is responsible for presenting a balanced budget to the City Council. The City Council has adopted a set of fiscal policies that provide guidance and parameters for the budget. Additionally, the City Council has adopted strategic priorities and the budget reflects resources allocated to the achievement of those strategic priorities.

Over the last few months the City Council and Financial Commission have met to review and discuss the proposed preliminary budget. Between now and December, additional review will be conducted as we establish final budgets for the General Fund and all other fund budgets.

Budget Issues:

The maximum levy proposed in the attached resolution for the City of Brooklyn Center is $18,427,116 which compares to $17,105,950 in 2018. The proposed dollar increase is $1,321,166 which is equal to 7.72%.

The preliminary levy approved by the Housing and Redevelopment Authority (HRA) is $380,098 which compares to $345,978 in 2018. The dollar increase in the HRA levy is $34,120 which is equal to 9.86%.

This increase, if adopted will have varying impacts on individual properties based on their change in taxable value. The following chart illustrates changes in taxable values between the classifications of residential, commercial, industrial, and apartments:

Preliminary Taxable Market Value Estimates			
Class	Payable 2018	Estimated 2019	Change (%)
Commercial	$312,846,800	$322,351,800	3.0%
Industrial	133,666,600	141,148,500	5.6%
Residential	1,186,339,754	1,326,755,349	11.8%
Apartment	235,949,040	274,022,304	16.6%
Other	469,000	478,000	1.9%
Totals	$1,869,271,194	$2,065,755,953	10.5%

As illustrated by the chart, increases in market value continue to be driven by residential and apartment property value increases. Most homestead residential properties will see an increase in taxable market value for the fifth consecutive year.

Strategic Priorities and Values:

Enhanced Community Image, Resident Economic Stability, Inclusive Community Engagement, Targeted Redevelopment, Safe, Secure, Stable Community, Key Transportation Investments

City of Brooklyn Center
Pay 2019 Property Tax Levy

	Levied Pay 2016	Levied Pay 2017	Levied Pay 2018	Proposed Pay 2019	$ Change	% Change
General Fund:						
General Property Tax Levy	$ 14,669,750	$ 15,285,946	$ 15,904,823	$ 16,968,997	$ 1,064,174	6.22%
Abatement Levy - Embassy Suites	59,000	59,000	59,000	66,000	7,000	0.04%
Debt Service:						
2018A Public Improvement Bond Levy	-	-	-	246,953	246,953	1.44%
2017A Public Improvement Bond Levy	-	-	280,962	281,281	319	0.00%
2016A Public Improvement Bond Levy	-	212,436	213,465	215,145	1,680	0.01%
2015A Public Improvement Bond Levy	242,803	246,071	250,961	252,287	1,326	0.01%
2013B Public Improvement Bond Levy	396,682	391,461	396,739	396,453	(286)	(0.00%)
Total City Levy	***$ 15,368,235***	***$ 16,194,914***	***$ 17,105,950***	***$ 18,427,116***	***$ 2,232,202***	***7.72%***
HRA Levy	***$ 308,518***	***$ 329,079***	***$ 345,978***	***$ 380,098***	***$ 51,019***	***9.86%***

City of Brooklyn Center

2019 Budget - General Fund - Revenue Summary

Object Code / Description	2016 Actual	2017 Actual	2018 August YTD	2018 Budget	2019 Budget	Change
10100 GENERAL FUND						
PROPERTY TAXES	$ 14,553,884	$ 15,245,145	$ 8,167,470	$ 15,879,417	$ 16,950,591	6.75%
TAX INCREMENTS	414,970	315,137	121,522	360,000	250,000	-30.56%
LODGING TAXES	1,159,519	1,206,565	716,421	1,100,000	1,180,000	7.27%
TOTAL TAXES	**16,128,373**	**16,766,847**	**9,005,413**	**17,339,417**	**18,380,591**	**6.00%**
LICENSES	295,318	292,751	193,312	288,375	298,565	3.53%
PERMITS	636,733	612,034	470,213	488,250	562,750	15.26%
TOTAL LICENSES & PERMITS	**932,051**	**904,785**	**663,525**	**776,625**	**861,315**	**10.90%**
FEDERAL	620	2,246	-	-	-	0.00%
STATE	1,352,613	1,396,225	957,579	1,497,819	1,533,150	2.36%
COUNTY	3,014	16,680	1,410	-	-	0.00%
LOCAL	110,094	81,014	50,812	97,000	101,000	4.12%
TOTAL INTERGOVERNMENTAL	**1,466,341**	**1,496,165**	**1,009,801**	**1,594,819**	**1,634,150**	**2.47%**
GENERAL GOVERNMENT	139,470	118,834	72,446	110,000	86,650	-21.23%
PUBLIC SAFETY	18,789	69,703	74,065	95,250	95,250	0.00%
COMMUNITY DEVELOPMENT	5,785	24,535	23,271	46,000	34,000	-26.09%
PARKS & RECREATION	224,771	248,052	161,600	267,300	250,000	-6.47%
COMMUNITY CENTER	377,016	347,907	238,975	403,950	368,750	-8.71%
TOTAL CHARGES FOR SERVICES	**765,831**	**809,031**	**570,357**	**922,500**	**834,650**	**-9.52%**
SPECIAL ASSESSMENTS	**122,988**	**109,352**	**21,832**	**100,000**	**85,000**	**-15.00%**
FINES & FORFEITURES	**211,712**	**243,915**	**151,964**	**231,500**	**231,500**	**0.00%**
INVESTMENT EARNINGS	**66,348**	**65,591**	**80,883**	**79,975**	**93,663**	**17.12%**
MISCELLANEOUS	**298,154**	**142,702**	**54,202**	**151,200**	**145,700**	**-3.64%**
TRANSFERS IN	**134,605**	**150,000**	**-**	**150,000**	**150,000**	**0.00%**
10100 GENERAL FUND REVENUES	**$ 20,126,403**	**$ 20,688,388**	**$ 11,557,977**	**$ 21,346,036**	**$ 22,416,569**	**5.02%**

City of Brooklyn Center

2019 Budget - General Fund - Expenditure Summary by Function

Object Code / Description		2016 Actual	2017 Actual	2018 August YTD	2018 Budget	2019 Budget	Change
10100 GENERAL FUND							
41110	MAYOR & COUNCIL	$ 107,560	$ 126,002	$ 91,884	$ 124,384	$ 124,962	0.46%
41320	CITY MANAGER	312,189	462,355	231,519	359,807	367,314	2.09%
41410	ELECTIONS	108,324	88,182	70,008	134,520	94,353	-29.86%
41430	CITY CLERK	192,495	182,106	159,135	185,428	178,177	-3.91%
41520	FINANCE	584,600	586,955	398,687	617,724	627,282	1.55%
41550	ASSESSING	190,136	211,550	425	206,025	206,200	0.08%
41610	LEGAL	380,251	406,575	284,943	415,000	420,000	1.20%
41710	COMMUNICATION & ENGAGEMENT	-	-	84,654	205,850	259,993	26.30%
41810	HUMAN RESOURCES	430,235	355,927	250,079	417,107	422,748	1.35%
41920	INFORMATION TECHNOLOGY	507,685	555,408	364,497	622,680	655,252	5.23%
41940	GOVERNMENT BUILDINGS	805,736	839,166	620,534	866,117	906,105	4.62%
	GENERAL GOVERNMENT	**3,619,211**	**3,814,226**	**2,556,365**	**4,154,642**	**4,262,386**	**2.59%**
42110	ADMINISTRATION	296,559	326,885	234,700	353,861	344,454	-2.66%
42120	INVESTIGATION	917,947	947,520	709,982	965,995	1,025,196	6.13%
42123	PATROL	5,433,430	5,653,409	3,648,234	6,092,825	6,395,460	4.97%
42151	SUPPORT SERVICES	929,181	986,143	618,382	1,018,018	1,033,295	1.50%
42170	STATION & BUILDINGS	209,945	226,905	153,612	230,400	248,850	8.01%
	POLICE	**7,787,062**	**8,140,862**	**5,364,910**	**8,661,099**	**9,047,255**	**4.46%**
42210	FIRE	1,157,691	1,394,783	802,223	1,404,389	1,519,816	8.22%
42510	EMERGENCY PREPAREDNESS	80,669	2,878	2,452	11,940	8,700	-27.14%
	FIRE	**1,238,360**	**1,397,661**	**804,675**	**1,416,329**	**1,528,516**	**7.92%**
41910	PLANNING & ZONING	140,813	125,302	118,980	194,708	251,001	28.91%
42410	BUILDING INSPECTIONS	471,042	435,711	253	-	-	0.00%
42411	CODE ENFORCEMENT	430,686	587,872	158	-	-	0.00%
42420	BUILDING & COMMUNITY STANDARDS	-	-	653,925	1,021,953	1,136,506	11.21%
46320	COMMUNITY DEVELOPMENT ADMIN	-	-	128,722	194,847	209,653	7.60%
	COMMUNITY DEVELOPMENT	**1,042,541**	**1,148,885**	**902,038**	**1,411,508**	**1,597,160**	**13.15%**
43110	ENGINEERING	807,314	800,460	532,302	899,529	1,022,740	13.70%
43220	STREET MAINTENANCE	1,291,375	1,393,918	1,002,055	1,535,993	1,563,040	1.76%
43221	TRAFFIC CONTROL	230,971	236,002	151,481	267,175	227,968	-14.67%
45201	PARK FACILITIES	967,570	1,012,734	691,855	1,097,232	1,127,771	2.78%
45204	FORESTRY	96,426	101,027	64,798	114,390	117,570	2.78%
	PUBLIC WORKS	**3,393,656**	**3,544,141**	**2,442,491**	**3,914,319**	**4,059,089**	**3.70%**
45010	ADMINISTRATION	230,172	232,357	155,395	237,921	235,368	-1.07%
45110	REC ADMINISTRATION	504,845	511,888	332,409	519,918	535,221	2.94%
45111	ADULT PROGRAMS	161,560	162,324	95,417	167,038	182,098	9.02%
45112	TEEN PROGRAMS	-	-	-	6,600	9,481	43.65%
45113	YOUTH PROGRAMS	80,226	103,431	88,681	98,389	128,905	31.02%
45119	GENERAL RECREATION	39,112	48,658	49,933	61,489	62,516	1.67%
45122	COMMUNITY CENTER	171,530	163,996	103,567	259,814	270,407	4.08%
45124	POOL	376,517	367,060	225,340	378,780	389,076	2.72%
	CARS	**1,563,962**	**1,589,714**	**1,050,742**	**1,729,949**	**1,813,072**	**4.80%**
44110	JOINT POWERS	136,349	143,103	95,630	187,000	187,000	0.00%
45310	CONVENTION & TOURISM	550,772	573,065	340,300	522,500	562,900	7.73%
48140	INSURANCE	258,850	226,648	117,318	234,219	246,592	5.28%
48150	CENTRAL SUPPLIES	268,969	278,938	173,720	347,625	400,753	15.28%
48160	VACANCY AND TURNOVER SAVINGS	-	-	-	(350,000)	(350,000)	0.00%
	NON-DEPARTMENTAL	**1,214,940**	**1,221,754**	**726,968**	**941,344**	**1,047,245**	**11.25%**
48170	INTERFUND REIMBURSEMENT	(205,838)	(268,160)	(493,796)	(1,083,154)	(1,148,154)	6.00%
48210	TRANSFERS OUT	202,536	185,000	-	200,000	210,000	5.00%
	TRANSFERS	**(3,302)**	**(83,160)**	**(493,796)**	**(883,154)**	**(938,154)**	**6.23%**
10100 GENERAL FUND EXPENDITURES		**$ 19,856,430**	**$ 20,774,083**	**$ 13,354,393**	**$ 21,346,036**	**$ 22,416,569**	**5.02%**

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION APPROVING A PRELIMINARY TAX CAPACITY LEVY FOR THE GENERAL FUND AND DEBT SERVICE FUNDS AND A MARKET VALUE TAX LEVY FOR THE HOUSING AND REDEVELOPMENT AUTHORITY FOR PROPERTY TAXES PAYABLE IN 2019

WHEREAS, the City Council of the City of Brooklyn Center is the governing body of the City of Brooklyn Center; and

WHEREAS, Minnesota Statutes require that the preliminary property tax levy for property taxes payable in 2019 be provided to the Hennepin County Auditor no later than September 30, 2018.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that a tax is hereby levied on all taxable real and personal property within the City of Brooklyn Center for the purpose and sums as follows:

General Fund - Tax Capacity Based	
General Tax Limited Levy	$16,968,997
Abatement Levy	66,000
Subtotal for General Fund Levies	$17,034,997
Debt Service – Tax Capacity Based	
Public Improvement Bond Levy	$1,392,119
Total City Levy	**$18,427,116**
Housing and Redevelopment Authority – Market Value Based	
HRA Tax Levy	**$380,098**

September 24, 2018
Date

_____
Mayor

ATTEST:_____
City Clerk

The motion for adoption of the forgoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:
whereupon said resolution was declared duly passed and adopted.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION ADOPTING A PRELIMINARY BUDGET FOR THE 2019 FISCAL YEAR

WHEREAS, the City Council of the City of Brooklyn Center is the governing body of the City of Brooklyn Center; and

WHEREAS, Minnesota Statutes require that a preliminary budget be adopted for funds using property tax revenues along with the adoption of the preliminary property tax levy; and

WHEREAS, a preliminary property tax levy of $18,427,116 has been proposed for adoption the basis for the budget proposed herewith.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following amounts be adopted as the preliminary budget for property tax supported funds appropriated as follows:

REVENUES:

General Fund	
Property Taxes (net)	$16,950,591
Excess Tax Increment	250,000
Sales Tax – Lodging Tax Gross Receipts	1,180,000
Licenses & Permits	861,315
Local Government Aid	891,785
Other Intergovernmental Revenues	742,365
General Government Service Charges	86,650
Recreation Fees and Charges	618,750
Public Safety Service Charges	95,250
Community Development	34,000
Fines & Forfeitures	231,500
Miscellaneous Revenues	239,363
Special Assessments	85,000
Other Financing Sources	150,000
Subtotal General Fund	$22,416,569
Debt Service	
2013B General Obligation Improvement Bond Levy	$396,453
2015A General Obligation Improvement Bond Levy	252,287
2016A General Obligation Improvement Bond Levy	215,145
2017A General Obligation Improvement Bond Levy	281,281
2018A General Obligation Improvement Bond Levy	246,953
Subtotal Debt Service	$1,392,119
Housing and Redevelopment Authority	
Property Tax Levy	$380,098

TOTAL BUDGETED REVENUES	$24,188,786

EXPENDITURE APPROPRIATIONS:

General Fund	
General Government	$3,356,281
General Government Buildings	906,105
Police	9,047,255
Fire & Emergency Preparedness	1,528,516
Community Development	1,597,160
Public Works	4,059,089
Community Activities, Recreation & Services	1,813,072
Convention and Tourism	562,900
Joint Powers	187,000
Insurance	246,592
Central Supplies	400,753
Vacancy & Turnover Savings	(350,000)
Reimbursements from Other Funds	(1,148,154)
Transfers to Other Funds	210,000
Subtotal General Fund	$22,416,569
Debt Service	
2013B General Obligation Improvement Bond Levy	$396,453
2015A General Obligation Improvement Bond Levy	252,287
2016A General Obligation Improvement Bond Levy	215,145
2017A General Obligation Improvement Bond Levy	281,281
2018A General Obligation Improvement Bond Levy	246,953
Subtotal Debt Service	$1,392,119
Housing & Redevelopment Authority	
Transfer to Economic Development Authority	$380,098
TOAL BUDGETED APPROPRIATIONS	$24,188,786

September 24, 2018
Date

_____
Mayor

ATTEST:_____
City Clerk

The motion for adoption of the forgoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:
whereupon said resolution was declared duly passed and adopted.

City of Brooklyn Center
2019 Preliminary Levy & Budget

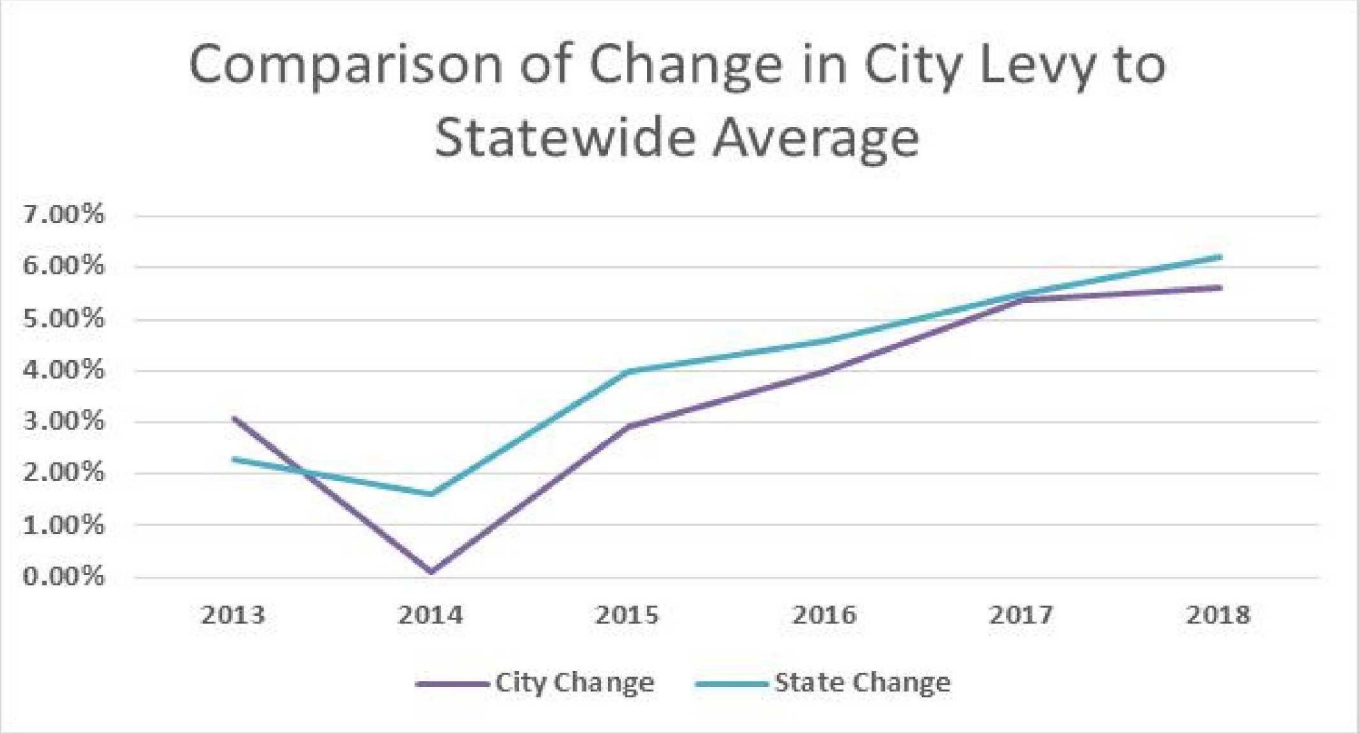
September 24, 2018

Property Tax Levy

	2018	2019	Change	% Impact
General Levy	$15,904,823	$16,968,997	$1,064,174	6.22%
Abatement Levy – Embassy Suites	59,000	66,000	7,000	0.04%
Debt Service Levy – Improvements	1,142,127	1,392,119	249,992	1.45%
Total City Levy	$17,105,950	$18,427,116	$1,321,166	7.72%
HRA Levy	$345,978	$380,098	$34,120	9.86%

Note: A property tax levy increase/decrease of 1% is approximately $171,000

Statewide Comparison

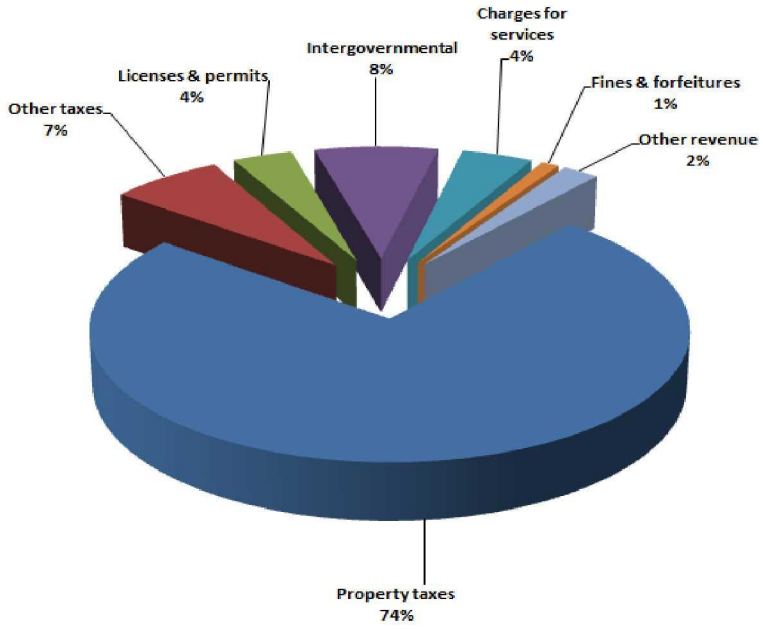


Budget Overview – General Fund Revenues

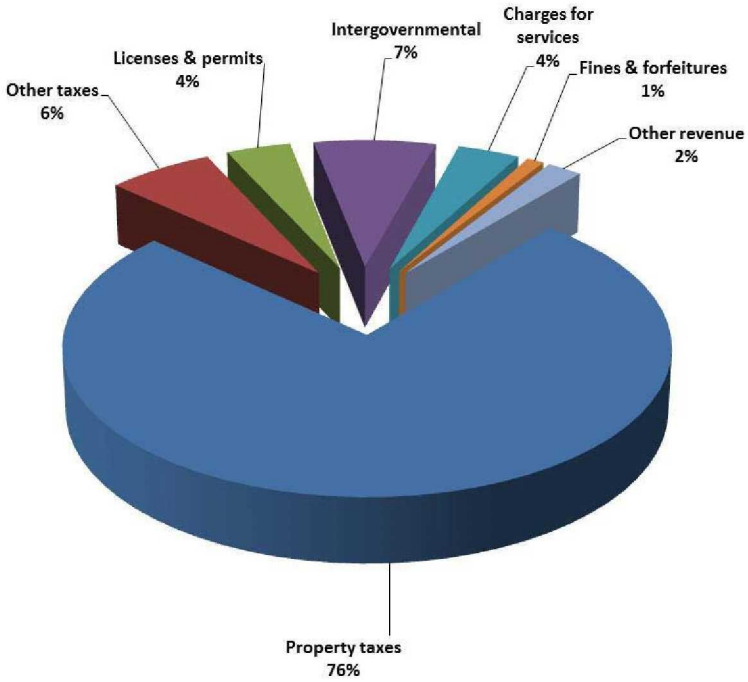
Description	2018 Budget	2019 Budget	Change
Taxes	$17,339,417	$18,380,591	$1,041,174
Licenses & Permits	776,625	861,315	84,690
Intergovernmental Revenue	1,594,819	1,634,150	39,331
Charges for Services	922,500	834,650	(87,850)
Fines & Forfeits	231,500	231,500	-
Miscellaneous Revenue	331,175	324,363	(6,812)
Other Financing Sources	150,000	150,000	0
Total General Fund Revenues	$21,346,036	$22,416,569	$1,070,533

General Fund Revenues by Source

2018 Budget



2019 Budget

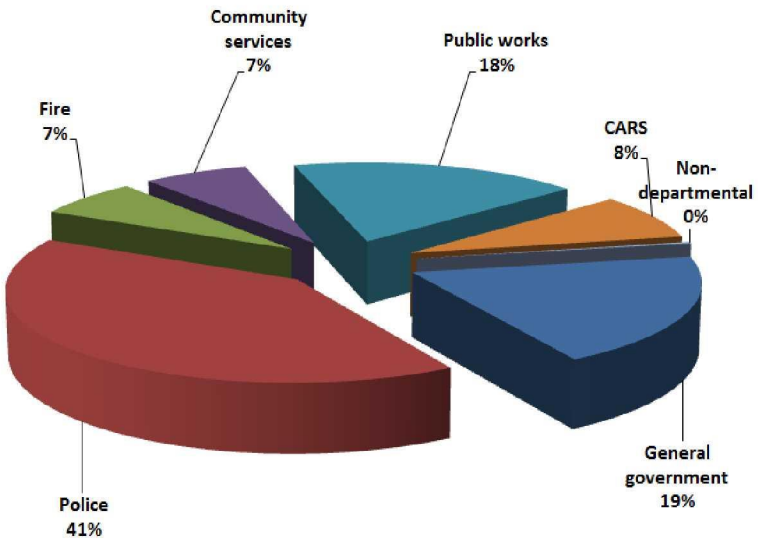


General Fund Expenses by Function

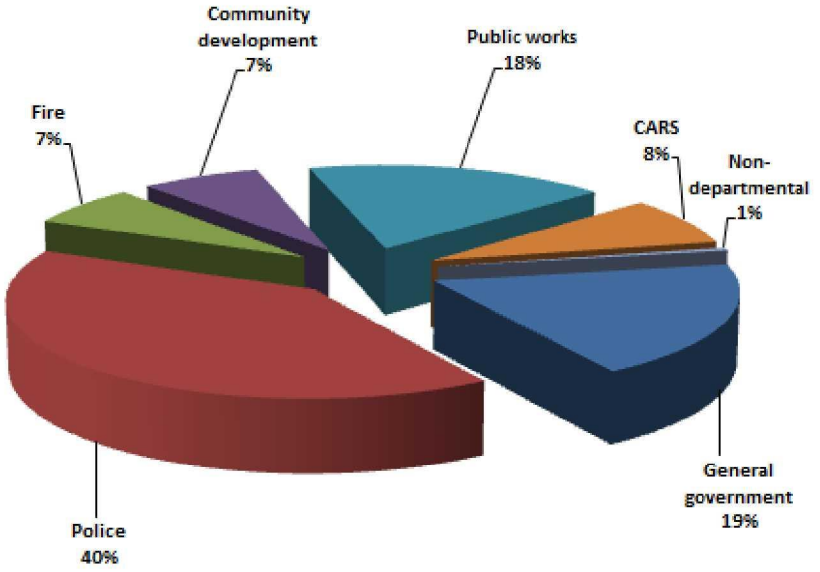
Description	2018 Budget	2019 Budget	Change
General Government	$4,154,642	$4,262,386	$107,744
Police	8,661,099	9,047,255	386,156
Fire & Emergency Mgmt.	1,416,329	1,528,516	112,187
Community Development	1,411,508	1,597,160	185,652
Public Works	3,914,319	4,059,089	144,770
CARS	1,729,949	1,813,072	83,123
Joint Powers	187,000	187,000	-
Central Supplies	347,625	400,753	53,128
Vacancy & Turnover Savings	(350,000)	(350,000)	-
Miscellaneous	(126,435)	(128,662)	(2,227)
Total General Fund Expense	$21,346,036	$22,416,569	$1,070,533

General Fund Expenses by Function

2018 Budget



2019 Budget



General Fund Expenses by Object

Description	2018 Budget	2019 Budget	Change
Wages & Benefits	$14,852,487	$15,779,144	$926,657
Supplies	703,733	734,615	30,882
Charges & Services	6,672,970	6,793,014	120,044
Capital Outlay	-	47,950	47,950
Admin./Engineering Exp. Reimbursements	(1,083,154)	(1,148,154)	(65,000)
Transfers Out	200,000	210,000	10,000
Total General Fund Expense	$21,346,036	$22,416,569	$1,070,533

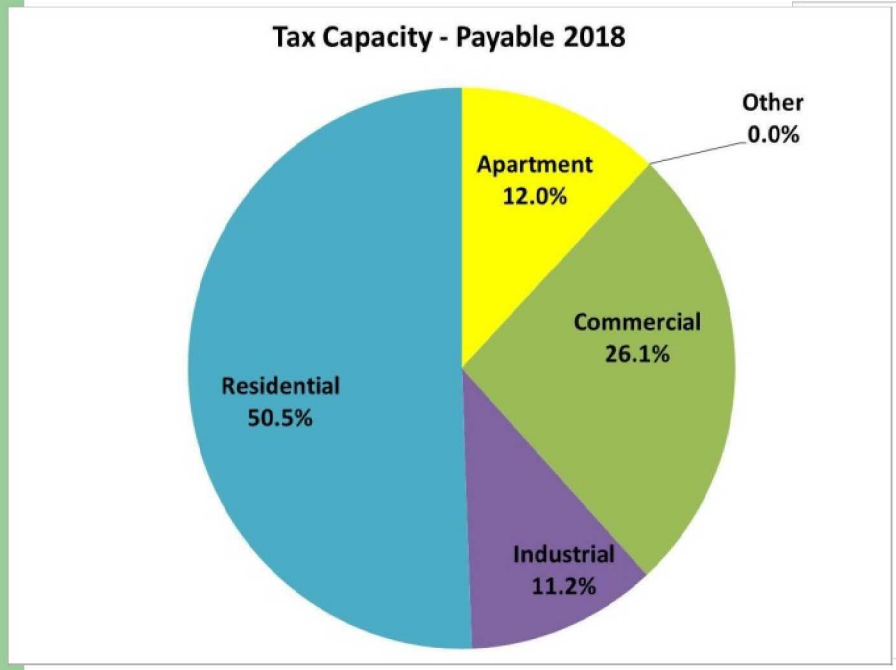
2019 Budget Advancements include:

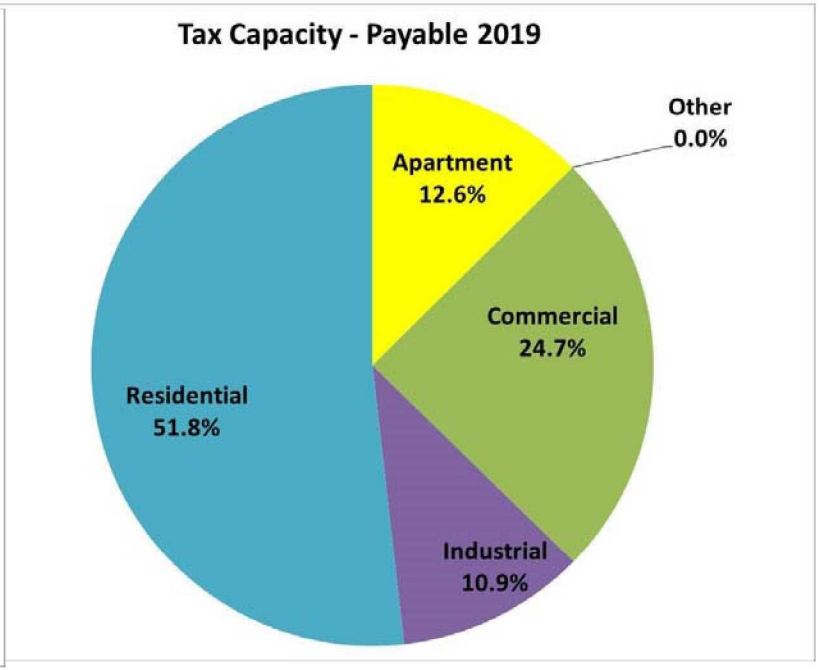
The creation of a part-time community engagement specialist and community engagement liaisons, a part-time human resource development specialist, full-time engineering technician, full-time building inspector, livable wage initiative for lowest earning city employees, additional low/no cost youth recreational programming, re-write of zoning/ordinance code, and additional marketing campaigns.

Taxable Market Value

Class	Payable 2018	Estimated 2019	Change
Commercial	$312,846,800	$322,351,800	3.0%
Industrial	133,666,600	141,148,500	5.6%
Residential	1,186,339,754	1,326,755,349	11.8%
Apartment	235,949,040	275,022,304	16.6%
Other	469,000	478,000	1.9%
Totals	$1,869,271,194	$2,065,755,953	10.5%

Tax Capacity Estimates

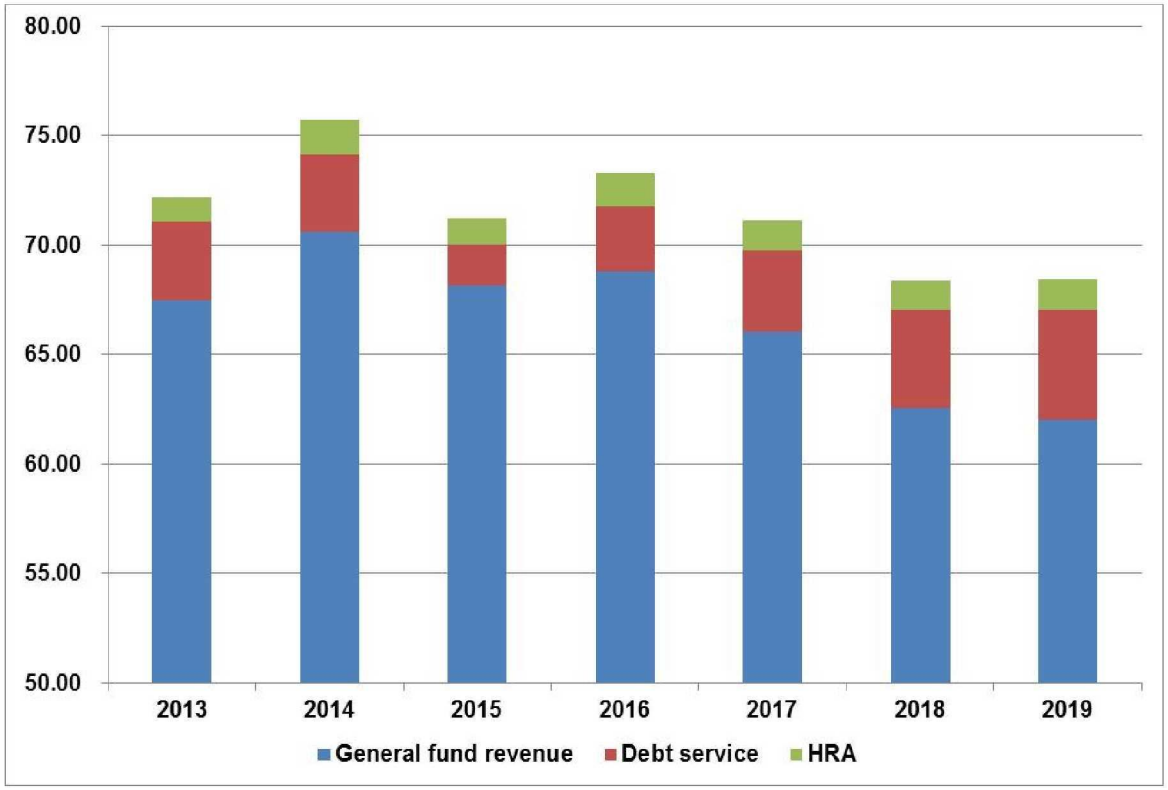




Median Value Home



City Property Tax Rates



Projected Property Tax Impacts

Property Tax Changes (Based on 7.72% Levy Increase & Market Value Changes)										
Classification*	2018 Taxable Market Value	2019 Taxable Market Value	$ Change	% Change	2018 Tax Rate	2018 City Taxes	2019 Tax Rate	2019 City Taxes	$ Change	% Change
Single Family Residential	$ 144,790	$ 163,320	$ 18,530	12.80%	68.401	$ 990	67.932	$ 1,109	$ 119	12.02%
Multi Family Residential	$ 2,200,000	$ 2,564,321	$ 364,321	16.56%	68.401	$ 18,810	67.932	$ 21,775	$ 2,965	15.76%
Commercial	$ 1,700,000	$ 1,751,650	$ 51,650	3.04%	68.401	$ 22,743	67.932	$ 23,289	$ 546	2.40%
Industrial	$ 1,900,000	$ 2,006,351	$ 106,351	5.60%	68.401	$ 25,479	67.932	$ 26,749	$ 1,270	4.99%

Notes:

1) The 2019 Median Residential Estimated Market Value (Homestead) is $184,000 (Taxable Market Value $163,320). The 2018 Median Residential Estimated Market Value (Homestead) was $167,000 (Taxable Market Value $144,790)

2) These are hypothetical examples of property values for Multi Family (2018 value of $2.2 million), Commercial (2018 value of $1.7 million) & Industrial (2018 value of $1.9 million). The values of these properties were assumed to be adjusted for 2019 by the same proportion of total estimated market value of that property classification. If a particular property has a different rate of valuation change from the previous year or additional value added, these values will be different.

3) Tax rates and taxes include HRA amounts

Next Steps

- City Council to consider resolutions:
  1. Adoption of a Preliminary Property Tax Levy establishing the maximum property tax levy for 2019
  2. Adoption of a Preliminary Operating Budget for funds that are funded by property tax revenues
- Future dates:
  - October through November: City Council and Financial Commission joint study sessions to review special revenue, debt service, utilities, enterprise and internal service funds
  - December 3, 2018: Public hearing and adoption of final tax levy and budget

COUNCIL ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing & Community Standards Supervisor

SUBJECT: Resolutions Approving Type IV 6-Month Provisional Rental Licenses

Requested Council Action:

It is recommended that the City Council approve resolutions approving Type IV - 6 Month Rental Licenses for:

- 5715 Emerson Ave N
- 6740 Grimes Pl
- 7131 Halifax Ave N
- 4200 Joyce Lane
- 7030 Regent Ave N

Background:

Budget Issues:

There are no budget issues to consider.

Strategic Priorities and Values:

Safe, Secure, Stable Community

COUNCIL ITEM MEMORANDUM

DATE: September 24, 2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing and Community Standards Supervisor

SUBJECT: Type IV 6-Month Provisional Rental License for 5715 Emerson Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 5715 Emerson Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses **to modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family property. The previous license was a Type IV Rental License issued on May 14, 2018, on condition of adherence to the Mitigation Plan and City Ordinances.

The property would qualify for a Type III Rental License based on 7 property code violations found during the initial rental inspection and zero (0) validated police nuisance incidents for the past twelve months. However, the owner failed to comply with the Mitigation Plan and applicable Ordinances, specifically failed to attend Owners/Managers Association Meetings And turn in monthly updates. According to City Ordinances, if the requirements of the license category and the Mitigation Plan are not met, the license renewal category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental Property to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the continued Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

The following is a brief history of the license process actions.

COUNCIL ITEM MEMORANDUM

Current rental license approval activities for license expires on 11/30/2018:

02-14-2018	The Owner, J and M Homes II, Inc., applied for renewal of the rental dwelling license for 5715 Emerson Ave N, a single family dwelling.
03-15-2018	An initial rental license inspection was conducted. Seven property code violations were cited, see attached rental criteria.
03-19-2018	A $300 Administrative Citation was issued for operating without a rental license.
04-17-2018	A second inspection was conducted and passed.
05-09-2018	City records indicate zero validated police nuisance incidents occurred in the past twelve months.
05-09-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
05-31-2018	The previous rental license expired.
08-01-2018	A $125 Administrative Citation was issued for failure to submit a Mitigation Plan.
08-15-2018	A Mitigation Plan was submitted.
09-04-2018	The Mitigation Plan was finalized.
09-19-2018	A letter was sent to the owner notifying that the hearing before the Council will be held September 24, 2018.

Prior Type IV Rental License approval activities:

10-16-2017	The Owner, J and M Homes II, Inc., applied for renewal of the rental dwelling license for 5715 Emerson Ave N, a single family dwelling.
11-16-2017	An initial rental license inspection was conducted and failed. 13 property code violations were cited, see attached rental criteria.
11-30-2017	The previous rental license expired.
12-18-2017	A second rental inspection was conducted and passed with weather deferral.
01-04-2018	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
01-04-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
01-23-2017	A second letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
03-19-2018	A $300 Administrative Citation was issued for operating without a rental license.
03-21-2018	A Mitigation Plan was submitted.
04-23-2018	The Mitigation Plan was finalized.
05-04-2018	A letter was sent to the owner notifying that the hearing before the Council will be held May 14, 2018.

If approved, after six months, a new rental license is required. The license process will begin in immediately. The new license will be based on the property code violations found during the

initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

COUNCIL ITEM MEMORANDUM

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

Property Code and Nuisance Violations Criteria

License Category (Based on Property Code Only)	Number of Units	Property Code Violations per Inspected Unit
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 5 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	Number of Units	Validated Calls for Disorderly Conduct Service & Part I Crimes (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Budget Issues:

COUNCIL ITEM MEMORANDUM

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 5715 Emerson Ave N

AUG 15 2018

Community Development

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

☐ **Action Plan—Type III (1 Year)** ☑ **Mitigation Plan—Type IV (6 Months)**

Property Address:	5715 Emerson Ave N		
Owner's Name(s):	J and M Homes	Local Agent:	Ricardo Tavares Tania Rojas
Owner's Address:	2400 Blaisdell Ave S Suite 300 Minneapolis, MN	Agent Address:	2400 Blaisdell Ave S Suite 300 Minneapolis, MN
Owner's Phone:	612-870-6294	Agent's Phone:	612-481-1056
Owner's Email:	jandmhomesll@gmail.com	Agent's Email:	jandmhomesll@gmail.com
Current Expiration Date:	5/31/18 LB	Pending Expiration Date:	11/30/18 LB

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property **is required to submit an Action (Type III) or Mitigation Plan (Type IV).** In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.

City of Brooklyn Center—Community Development

www.cityofbrooklyncenter.org

6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 563-3330 | TTY: 711 Fax: (763) 569-3360

Sections A—*Crime Free Housing Program Requirements*

Phase I - Read and check each box.

[X] 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

[X] 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

[X] 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

[X] 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

- [ ] Crime Free Housing training is completed
- [ ] Crime Free Housing training is scheduled for _____ (Date)
- [X] Owner or agent plans to attend training at : Brooklyn Center (Name of City)

[x] 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

[x] 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

[x] 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

- [x] Security Assessment is completed
- [ ] Security Assessment is scheduled for _____

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III - A.R.M Meeting Requirement

[x] 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

[x] 2) **Registration is not required to attend**, however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

[x] 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: sep _____ and nov _____

The following actions are required for Multi-Family properties with four (4) or more units.

[ ] 1) Conduct resident training annually to include crime prevention techniques.

[ ] 2) Conduct regular resident meetings.

5715 Emerson Ave N

Sections B—*Long Term Capital Improvement Plan*

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items **must** have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*

Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace	1/2009	G	12/2025
Water Heater	6/2018	N	5/2023
Kitchen Appliances	7/2014	G	9/2025
Laundry Appliances	8/205	G	8/2022
Smoke Alarms/ Carbon Monoxide Alarms	3/2017	G	3/2020
Exterior Items			
Paint/Siding	3/2016	G	12/2020
Windows	5/207	G	12/2020
Roof	8/2012	G	12/2020
Garage	8/2010	G	12/2020
Driveway	7/2007	G	12/2020
Fence	5/2016	G	12/2020
Sidewalks	7/2010	G	12/2020
Shed	n/a		

***Condition Abbreviations:** **New=N** **Good=G** **Fair=F** **Needs Replacement=R**

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Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- [X] 1) Check-in with tenants every 30-days.
- [X] 2) Drive by property to check for possible code violations.
- [X] 3) Evict tenants in violation of the lease or any addendums.
- [X] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [X] 5) Have no repeat code violations previously documented with the past year.
- [X] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.
  Name of service company: _____
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.

City of Brooklyn Center—Community Development

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Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

RICARDO TAMAYO PM

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

7/25/18

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

8/30/2018

Date

HSG + Comm Stds

Community Development

9/4/18

Date

City of Brooklyn Center—Community Development

www.cityofbrooklyncenter.org

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Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 5715 EMERSON AVENUE N

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 5715 Emerson Avenue N, was issued a Type IV Rental License on May 14, 2018; and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and completion of Crime Prevention Through Environmental Design Requirements; and City Ordinance Section 12-913 requires submittal of monthly updates; and

WHEREAS, the property owner of 5715 Emerson Avenue N, Brooklyn Center failed to attend Owners/Managers Association Meetings and turn in monthly updates, and/or other requirements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 5715 Emerson Avenue N, Brooklyn Center, MN.

September 24, 2018 _____
Date Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: September 24, 2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing and Community Standards Supervisor

SUBJECT: Type IV 6-Month Provisional Rental License for 7131 Halifax Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 7131 Halifax Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses **to modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is single family property. The previous license was a Type IV Rental License issued on July 9, 2018, on condition of adherence to the Mitigation Plan and City Ordinances.

The property would qualify for a Type III Rental License based on 8 property code violations found during the initial rental inspection and zero (0) validated police nuisance incidents for the past twelve months. However, the owner failed to comply with the Mitigation Plan and applicable Ordinances, specifically failed to attend Owners/Managers Association Meetings and turn in monthly updates. According to City Ordinances, if the requirements of the license category and the Mitigation Plan are not met, the license renewal category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental Property to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the continued Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

The following is a brief history of the license process actions.

COUNCIL ITEM MEMORANDUM

Current rental license approval activities for license expires on 02/28/2019:

06-01-2018	The Owner, Joan Gudmundsen, applied for renewal of the rental dwelling license for 7131 Halifax Ave N, a single family dwelling.
07-12-2018	An initial rental license inspection was conducted. Eight property code violations were cited, see attached rental criteria.
08-10-2018	The property manager called to reschedule the rental license inspection.
08-14-2018	A second inspection was conducted and passed.
08-24-2018	City records indicate zero validated police nuisance incidents occurred in the past twelve months.
08-24-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
08-29-2018	A Mitigation Plan was submitted.
08-31-2018	The previous rental license expired.
09-18-2018	The Mitigation Plan was finalized.
09-18-2018	A letter was sent to the owner notifying that the hearing before the Council will be held September 24, 2018.

Prior Type IV Rental License approval activities:

01-30-2018	Property Manager called to re-schedule inspection.
02-07-2018	Property Manager called to re-schedule inspection.
12-01-2017	The Owner, Joan Gudmundsen, applied for renewal of the rental dwelling license for 7131 Halifax Ave N, a single family dwelling.
12-28-2017	An initial rental license inspection was conducted and failed. 6 property code violations were cited, see attached rental criteria.
02-12-2018	A second rental inspection was conducted and failed. 3 property code violations were cited.
02-20-2018	The $100 re-inspection fee was paid.
02-26-2018	A third rental inspection was conducted and failed. Old corrections made, 1 new property code violation was cited, see attached rental criteria.
02-28-2018	The previous rental license expired.
03-13-2018	A fourth rental inspection was conducted and failed. A $100 re-inspection fee was charged to the property.
03-16-2018	A fifth rental inspection was conducted and failed. All the corrections made, however, the $100 re-inspection fees remain due.
03-23-2018	The $100 re-inspection fee was paid. The rental inspection was passed.
04-06-2018	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
04-06-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
05-24-2018	A $300 Administrative Citation was issued for renting without a license.
06-01-2018	A Mitigation Plan was submitted.
06-28-2018	The Mitigation Plan was finalized.

COUNCIL ITEM MEMORANDUM

07-02-2018 A letter was sent to the owner notifying that the hearing before the Council will be held July 9, 2018.

If approved, after six months, a new rental license is required. The license process will begin in two months. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	**Number of Units**	**Property Code Violations per Inspected Unit**
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 5 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	**Number of Units**	**Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 7131 Halifax Ave N

Community Development

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

☐ **Action Plan—Type III (1 Year)** ☑ **Mitigation Plan—Type IV (6 Months)**

Property Address:	7131 Halifax Ave North Brooklyn Center, MN 55429		
Owner's Name(s):	Willie M. Overstreet	Local Agent:	Therinna Green
Owner's Address:	1724 Shaw Ave Anoka, MN 55303	Agent Address:	5901 Brooklyn Blvd #111 Brooklyn Center, MN 55429
Owner's Phone:	612-735-3549	Agent's Phone:	763-560-9871
Owner's Email:	williemae.overstreet@openhandsinc.net	Agent's Email:	therinna.green@openhandsinc.net
Current Expiration Date:		Pending Expiration Date:	

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property **is required to submit an Action (Type III) or Mitigation Plan (Type IV).** In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.

City of Brooklyn Center—Community Development

www.cityofbrooklyncenter.org

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PROPERTY ADDRESS

Sections A—*Crime Free Housing Program Requirements*

Phase I - Read and check each box.

☑ 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

☑ 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

☑ 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

☑ Crime Free Housing training is completed

☐ Crime Free Housing training is scheduled for _____
Date

☐ Owner or agent plans to attend training at : _____
Name of City

☑ 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

☑ 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

☐ 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

☑ Security Assessment is completed

☐ Security Assessment is scheduled for _____

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PROPERTY ADDRESS

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III - A.R.M Meeting Requirement

☑ 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

☑ 2) **Registration is not required to attend**, however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

☑ 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: 9-13-18 and 11-8-18

The following actions are required for Multi-Family properties with four (4) or more units.

☑ 1) Conduct resident training annually to include crime prevention techniques.

☑ 2) Conduct regular resident meetings.

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BROOKLYN CENTER AT THE CENTER

PROPERTY ADDRESS

Community Development

Sections B—*Long Term Capital Improvement Plan*

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items **must** have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*

Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace	Nov 2015	G	Nov 2025
Water Heater	Nov 2015	G	Nov 2025
Kitchen Appliances	May 2017	N	May 2026
Laundry Appliances	May 2017	N	May 2026
Smoke Alarms/ Carbon Monoxide Alarms	May 2017	N	May 2023
Exterior Items			
Paint/Siding	July 2010	G	July 2023
Windows	May 2017	N	May 2027
Roof	Feb 2001	G	Feb 2020
Garage	March 2013	G	March 2025
Driveway	March 2009	G	April 2020
Fence	April 2004	G	Dec 2021
Sidewalks	Dec 2001	G	Dec 2021
Shed	March 2013	G	March 2020

***Condition Abbreviations:** **New=N** **Good=G** **Fair=F** **Needs Replacement=R**

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Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [x] 5) Have no repeat code violations previously documented with the past year.
- [x] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

The following actions are optional unless required by the City.

- [x] 1) Provide lawn/snow service.
- [x] 2) Provide garbage service.
- [ ] 3) Install security system.
- [x] 4) Provide maintenance service plan for appliances.
  Name of service company: Center Pointe Energy
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.

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Community Development

PROPERTY ADDRESS

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Wille Mae Overstreet

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature — *Date*

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable) — *Date*

City Staff Only

Police Department — 9/18/2018 *Date*

Community Development — 9/13/18 *Date*

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Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 7131 HALIFAX AVENUE N

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 7131 Halifax Avenue N, was issued a Type IV Rental License on July 9, 2018; and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and completion of Crime Prevention Through Environmental Design Requirements; and City Ordinance Section 12-913 requires submittal of monthly updates; and

WHEREAS, the property owner of 7131 Halifax Avenue N, Brooklyn Center failed to attend Owners/Managers Association Meetings and turn in monthly updates, and/or other requirements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 7131 Halifax Avenue N, Brooklyn Center, MN.

September 24, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: September 24, 2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing and Community Standards Supervisor

SUBJECT: Type IV 6-Month Provisional Rental License for 4200 Joyce Lane

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 4200 Joyce Lane. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses **to modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single-family property. The previous license was a Type IV Rental License issued on January 22, 2018, on condition of adherence to the Mitigation Plan and City Ordinances.

The property would qualify for a Type I Rental License based on one (1) property code violation found during the initial rental inspection and zero (0) validated police nuisance incidents for the past twelve months. However, the owner failed to comply with the Mitigation Plan and applicable Ordinances, specifically failed to turn in monthly updates and attend ARM meetings. According to City Ordinances, if the requirements of the license category and the Mitigation Plan are not met, the license renewal category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental Property to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the continued Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

The following is a brief history of the license process actions.

COUNCIL ITEM MEMORANDUM

Current rental license approval activities for license expires on 02/28/2019:

04-27-2018 The owner, Paul Yang, applied for renewal of the rental dwelling license for 4200 Joyce Lane, a single family dwelling.

06-19-2018 An initial rental license inspection was conducted. One property code violation was cited, see attached rental criteria.

07-23-2018 A second inspection was conducted and passed.

08-08-2018 City records indicate zero validated police nuisance incidents occurred in the past twelve months.

08-08-2018 A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.

08-24-2018 A Mitigation Plan was submitted.

09-05-2018 The Mitigation Plan was finalized.

09-24-2018 A letter was sent to the owner notifying that the hearing before the Council will be held September 18, 2016.

Prior Type IV Rental License approval activities:

08-30-2017 The Owner, Paul Yang, applied for an initial rental dwelling license for 4200 Joyce La, a single family property.

09-13-2017 An initial rental license inspection was conducted. 14 property code violations were cited, see attached rental criteria.

10-13-2017 A second inspection was conducted and passed.

11-09-2017 A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.

11-17-2017 A Mitigation Plan was submitted.

01-12-2018 A letter was sent to the owner notifying that the hearing before the Council will be held January 22, 2018.

01-16-2018 The Mitigation Plan was finalized.

If approved, after five months, a new rental license is required. The license process will begin in two months. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

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1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	**Number of Units**	**Property Code Violations per Inspected Unit**
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 6 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	**Number of Units**	**Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 4200 Joyce Lane

BROOKLYN CENTER
AT THE CENTER

Community Development

RECEIVED
AUG 24 2018

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

☐ **Action Plan—Type III (1 Year)** ☑ **Mitigation Plan—Type IV (6 Months)**

Property Address:	4200 Joyce Lane Brooklyn Center. MN 55429		
Owner's Name(s):	Paul Yang	**Local Agent:**	
Owner's Address:	5925 Pearson Drive Brooklyn Center. MN 55429	**Agent Address:**	
Owner's Phone:	(612)618-1308	**Agent's Phone:**	
Owner's Email:	paul.yang83@gmail.com	**Agent's Email:**	
Current Expiration Date:	7/31/2018	**Pending Expiration Date:**	1/31/2019

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property is **required to submit an Action (Type III) or Mitigation Plan (Type IV).** In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.

City of Brooklyn Center—Community Development

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BROOKLYN CENTER AT THE CENTER

4200 Joyce Lane
Brooklyn Center, MN 55429

Community Development

Sections A—*Crime Free Housing Program Requirements*

Phase I - Read and check each box.

☑ 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

☑ 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

☑ 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

☑ Crime Free Housing training is completed

☐ Crime Free Housing training is scheduled for _____
Date

☐ Owner or agent plans to attend training at : _____
Name of City

☑ 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

☑ 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

☑ 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

☑ Security Assessment is completed

☐ Security Assessment is scheduled for _____

BROOKLYN CENTER
AT THE CENTER

4200 Joyce Lane
Brooklyn Center, MN 55429

Community Development

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III - A.R.M Meeting Requirement

☑ 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

☑ 2) **Registration is not required to attend**, however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

☑ 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: 9/13/2018 and 11/8/2018

The following actions are required for Multi-Family properties with four (4) or more units.

☑ 1) Conduct resident training annually to include crime prevention techniques.

☑ 2) Conduct regular resident meetings.

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BROOKLYN CENTER AT THE CENTER

4200 Joyce Lane
Brooklyn Center, MN 55429

Community Development

Sections B—*Long Term Capital Improvement Plan*

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items **must** have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*

Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace		G	2025
Water Heater			2023
Kitchen Appliances	2017	N	
Laundry Appliances		G	2024
Smoke Alarms/ Carbon Monoxide Alarms	September 2017	N	2025
Exterior Items			
Paint/Siding	July 2018		
Windows		G	2030
Roof		N	2025
Garage		G	2035
Driveway		G	2025
Fence		F	2035
Sidewalks		N	
Shed	n/a		

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

BROOKLYN CENTER AT THE CENTER

4200 Joyce Lane
Brooklyn Center, MN 55429

Community Development

Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- [√] 1) Check-in with tenants every 30-days.
- [√] 2) Drive by property to check for possible code violations.
- [√] 3) Evict tenants in violation of the lease or any addendums.
- [√] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [√] 5) Have no repeat code violations previously documented with the past year.
- [√] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.
  Name of service company: _____
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.

City of Brooklyn Center—Community Development

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BROOKLYN CENTER AT THE CENTER

4200 Joyce Lane
Brooklyn Center, MN 55429

Community Development

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Paul Yang

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

8/23/2018
Date

Xai Lor

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

8/23/2018
Date

City Staff Only

Police Department

8/30/2018
Date

Community Development

9.5.18
Date

City of Brooklyn Center—Community Development
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 563-3330 | TTY: 711 Fax: (763) 569-3360
www.cityofbrooklyncenter.org

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 4200 Joyce Lane

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 4200 Joyce Lane, was issued a Type IV Rental License on January 22, 2018; and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and completion of Crime Prevention Through Environmental Design Requirements; and City Ordinance Section 12-913 requires submittal of monthly updates; and

WHEREAS, the property owner of 4200 Joyce Lane, Brooklyn Center failed to attend Owners/Managers Association Meetings, turn in monthly updates, and/or other requirements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 4200 Joyce Lane, Brooklyn Center, MN.

September 24,2018 _____
Date Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: September 24, 2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing and Community Standards Supervisor

SUBJECT: Type IV 6-Month Provisional Rental License for 7030 Regent Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 7030 Regent Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family property. The previous license was a Type IV Rental License issued on June 25, 2018, on condition of adherence to the Mitigation Plan and City Ordinances.

The property qualifies for a Type IV Rental License based on twelve (12) property code violations found during the initial rental inspection and zero (0) validated police nuisance incidents for the past twelve months. Further, the owner failed to comply with the Mitigation Plan and applicable Ordinances, specifically failed to attend Owners/Managers Association Meetings and turn in monthly reports. According to City Ordinances, if the requirements of the license category and the Mitigation Plan are not met, the license renewal category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental Property to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the continued Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

COUNCIL ITEM MEMORANDUM

The following is a brief history of the license process actions.

Current rental license approval activities for license that expires 02/28/2019:

05-23-2018	The owner, Douglas Allen Wahl, applied for renewal of the rental dwelling license for 7030 Regent Ave N, a single family dwelling.
06-27-2018	An initial rental license inspection was conducted. Twelve property code violations were cited, see attached rental criteria.
08-08-2018	A second rental inspection was conducted and passed.
08-24-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
08-30-2018	A Mitigation Plan was submitted.
08-31-2018	The previous Type IV Rental License expired.
09-07-2018	The Mitigation Plan was finalized.
09-18-2018	A letter was sent to the owner notifying that the hearing before the Council will be held September 24, 2018.

Prior rental license approval activities for license that expires 08/31/2018:

11-27-2017	The Owner, Douglas Allen Wahl, applied for renewal of the rental dwelling license for 7030 Regent Ave N, a single family dwelling.
12-21-2017	An initial rental license inspection was conducted and failed. Fourteen code violations were cited, see attached rental criteria.
01-22-2018	A second rental inspection was conducted and failed.
02-12-2018	A third rental inspection was conducted and failed. Exterior violations not corrected. A $100 re-inspection fee was charged to the property.
02-26-2018	$100 re-inspection fees paid.
02-28-2018	A fourth rental inspection was conducted and passed with weather deferral. All corrections made, other than garage (weather deferred item).
02-28-2018	The previous rental license expired.
03-06-2018	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
03-06-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
05-22-2018	Weather deferral follow-up. All corrections made. Passed.
05-31-2018	A Mitigation Plan was submitted.
06-11-2018	The Mitigation Plan was finalized.
06-18-2018	A letter was sent to the owner notifying that the hearing before the Council will be held June 25, 2018.

If approved, after five months, a new rental license is required. The license process will begin in two months. The new license will be based on the property code violations found during the

initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	**Number of Units**	**Property Code Violations per Inspected Unit**
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 3 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 6 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	**Number of Units**	**Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 7030 Regent Ave N

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 7030 REGENT AVE N

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 7030 Regent Ave N, was issued a Type IV Rental License on June 25, 2018; and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and completion of Crime Prevention Through Environmental Design Requirements; and City Ordinance Section 12-913 requires submittal of monthly updates; and

WHEREAS, the property owner of 7030 Regent Ave N, Brooklyn Center failed to attend Owners/Managers Association Meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 7030 Regent Ave N, Brooklyn Center, MN.

September 24, 2018 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

SEP - 4 RECD

BROOKLYN CENTER
AT THE CENTER

Community Development

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

☐ **Action Plan—Type III (1 Year)** ☒ **Mitigation Plan—Type IV (6 Months)**

Property Address:	7030 Regent Ave N Brooklyn Center, MN 55430		
Owner's Name(s):	Cal Monton	Local Agent:	Joe Eberwine Maximize Property management
Owner's Address:	1845 Stinson Pkwy #208 Minneapolis, MN 55418	Agent Address:	1845 Stinson Pkwy #208 Minneapolis, MN 55418
Owner's Phone:	612-721-8888	Agent's Phone:	612-843-5776
Owner's Email:	dwasters@msn.com	Agent's Email:	maxrepairs@izemail.ne
Current Expiration Date:	8/31/18	Pending Expiration Date:	2/28/19

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property **is required to submit an Action (Type III) or Mitigation Plan (Type IV).** In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.

City of Brooklyn Center—Community Development

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Sections A—*Crime Free Housing Program Requirements*

Phase I - Read and check each box.

[X] 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

[X] 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

[X] 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

[X] 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

[X] Crime Free Housing training is completed

[ ] Crime Free Housing training is scheduled for 6/13/18
Date

[ ] Owner or agent plans to attend training at : Anoka
Name of City

[X] 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

[X] 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

[X] 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

[X] Security Assessment is completed

[ ] Security Assessment is scheduled for _____

BROOKLYN CENTER
AT THE CENTER

7030 Regent Ave N
Brooklyn Center, MN 55430

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III - A.R.M Meeting Requirement

[X] 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

[X] 2) **Registration is not required to attend**, however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

[X] 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: JAN ~~18~~ 19' Nov 18' and ~~MAR 18~~

The following actions are required for Multi-Family properties with four (4) or more units.

[ ] 1) Conduct resident training annually to include crime prevention techniques.

[ ] 2) Conduct regular resident meetings.

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BROOKLYN CENTER
AT THE CENTER

7030 Regent Ave N
Brooklyn Center, MN 55430

Sections B—*Long Term Capital Improvement Plan*

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items must have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*

Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace	2008	F	2030
Water Heater	2015	F	2025
Kitchen Appliances	2015	G	2025
Laundry Appliances	2015	G	2025
Smoke Alarms/ Carbon Monoxide Alarms	2017	G	2020
Exterior Items			
Paint/Siding	2005	F	2025
Windows	2005	F	2025
Roof	2000	F	2030
Garage	Original	F	NA
Driveway	Original	F	NA
Fence	NA		NA
Sidewalks	Original	F	None
Shed	NA		NA

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

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Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- [X] 1) Check-in with tenants every 30-days.
- [X] 2) Drive by property to check for possible code violations.
- [X] 3) Evict tenants in violation of the lease or any addendums.
- [X] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [X] 5) Have no repeat code violations previously documented with the past year.
- [X] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.
  Name of service company: _____
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Joseph Eberwine

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

8/30/18

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

9/7/2018

Date

Community Development

HSG + Comm Stl Svp

9/4/18

Date

COUNCIL ITEM MEMORANDUM

DATE: September 24, 2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing and Community Standards Supervisor

SUBJECT: Type IV 6-Month Provisional Rental License for 6740 Grimes Pl

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 6740 rime Pl. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses **to modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a 8 building, 48-unit multi-family property. The previous license was a Type IV Rental License issued on February 26, 2018, on condition of adherence to the Mitigation Plan and City Ordinances.

The property would qualify for a Type III Rental License based on 86 (1.8/unit) property code violations found during the initial rental inspection and five (5) validated police nuisance incidents for the past twelve months. However, the owner failed to comply with the Mitigation Plan and applicable Ordinances, specifically failed to turn in monthly updates. According to City Ordinances, if the requirements of the license category and the Mitigation Plan are not met, the license renewal category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental Property to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the continued Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

Staff met with representatives from Gaughan Companies on September 13, 2018 to discuss the complaint brought to the open forum during the August 13, 2018 City Council meeting. During the meeting, the Gaughan Companies representatives stated they have already completed another

found of inspections to ensure that the property continues to meet city codes and address any additional concerns tenants had and wanted to submit a response with their Mitigation Plan to the complaint that was brought forward. Attach is the response from Gaughan Companies to the concerns expressed in the letter presented by ACER. Along with their response, they also submitted information that they provide to each tenant during the move in process.

The following is a brief history of the license process actions.

Current rental license approval activities for license expires on 11/31/2018:

02-16-2018	The Owner, Patrick J Gaughan, applied for renewal of the rental dwelling license for 6740 Grimes Pl, a 8 building, 48 unit multifamily property.
04-24-2018	An initial rental license inspection was conducted and failed. 85 property code violations were cited, see attached rental criteria.
05-29-2018	A second rental inspection was conducted and failed. A $250 reinspection fee was charged to the property.
05-31-2018	The previous rental license expired.
06-25-2018	A third inspection was conducted and failed. A $800 reinspection fee was charged to the property. Total owed for reinspection fees are $800.
07-20-2018	A fourth inspection was conducted and all code violations were made, however, the $800 reinspection fee is still owed.
07-23-2018	The $800 reinspection fee was paid.
08-08-2018	City records indicate 5 validated police nuisance incidents occurred in the past twelve months.
08-08-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
08-20-2018	A $300 Administrative Citation was issued for operating without a rental license.
08-20-2018	A Mitigation Plan was submitted.
08-24-2018	The Mitigation Plan was finalized.
09-04-2018	A letter was sent to the owner notifying that the hearing before the Council will be held September 10, 2018.

Prior Type IV Rental License approval activities for license expired on 05/31/2018:

10-18-2017	The Owner, Patrick J Gaughan, applied for renewal of the rental dwelling license for 6740 Grimes Pl, a 8 building, 48 unit multifamily property.
10-18-2017	An initial rental license inspection was conducted and failed. 195 property code violations were cited, see attached rental criteria.
11-14-2017	The property manager, Chantelle McCurdy, called to reschedule the rental license follow up inspection citing that they were not able to complete all of the code violations. She was made aware of the rental license expiration date.
11-29-2017	A second rental inspection was conducted and failed. A $250 reinspection fee was charged to the property.
11-30-2017	The previous rental license expired.
12-14-2017	A third inspection was conducted and failed. A $50 reinspection fee was charged to the property. Total owed for reinspection fees are $300.

12-18-2017	The $250 reinspection fee was paid.
01-02-2018	A fourth inspection was conducted and all code violations were made, however, the $50 reinspection fee is still owed.
01-16-2018	The $50 reinspection fee was paid and passed the rental license inspection
02-06-2018	City records indicate 3 validated police nuisance incidents occurred in the past twelve months.
02-06-2018	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
02-14-2018	A Mitigation Plan was submitted.
02-20-2018	The Mitigation Plan was finalized.
02-20-2018	A letter was sent to the owner notifying that the hearing before the Council will be held February 26, 2018.

If approved, after six months, a new rental license is required. The license process will begin in one month. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council

disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria,

perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	**Number of Units**	**Property Code Violations per Inspected Unit**
Type I – 3 Year	1-2 units	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. <u>Police Service Calls.</u>

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License	Number of Units	Validated Calls for Disorderly Conduct

COUNCIL ITEM MEMORANDUM

Category		**Service & Part I Crimes** (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 6740 Grimes Pl

AUG 20 2018

Community Development

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

☐ **Action Plan—Type III (1 Year)** ☒ **Mitigation Plan—Type IV (6 Months)**

Property Address:	6813 Grimes Place North Brooklyn Center, MN 55429		
Owner's Name(s):	Victoria Townhomes	Local Agent:	Gaughan Companies
Owner's Address:	56 East Broadway, Suite 200 Forest Lake, MN 55025	Agent Address:	56 E Broadway, Suite 200 Forest Lake, MN 55025
Owner's Phone:	651-464-5700	Agent's Phone:	651-255-5560
Owner's Email:		Agent's Email:	chantelle.mccurdy@gaughancompanies.com
Current Expiration Date:	5/31/18	Pending Expiration Date:	11/30/18

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property **is required to submit an Action (Type III) or Mitigation Plan (Type IV).** In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.

City of Brooklyn Center—Community Development

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BROOKLYN CENTER AT THE CENTER

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections A—*Crime Free Housing Program Requirements*

Phase I - Read and check each box.

[X] 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

[X] 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

[X] 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

[X] 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

- [X] Crime Free Housing training is completed
- [ ] Crime Free Housing training is scheduled for _____ (Date)
- [ ] Owner or agent plans to attend training at : _____ (Name of City)

[X] 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

[X] 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

[X] 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

- [X] Security Assessment is completed
- [ ] Security Assessment is scheduled for _____

BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III - A.R.M Meeting Requirement

[X] 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

[X] 2) **Registration is not required to attend**, however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

[X] 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: 9/13/18 and 11/8/18

The following actions are required for Multi-Family properties with four (4) or more units.

[X] 1) Conduct resident training annually to include crime prevention techniques.

[X] 2) Conduct regular resident meetings.

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BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
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Sections B—*Long Term Capital Improvement Plan*

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items **must** have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*

Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace			
Water Heater			
Kitchen Appliances			
Laundry Appliances			
Smoke Alarms/ Carbon Monoxide Alarms			
Exterior Items			
Paint/Siding	2014	F	needs paint-summer of 2018
Windows			
Roof	2013/2014	G	
Garage			
Driveway	2013	G	
Fence			
Sidewalks	2018	R	spring/summer of 2018
Shed	NA		NA

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

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Apt	Smoke Alarm & CO Replacement	Estimated Replacement	Fridge Replacement Date	Estimated Replacement	Stove Replacement Date	Estimated Replacement	A/C	Water Heater Replacement Date	Estimated Replacement	Furnace Replacement Date	Estimated Replacement
6740	2014	As Needed	10/20/08	10/20/18	12/27/10	12/27/20	n/a	1/9/12	1/9/19	11/10/98	10/10/2013
6744	2014	As Needed	6/28/04	6/28/14	03/13/2013	3/13/23	n/a	7/13/07	7/13/14	10/20/98	10/20/2013
6748	2014	As Needed	12/16/11	12/16/21	12/10/04	12/10/14	n/a	1/10/06	1/10/13	10/16/99	10/16/2015
6751	2014	As Needed	7/17/11	7/17/21	8/1/14	8/1/24	n/a	2/28/06	2/28/13	2/18/06	2/18/2021
6752	2014	As Needed	7/27/14	7/27/20	7/27/14	7/24/25	n/a	4/21/06	4/21/13	4/16/99	4/16/2016
6755	2014	As Needed	2/7/04	2/7/14	9/14/05	9/14/15	n/a	8/18/05	8/18/15	3/20/00	3/20/2016
6756	2014	As Needed	1/29/10	1/29/20	7/15/04	7/15/14	n/a	10/21/07	10/21/14	2/14/00	2/14/2016
6759	2014	As Needed	4/27/11	4/27/21	12/18/11	12/18/21	n/a	11/17/06	11/17/13	3/12/01	3/12/2016
6760	2014	As Needed	11/10/06	10/10/16	7/23/12	7/23/22	n/a	11/17/08	11/17/15	4/17/04	4/17/2019
6763	2014	As Needed	2/7/04	2/7/14	8/16/04	8/16/14	n/a	12/15/06	12/15/13	3/3/99	3/3/2014
6764	2014	As Needed	7/16/10	7/16/20	11/7/08	11/7/18	n/a	12/16/11	12/16/18	11/1/11	11/1/2026
6767	2014	As Needed	7/17/10	7/17/20	3/12/05	3/12/15	n/a	10/10/07	10/10/14	2/3/98	2/3/2013
6768	2014	As Needed	3/17/04	3/17/14	10/31/08	10/31/18	n/a	12/10/06	12/10/21	1/11/01	1/11/2016
6771	2014	As Needed	6/17/11	6/17/21	7/15/05	7/15/15	n/a	8/15/10	8/15/17	12/14/99	12/14/2013
6772	2014	As Needed	3/17/04	3/17/14	6/1/11	6/1/21	n/a	3/17/06	3/17/13	11/26/02	11/26/2017
6775	2014	As Needed	11/10/06	11/10/16	4/10/15	4/10/25	n/a	4/14/07	4/14/14	10/30/03	10/30/2018
6776	2014	As Needed	1/10/14	1/10/24	1/10/14	1/10/24	n/a	12/12/11	12/12/18	10/4/00	10/4/2015
6779	2014	As Needed	2/10/15	2/10/25	2/10/15	2/10/25	n/a	12/16/12	12/16/19	11/1/11	11/1/2026
6780	2014	As Needed	4/8/13	4/8/21	9/12/06	9/12/16	n/a	8/5/06	8/5/13	4/4/99	4/4/2016
6783	2014	As Needed	8/16/09	8/16/19	9/20/05	9/20/15	n/a	6/23/10	6/23/17	2/10/98	2/10/2016
6784	2014	As Needed	12/28/11	12/28/21	8/5/05	8/5/15	n/a	6/6/08	6/6/15	11/7/00	11/7/2015
6800	2014	As Needed	3/23/07	3/23/17	3/25/08	3/25/18	n/a	9/9/05	9/9/15	3/3/01	3/3/2016
6801	2014	As Needed	11/7/08	11/7/18	11/7/08	11/7/18	n/a	7/21/06	7/21/13	1/11/03	1/11/2018
6804	2014	As Needed	8/18/04	8/18/14	2/4/10	2/4/20	n/a	3/9/09	3/9/16	2/20/98	2/20/2016
6805	2014	As Needed	1/4/05	1/4/15	4/10/08	4/10/18	n/a	12/16/11	12/16/18	3/18/00	3/18/2016
6808	2014	As Needed	1/5/08	2/25/18	4/1/05	4/1/15	n/a	2/9/11	2/9/21	3/4/98	11/3/2019
6809	2014	As Needed	12/17/10	12/17/20	12/27/10	12/27/20	n/a	9/14/06	9/14/16	1/17/99	1/17/2016
6812	2014	As Needed	~~4/26/12~~ 3/11	~~4/26/22~~	~~12/6/05~~ 3/11	~~12/6/15~~	n/a	4/8/06	4/8/13	4/27/03	4/27/2018
6816	2014	As Needed	1/5/05	1/5/15	11/7/04	11/7/14	n/a	12/21/11	12/21/18	4/16/01	4/16/2016
6817	2014	As Needed	3/11/11	3/11/21	3/11/11	3/11/21	n/a	3/11/11	3/11/18	3/11/11	3/11/2026
6820	2014	As Needed	3/21/04	3/21/04	11/29/07	11/29/17	n/a	1/12/07	1/12/14	12/6/07	12/6/2022
6821	2014	As Needed	3/25/11	3/25/21	3/25/11	3/25/21	n/a	2/21/07	2/21/17	12/20/01	12/20/2016
6825	2014	As Needed	9/20/04	9/20/14	4/3/05	4/3/15	n/a	3/13/07	3/13/17	10/19/99	10/19/2014
6829	2014	As Needed	9/10/07	9/10/17	1/9/12	1/9/22	n/a	10/30/07	10/30/17	11/17/01	11/17/2016
6833	2014	As Needed	3/15/15	3/15/25	3/15/15	3/15/25	n/a	4/14/06	4/14/16	12/28/99	12/28/2016
6837	2014	As Needed	9/20/05	9/20/15	9/20/05	9/20/15	n/a	11/23/07	11/23/14	11/27/98	11/27/2022
6840	2014	As Needed	10/20/11	10/20/21	6/30/10	6/30/20	n/a	8/17/10	8/17/17	4/10/01	4/10/2016
6841	2014	As Needed	11/30/04	11/30/14	6/6/05	6/6/15	n/a	11/21/04	11/21/14	2/2/00	2/2/2015
6844	2014	As Needed	12/7/04	12/7/14	4/1/05	4/1/15	n/a	11/20/05	11/20/15	5/14/14	5/14/2021
6845	2014	As Needed	6/1/11	6/1/21	11/1/11	11/1/21	n/a	3/17/09	3/17/16	5/14/14	5/14/2021
6848	2014	As Needed	6/1/11	6/1/21	11/1/11	11/1/21	n/a	12/14/06	12/14/16	4/4/01	4/4/2016
6849	2014	As Needed	1/7/04	1/7/14	10/11/05	10/11/15	n/a	10/20/06	10/20/16	1/10/02	1/10/2017
6852	2014	As Needed	12/28/11	12/28/21	7/25/06	7/25/16	n/a	2/20/07	2/20/17	3/13/00	3/13/2015
6853	2014	As Needed	6/8/08	6/68/18	1/14/05	1/14/15	n/a	3/17/10	3/17/17	3/23/01	3/23/2016
6856	2014	As Needed	4/4/06	4/4/16	12/27/07	12/27/17	n/a	1/13/11	1/13/18	4/19/99	4/19/2016
6857	2014	As Needed	2/2/05	2/2/15	1/14/04	1/14/14	n/a	3/16/05	3/16/15	3/19/98	3/19/2016
6860	2014	As Needed	4/26/05	4/26/15	2/12/05	2/12/15	n/a	6/1/10	6/1/17	4/2/02	4/2/2017
6861	2014	As Needed	7/25/07	7/25/17	7/5/05	7/5/15	n/a	6/23/10	6/23/17	11/5/99	11/5/2016

Apt	Smoke Alarm & CO Replacement	Estimated Replacement	Fridge Replacement Date	Estimated Replacement	Stove Replacement Date	Estimated Replacement	A/C	Water Heater Replacement Date	Estimated Replacement	Furnace Replacement Date	Estimated Replacement

Laundry room equipment was replaced in 2010 and 2011 - to be replaced as needed
The building siding was replaced in 2006 - to be repaired as needed
Parking lot was repairs were completed.
The sidewalks are repaired and replaced as needed
Landscaping was upgraded on 7/2014
6857 & 6861 Kitchen Cabinets replaced 1/2014 and 2/2014
14 Garage Doors were replaced 6/2014
Office Entry System replaced 4/2014
Upgraded Shop Heater 1/2014
Security Lighting repairs were completed on 8/27/2012 and 9/6/2012

BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- [X] 1) Check-in with tenants every 30-days.
- [X] 2) Drive by property to check for possible code violations.
- [X] 3) Evict tenants in violation of the lease or any addendums.
- [X] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [X] 5) Have no repeat code violations previously documented with the past year.
- [X] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

The following actions are optional unless required by the City.

- [X] 1) Provide lawn/snow service.
- [X] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.

  Name of service company: _____
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.

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BROOKLYN CENTER AT THE CENTER

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6813 Grimes Place North
Brooklyn Center, MN 55429

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Chantelle McCurdy - Sr Property Manager

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

8/17/18

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

8/25/2018

Date

Community Development

8/24/18

Date

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Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 6740 GRIMES PL

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 6740 Grimes Pl, was issued a Type IV Rental License on February 26, 2018; and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and completion of Crime Prevention Through Environmental Design Requirements; and City Ordinance Section 12-913 requires submittal of monthly updates; and

WHEREAS, the property owner of 6740 Grimes Pl, Brooklyn Center failed to attend Owners/Managers Association Meeting and turn in monthly updates, and/or other requirements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 6740 Grimes Pl, Brooklyn Center, MN.

September 24, 2018 _____
Date Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Victoria Townhomes – 6740 Grimes Pl

Addendum to Mitigation Plan submitted on August 20, 2018

Under Section A: Phase III – A.R.M Meeting Requirement

Multi-family properties with four (4) or more units are required to: 1) conduct annual resident training and 2) conduct regular resident meetings.

Requirement:

A complaint was brought forward to the City Council on August 27, 2018 regarding tenant concerns at Victoria Townhomes. Since it is already a requirement that Management conduct regular resident meetings, the City is requiring a facilitated meeting with the owner of Gaughan Properties or a Senior staff member, tenants, ACER, HomeLine, and City staff to discuss the concerns that were brought forward. The city will have a neutral, third party to facilitate the meeting between all parties.

This must be completed before the Type IV – 6 month provisional license expires on November 30, 2018.

GAUGHAN
COMPANIES

September 17, 2018

Re: Victoria Townhomes
6813 Grime Place North
Brooklyn Center, MN

Dear City of Brooklyn Center Council Members,

Please accept this letter with helpful detail and background that supplements the Victoria Townhome mitigation plan. We understand an undisclosed number of residents of Victoria Townhomes have expressed concerns about Victoria Townhomes generally, property management generally, and housing policy concerns to the City Council. We take these concerns seriously, even when lacking specifics. Should you have further questions or concerns, please contact me personally, Chantelle McCurdy, at 651-255-5560.

Onsite Property Manager and Caretaker:

Victoria Townhomes is a 48 unit site that employees a property manager and caretaker, both whom live onsite and are available 24/7 to address the needs of our residents. Property management requests that normal resident questions or concerns are conducted during normal business hours at 8am – 4:30 pm. Residents are welcome to call after business hours to make an appointment for the next day or call due to a maintenance emergency.

Capital Improvements:

In an effort to give residents a safe, clean and habitable environment to live, the ownership group of Victoria Townhomes has made $820,500 in capital improvements over the past 10 years including all new exterior siding, a new parking lot, and all new roofs.

Community Resident Handbook:

Victoria Townhomes has a property specific Community Resident Handbook that is distributed to residents at time of move in and extra copies are available at any time upon request. Resident responsibilities are spelled out in the lease and are further detailed in the handbook. On September 6th 2018 members of our property management team, maintenance technicians along with caretakers performed unit to unit inspections for all units checking for work orders, housekeeping violations, city code violations etc. Notes were taken on every unit and work orders were submitted to our service department for necessary repairs. Please note this is the second unit to unit inspection completed in 2018.

Irresponsible Tenant Conduct:

We believe in being proactive with our residents to keep the property habitable and in good condition. In line with the covenants of landlords in Minnesota to keep property habitable at all times, we do not wait for tenants to

notify of maintenance items. We routinely inspect for condition. In the last round of unit inspections in performed March of 2018, property management found in a few occasions, new damage to the property and generated work orders to bill back irresponsible conduct. Some examples of irresponsible tenant conduct bill backs included fist holes in doors, a fork stuck in a toilet that lead to plumbing problems, newly bent screens, missing smoke alarms, non-standard holes in walls, etc.

Tenant Dispute Policy

We have a policy per our residential lease that when and if there is a dispute with a resident, that the resident tenant places her concern in writing and submits it to the onsite office. Upon receipt, management reviews the dispute and calls the resident in for a 1:1 meeting to discuss the matter in hopes a resolution can be made in a timely manner. In 2018 year to date, property management received disputes from a total of 13 out of 48 units. Property management reached out to all 13 residents individually in an effort to resolve conflict and reach an agreement. Property management quickly resolved all but 5 of the 13. In many instances, property management sought to reduce the conflict and accept the resident position a face value. Of the remaining 5 units with disputes, no negative action possession or collection against was taken including but not limited to lease terminations, filing of evictions, etc. As of today's date, the remaining 5 residents refuse to speak with management and new management communication attempted is continuously met with verbal hostility.

2 of 5 Open Tenant Disputes:

Please accept this brief summary of two of five open tenant disputes. In the interest of privacy, property management will refer to each one as Tenant 1 and Tenant 2. Tenant 1 and Tenant 2 remain at the Property. The purpose of providing two examples is to provide transparency and place the disputes into context for all parties.

Tenant 1:

In the spring of 2018, Tenant 1 submitted a service work order due to a clogged toilet and a kitchen sink that were backing up. From the property management perspective, units only have one bathroom so we inherently understand the need address as soon as possible to limit negative resident impact. When the technician arrived onsite and entered Tenant 1's unit, the tec noted in order to unclog the toilet he would need to use a power snake. After he did so he pulled out a kitchen fork that was wedged in the toilet. When management received word of this a bill back was issued and sent to Tenant 1. Tenant 1 went to onsite management stating that there wasn't a fork in the toilet along with disputing another bill back for the kitchen sink backing up due to excessive grease down the drain. Our onsite staff made every attempt to explain the findings and why it was deemed a bill back but the resident insisted that they would not pay it and would reach out to Homeline if we tried. After our attempts of trying to collect we received a letter form Tenant 1 disputing the bill back with a different story as to what happened. I tried to call the resident to discuss and was personally told that Tenant 1 did not ask for maintenance to come in so they shouldn't be charged for the damage. I again tried to explain that regardless residents must have a functioning toilet in their unit and we have a right and an obligation to maintain items in the unit to perform as intended regardless if the resident is in fear of a bill back and isn't requesting the work to be performed. No resolution was made. In a good faith effort I sent a letter dated August 7th 2017 agreeing to remove one of the bill backs for the kitchen sink backup but the resident will still be responsible for paying the $37.50 charge for the fork being stuck in the toilet. After resident received the letter they informed management that they refuse to pay the charge and will send it to Homeline. I said that was fine and still attempted to collect the debt for irresponsible conduct. After 6 months of no payment and Tenant 1 refusals to pay the charge, I decided to have it removed.

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In April 2018 after performing unit to unit inspections another bill back was sent to Tennat 1 due to damaged bedroom doors, patio door screen, damaged fridge seal and crisper cover. Again in a good faith effort management agreed to remove the Tenant 1 charges for the damaged doors if resident would pay the remaining balance owed. Management reversed those charges. Management has taken NO negative action Tenant 1.

Tenant 2:

Upon unit to unit inspections in 2017, property management noted Tenant 2 was not in compliance with city codes by having an unauthorized water softener in her unit with an extension cord creating a trip hazard along with the water softener blocking access to the utility closet. We asked Tenant 2 several times to please remove said item and every time we would go back to verify it was found to still be there. After several attempts to communicate the importance of removing the item even showing the resident that the city found this to be a violation and required to be removed along with letting Tenant 2 know that if we have to go in a remove the item Tenant 2 would be responsible for paying the bill back. We let a technician know and gave Tenant 2 proper notice that we were coming in and removed the said item. Tenant 2 also disputed management decision to remove locks on the bedroom doors to comply with HRA requirements. Tenant 2 stated that the locks had been on since date of move in and they didn't install the locks.. In a good faith effort, property management removed the charges for installing new bedroom door knobs and requested the resident pay for the removal of the water softener. To date water softner amount remains unpaid and any communication from property management to Tenant 2 is not welcomed.

New Landlord Tenant Attorney:

In an effort to improve our pro-active management decisions we have retained an experienced residential landlord tenant attorney, Bradley M. Schaeppi, to advise property management on compliance and best practices. In early September 2018, property management requested an informal meeting with City Staff to listen and discuss city and expressed resident concerns. September 7th 2018, Mr. Schaeppi wrote to Paul Birnberg of Homeline to listen to their concerns. Mr. Birnberg called Mr. Schaeppi that day to connect. Mr. Birnberg and Mr. Schaeppi now have a new positive and open line of communication to discuss future tenant disputes. On September 13th 2018, property management and Mr. Schaeppi, attended an informal meeting with Meg Beekman, Xiong Thao and Troy Gilchrist (city attorney) to listen to city staff concerns and discuss licensing next steps. The mitigation plan meeting was discussed and property management agreed to attend the Arm Mitigation Plan meeting in the fall of 2018 with Mr. Schaeppi.

Resident Letter General Parking Concerns:

Residents expressed concerns regarding parking onsite. Property Management believes a basic restatement of parking aids all parties. Victoria Townhomes provides each resident with one assigned parking space in the parking lot. The property also offers 13 visitor parking spots and 1 handicap in front of the office. The property has 35 garages onsite at a cost to our residents of $45.00 each, available upon request and availability. Parking is assigned and residents must have a sticker to park and resident cars with stickers cannot park in guest parking. This policy was implemented as residents were parking in guest parking creating conflict. No new policy change was made, the parking sticker system simply enforces the current policy and makes it easier for staff to help identify if the vehicle is a resident or a guest.

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Summary:

Property management of Victoria Townhomes welcomes new positive dialogue at the facilitated ARM meeting with Acer that will include Homeline and representatives of the city. We welcome the opportunity to listen to unit fact specific concerns of ACER staff as represented by the unidentified residents of Victoria Townhomes.

In closing the goals of management along with staff of Victoria Townhomes is to continue our efforts in building a community on our site, to obtain a rental license of a level 2 or higher by the fall of 2019 and improve our ongoing dialogue with our current residents.

If you have any questions please feel free to reach out anytime at (651)255-5560.

Thank you again for your time,

Chantelle McCurdy
Residential Sr. Property Manager
651-255-5560 (direct)
651-464-5700 (main)
www.GaughanCcompanies.com
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Welcome to Our Community

VICTORIA TOWNHOMES

Welcome To Our Community & Your New Home...

This community has been created with the comfort and happiness of you, our resident, as its prime objective. However, written guidelines are necessary for knowing what we might expect from one another for our mutual safety and comfort in this community. These guidelines should be read and kept for reference by each and every resident. Residents are expected to abide by these guidelines as they are a part of your lease agreement. Thank you and we are glad to have you as part of our community!

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Serving Relationships
www.gaughan.net

General Information

Management Responsibilities

To protect the rights of residents as well as citizens of the community, local, state and federal units of the government have enacted building codes. The codes place the responsibility with the management and the property owner to maintain the property in a responsible condition to ensure health and safety standards are met.

Resident Responsibilities

When you take possession of your apartment you have some definite responsibilities for its care and maintenance. These include everything from daily housecleaning, proper care of appliances, rubbish disposal and following the necessary rules of community living. The responsibilities are spelled out in your lease and are further explained in this handbook. Residents are responsible for guests and visitors, including children complying with these guidelines.

Rent Payment

Rent is due on the first day of each month. Rent paid after the first of the month is considered late. You are given a grace period of 4-days before the late fees are applied. Please refer to the rent payment policy that you signed at the time of move-in. Accepted forms of rent payments are one check or one money order per apartment. We would appreciate your assistance by putting your building and apartment number on your payment.

NSF Checks

If a personal check is returned for non-sufficient funds, you will need to submit full rent payment along with NSF Fees and Late Fees within 24-hours by money order or cashier's check only. Once a check is returned, Management may require all future rent be paid by cashier's check or money order. If a second check is returned, all further rent payments must be paid using cashier's check or money order.

Apartment Lease

Your lease is a legal document and is binding on both parties. It is important that you know and understand all the rules and regulations herein. If you have any questions, please call our office and our staff will do their best to answer your questions. If you violate any portion of the lease, you may receive a written communication from the office stating that continued violation of your lease will be cause for termination of your lease -- and eviction proceedings will be started. It is very important that you respond in a positive manner to correct any violation.

Please review the following list of items that are ways that can cause you to lose your residency:

1. Becoming a danger to the health and safety of your neighbors.
2. Disturbing the peace of your neighbors.
3. Causing damage to your residence or common property.
4. Unsanitary housekeeping.
5. Non-payment of rent.
6. Violation of any portion of your lease or handbook policies including repeated minor violations.
7. Use of the apartment for activities damaging to the reputation of the building.
8. Permitting unauthorized persons to stay on the premises for periods other than what is permitted in the lease.
9. Violations of the *no pet clause* in your lease.
10. Illegal activity or drug use on or near the property.
11. Actions taken by household members and/or guests.

Notice of Intent to Vacate

RESIDENT AGREES TO GIVE MANAGEMENT A PROPER WRITTEN TWO (2) MONTH NOTICE OF THEIR INTENT TO VACATE THEIR APARTMENT IN ACCORDANCE TO THE TERMS OF THEIR RENTAL LEASE AGREEMENT.

1. RESIDENT agrees that landlord can terminate a lease, without cause, upon two (2) months written notice. (Subsidy residents refer to your rental lease; please note that all notice must be in full calendar months).

2. DUE DATES FOR NOTICE OF INTENT TO VACATE: (VACATING AT THE END OF THE LEASE). If RESIDENT wishes to move out of the apartment on the DATE THAT THE LEASE ENDS, RESIDENT must give MANAGEMENT prior written notice equal to two months, taken on or before the last day of the month two full calendar months prior to the expiration date. In the absence of such written notice, the tenancy will continue

General Information (cont.)

automatically on a month-to-month basis at a higher rate. Residents are not allowed to deduct their damage deposit from their last month's rent.

3. IF A RESIDENT CHOOSES TO TERMINATE THEIR TENANCY WITHOUT FULFILLING THE TERMS AND CONDITIONS OF THEIR RENTAL LEASE AGREEMENT OR WITHOUT A PROPER 60-DAY NOTICE OF INTENT TO VACATE, RESIDENT UNDERSTANDS THAT THEY ARE LIABLE FOR THE RENT UNTIL THE RENTAL LEASE IS FULFILLED OR UNTIL THE APARTMENT IS RE-RENTED.

4. After receiving a resident's proper notice to vacate, management, with reasonable notice given to the resident, will begin showing the apartment to potential renters. If a resident refuses entry to management or interferes with management's ability to rent the apartment, then the resident will be assessed a fee equal to one month's rent.

Vacate Procedure

1. The resident is responsible for scheduling a pre-move out inspection with management; the pre-move out inspection is where the resident has the opportunity to review with management any cleaning and or maintenance concerns.
2. If you have any questions concerning cleaning or cleaning costs that may be assessed, call the rental office for additional information (or refer to your cleaning instruction checklist).
3. Please leave apartment in original condition excluding normal wear and tear.
4. Make an appointment with the rental office to inspect the apartment after you vacate and the apartment is cleaned. Residents WILL BE charged for cleaning and/or damages.
5. Turn in all keys at the time you vacate. Charges will apply for all keys not turned in and/or lock changes if necessary.
6. A forwarding address must be left with the rental office.
7. Your deposit, plus applicable interest, will be returned within 21 days of vacating the apartment. If the deposit is not to be returned, a written notice of why the deposit is not being returned will be received within 21 days of vacating the apartment.
8. If there is money due at the time of moving out; the resident needs to contact the rental office and make payment arrangements to avoid being turned over to the collection agency.
9. You must vacate by 12:00 Noon.

Renters Insurance

We cannot stress enough the importance of having renter's insurance to cover your personal belongings, household goods, the safety of your family and all guests and your own liability. Your lease provides that the owner does not cover personal loss of individuals' personal belongings or injury. Most insurance companies have renter's insurance at a very reasonable rate. WE STRONGLY RECOMMEND THAT YOU PURCHASE THIS PROTECTION.
-As a precaution, you may want to prepare a record of personal items (i.e. TV, computer, etc.) noting serial numbers, models and descriptions.

Telephone & Telephone Numbers

Each apartment is pre-wired for telephone installation. If you wish to have a telephone, you must make your own arrangements and are responsible for the bill which must be carried in your name. When you get your new telephone number, please let the office know what it is. To protect your privacy the staff will not give out your name or telephone number.

Security

YOU ARE YOUR OWN SECURITY. Keep all doors locked at all times. Should you observe anyone of a suspicious nature about the community, contact the police and the rental office. Some communities have controlled access; controlled means residents control who has access to the building. Do not buzz anyone into the building that you do not know and do not block open the entry doors for any period of time.

No soliciting will be allowed in the building.

If you notice any soliciting, please notify the office. Advertisement is not allowed to be posted anywhere in the building, common areas or grounds.

General Information (cont.)

Peaceful Enjoyment

As a resident; you are entitled to the peaceful enjoyment of your apartment home. At all times, please conduct your activities in and about the building, including your apartment in a manner that does not interfere with the rights, comfort, or convenience of your neighbors. No musical instruments, radios, televisions or stereos should be operated in a manner that is disturbing or annoying to others. You are responsible for your household members and/or guests.

Stereo Equipment / Surround Sound / Computers

You are required to respect the rights of your neighbors to privacy and quiet, just as they are required to respect yours. Your stereo equipment can cause sound problems for your neighbors. Please follow these helpful hints:

1. Always keep the volume at a low to medium level.
2. Always be mindful of the base settings.
3. Always place speakers on a piece of foam or Styrofoam. This helps keep the frequencies from transmitting through the floor.
4. Speakers should never be attached or set next to the wall. Make sure your speakers are always at least 3" from a wall.

Resident Complaint Procedure

The procedure to follow if you are having a problem is to contact the resident manager. If the problem you are having relates to a neighbor; you may attempt to solve the problem yourself or if you are uncomfortable with doing so you may contact the rental office. We will need your complaint in writing, signed and dated as to specifically what the problem is. This should be done in all instances of lodging complaints so that we have them for our records. Please refer to the Chain-of-Command Policy on the last page of this handbook

Vacation Check List

Before going on vacation, contact the office about your scheduled departure and return. In doing so, the management may be alerted to any unauthorized activity concerning your apartment. Please leave us with a number where you can be contacted in case of emergency.

Activity on Property

No one may play or loiter in hallways, common areas, parking lots or garages. Bike riding, rollerblading and skateboarding are not allowed in the buildings or in the parking lots. All minors are to be supervised at all times. You are responsible for your household members and their guests. If you are leaving your minors under the supervision of another adult, please choose carefully as you are still responsible for their actions while you are away.

School Bus Stop

All minors are to be supervised at all times; this includes at the bus stop. If you have any concerns about activities at the bus stop, you need to contact the school district to have them addressed.

Guests

Friends and relatives are welcome to visit you at any time. Only those persons listed on your rental lease may live in your home permanently. If a guest is staying longer than 1 night, you are required to notify the rental office in writing prior to their arrival. Overnight guests are allowed to visit for 7 consecutive days and no more than 14-days in one year. Anyone wanting to stay longer than the 7-days needs to fill out a rental application, be approved and added to the rental lease.

No Trespass

Management reserves the right to No Trespass anyone that hinders the right of peaceful enjoyment, health and/or safety of any tenant, staff and/or the property.

Pets

No pets or animals of any kind shall be allowed on the property either temporarily or permanently without prior written permission from management. VISITOR'S PETS ARE NOT ALLOWED in the building or on the property. Management complies with Fair Housing Reasonable Requests and the need for Companion/Service Animals.

Window Coverings

Mini-blinds, curtains or drapes that have been pre-approved are the only types of window coverings that are allowed.

General Information (cont.)

Sheets, blankets, flags, tin foil and all other items are not allowed. If a resident refuses to remove such items the staff will remove them and fees will be assessed. Damaged blinds will be replaced at the resident's expense. This expense is a minimum of $75.

Patios & Balconies

Patios and balconies may not be used as storage, clothes drying areas or temporary storage of garbage and /or recyclables. Patio furniture and potted plants are allowed on patios and balconies. BBQ grills of any type are not allowed. Animals and/or birds are not to be fed from patios or balconies. This means bird and/or animal feeders are not allowed. Residents are responsible for keeping their leased space clean and free from snow. The management reserves the right to request you to remove anything from your balcony or patio and store it elsewhere. If residents are smoking on their balcony or patio they are required to have an ashtray; if management has to pick up cigarette butts around your patio fees of $5 per cigarette butt will be assessed. Please refer to the Townhomes Exterior Responsibilities form or Patio & Balcony Responsibilities form.

Holiday Decorating

We appreciate residents tastefully decorating for holidays but decorations need to be removed within 14-days following the holiday. Management does not recommend having live Christmas Trees and/or Wreaths due to the potential fire risk. If you choose to have a live Christmas Tree and/or Wreath, you are responsible for proper disposal and clean-up inside and outside your dwelling.

Satellite Dishes

Residents are required to contact management and fill out a satellite dish addendum prior to installing a satellite dish. Dishes are not allowed on the roofs -- they must be contained in their leased space and they cannot alter the building structure.

Maintenance Information

Emergencies

A real emergency exists when the following occurs:

1. Flooding caused by a plumbing or weather-related issue.
2. Lack of heat during winter months.
3. No water in the apartment.
4. No air conditioning in the summer months if the temperature is more than 85 degrees and if a medical reason exists.
5. When a burglary, vandalism, or other serious disturbance occurs (contact the police first).
6. Back-up of sewer line.
7. Serious electrical failures or short circuits.
8. Appliances
   If the entire range and oven are not working.
   If the refrigerator is not cooling and a loss of food is possible.
9. If a window or door is broken and exposed to the outside of the building.
10. If an apartment door will not lock from the interior.
11. Management will enter your apartment without notice when an emergency occurs.

Emergencies such as these are to be brought to the immediate attention of the resident manager or caretaker. In a case that you are unable to make live contact with an on-site staff member, the emergency phone number after hours is (651) 464-5700 select option 2. During business hours call (651) 464-5700.

Non-Emergencies

Regular non-emergency maintenance requests need to be submitted to the resident manager in writing (verbal). When you submit a service request you are requesting and granting us permission to enter your apartment and complete the repair. All repairs are to be done during regular business hours. In general, the up-keep of your home is your responsibility; while repairs to the building and equipment are management's responsibility.

Maintenance Information (cont.)

Repairs will be submitted by the resident manager. Due to the large number of residents that we service and emergencies; we are unable to specify exact time or dates for when the repair will be completed. We do not wish our residents to live with any inconveniences due to a maintenance work order and will do our best to handle them as promptly as possible. **As stated in the rental lease and as defined in this addendum to the Rental Lease, you are requesting and granting management permission to enter your apartment to repair non-emergency items when you submit a work order.**

Electrical System

A circuit breaker controls each electrical circuit for your apartment. If an appliance or lamp fails, take these steps:

1. Disconnect the appliance or lamp.
2. Inspect the circuit breakers in the breaker box in your entry hallway.
3. Push the breaker handle towards "off" as far as it will go, and than push to the "on" side.

If this does not restore the service, call the resident manager. It is the resident's responsibility to keep the utilities current.

Management does not recommend the use of extension cords. Extension cords are considered a fire hazard. Extension cords, cable cords, phone lines, etc. are considered a trip hazard if not properly secured according to local and city codes.

Keys

Each lease holder will be issued keys for their residence. Only lease holders are to have keys for your apartment. If you lose your keys we will replace them for a fee, please contact the rental office for replacement prices. No extra keys can be provided as a convenience to relatives or friends as multiple keys increase security risks for Residents.

Locks

Changing your own door locks is **not** permitted. If you wish to have your door lock changed, contact the rental office and maintenance will change them for a fee. Security locks and devices must have prior written approval of management before they are installed.

Lockouts

If you are locked out of your home during office hours you may borrow a key. UNDER NO CIRCUMSTANCES WILL KEYS BE GIVEN OUT TO MINORS OR GUESTS. If the office is closed you can call the caretaker or manager. All fees will be charged accordingly.

Fire Alarms & Smoke Detectors

1. In the case of a fire, the fire alarms will sound. If you hear the alarms, assume there is a fire and evacuate the building immediately. Know and practice the exit route you should take in case of a fire.
2. Each apartment has its own smoke detector. This will sound an alarm if there is smoke in your apartment, but it will to sound the building alarm. If you have a fire in your apartment, leave your apartment immediately and pull down any red alarm box found throughout the building and then evacuate the building.
3. Please instruct your guests in escape procedures and how to get emergency help.

Severe Weather Warnings

In the event of severe weather, it is recommended that you take shelter on the first floor center hallway. The City will sound a siren in the event of such an emergency.

Air Conditioners

These units should be in proper working order at all times. Never run your air conditioner on number "7" or above for longer than 30 minutes at a time as this is the fastest way to burn out the motor compressor. You should clean your air conditioner filter and rinse it in warm water and a mild soap solution, pat dry with paper towels, put it back in and put the front cover back on. This process should be done regularly.

It is recommended that you leave the air conditioner on #4 or #5; keep the blinds closed and run the ceiling fans to circulate the air. There is no such thing as a quick cool down it will only freeze the compressor, allow the air conditioner time to do its job.

General Information (cont.)

Appliances

1. DISHWASHER:
To operate the dishwasher, turn the lever in the front to the right locking the door in place. Then turn the dial on the right to either normal wash or light wash, depending on the extent of cleaning needed. The drying cycle may also be regulated by turning the switch on the left to hot or cool dry. Be sure to use dishwasher soap only. The food trap located at the bottom of the dishwasher needs to cleaned of debris regularly; any amount of food buildup can affect cleanliness.

2. STOVES:
Clean the surface units on your range regularly. If something spills while baking in the oven, clean it as soon as possible.

To avoid build up, it is recommended to wipe the stove top after every use. It is also recommended that you clean the burner rings, drip pans and under the drip pans regularly. Do not line the drip pans or the bottom of the stove with aluminum foil. Always make sure that you are using the appropriate size pans when cooking; pans that are too large for the burner will burn the stove top and cause malfunctioning of the burner.

The oven door must have a tight seal; dirty ovens can alter how a door seals. It is recommended that you clean the oven regularly to ensure a tight seal. If you notice that your oven door is not sealing completely, submit a work order.

Any of the above items may cause the smoke detector to go off. Under no circumstances are smoke detectors to be removed.

3. SELF-DEFROSTING REFRIGERATOR/FREEZER:
For normal use set the dial inside the refrigerator to "5". Set the freezer control to "3". You may wish to adjust these settings if a cooler or warmer setting is desired. To clean the inside of the refrigerator, use warm, soapy water and a soft cloth. The shelves and drawers are removable for easier cleaning. The freezer is self-defrosting, but in case of a spill, you may wipe the surface with a warm wet cloth.

4. GARBAGE DISPOSAL:
The garbage disposal is intended for food disposal only. Do not pour grease, coffee grounds or put other items in the disposal that you would not put down the drain. Always run cold water when the disposal is on. To clean and sharpen the disposal blades, run a few ice cubes through the disposal every so often. If you start to notice a faint odor coming from your garbage disposal, try running fruit peels through the disposal.

Before submitting a work order for a non-functioning garbage disposal, try the reset button on the disposal.
You as the resident will be held responsible for the cost of repairing any appliance that is damaged due to abuse or wrongful use within your apartment.

Countertops

Please do not use your countertops as cutting boards, hot plates or ashtrays. Damage to these surfaces can be very costly to you. Spills should be wiped so they do not stain the surface.

Floors

Most kitchen / bathroom floors are linoleum, some are tile and grout. Wash them regularly with warm water and any mild soap or detergent. Use as little water as possible and mop dry.

Bathtubs

Tubs and showers that are fiberglass must be cleaned with non-abrasive cleaners only. Use of abrasive cleaners can ruin the finish of tubs and showers; you will be responsible for damages. Tub surrounds that are tile and grout should be cleaned regularly to prevent any type of build-up on the tile or grout (Soft Scrub). The caulking needs to be regularly cleaned with bleach. Please make sure the shower curtain is completely inside the tub to prevent water on the floor, etc.

Mold & Mildew Prevention and Precautions

Reducing moisture and proper housekeeping significantly reduces the chance of mold or mildew growth. Mold, Mildew and Fungi are common elements found throughout the indoor and outdoor environment. It is the responsibility of every

Maintenance Information (cont.)

resident to maintain the unit so as to provide appropriate climate control, and cleanliness standards, so as to retard and prevent mold and mildew from accumulating in the unit.

CLIMATE CONTROL: Residents(s) agree to use all air-conditioning in a reasonable manner, and to use heating systems in moderation. Resident(s) further agree to keep the premises properly ventilated by periodically opening windows during dry weather only, to allow circulation of fresh air.

RESIDENT(S) AGREE TO:

- Keep the premises clean and regularly dusted, vacuumed and mopped
- Use hood vents when cooking, cleaning and dishwashing
- Keep closet doors ajar to allow for proper circulation
- Avoid excessive amounts of indoor plants
- Use exhaust fans when bathing/showering and leave the fan on for an additional hour afterward to remove moisture
- Use ceiling fans, if present
- Water all indoor plants outdoors
- Wipe down any moisture and/or spillage
- Wipe down bathroom walls and fixtures after bathing and showering
- Hang shower curtains within the bathtub when showering
- Leave bathroom and shower curtains open after use
- Use dryer, if present, for wet towels
- Use household cleaners on any hard surfaces
- Remove any moldy or rotting food
- Remove garbage regularly
- Wipe down any and all visible moisture
- Wipe down windows and sills if moisture is present
- Periodically inspect for leaks under sinks
- Regularly empty dehumidifier, if used
- Open blinds/curtains to allow light into premises
- Wipe down floors after any water spillage
- Do not block or cover any heating, ventilation, or air conditioning ducts in the unit

RESIDENT(S) SHALL REPORT IN WRITING:

- Visible or suspected mold or mildew
- All A/C or heating problems or leaks, moisture accumulations, major spillage
- Plant watering overflows
- Musty odors, showers/bath/sink/toilet overflows
- Leaky faucets, plumbing, pet urine accidents
- Discoloration of walls, baseboards, doors, window frames, ceilings
- Moldy clothing
- Refrigerator and A/C drip pan overflows
- Moisture dripping from or around any vents, A/C condenser lines
- Loose, missing or failing grout or caulk around tubs, showers, sinks, faucets, countertops
- Clothes dryer vents leaks
- Any and all excess moisture

SMALL AREAS OF MOLD: If mold has occurred on a small non-porous surface such as ceramic tile, Formica, vinyl flooring, metal, or plastic, and the mold is not due to an ongoing leak or moisture problem, Resident agrees to clean the areas with soap (or detergent) and a small amount of water, let the surface dry, and then within 24 hours apply a non staining cleaner such as Lysol Disinfectant®, Pine-Sol Disinfectant® (original pine-scented), Tilex Mildew Remover®, or Clorox Cleanup®.

TERMINATION OF TENANCY: Owner or agent reserves the right to terminate the tenancy and RESIDENTS(S) agree to vacate the dwelling unit which may pose a safety or health hazard to RESIDENTS(S) or other persons, and/or RESIDENTS(S)' actions or inactions are causing a condition which is conducive to mold growth.

Maintenance Information (cont.)

INPECTIONS: RESIDENT(S) agree that Owner or agent may conduct inspections of the unit at any time, with reasonable notice.

VIOLATION: IF RESIDENT(S) FAIL TO COMPLY, Resident (s) can be held responsible for property damage to the dwelling and any health problems that may result. Noncompliance includes, but is not limited to, Resident(s) failure to notify Owner or Agent of any mold, mildew or moisture problems immediately IN WRITING. Violation shall be deemed a material violation under the terms of the Lease, and owner or agent shall be entitled to exercise all rights and remedies it possesses against RESIDENT(S) at law or in equity and RESIDENT(S) shall be liable to Owner for damages sustained to the Leased Premises. RESIDENT(S) shall hold Owner and agent harmless for damage or injury to person or property as a result of RESIDENT(S) failure to comply.

Closets and Doors

Do not tape, nail, glue or thumb tack any items on interior or exterior door. Overloading of the closets can result in the closet doors going off track.

Walls

1. PICTURE HANGING

Please do not use stick on picture hanging tabs to hang pictures and wall hangings. When removed they rip the top layer of sheet rock off and cause extensive damage. Small nails and nail hanging/picture hanging brackets should be used.

2. REDECORATING YOUR APARTMENT

Painting and wallpapering are not permitted for any resident without prior written approval of management. Adding shelves or changing the physical structure of your apartment is prohibited unless written approval from management has been obtained. You will be responsible for restoring that unit to its original condition upon moving.

Carpet

Your carpet should be vacuumed regularly. If something is spilled in your carpeting you should do the following:

1. With a clean towel, blot up the spill working from the outside of the spill into the middle. This will cut down spreading.
2. If there is a stain, use a mild solution of water and soap. Do not drench area, but dampen with cloth and again work from outside to center.

Pest Control

It is mandatory that all residents assist management in pest control procedures. If your apartment is not ready when the pest control vendor is treating the apartments, you will be required to pay a retreatment fee. Resident is required to comply with all requests for readying the apartment for the treatment which may include emptying cupboards, removing material from under the sinks or vanities, and other request. Residents are required to follow any recommendations or treatment control requests from management or the pest control company.

Cleanliness is the best preventative medicine in controlling pests. Dispose of all garbage and waste. Do not leave food, dirty dishes or soft drink bottles/cans lying around. Do not bring cardboard boxes, crates, or other materials that may have been accessible to pests in your unit. Storage of food items, such as rice, grains or similar materials should only be in plastic or metal sealed containers.

Bedbugs

The entire US is experiencing an increase in bedbug infestations, bedbugs can travel on clothing, backpacks, luggage and laundry. They want your blood. You do not have to have poor hygiene or be unsanitary to be attractive to bedbugs.

High risk activities for bringing in bedbugs can involve retrieving "free" furniture such as bringing in used mattresses, wood headboards, and other used soft furniture, etc. Dumpster diving is strictly prohibited. It is recommended that frequent laundering of bedding, vacuuming, and general vigilance can prevent bedbugs.

Failure to promptly notify management of pests in your unit is a serious violation of your rental lease. Prompt notification

Maintenance Information (cont.)

to management is necessary to prevent pest infestation and to keep pests from spreading. If routine inspections find that a unit has had an ongoing pest problem that is not reported, this may be grounds for lease termination or nonrenewal.

Heating

In most cases, the heat is provided through a hot water baseboard heating system which is included in your rent and controlled by the thermostat in your apartment. It is characteristic of hot water heating systems to occasionally make some noise. Those that have electric baseboard heating will be reflected on your electric bill. All registers should never be obstructed by furniture, drapes and other objects. The leaseholder is responsible for vacuuming out the registers on a regular basis.

Before reporting no heat, please verify that the heat register fins are in the upright position, check the thermostat settings and that all windows and doors are closed.

Each townhome has an individual furnace. The furnace filters need to be replaced twice a year.

Common Areas

Hallways

Your cooperation in keeping the hallways neat, clean and free of personal property will be greatly appreciated. Fire codes prohibit placing any objects in front of the doorways, this includes WELCOME MATS. If you notice any unsafe or unclean conditions in the common areas of the building, please notify management immediately. In accordance with the Minnesota Clean Air act smoking is not permitted in any common area of the building.

*Management reserves the right to remove any items that are deemed an "eye sore" or of an offensive nature.

Laundry Room

The laundry room hours are posted. The laundry room is provided as a convenience to you. The following rules have been established for efficient operation of the laundry room facilities:

1. No smoking.
2. Do not overload either the washer or dryer.
3. Do not use the washers to tint or dye clothing.
4. Wipe excess soap from washers and leave the cover open when you are finished.
5. Leave the dryer door open slightly when you are finished.
6. Check the dryer lint filter before you dry your clothes and remember to clean it out after you are done drying.
7. Garbage cans are provided for disposal of lint and dryer sheets only.
8. If you lose money in the machines leave an out-of-order sign on the machine and call the office.
9. Do not use foreign coins.
9. Do not move the machines due to safety reasons and to prevent gas leaks.
10. The use of laundry facilities is limited to our residents only.
11. We ask that you complete your laundry and remove your belongings promptly.
12. Please do not remove other Residents clothing before the machines have finished running.
13. Anything left in the laundry room will be discarded after 24-hours.
14. Minors should not be in the laundry rooms without adult supervision.
15. Management is not responsible for stolen or damaged items.

Portable washers and dryers are not allowed in your apartment without prior written approval from the corporate office.

Trash Removal

PLEASE DO NOT SEND MINORS OUT WITH THE GARBAGE! All garbage and trash must be put into the containers inside the dumpster area. We request for sanitary reasons, that all garbage be bagged. Garbage found lying on the ground or next to the containers, will be gone through, identified and a $50.00 charge added to that resident's next months rent.

Common Area Information (cont.)

Storage Lockers

In accordance with the state fire codes all storage lockers, whether or not anything is stored in them, must be locked. Residents are responsible for providing their own locks. If you fail to do so, staff will lock the locker and you will have to contact them for assistance. Generally storage lockers are available at a "first come, first serve" basis. Storage lockers are not always numbered in accordance with unit numbers.

Flammable liquids, materials or similar items, which would create a danger, are not allowed. Management reserves the right to revoke storage locker use for misuse, neglect, etc.

No food or perishable items are to be stored in the storage locker.

Outdoor Parking and Grounds

Outdoor Parking

Please position your car so the bumper does not extend over the curb and onto the lawn. Residents may park in any outdoor spot that is not assigned or designated "visitor parking". Those who do will be towed at the vehicle owner's expense, this constitutes notice for towing. Please notify all guests of this rule as they are also subject to towing. Guests are to be parking in the overflow parking or on the street. Management is not responsible for any damage caused to any vehicles which have been towed.

1. Motor homes, recreational vehicles, (ATVs, snowmobiles, jet-skis or any other off road vehicles) boats and trailers may not be parked or stored in the parking lot.
2. Semi trucks and/or trailers are not to be parked in the parking lot.
3. Non-working vehicles may not be parked or stored on the property.
4. Maintenance or cleaning of vehicles is prohibited in the parking lots and garages. Residents will be responsible for any damage that is caused by their vehicle.
5. Vehicles with expired tags or that are inoperable will be towed at the owner's expense.
6. Management reserves the right to tow any vehicle that is deemed an eyesore or possible safety hazard.

Tips to protect your vehicle:

1. Keep car doors locked.
2. Never leave your key in the car.
3. Lock your glove compartment if possible.
4. Do not leave money, valuables or any items in your car that a thief might think are valuable.
5. Report any suspicious activities in the parking areas or around the building to the police department.

** Management is not liable for any lost, damaged or stolen property.*

Reserved for Future Resident

Parking spots marked "RESERVED FOR FUTURE RESIDENT" are for visitors of the rental office. Vehicles found parking in these spaces during office hours will be towed.

Garages

Garages are available for an additional charge and priority will be given to those residents who sign an agreement to retain their garage as long as they retain their apartment unit. The following rules apply to all garages.

1. Garage doors are to be kept closed and locked at all times.
2. Storage of flammable items is not permitted. This is a state fire code law.
3. Mechanical work is not permitted in the garages.
4. Food and or perishable items may not be stored in the garage.
5. Garages are intended for vehicle parking only and not storage.
6. Management is not responsible for any damage that may be caused to a vehicle parked in the garage.

** Remember that garage floors can get wet and the wetness could cause damage to items that are left on the floor.*

Outdoor Parking and Grounds (cont.)

Off Road Vehicles

Off Road vehicles are not allowed to be stored and/or operated anywhere on the property.

Snow Removal

When there is a snowfall of 2" inches or more the following guidelines go into effect:

1. The snow removal company will clear a path through the property by 7:00 A.M.

2. The snow removal company will return the next business day after the snow stops to clear the parking lot. (Example: snow stops on Tuesday, the lot is cleared on Wednesday, and it snows on Saturday the lot is cleared on Monday.) All vehicles must be removed from the lot.

This constitutes proper notice for the snow season. If you have any additional questions or do not understand the snow removal policy, please call the rental office.

If your car is towed you may call the rental office for information on who to contact to recover your vehicle. All "snow birds" will be towed at the owner's expense.

Common area sidewalks will be shoveled, salted, etc. by our staff. Please be sure to take care of your rented areas in the same manner. There may be charges assessed if our staff has to maintain your areas of responsibility which are drawn out in the "Townhome Exterior Responsibilities and Patio/Balcony Responsibilities" forms.

Lawn Mowing

Residents are responsible for keeping their area clean of trash and other items. If staff has to remove bikes, toys, furniture, etc. from a residents area prior to mowing, the resident may be assessed a fee. Sidewalks always need to be kept free of bikes, toys, etc.

Fire Works

Fireworks and sparklers are not allowed on the property. The potential fire hazard from errant fireworks is dangerous at anytime.

Pool Rules

The outdoor pool is opened in early June. Pool hours are from 9:00am to 9:00pm.

1. No lifeguard will be on duty -- swim at your own risk.
2. Minors (16 and under)must have a parent or legal guardian with them at all times.
3. Only 2 guests per apartment are allowed.
4. Remember that you are responsible for your guests.
5. Bathing suits must be worn. No cut-offs, street clothes, T-shirts or walking shorts are allowed.
6. Suntan lotions must be washed off before entering the pool.
7. No glass or ALCOHOL is allowed in the pool area.
8. No diving is allowed.
9. Pool pass/key must be present for identification.
10. Management has the right to refuse usage to any resident or their guests that are acting in a loud, inappropriate and/or boisterous manner.

Bar-B-Q/Picnic Areas

Bar-B-Q areas are located throughout the community. Residents must provide their own charcoal and clean the area when they are finished.

Bicycle Racks

Bicycle racks will be provided. No bicycles are allowed to be stored on balconies/patios. The owner of the bicycle is responsible for locking their bicycle.

RESIDENT CHAIN OF COMMAND

Your Property Manager is
Chantelle McCurdy
and can be contacted at
(651) 555-5560 –office

Any issues or concerns are to be presented to your Resident (Site) Manager first.
Lorielle and Jack Rainey
and can be contacted at
(763)566-0754 – office/cell

In the case of an emergency and you are unable to reach the Manager on site, please contact
Gaughan Companies Management at
(651) 464-5700 M-F 8:00 AM – 4:30 PM.

For emergencies after regular business hours, weekends or holidays, please call **(651) 464-5700** & select option #2.

The Landlord Tenants Rights and Responsibilities booklet is available at the Minnesota Attorney Generals office.



AUG 20 2018

Community Development

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

☐ Action Plan—Type III (1 Year)		☒ Mitigation Plan—Type IV (6 Months)	
Property Address:	6813 Grimes Place North Brooklyn Center, MN 55429		
Owner's Name(s):	Victoria Townhomes	Local Agent:	Gaughan Companies
Owner's Address:	56 East Broadway, Suite 200 Forest Lake, MN 55025	Agent Address:	56 E Broadway, Suite 200 Forest Lake, MN 55025
Owner's Phone:	651-464-5700	Agent's Phone:	651-255-5560
Owner's Email:		Agent's Email:	chantellemccurdy@gaughancompanies.com
Current Expiration Date:	5/31/18	Pending Expiration Date:	11/30/18

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property **is required to submit an Action (Type III) or Mitigation Plan (Type IV).** In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.

City of Brooklyn Center—Community Development

www.cityofbrooklyncenter.org

6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 563-3330 | TTY: 711 Fax: (763) 569-3360

BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections A—*Crime Free Housing Program Requirements*

Phase I - Read and check each box.

[X] 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

[X] 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

[X] 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

[X] 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

- [X] Crime Free Housing training is completed
- [ ] Crime Free Housing training is scheduled for _____ (Date)
- [ ] Owner or agent plans to attend training at : _____ (Name of City)

[X] 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

[X] 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

[X] 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

- [X] Security Assessment is completed
- [ ] Security Assessment is scheduled for _____

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III - A.R.M Meeting Requirement

[X] 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

[X] 2) **Registration is not required to attend,** however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

[X] 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: 9/13/18 and 11/8/18

The following actions are required for Multi-Family properties with four (4) or more units.

[X] 1) Conduct resident training annually to include crime prevention techniques.

[X] 2) Conduct regular resident meetings.

BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections B—*Long Term Capital Improvement Plan*

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items **must** have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*

Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace			
Water Heater			
Kitchen Appliances			
Laundry Appliances			
Smoke Alarms/ Carbon Monoxide Alarms			
Exterior Items			
Paint/Siding	2014	F	needs paint-summer of 2018
Windows			
Roof	2013/2014	G	
Garage			
Driveway	2013	G	
Fence			
Sidewalks	2018	R	spring/summer of 2018
Shed	NA		NA

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

Apt	Smoke Alarm & CO Replacement	Estimated Replacement	Fridge Replacement Date	Estimated Replacement	Stove Replacement Date	Estimated Replacement	A/C	Water Heater Replacement Date	Estimated Replacement	Furnace Replacement Date	Estimated Replacement
6740	2014	As Needed	10/20/08	10/20/18	12/27/10	12/27/20	n/a	1/9/12	1/9/19	11/10/98	10/10/2013
6744	2014	As Needed	6/28/04	6/28/14	03/13/2013	3/13/23	n/a	7/13/07	7/13/14	10/20/98	10/20/2013
6748	2014	As Needed	12/16/11	12/16/21	12/10/04	12/10/14	n/a	1/10/06	1/10/13	10/16/99	10/16/2015
6751	2014	As Needed	7/17/11	7/17/21	8/1/14	8/1/24	n/a	2/28/06	2/28/13	2/18/06	2/18/2021
6752	2014	As Needed	7/27/14	7/27/20	7/27/14	7/24/25	n/a	4/21/06	4/21/13	4/16/99	4/16/2016
6755	2014	As Needed	2/7/04	2/7/14	9/14/05	9/14/15	n/a	8/18/05	8/18/15	3/20/00	3/20/2016
6756	2014	As Needed	1/29/10	1/29/20	7/15/04	7/15/14	n/a	10/21/07	10/21/14	2/14/00	2/14/2016
6759	2014	As Needed	4//27/11	4/27/21	12/18/11	12/18/21	n/a	11/17/06	11/17/13	3/12/01	3/12/2016
6760	2014	As Needed	11/10/06	10/10/16	7/23/12	7/23/22	n/a	11/17/08	11/17/15	4/17/04	4/17/2019
6763	2014	As Needed	2/7/04	2/7/14	8/16/04	8/16/14	n/a	12/15/06	12/15/13	3/3/99	3/3/2014
6764	2014	As Needed	7/16/10	7/16/20	11/7/08	11/7/18	n/a	12/16/11	12/16/18	11/1/11	11/1/2026
6767	2014	As Needed	7/17/10	7/17/20	3/12/05	3/12/15	n/a	10/10/07	10/10/14	2/3/98	2/3/2013
6768	2014	As Needed	3/17/04	3/17/14	10/31/08	10/31/18	n/a	12/10/06	12/10/21	1/11/01	1/11/2016
6771	2014	As Needed	6/17/11	6/17/21	7/15/05	7/15/15	n/a	8/15/10	8/15/17	12/14/99	12/14/2013
6772	2014	As Needed	3/17/04	3/17/14	6/1/11	6/1/21	n/a	3/17/06	3/17/13	11/26/02	11/26/2017
6775	2014	As Needed	11/10/06	11/10/16	4/10/15	4/10/25	n/a	4/14/07	4/14/14	10/30/03	10/30/2018
6776	2014	As Needed	1/10/14	1/10/24	1/10/14	1/10/24	n/a	12/12/11	12/12/18	10/4/00	10/4/2015
6779	2014	As Needed	2/10/15	2/10/25	2/10/15	2/10/25	n/a	12/16/12	12/16/19	11/1/11	11/1/2026
6780	2014	As Needed	4/8/13	4/8/21	9/12/06	9/12/16	n/a	8/5/06	8/5/13	4/4/99	4/4/2016
6783	2014	As Needed	8/16/09	8/16/19	9/20/05	9/20/15	n/a	6/23/10	6/23/17	2/10/98	2/10/2016
6784	2014	As Needed	12/28/11	12/28/21	8/5/05	8/5/15	n/a	6/6/08	6/6/15	11/7/00	11/7/2015
6800	2014	As Needed	3/23/07	3/23/17	3/25/08	3/25/18	n/a	9/9/05	9/9/15	3/3/01	3/3/2016
6801	2014	As Needed	11/7/08	11/7/18	11/7/08	11/7/18	n/a	7/21/06	7/21/13	1/11/03	1/11/2018
6804	2014	As Needed	8/18/04	8/18/14	2/4/10	2/4/20	n/a	3/9/09	3/9/16	2/20/98	2/20/2016
6805	2014	As Needed	1/4/05	1/4/15	4/10/08	4/10/18	n/a	12/16/11	12/16/18	3/18/00	3/18/2016
6808	2014	As Needed	1/5/08	2/25/18	4/1/05	4/1/15	n/a	2/9/11	2/9/21	3/4/98	11/3/2019
6809	2014	As Needed	12/17/10	12/17/20	12/27/10	12/27/20	n/a	9/14/06	9/14/16	1/17/99	1/17/2016
6812	2014	As Needed	~~1/28/12~~ 3/17	~~1/28/22~~	~~12/6/05~~ 3/17	~~12/6/15~~	n/a	4/8/06	4/8/13	4/27/03	4/27/2018
6816	2014	As Needed	1/5/05	1/5/15	11/7/04	11/7/14	n/a	12/21/11	12/21/18	4/16/01	4/16/2016
6817	2014	As Needed	3/11/11	3/11/21	3/11/11	3/11/21	n/a	3/11/11	3/11/18	3/11/11	3/11/2026
6820	2014	As Needed	3/21/04	3/21/04	11/29/07	11/29/17	n/a	1/12/07	1/12/14	12/6/07	12/6/2022
6821	2014	As Needed	3/25/11	3/25/21	3/25/11	3/25/21	n/a	2/21/07	2/21/17	12/20/01	12/20/2016
6825	2014	As Needed	9/20/04	9/20/14	4/3/05	4/3/15	n/a	3/13/07	3/13/17	10/19/99	10/19/2014
6829	2014	As Needed	9/10/07	9/10/17	1/9/12	1/9/22	n/a	10/30/07	10/30/17	11/17/01	11/17/2016
6833	2014	As Needed	3/15/15	3/15/25	3/15/15	3/15/25	n/a	4/14/06	4/14/16	12/28/99	12/28/2016
6837	2014	As Needed	9/20/05	9/20/15	9/20/05	9/20/15	n/a	11/23/07	11/23/14	11/27/98	11/27/2022
6840	2014	As Needed	10/20/11	10/20/21	6/30/10	6/30/20	n/a	8/17/10	8/17/17	4/10/01	4/10/2016
6841	2014	As Needed	11/30/04	11/30/14	6/6/05	6/6/15	n/a	11/21/04	11/21/14	2/2/00	2/2/2015
6844	2014	As Needed	12/7/04	12/7/14	4/1/05	4/1/15	n/a	11/20/05	11/20/15	5/14/14	5/14/2021
6845	2014	As Needed	6/1/11	6/1/21	11/1/11	11/1/21	n/a	3/17/09	3/17/16	5/14/14	5/14/2021
6848	2014	As Needed	6/1/11	6/1/21	11/1/11	11/1/21	n/a	12/14/06	12/14/16	4/4/01	4/4/2016
6849	2014	As Needed	1/7/04	1/7/14	10/11/05	10/11/15	n/a	10/20/06	10/20/16	1/10/02	1/10/2017
6852	2014	As Needed	12/28/11	12/28/21	7/25/06	7/25/16	n/a	2/20/07	2/20/17	3/13/00	3/13/2015
6853	2014	As Needed	6/8/08	6/68/18	1/14/05	1/14/15	n/a	3/17/10	3/17/17	3/23/01	3/23/2016
6856	2014	As Needed	4/4/06	4/4/16	12/27/07	12/27/17	n/a	1/13/11	1/13/18	4/19/99	4/19/2016
6857	2014	As Needed	2/2/05	2/2/15	1/14/04	1/14/14	n/a	3/16/05	3/16/15	3/19/98	3/19/2016
6860	2014	As Needed	4/26/05	4/26/15	2/12/05	2/12/15	n/a	6/1/10	6/1/17	4/2/02	4/2/2017
6861	2014	As Needed	7/25/07	7/25/17	7/5/05	7/5/15	n/a	6/23/10	6/23/17	11/5/99	11/5/2016

Apt	Smoke Alarm & CO Replacement	Estimated Replacement	Fridge Replacement Date	Estimated Replacement	Stove Replacement Date	Estimated Replacement	A/C	Water Heater Replacement Date	Estimated Replacement	Furnace Replacement Date	Estimated Replacement

Laundry room equipment was replaced in 2010 and 2011 - to be replaced as needed
The building siding was replaced in 2006 - to be repaired as needed
Parking lot was repairs were completed.
The sidewalks are repaired and replaced as needed
Landscaping was upgraded on 7/2014
6857 & 6861 Kitchen Cabinets replaced 1/2014 and 2/2014
14 Garage Doors were replaced 6/2014
Office Entry System replaced 4/2014
Upgraded Shop Heater 1/2014
Security Lighting repairs were completed on 8/27/2012 and 9/6/2012

BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- [X] 1) Check-in with tenants every 30-days.
- [X] 2) Drive by property to check for possible code violations.
- [X] 3) Evict tenants in violation of the lease or any addendums.
- [X] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [X] 5) Have no repeat code violations previously documented with the past year.
- [X] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

The following actions are optional unless required by the City.

- [X] 1) Provide lawn/snow service.
- [X] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.
  Name of service company: _____
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.

City of Brooklyn Center—Community Development
www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 563-3330 | TTY: 711 Fax: (763) 569-3360

BROOKLYN CENTER AT THE CENTER

Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Chantelle McCurdy - Sr Property Manager

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

8/17/18

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

8/23/2018

Date

Community Development

8/24/18

Date

City of Brooklyn Center—Community Development
www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 563-3330 | TTY: 711 Fax: (763) 569-3360

Community Development

Monthly Report

The monthly report activity should reflect the previous month, not the month that the report is due. For example, January's report will reflect the actions taken in December. **Monthly Report are due by the 10th day of each month.** Reports can be submitted by electronically, mail, or fax. For an electronic submission, reports can be found at www.cityofbrooklyncenter.org/monthly-report

Reporting Month: August 2018

Property Address: 6813 Grimes Place No
Brooklyn Center, MN

Owner/Agent Name(s): Chantelle McCurdy

Owner/Agent Phone: 651-255-5560

Owner/Agent Email: chantellemccurdy@gaughancompanies.com

1) Two (2) property drive-by inspections were completed on: 8/6/18 and 8/29/18

2) The following was seen during the property drive-bys: trash is still being dumped in trash enclosures from none residents Property trash is being kept upon. Weeds are being pulled from parking lots and flower beds

3) Tenant check-in / contact was completed on: ongoing. We are making attempts.

4) Tenant/Landlord trainings, classes, and/or courses were completed on: _____

5) The following items were reported by the tenant and repaired this month: toilet clogs, AC units not cooling, Fridge isnt cooling.

6) Number of police calls to property this month: 8

7) Police calls were followed up on: 9/5/18, _____, _____, and _____

8) A rental property pre-inspection was conducted on: 9/6/18. Repairs that were commonly found and made were: items such as items blocking fire exits, damaged thresholds, screens, burners not operating, etc.

The following actions are required for Multi-family properties with four (4) or more units.

1) Annual training to discuss crime prevention was completed on/is scheduled on (month): August

Number of residents that attended the meeting: 0

1) Resident meetings are conducted on (month): August

Number of residents that attended the meeting: 0

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Housing and Redevelopment Authority
City Hall Council Chambers
September 24, 2018

AGENDA

1. Call to Order

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet, including HRA (Housing and Redevelopment Authority), is available to the public. The packet ring binder is located at the podium.

2. Roll Call

3. Approval of Agenda and Consent Agenda

The following items are considered to be routine by the Housing and Redevelopment Authority (HRA) and will been acted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from the consent agenda and considered at the end of Commission Consideration Items.

a. Approval of Minutes

- It is recommended to approve the minutes.

4. Commission Consideration Items

a. Resolution Adopting the Proposed Budget and Establishing a Preliminary Property Tax Levy Payable in 2019 for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota and Resolution Approving the Preliminary Budget for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota Pursuant to Minnesota Statutes Chapter 469

- Motion to Approve Resolution Adopting the Proposed Budget and Establishing a Preliminary Property Tax Levy Payable in 2019 for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota

5. Adjournment

HOUSING AND REDEVELOPMENT
ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- It is recommended to approve the minutes.

Background:

Strategic Priorities and Values: Operational Excellence

MINUTES OF THE PROCEEDINGS OF THE
HOUSING AND REDEVELOPMENT AUTHORITY
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF
HENNEPIN AND THE STATE OF MINNESOTA

SPECIAL SESSION
DECEMBER 4, 2017
CITY HALL – COUNCIL CHAMBERS

1. CALL TO ORDER

The Housing and Redevelopment Authority of Brooklyn Center (HRA) met in Special Session called to order by Chair Tim Willson at 7:42 p.m.

2. ROLL CALL

Chair Tim Willson and Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were Executive Director Curt Boganey, Finance Director Nate Reinhardt, and Deputy City Clerk Rozlyn Tousignant.

3. APPROVAL OF AGENDA AND CONSENT AGENDA

Commissioner Butler moved and Commissioner Graves seconded approval of the Agenda and Consent Agenda, and the following item was approved:

Motion passed unanimously.

3a. APPROVAL OF MINUTES

1. September 25, 2017 – Special Session

Motion passed unanimously.

4. COMMISSION CONSIDERATION ITEMS

4a. FINAL MARKET VALUE LEVY AND BUDGET RESOLUTIONS

1. RESOLUTION ESTABLISHING A PROPERTY TAX LEVY FOR THE PURPOSE OF DEFRAYING THE COST OF OPERATION, PROVIDING INFORMATIONAL SERVICES AND RELOCATION ASSISTANCE PURSUANT TO THE PROVISIONS OF MINNESOTA STATUTES CHAPTER 469.033 FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA, FOR FISCAL YEAR 2018

Commissioner Ryan moved and Commissioner Graves seconded to adopt RESOLUTION NO. 2017-03 Establishing a Property Tax Levy for the Purpose of Defraying the Cost of Operation, Providing Informational Services and Relocation Assistance Pursuant to the Provisions of Minnesota Statutes Chapter 469.033 for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota, for Fiscal Year 2018

Motion passed unanimously.

2. RESOLUTION APPROVING THE FINAL BUDGET FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA, PURSUANT TO MINNESOTA STATUTES CHAPTER 469

Commissioner Graves moved and Commissioner Ryan seconded to adopt RESOLUTION NO. 2016-04 Approving the Final Budget for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota, Pursuant to Minnesota Statutes Chapter 469

Motion passed unanimously.

5. ADJOURNMENT

Commissioner Graves moved and Commissioner Butler seconded to adjourn the Housing and Redevelopment Authority meeting at 7:47 p.m.

Motion passed unanimously.

HOUSING AND REDEVELOPMENT
ITEM MEMORANDUM

DATE: 9/24/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Nate Reinhardt, Finance Director

SUBJECT: Resolution Adopting the Proposed Budget and Establishing a Preliminary Property Tax Levy Payable in 2019 for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota and Resolution Approving the Preliminary Budget for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota Pursuant to Minnesota Statutes Chapter 469

Requested Council Action:

##RCA##

Background:

The HRA property tax is calculated by determining 0.0185% of the taxable market value of the City. This calculation is the maximum established under Minnesota Statutes 469.033.

For 2019, the proposed levy of $380,098 is a $34,120 (9.86%) increase over the 2018 amount. The increase is a result of the increase in total taxable market value of the City. All proceeds from this property tax levy are transferred to the Economic Development Authority of the City of Brooklyn Center.

Budget Issues:

The proposed 2019 HRA levy will provide funding for housing and economic activities within the City of Brooklyn Center.

Strategic Priorities and Values:

Resident Economic Stability, Targeted Redevelopment

Commissioner introduced the following resolution and moved its adoption:

HRA RESOLUTION NO._____

RESOLUTION ADOPTING THE PROPOSED BUDGET AND ESTABLISHING A PRELIMINARY PROPERTY TAX LEVY PAYABLE IN 2019 FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA

WHEREAS, the Housing and Redevelopment Authority of Brooklyn Center, Minnesota pursuant to the provisions of Minnesota Statutes Chapter 469.033 has the power to levy and collect taxes

WHEREAS, Minnesota Statutes require that the preliminary property tax levy be provided to the Hennepin County Auditor no later than September 30, 2018 for taxes payable in calendar year 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Authority of Brooklyn Center, Minnesota that a special tax is hereby levied on all taxable real and personal property within the City of Brooklyn Center at the rate of 0.0185% of the total market value of real and personal property situated within the corporate limits of the City of Brooklyn Center that is not exempted by law.

BE IT FURTHER RESOLVED that the property tax levied under this resolution be used for the operations and activities of the Housing and Redevelopment Authority of Brooklyn Center, Minnesota pursuant to Minnesota Statutes Chapter 469.001 to 469.047.

September 24, 2018 _____
Date Chair

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Commissioner introduced the following resolution and moved its adoption:

HRA RESOLUTION NO._____

RESOLUTION APPROVING THE PRELIMINARY BUDGET FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA PURSUANT TO MINNESOTA STATUTES CHAPTER 469

WHEREAS, the Housing and Redevelopment Authority of Brooklyn Center, Minnesota has considered the preliminary budget for Fiscal Year 2019.

NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Authority of Brooklyn Center, Minnesota that revenues and appropriations for the Housing and Redevelopment Authority are hereby adopted as follows:

Housing and Redevelopment Authority

Revenues	
Property Taxes	$ 380,098
Total Housing and Redevelopment Authority	$ 380,098
Appropriations	
Transfer to EDA Fund	$ 380,098
Total Housing and Redevelopment Authority	$ 380,098

September 24, 2018 _____
Date

_____
Chair

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Council/EDA Work Session
City Hall Council Chambers
September 24, 2018

AGENDA

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

ACTIVE DISCUSSION ITEMS

1. City of Brooklyn Center T-21 Issue Response
2. Art Contest Judging

PENDING LIST FOR FUTURE WORK SESSIONS

1. Future Ongoing Items
    - Cities United Membership
    - ADA Transition Plan
    - Liquor/Public Dance Ordinance - October
    - Livable Wages
    - Semi Truck Parking Ordinance
    - Transient Accommodations - October
    - East Brook Estates - October 8

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/24/2018

TO: Curt Boganey, City Manager

FROM: Reggie Edwards, Deputy City Manager

SUBJECT: City of Brooklyn Center T-21 Issue Response

Recommendation:

It is recommended that the City Council consider providing direction to staff regarding amendment of City Ordinance # _____, Chapter 23, Tobacco and Tobacco Related Products.

Background:

In 2017, the Council adopt a new strategic plan and priorities for the years 2018 - 2020. Two related strategic priorities adopted by the Council were "Safe, Secure, Stable Community" and "Resident Economic Stability." The deliberation of the issue of "the use of tobacco by youth" is a health, safety and economic issue.

On Monday, May 10, 2018, the Brooklyn Youth Council and the Hennepin County Public Health Department presented the City Council with a report and recommendations regarding the issue of T-21 tobacco in Brooklyn Center.

On Monday, August 27, 2018, the City Council heard a presentation from staff regarding possible options to address the issue regarding the use of tobacco by youth in the City of Brooklyn Center. Staff presented the options listed below, for which Council subsequently provided direction for each option. The options presented and direction of each individual option are as follows:

<u>Options in Response to Brooklyn Youth Council:</u>

1. Restrict the sales of flavored tobacco products to tobacco shops that restrict minors
   Council's direction – No consensus, but consensus of restricting the sale of all electronic cigarettes and vaping products to adult tobacco shops
2. Increase the cost of tobacco products **Council's direction** – No consensus
3. Restrict the proximity of new tobacco retailers to within 1,00 ft. of schools, parks community centers, and libraries **Council's direction** – No consensus
4. Reduce the number of tobacco retailers to 15 retail stores **Council's direction** - Consensus
5. Raise the minimum legal sales age to 21 **Council's direction** - Consensus
6. Increase tobacco retail compliance requirements and penalties for violation **Council's direction** - No consensus on additional compliance checks, but consensus on retail training of staff, and increase application and penalty fees

<u>Additional Options developed by staff:</u>

A. Partner with the schools in Brooklyn Center, Hennepin County, and the Brooklyn Youth Council to develop and fund a program to address peer pressure and stress **Council's direction** – Consensus, bring back

with detail plan prior to funding a program

B. Establish continued city/local research and benchmarking of for behavior trends and changes of behavior of the use of tobacco by youth in Brooklyn Center
   Council's direction – Consensus, with the caveat that staff bring back with detail plan prior to funding a program
C. Partner with other cities to seek statewide legislation to raise the age limit of the sale of tobacco related products from 18 to 21 years of age
   Council's direction - Consensus

Based upon the direction set forth by the Council staff drafted an amendment City Ordinance # _____, Chapter 23, Tobacco and Tobacco Related Products, which is attached. The Council will also find an attached modified time schedule that outlines the process and when the amended Ordinance would go in affect, pending Council approval.

Policy Issues:

Is there a consensus among the Council with regard to the recap of Council's previous deliberation, the direction and intent outlined in the draft amended ordinance City Ordinance # _____, Chapter 23, Tobacco and Tobacco Related Products, and with the schedule outlined for amending the said ordinance.

Strategic Priorities and Values:

Safe, Secure, Stable Community

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____, 2018, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance related to tobacco and tobacco related devices.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please notify the City Clerk at 763-569-3306 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 23 OF THE CITY CODE OF ORDINANCES REGARDING TOBACCO AND TOBACCO RELATED PRODUCTS

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Legislative Findings. The City Council of the City of Brooklyn Center hereby finds as follows:

1. The City of Brooklyn Center ("City") recognizes that tobacco use has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; this ordinance is intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, and to protect minors and young adults against the serious effects associated with use and initiation.

2. The City also recognizes that the use of tobacco products has devastating health and economic consequences. Tobacco use is the foremost preventable cause of premature death in America. It causes half a million deaths annually and has been responsible for 20.8 million premature deaths in the U.S. over the past 50 years since the first Surgeon General's report on smoking in 1964. This leads to more than $300 billion in health care and lost worker productivity costs each year. In Minnesota, smoking was responsible for $3.19 billion in excess medical expenditures and the deaths of 6,312 individuals in 2014.

3. The City further recognizes that young people are particularly susceptible to the addictive properties of tobacco products, and are particularly likely to become lifelong users. An estimated 5.6 million youth aged 0 to 17 are projected to die prematurely from a tobacco-related illness if prevalence rates do not change. National data show that about 95 percent of adult smokers begin smoking before they turn 21. The ages of 18 to 21 are a critical period when many smokers move from experimental smoking to regular, daily use. Electronic delivery device use among minors has recently tripled and is shown to be on the rise among youth. Young minds are particularly susceptible to the addictive

properties of nicotine. As a result, approximately 3 out of 4 teen smokers end up smoking into adulthood.

4. In 2015, the Institute of Medicine concluded that raising the minimum legal sales age for tobacco products nationwide will reduce tobacco initiation, particularly among adolescents aged 15 to 17, improve health across the lifespan, and save lives; and that raising the minimum legal sales age for tobacco products nationwide to 21 would, over time, lead to a 12 percent decrease in smoking prevalence. The Institute of Medicine also predicts that raising the minimum legal sales age for tobacco products nationwide to 21 would result in 223,000 fewer premature deaths, 50,000 fewer deaths from lung cancer, and 4.2 million fewer years of life lost for those born between 2000 and 2019, and would result in near immediate reductions in preterm birth, low birth weight, and sudden infant death syndrome.

5. Cigar and pipe smokers are more than twice as likely to have decreased lung function compared to non-smokers. Cigar and pipe smokers who also smoke cigarettes may triple their risk of decreased lung function.

6. Scientific evidence on the toxicity of secondhand tobacco smoke is both overwhelming and indisputable. The complex mixture of gases and particles that make up secondhand smoke (also known as environmental tobacco smoke) contains at least 250 chemicals known to be lethal, including more than 50 that can cause cancer. Medical authorities from around the world have concluded that secondhand smoke exposure causes heart disease, stroke, respiratory disease and lung cancer, has immediate adverse effects on the cardiovascular system, and causes sudden infant death syndrome, acute respiratory infections, ear infections, and asthma attacks in children.

7. Tobacco industry documents and marketing and public health research reveal that tobacco companies have used fruit, candy, and alcohol flavors as a way to target youth and young adults. The presence of flavors such as menthol in tobacco products can make it more difficult for youth, young adults, and adult tobacco users to quit.

8. In making these findings, the City Council accepts the conclusions and recommendations of the U.S. Surgeon General reports, "E-cigarette Use Among Youth and Young Adults" (2016), "The Health Consequences of Smoking—50 Years of Progress" (2014) and "Preventing Tobacco Use Among Youth and Young Adults" (2012); a BlueCross BlueShield of Minnesota report, "Health Care Costs and Smoking in Minnesota: The Bottom Line" (2017); the Institute of Medicine in their study, "Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products" (2015); the Centers for Disease Control and Prevention in their studies, "Tobacco Use Among Middle and High School Students—United States, 2011– 2015," and "Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997"; and of the following scholars in these scientific journals: Xin Xu et al., Annual Healthcare Spending Attributable to Cigarette Smoking: An Update, Am. J. Prev. Med. 48(3): 326-33 (Mar. 2015); Giovino GA, "Epidemiology of Tobacco Use in the United States," Oncogene (2002) 21, 7326-40; Khuder SA, et al., "Age at

Smoking Onset and its Effect on Smoking Cessation," Addictive Behavior 24(5):673-7, September-October 1999; D'Avanzo B, et al., "Age at Starting Smoking and Number of Cigarettes Smoked," Annals of Epidemiology 4(6):455-59, November 1994; Chen, J & Millar, WJ, "Age of Smoking Initiation: Implications for Quitting," Health Reports 9(4):39-46, Spring 1998; Everett SA, et al., "Initiation of Cigarette Smoking and Subsequent Smoking Behavior Among U.S. High School Students," Preventive Medicine, 29(5):327-33, November 1999; and Rodriguez J, Jiang R, Johnson WC, MacKenzie BA, Smith LJ, Barr RG; The Association of Pipe and Cigar Use With Cotinine Levels, Lung Function, and Airflow Obstruction: A Cross-sectional Study; Ann Intern Med. 2010;152:201–210 copies of which are adopted by reference.

9. The City determines that taking action to protect youth and to limit access to tobacco is an important public health issue and it was the first city in the state of Minnesota to set a minimum price for cigars as to curb the appeal of these products to youth and reduce the number of youth who initiate tobacco use.

10. The City's action paved the way for five more Minnesota communities, including Minneapolis and St. Paul, to set a minimum price for cigars with the shared goal of youth tobacco prevention.

11. The City determines that e-delivery products and e-liquids are particularly attractive to youth and that steps are needed to limit youth exposure and access to such products.

12. The City values youth and seeks their input in order to positively raise awareness and seek solutions to problems facing youth, such as tobacco industry targeting and youth tobacco use.

13. The City's mission is to ensure an attractive, clean, safe, and inclusive community that enhances the quality of life for all people, and preventing youth tobacco use helps achieve these goals.

14. Sections 23-101 through 23-108 and the amendments contained herein are intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious effects associated with use and initiation, and to further the official public policy of the state in regard to preventing young people from starting to smoke as stated in Minnesota Statutes, section 144.391.

Article II. Brooklyn Center City Code, Section 23-101 is hereby amended as follows:

Section 23-101. LICENSE REQUIRED. No person shall directly or indirectly~~,~~ or by means of any device~~,~~ keep for retail sale, sell at retail, or otherwise dispense any ~~tobacco related~~ covered product at any place in the city of Brooklyn Center unless a license therefor shall first have been obtained as provided in Sections 23-101 through 23-108.

Article III. Brooklyn Center City Code, Section 23-102 setting out definitions is ~~hereby~~ amended as follows~~, including the~~ and by renumbering ~~of~~ the ~~paragraphs~~provisions in this Section as needed:

Section 23-102. DEFINITIONS. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of Sections 23-101 through 23-108, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

2. *"Compliance checks"* means the system the City uses to investigate and ensure that those authorized to sell ~~tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices~~ covered products are following and complying with the requirements of Sections 23-101 through 23-108. Compliance checks shall involve the use of ~~minors~~ persons under the age of 21 as authorized by Sections 23-101 through 23-108. Compliance checks shall also mean the use of ~~minors~~ persons under the age of 21 who attempt to purchase ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices~~ covered products for educational, research and training purposes as authorized by state and federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate federal, state or local laws and regulations relating to ~~tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices~~ covered products.

3. "*Covered products*" means any tobacco, tobacco-related device, electronic delivery device, e-liquid, or nicotine or lobelia delivery product as those terms are defined in this section.

~~3~~.4. *"Electronic delivery device"* shall mean ~~a~~ an electronic product ~~containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person~~ that is designed to use, or that uses, e-liquid to simulate smoking in the delivery of nicotine or any other substance through inhalation of the aerosol or vapor produced from the ~~product~~ substance. Electronic delivery devices shall include any component part of such a product whether or not sold separately. Electronic delivery devices shall not include any product that ~~had~~ has been approved or otherwise certified by the United States Food and Drug Administration for legal sales for use in tobacco cessation treatment or other medical purposes, and is being marketed and sold solely for that approved purpose.

_. *"E-liquid"* means any liquid intended for human consumption through an electronic delivery device used to simulate smoking in the delivery of nicotine, lobelia, or a product containing the taste or smell related to chocolate, cocoa, mint, menthol, wintergreen, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb, or spice through inhalation of the

aerosol or vapor produced from the liquid. E-liquid shall not include any product that has been approved or otherwise certified by the United States Food and Drug Administration for legal sales for use in tobacco cessation treatment or other medical purposes, and is being marketed and sold solely for that approved purpose.

~~7.~~ ~~*"Minor"* means any natural person who has not yet reached the age of 18 years.~~

___. *"Nicotine or lobelia delivery product"* means any product containing or delivering nicotine, including any synthetic variation thereof, or lobelia intended for human consumption, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section. Nicotine or lobelia delivery product does not include any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or for other medical purposes, and is being marketed and sold solely for that approved purpose.

~~9~~___. *"Retail establishment*" means any place of business where ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices~~ covered products are available for sale to the general public. The ~~phrase~~ term shall include, but is not ~~be~~ limited to, grocery stores, convenience stores, restaurants, and drug stores.

~~11~~___. *"Self-service merchandising"* means open displays of ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices~~ covered products in any manner where any person shall have access to the ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices,~~ covered products without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the ~~tobacco, tobacco product, tobacco-related device, or nicotine or lobelia delivery device~~ covered product between the customer and the licensee or employee. Self-service sales are interpreted as being any sale where there is not an actual physical exchange of the covered product between the clerk and the customer.

~~14.~~___. *"Tobacco-related devices"* means and includes any tobacco product as well as a pipe, rolling papers, or other device intentionally designed or intended to be used in a manner that enables the chewing, sniffing or smoking of tobacco or tobacco products including electronic delivery devices. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

~~15~~___. *"Vending machine"* means any mechanical, electric or electronic, or other type of device that dispenses tobacco, tobacco products or tobacco-related devices upon the insertion of money, tokens or other form of payment

directly into the machine by the person seeking to purchase the ~~tobacco, tobacco product or tobacco-related device~~ covered product.

Article IV. Brooklyn Center City Code, Section 23-103 is hereby amended as follows:

Section 23-103. LICENSE REQUIRED.

1. *Generally.* No person may directly or indirectly or by means of any device keep for retail sale, sell at retail, offer to sell or otherwise dispose of any ~~tobacco, tobacco products, tobacco-related devices, or electronic delivery device~~ covered product at any place in the ~~c~~City unless a license has first been issued by the City as provided in this Section.

2. *Application.* An application for a license to sell ~~tobacco, tobacco products, tobacco-related devices, and electronic delivery devices~~ covered products shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses, and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary.

3. *Action.* Upon receipt of a completed application, the City Clerk shall forward the application to the police department for investigation. The police department shall conduct an investigation of the applicant and application regarding the fitness of the applicant to hold a license pursuant to the standards set forth in Sections 23-101 through 23-108, and report the results of its investigation to the City Clerk within 30 days of receipt of the application. The City Clerk shall forward the application for consideration by the City Council.

4. *Fees.* No application for a license under Sections 23-101 through 23-108 shall be accepted until the appropriate license or investigation fee is paid in full. The fee(s) shall be established by the City Council by resolution from time to time.

5. *Sanctions for violation.* Sanctions for violating a provision of Sections 23-101 through 23-108 ~~S~~shall be set by the City Council at the penalty phase and shall not ~~to~~ be less than state mandated guidelines.

6. *Transfers.* All licenses issued under Sections 23-101 through 23-108 shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued.

7. *Moveable place of business.* No license shall be issued to a moveable place of business. Only fixed-location businesses shall be eligible to be licensed under Sections 23-101 through 23-108.

8. *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premises.

9. *Term and ~~R~~renewals.* Every such license shall expire on December 31 next after its issuance. A fee for the renewal of any license issued under Sections 23-101 through 23-108 shall be paid to the City Clerk with the renewal application. Applications for renewal must be submitted by November 30 of the year prior to the license year.

10. *Issuance is a privilege and not a right.* The issuance of a license is a privilege and does not entitle the holder to an automatic renewal of the license.

11. *Maximum number of licenses*. The maximum number of licenses issued by the City in any year is limited to 15, except that any licensee holding a valid license as of ~~September~~October 1, 2018 is permitted to retain and renew said license. If the maximum number of licenses has already been issued, a licensee that allows its license to expire or has its license revoked shall not be eligible for a new license. Persons desiring to apply for a license may be placed on a waiting list and be eligible to apply on a first-come, first-serve basis ~~as existing licenses are not renewed or are revoked~~once the number of issued licenses falls below the maximum number allowed. Notwithstanding the maximum number of allowed licenses, an applicant who purchases a business location holding a current license shall be allowed to apply for and obtain, if eligible, a new license for the business location provided it is obtained within the same license year as the current license.

12. *Instructional Program*. All licensees shall ensure that all employees engaged with customers at the point of sale go through a training program on the legal requirements relating to the sale of covered products and the possible consequences for violations. Any training program must be pre-approved by the City. Licensees must maintain and provide to the City documentation demonstrating compliance at the time of renewal, or whenever requested during the license term.

Article V. Brooklyn Center City Code, Section 23-104 is hereby amended as follows:

Section 23-104. RESTRICTIONS.

1. The following shall be grounds for denying the issuance of or renewal of a license under Sections 23-101 through 23-108.

   a. The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to ~~tobacco products, or tobacco related devices~~ covered products, or has had a license to sell ~~tobacco~~

~~products or tobacco-related~~ covered products revoked or suspended within the past five years.

b. The applicant fails to provide any information required on the application, or provides false or misleading information.

2. No license may be issued or renewed:

a. To any applicant who is under ~~18~~ 21 years of age.

b. To any applicant who is prohibited by federal, state, or other local law, ordinance, or regulation from holding such a license.

c. To any applicant who has fees or charges to the City or the County that are due and unpaid.

d. For any premises for which property taxes or City utility charges are due and unpaid.

Article VI. Brooklyn Center City Code, Section 23-105 is hereby amended as follows:

Section 23-105. PROHIBITED SALES.

1. It shall be a violation of Sections 23-101 through 23-108 for any person to sell or offer to sell any ~~tobacco, tobacco product, or tobacco-related device~~ covered product:

~~a. To a minor;~~

~~b~~a. By ~~a~~ means of any type of vending machine;

~~c~~b. By self-service displays;

~~d~~c. ~~As~~By means of loosies;

~~e~~d. ~~If the tobacco or tobacco products contain~~ Containing opium, morphine, jimsonweed, belladonna, strychnos, cocaine, marijuana, or other ~~delirious~~ deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process; or

~~f~~e. To any other person, in any other manner or form prohibited by federal or state law or regulation, or by local ordinance.

2. No person shall sell any covered product to any person under the age of 21.

a. Age verification. Licensees must verify by means of government-issued photographic identification that the purchaser of the covered product is at least 21 years of age. ~~Verification is not required for a person over the age of 30.~~ That the person appeared to be ~~30 years of age or older~~old enough to lawfully purchase a covered product does not constitute a defense to a violation of this Section.

b. Signage. Notice of the legal sales age and age verification requirement must be posted at each location where covered products are offered for sale. The required signage, which will be provided to the licensee by the City, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase of covered products.

3. No person shall sell or offer for sale any electronic delivery device or e-liquid to any person unless the sale is on the premises of a retail establishment that:

a. Prohibits persons under the age of 21 from entering at all times; and

b. Derives at least 90 percent of its revenues from the sale of covered products. Any retail establishment that sells electronic delivery devices or e-liquids must provide to the City upon request financial records that document annual sales.

4. It shall be a violation of Sections 23-101 through 23-108 for any retail establishment to sell, offer for sale, or distribute a single cigar unless the cigar is sold in an original package of at least five cigars, provided that:

a. This restriction shall not apply to any sale, offer to sell, or distribution of a single cigar that has a retail sales price of no less than $2.10 before sales tax.

b. Cigars to which price promotions or discounts apply shall not be excluded from this restriction.

Article VII. Brooklyn Center City Code, Section 23-106 is hereby amended as follows:

Section 23-106. SMOKING PROHIBITED. Smoking shall not be permitted in, and no person shall smoke in, any licensed premises. Smoking in any licensed premises for the purpose of sampling a covered product is prohibited under this Section.

Article VIII. Brooklyn Center City Code, Section 23-107 is hereby amended as follows:

Section 23-107. COMPLIANCE CHECKS AND INSPECTIONS. All licensed

premises shall be open to inspection by the City police or other authorized City official during regular business hours. From time to time, but at least ~~once~~ twice per year, the City shall conduct compliance checks by engaging with ~~the written consent of their parents or guardians, minors~~ persons over the age of 15 years but less than ~~18~~ 21 years to enter the licensed premise to attempt to purchase ~~tobacco, tobacco products or tobacco-related devices~~ covered products. ~~Minors~~ Persons under the age of 21 used for the purpose of compliance checks shall be supervised by City designated law enforcement officers or other designated City personnel. ~~Minors used for compliance checks shall not be guilty of unlawful possession of tobacco, tobacco products or tobacco-related devices when those items are obtained as a part of the compliance check.~~ No ~~minor~~ person used in compliance checks shall attempt to use a false identification misrepresenting the ~~minor's~~ person's age, and all ~~minors~~ persons lawfully engaged in a compliance check shall answer all questions about the ~~minor's~~ person's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which ~~he or she~~ the person is asked.

Article IX. Brooklyn Center City Code, Section 23-108 is hereby amended as follows:

Section 23-108. VIOLATION AND PENALTY.

1. *Licensees responsible.* All licensees are responsible for the actions of their employees in regard to the sale of covered products on the licensed premises and the sale of a covered ~~item~~product by an employee shall be considered a sale by the licensee for the purposes of constituting a license violation under this Section.

~~1~~2. *Misdemeanor prosecution.* Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of Sections 23-101 through 23-108.

~~2~~3. *Administrative penalties.*

a~~)~~. *Licensees.* ~~Administrative Penalties: Licensees.~~ If a licensee or employee of a licensee sells ~~tobacco~~ covered products to a person under the age of ~~18~~ 21 years, or violates any other provision of Sections 23-101 through 23-108, the licensee shall be charged an administrative penalty of ~~$100~~ $200. An administrative penalty of ~~$200~~ $500 shall be imposed for a second violation at the same location within 24 months after the initial violation. For a third or subsequent violation at the same location within 24 months after the initial violation, an administrative penalty of ~~$250~~ $750 shall be imposed, and the licensee's authority to sell tobacco products at that location shall be suspended for not less than ~~seven days~~ 30 days. Upon a fourth violation, the license will be revoked.

b~~).~~ *Other individuals.* Other individuals~~, other than minors regulated by Sections 23-101 through 23-108,~~ found to be in violation of Sections 23-101 through 23-108 shall be charged an administrative fine of $50.00.

~~c) *Minors.* Minors found in unlawful possession of or who unlawfully purchase or attempt to purchase, tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices, shall be subject to an administrative fine, or may be subject to tobacco-related education classes, diversion programs, community services, or another penalty that the City believes will be appropriate and effective. The administrative fine or other penalty shall be established by City Council ordinance upon the City Council's consultation with interested parties of the courts, educators, parents and children to determine an appropriate penalty for minors in the city. This administrative fine or other penalty may also be established from time to time by the ordinance or resolution establishing fees and charges, as it may be amended from time to time.~~

~~d)~~c. *Statutory penalties.* If the administrative penalties authorized to be imposed by Minnesota Statutes, Section 461.12, as it may be amended from time to time, differ from those established in this Section, then the more severe penalty shall prevail.

4. ~~3.~~ *License revocation, suspension, or non-renewal.* In addition to misdemeanor prosecution and administrative penalties, violation of Section 23-101 through 23-108 is grounds for revocation or suspension under Section 23-006 or nonrenewal under Section 23-104.

Article X. Brooklyn Center City Code, Chapter 23 is hereby amended by adding a new Section 23-014 as follows:

Section 23-014. SEVERABILITY. If any Section or provision of the Chapter is held to be invalid by a court of competent jurisdiction, such invalidity ~~will~~shall not affect any other Section or provision that can be given force and effect without the invalidated Section or provision.

Article XI. This Ordinance shall become effective after adoption and upon thirty (30) days following its legal publication.

Adopted this ____ day of _______, 2018.

_____
Mayor

ATTEST:_____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

Document comparison by Workshare Compare on Monday, September 17, 2018 9:27:49 AM

Input:

Document 1 ID	PowerDocs://DOCSOPEN/535540/2
Description	DOCSOPEN-#535540-v2-Amendment_to_Tobacco_Related_Ordinance
Document 2 ID	PowerDocs://DOCSOPEN/535540/3
Description	DOCSOPEN-#535540-v3-Amendment_to_Tobacco_Related_Ordinance
Rendering set	Standard

Legend:

Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:

	Count
Insertions	15
Deletions	13
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	28

TOBACCO ORDINANCE AMENDMENT

Council Date	Action
August 27	Work Session presentation regarding Ordinance Amendment for Tobacco regulations
September 24	Work Session presentation regarding Ordinance Amendment for Tobacco regulations
October 8	1st Reading of Ordinance Amendment for Tobacco regulations (on agenda as a consent item)
October 18	Publish Public Hearing Notice for Ordinance Amendment for Tobacco regulations
November 13	2nd Reading – Public Hearing of Ordinance Amendment for Tobacco regulations (and adoption)
November 22	Publish Ordinance in newspaper
December 21	Tobacco Ordinance takes effect

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/24/2018

TO: Curt Boganey, City Manager

FROM: Meg Beekman, Community Development Director

SUBJECT: Art Contest Judging

Recommendation:

- Consider a request to judge youth art submissions

Background:

The City hosted a youth art contest in July. Seven submissions were received, and staff is now requesting that the City Council judge the submission. A packet will be presented to you with a copy of each piece of artwork, along with a judging rubric. Please take a moment to score each piece and return the packet to staff. This can be done at the September 24 meeting, or shortly after if you would prefer to take more time with them.

Strategic Priorities and Values:

Enhanced Community Image

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/24/2018

TO: Curt Boganey, City Manager

FROM:

SUBJECT: Future Ongoing Items

Recommendation:

- Cities United Membership
- ADA Transition Plan
- Liquor/Public Dance Ordinance - October
- Livable Wages
- Semi Truck Parking Ordinance
- Transient Accommodations - October
- East Brook Estates - October 8

Background: