

Council Study Session
City Hall Council Chambers
May 8, 2023

AGENDA



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- 1. City Council Discussion of Agenda Items and Questions - 6 p.m.**
 - 2. Miscellaneous**
 - a. Set Date for City-Wide Survey Discussion
 - b. Staff Survey
 - c. City Manager's Performance Review Process
 - 3. Discussion of Work Session Agenda Item as Time Permits**
 - 4. Adjourn**

**CITY COUNCIL
MEETING**

City Hall Council Chambers
May 8, 2023

AGENDA



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

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

The first call will be for those that have notified the Clerk that they would like to speak during the open forum, and then ask if anyone connected to this meeting would like to speak. When called upon, please indicate your name and then proceed. Please be sure to state your name and address before speaking.

2. Invocation - Jerzak - 7 p.m.

3. Call to Order Regular Business Meeting

Attendees please turn off cell phones and pages during the meeting. A copy of the full meeting packet is available in the binder at the entrance to the Council Chambers.

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

These items are considered to be routine by the City Council and will be enacted by one motion. There isn't a separate discussion for these items unless a Councilmember so requests, then it is moved to the end of the Council Consideration Items.

- a. Approval of Licenses
 - *motion to approve the licenses as presented.*
- b. Amendment to the 2023 Council Meeting Calendar
 - *motion to approve amend 2023 city council meeting calendar*
- c. Resolution Accepting Livable Communities Demonstration Account (LCDA) funding for Center for Asian and Pacific Islander
 - *Motion to approve a resolution accepting Livable Communities Demonstration Account (LCDA) funding grant from Met Council.*
- d. Resolution Approving a Joint Powers Agreement (JPA) with Pets Under Police Security (PUPS) and Authorize Staff to Execute the JPA
 - *approve the resolution for a Joint Powers Agreement with Pets Under Police Security (PUPS) and to execute the Joint Powers Agreement*

7. Presentations/Proclamations/Recognitions/Donations

- a. Resolution Declaring May 21-27, 2023, National Public Works Week in the City of Brooklyn Center
- Motion to approve a resolution declaring May 21 through May 27, 2023, as "National Public Works Week" in Brooklyn Center.

8. Public Hearings

- a. Resolution to Approve a TIF District #10 (Wangstad Commons) and TIF agreement
- Motion to:
 - *open the Public Hearing,*
 - *take public input,*
 - *close the Public Hearing; and*
 - *consider approval of resolution approve a TIF District #10 (Wangstad Commons) and TIF agreement*

9. Planning Commission Items

- a. Resolution Approving Planning Commission Application No. 2023-001, Submitted by JO Companies LLC for a Re-plat, Planned Unit Development Amendment and Rezoning, and an Amendment to the 2040 Comprehensive Plan to Allow for Development of a 54-Unit Multi-Family Residential Building and Related Site Improvements (6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North)
- Motion to approve a resolution regarding Planning Commission Application No. 2023-001, for approval of a preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION, the submitted site and building plans, an amendment to remove 6107 Brooklyn Boulevard from the original 1998 Planned Unit Development and re-zoning of the aforementioned property from PUD/C2 to MX-N1, which reflects the zoning of the three other parcels located within the Subject Property and located at 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3600 61st Avenue North, and a recommended amendment to the City's 2040 Comprehensive Plan to allow for a future land use re-designation of the Subject Property from a mix of Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU), based on the findings, and as amended by the conditions of approval in the resolution, and subject to final approval by the Metropolitan Council for the requested Comprehensive Plan Amendment.

10. Council Consideration Items

- a. Resolution Declaring the Brooklyn Center City Council's Official Public Comments on the Minnesota Department of Transportation's Highway 252/94 Scoping Document Draft Scoping Decision Document
- Motion to approve a resolution declaring the Brooklyn Center City Council's official public comments on the Minnesota Department of Transportation's Highway 252/I-94 Scoping Document and Draft Scoping Decision Document.

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- motion to approve the licenses as presented.

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.

Amusement Device

Mendota Valley Amusements, Inc.
390 Richmond St

-

Garbage Haulers

Aspen Waste
BL 23-0270

Mechanical

Ace Heating & Air Conditioning Inc.
7174 Hwy 95 NW, Princeton 55371
B & D Plbg, Htg & A/C
4145 Mackenzie Court, St. Michael 55376
Blue Ox Heating & Air LLC
5720 International Pkwy, New Hope 55428
Centerpoint Energy
6161 Golden Valley Rd, Golden Valley 55422
Daikin Applied Americas Inc.
13600 Industrial Park Blvd, Minneapolis 55441
Master Mechanical, Inc.
1027 Gemini Rd, Eagan 55121
Mike's Custom Mechanical, Inc.

PO Box 171, Champlin 55316
Northern Heating & A/C Inc.
9431 Alpine Drive NW, Ramsey 55303
Perfection Heating & Air
1770 Gervais Ave, Maplewood 55109
Piperight Plumbing
3920 Foss Road, St. Anthony 55421
Professional Mechanical Services
19640 200th Ave NW, Big Lake 55309
Pronto Heating & A/C
7415 Cahill Rd, Edina 55439

Sign Hangers

Signminds Inc.
1400 Quincy St., Minneapolis 55413
Signtology LLC
21340 Van Buren St. NE, Cedar 55011

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	3/16/2021	Backup Material
Rentals 4.12 - 4.26	5/1/2023	Backup Material

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

Rental Licenses for Council Approval 5.8.23

Location Address	License Subtype	Renewal/Initial	Owner	Property Code			License Type	Police CFS*	Final License Type **	Previous License Type***	Consecutive Type IV's
				Violations							
5301 Dupont Ave N	Multiple Family 1 Bldg 6 Units	Initial	Wright Team Properties	33 = 5.5 per unit			Type IV	N/A	Type IV	N/A	N/A
1208 57th Ave N	Single	Initial	CommonGrowth LLC	1			Type I	N/A	Type II	N/A	N/A
4501 Winchester La	Single	Initial	TM Odeniyi & K Odeniyi	22			Type IV	N/A	Type IV	N/A	0
5927 Aldrich Ave N	Single	Initial	Yu Yin	0			Type I	N/A	Type II	N/A	N/A
6436 Scott Ave N	Single	Initial	Jane M Kungu and Antony J Kungu	20			Type IV	N/A	Type IV	N/A	N/A
6730 Ewing Ave N	Single	Initial	Suudi Properties, LLC	3			Type II	N/A	Type II	N/A	N/A
4100 Lakebreeze Ave N	Multiple Family 1 Bldg 4 Units	Renewal	Pbk Properties Llc	5 = 1.25 per unit			Type II	0	Type II	Type II	N/A
5240 Drew Ave N	Multiple Family 1 Bldg 10 Units	Renewal	Cantlin Lake Properties	9 = .9 per unit			Type II	0	Type II	Type I	N/A
5401 63rd Ave N	Multiple Family 1 Bldg 3 Units	Renewal	Ayodeji Gbayisomore Met Requirements	8 = 2.66 per unit			Type III	0	Type III	Type III	N/A
5341 Penn Ave N	Two Family	Renewal	Lifetime Resrcs Prop Mgt Met Requirements	2			Type I	0	Type I	Type IV	0
2718 Ohenry Rd	Single	Renewal	5118 66th Ave N Llc Did not meet requirements	5			Type II	0	Type III	Type III	N/A
3307 Ohenry Rd	Single	Renewal	Henry S Dolopei Did not meet requirements	7			Type III	0	Type III	Type III	N/A
4019 Joyce La	Single	Renewal	lh2 Property Illinois Lp	5			Type II	0	Type II	Type II	N/A
4100 61st Ave N	Single	Renewal	Emmanuel & Oluyemisi Coker Met Requirements	2			Type I	0	Type I	Type IV	0
4118 Woodbine La	Single	Renewal	Investment Solutions Llc	3			Type II	0	Type II	Type I	N/A

4213 63rd Ave N	Single	Renewal	Buster F Fallah Did not meet requirements	9	Type III	0	Type IV	Type IV	3
4935 Abbott Ave N	Single	Renewal	R A Anderson & T A Anderson Met requirements	3	Type II	0	Type II	Type IV	0
5112 70th Ave N	Single	Renewal	Ih3 Property Minnesota Lp Did not meet requirements	23	Type IV	0	Type IV	Type IV	2
5449 Lyndale Ave N	Single	Renewal	Living Well Disability Svcs	2	Type I	0	Type I	Type I	N/A
5748 Humboldt Ave N	Single	Renewal	Fyr Sfr Borrower Llc Did not meet requirements	23	Type IV	0	Type IV	Type IV	3
5913 Halifax Ave N	Single	Renewal	Cel Monton Llc Did not meet requirements	4	Type II	0	Type III	Type III	N/A
6139 Colfax Ave N	Single	Renewal	Koku Agbenu Did not meet requirements	9	Type III	0	Type III	Type III	N/A
6242 Scott Ave N	Single	Renewal	Cosco Property I Llc	3	Type II	0	Type II	Type II	N/A
6300 France Ave N	Single	Renewal	9816 Palm St Llc Did not meet requirements	5	Type II	0	Type IV	Type IV	2
6337 Bryant Ave N	Single	Renewal	Park Ave Homes Llc Met requirements	10	Type IV	0	Type IV	Type IV	3
6605 Camden Dr	Single	Renewal	Johnson Organization Inc	1	Type I	0	Type I	Type I	N/A
6912 Logan Ave N	Single	Renewal	Hpa Borrower 2017 1 Llc	12	Type IV	0	Type IV	Type II	0
6918 Halifax Ave N	Single	Renewal	Gracelands Llc Did not meet requirements	7	Type III	0	Type IV	Type IV	3
7208 Bryant Ave N	Single	Renewal	Prosperous Property Llc	0	Type I	0	Type I	Type I	N/A

*CFS = Calls for service for renewal licences only (Initial licenses are not applicable to calls for service, and will be listed as †

**License type being issued

***Initial licenses will not show a Type I = 3 Year, Type II = 2 Year, Type III = 1 Year, Type IV = 6 months

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Amendment to the 2023 Council Meeting Calendar

Requested Council Action:

- motion to approve amend 2023 city council meeting calendar

Background:

Tonight before the City Council is an amendment to the 2023 City Council meeting schedule to include the following dates to include the 2024 budget meeting with the Financial Commission.

The dates are as follows:

- Thursday, May 10 Community Mock Budget
- Monday, May 15 Budget Workshop
- Monday, June 5 Capital Improvement Plan
- Wednesday, June 28 Audit Presentation/Revenue Overview
- Monday, July 31 Dept. Budget Presentations
- Monday, August 7 Dept. Budget Presentations
- Monday, August 21 Dept. Budget Presentations
- Monday, Sept. 18 Dept. Budget Presentations
- Monday, Oct. 2 Special Revenue Funds
- Monday, Oct. 16 Enterprise Funds
- Thursday, Dec 7 Truth in Taxation

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Enhanced Community Image, Resident Economic Stability, Inclusive Community Engagement, Safe, Secure, Stable Community, Customer Intimacy , Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
2023 City Council meeting calendar	5/1/2023	Backup Material



2023 City Council Meeting Schedule

Regular City Council Meetings Meetings will be held in person	
Study/Work Session	6:00 p.m.
Informal Open Forum	6:45 p.m.
Regular Session	7:00 p.m.
Work Session – After regular session	
Brooklyn Center City Council regularly meets the 2nd and 4th Monday each month, unless Monday is a holiday.	
January 9	January 23
February 13	February 27
March 13	March 27
April 10	April 24
May 8	May 22
June 12	June 26
July 10	July 24
August 14	August 28
September 11	September 25
October 9	October 23
November 13	November 27
December 11	
Optional Work Session dates:	
February 6	
March 6	
May 1	
August 7	
November 6	

Special City Council Meetings All dates are Monday unless otherwise noted	
April 3	7:00 p.m.
Board of Appeal & Equalization	CC
April 17	6:00 p.m.
Board of Appeal & Equalization Reconvene	CC
May 10	6:30 p.m.
<i>Community Mock Budget</i>	Comm Ctr - Cohen
June 5	6:00 p.m.
<i>Capital Improvement Fund</i>	CC
June 28	6:00 p.m.
<i>Budget – Audit Presentation/Revenue Overview</i>	CC
July 22	8:30 a.m.
<i>Budget – Fire, Police, OCPHS/Engagement Recreation</i>	CC
Aug. 19	8:30 a.m.
<i>Budget – Administration, Finance, Community Development, Public Works</i>	CC
Oct. 2	6:00 p.m.
<i>Budget - Special Revenue Funds</i>	CC
Oct. 16	6:00 p.m.
<i>Budget – Enterprise Funds</i>	CC
Dec. 7	6:30 p.m.
<i>Budget - 2024 Budget Hearing</i>	CC

CC - Council Commission room located on main level City Hall
All dates are subject to change. Contact City Hall at 763-569-3300 to verify dates and times.

Council Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Interim Community Development Director

BY: Vong Thao, Economic Development Coordinator

SUBJECT: Resolution Accepting Livable Communities Demonstration Account (LCDA) funding for Center for Asian and Pacific Islander

Requested Council Action:

- Motion to approve a resolution accepting Livable Communities Demonstration Account (LCDA) funding grant from Met Council.

Background:

Livable Communities Act (LCA) grants are awarded to communities that participate in the Livable Communities Program in the seven-county metro region. Through four different grant programs, LCA grants help communities achieve development goals that create more housing choice, support living wage job creation, and connect jobs, housing, and regional amenities to create a more equitable region.

Each of the four LCA programs have a different focus.

- Livable Communities Demonstration Account (LCDA) supports development and redevelopment projects that link housing, jobs and services, and use community and regional infrastructure efficiently
- LCDA - Transit Oriented Development (LCDA-TOD) grants are focused on high density projects that contribute to a mix of uses in TOD-eligible areas.
- The Tax Base Revitalization Account (TBRA) helps clean up contaminated land and buildings for subsequent development. These grants are intended to provide the greatest public benefit for the money spent, strengthen the local tax base, and create and preserve jobs and/or affordable housing. TBRA has three different funding opportunities: Contamination Cleanup, Site Investigation, and SEED.
- The Local Housing Incentives Account (LHIA) helps expand and preserve lifecycle and affordable housing, both rented and owned. LHIA applications are submitted through the Minnesota Housing Super RFP, as opposed to directly to Met Council.

Center for Pacific Islanders (CAPI) will be using pre-development funds to support their exploration of the use of their excess land on Brooklyn Boulevard. This funding will support community engagement activities, site and building design and civil engineering work as they conduct due diligence on the construction of an expanded facility. Potential uses they are exploring include expanded offices for their administrative functions, expanded food shelf operations, childcare center, and additional office and commercial spaces for local businesses.

Met Council approved CAPI for a grant amount of \$125,000 on September 14, 2022 with an expiration

date of June 20, 2024.

Budget Issues:

There are no budget items to consider at this time. No funding match is required for the use of grant funds.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

The Metropolitan Council has developed new scoring criteria, which heavily focuses on equity and anti-racist outcomes for projects which are to receive funding. Criteria includes demonstrated outreach to impacted and underrepresented communities, identification of specific residential and/or workforce development community needs addressed by the project, project teams which reflect and are responsive to those most impacted by the project. Both projects under consideration are likely to score well in these criteria relative to others they will compete against.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Met Council Agreement	4/20/2023	Cover Memo
Resolution Accepting Award	5/1/2023	Cover Memo

LIVABLE COMMUNITIES ACT
PRE-DEVELOPMENT GRANT PROGRAM

GRANTEE: City of Brooklyn Center		GRANT NO. SG-18073
PROJECT: Immigrant Opportunity Center – Center for Asian and Pacific Islanders (CAPI)		
GRANT AMOUNT: \$ 125,000		CYCLE: 2022 - Round 2
COUNCIL ACTION: September 14, 2022		EXPIRATION DATE: June 30, 2024

METROPOLITAN LIVABLE COMMUNITIES ACT
GRANT AGREEMENT

THIS GRANT AGREEMENT (“Agreement”) is made and entered into by the Metropolitan Council (“Council”) and the Municipality, County or Development Authority identified above as “Grantee.”

WHEREAS, Minnesota Statutes section 473.251 creates the Metropolitan Livable Communities Fund, the uses of which fund must be consistent with and promote the purposes of the Metropolitan Livable Communities Act (“LCA”) and the policies of the Council’s Metropolitan Development Guide; and

WHEREAS, Minnesota Statutes sections 473.251 and 473.253 establish within the Metropolitan Livable Communities Fund a Livable Communities Demonstration Account and require the Council to use the funds in the account to make grants or loans to municipalities participating in the Local Housing Incentives Program under Minnesota Statutes section 473.254 or to Counties or Development Authorities to fund the initiatives specified in Minnesota Statutes section 473.25(b) in Participating Municipalities; and

WHEREAS, the Grantee is a Municipality participating in the Local Housing Incentives Account program under Minnesota Statutes section 473.254, a County, or a Development Authority; and

WHEREAS, the Council allocated a portion of its Livable Communities Demonstration Account funds to a Livable Communities Act Pre-Development Grant Program to help Municipalities implement community development objectives; and

WHEREAS, the Grantee seeks funding in connection with an application for Livable Communities Act Pre-Development Grant Program funds submitted in response to the Council’s notice of availability of grant funds for the “Funding Cycle” identified above and will use the grant funds made available under this Agreement to help fund the “Pre-Development Project” within the “Project Area” as described in the application; and

WHEREAS, the Council awarded Livable Communities Act Pre-Development Grant Program funds to the Grantee with the understanding that the Pre-Development Project described in the application

LIVABLE COMMUNITIES ACT
PRE-DEVELOPMENT GRANT PROGRAM

will proceed to completion in a timely manner and all grant funds will be expended prior to the “Expiration Date” identified above.

NOW THEREFORE, in reliance on the above statements and in consideration of the mutual promises and covenants contained in this Agreement, the Grantee and the Council agree as follows:

I. DEFINITIONS

1.01. Definition of Terms. The terms defined in this section have the meanings given them in this section unless otherwise provided or indicated by the context.

- (a) **Council Action.** “Council Action” means the action or decision of the governing body of the Metropolitan Council, on the meeting date identified at Page 1 of this Agreement, by which the Grantee was awarded Livable Communities Act Pre-Development Grant Program funds.
- (b) **County.** “County” means Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties.
- (c) **Development Authority.** “Development Authority” means a statutory or home rule charter city, a housing and redevelopment authority, an economic development authority, or a port authority in the Metropolitan Area.
- (d) **Future Development Project.** “Future Development Project” means the future development project described in the Grantee’s application for Livable Communities Act Pre-Development Grant Program funds that through its design and execution will deliver benefits such as housing, connections, and/or jobs to the region. The Future Development Project for which the grant funds were awarded must be undertaken within the Project Area. The Future Development Project may recognize or acknowledge regional park lands and regional trails that cross through or are located adjacent to the Project Area, but the Pre-Development Project may not include regional park lands.
- (e) **Metropolitan Area.** “Metropolitan Area” means the seven-county metropolitan area as defined by Minnesota Statutes section 473.121, subdivision 2.
- (f) **Municipality.** “Municipality” means a statutory or home rule charter city or town participating in the Local Housing Incentives Account Program under Minnesota Statutes section 473.254.
- (g) **Participating Municipality.** “Participating Municipality” means a statutory or home rule charter city or town which has elected to participate in the Local Housing Incentive Account program and negotiated affordable and life-cycle housing goals for the Municipality pursuant to Minnesota Statutes section 473.254.
- (h) **Pre-Development Project.** “Pre-Development Project” means the grant-funded activities for which funding is requested in the Grantee’s application for Livable Communities Act Pre-Development Grant Program funds.

LIVABLE COMMUNITIES ACT
PRE-DEVELOPMENT GRANT PROGRAM

- (i) **Project Area.** “Project Area” means the specific geographic area (or areas) within which the Future Development Project must be undertaken and within which the Pre-Development Project will be conducted as described in the Grantee’s application. The Project Area cannot include regional park lands. The Project Area may include regional trails that cross through or are located adjacent to the Project Area, but neither the Future Development Project nor the Pre-Development Project may provide for the alteration or elimination of any regional park lands or trails.

II. GRANT FUNDS

2.01. Source of Funds. The grant funds made available to the Grantee under this Agreement are from the Livable Communities Demonstration Account of the Metropolitan Livable Communities Fund. The grant funds are derived from the property tax authorized by Minnesota Statutes section 473.253, subdivision 1 and are not from State or federal sources.

2.02. Grant Amount. The Council will grant to the Grantee the “Grant Amount” identified at Page 1 of this Agreement. The Council’s obligation to reimburse the Grantee for eligible grant-funded expenditures shall not exceed the Grant Amount. Notwithstanding any other provision of this Agreement, the Grantee understands and agrees that any reduction or termination of Livable Communities Demonstration Account funds made available to the Council may result in a like reduction in the Grant Amount made available to the Grantee.

2.03. Authorized Use of Grant Funds. The Grant Amount made available to the Grantee under this Agreement shall be used only for the purposes and activities described in the application for Livable Communities Act Pre-Development Grant Program funds. A Pre-Development Project summary (“Project Summary”) that describes eligible uses of the grant funds as approved by the Council is attached to and incorporated into this Agreement as Attachment A. Aerial photography or drawings that identify the specific locations(s) within the Project boundaries or the Site(s) for which grant funds must be used is attached to and incorporated into this Agreement as Attachment B. Grant funds must be used to fund the initiatives specified in Minnesota Statutes section 473.25(b), in a Participating Municipality.

2.04. Ineligible Uses. Grant funds must be used for costs directly associated with the Pre-Development Project activities for which the Council awarded grant funds and shall not be used for: land acquisition, demolition, infrastructure, or construction costs; administrative overhead; travel expenses; food or beverages (except reasonable expenses related to eligible community engagement activities in accordance with program guidelines); legal fees; insurance; bonds; permits, licenses or authorization fees; costs associated with preparing other grant proposals; operating expenses; planning costs that are not identified as eligible grant-funded activities in the application guide, including comprehensive planning costs; prorated lease and salary costs; and marketing expenses. Grant funds may not be used for Pre-Development Project costs that occurred prior to the Council Action. A detailed list of ineligible and eligible costs is available from the Council’s Livable Communities program office. Grant funds also shall not be used by the Grantee or others to supplant or replace: (a) grant or loan funds obtained for the Pre-Development Project from other sources; or (b) Grantee contributions to the Pre-Development Project, including financial assistance or other resources of the Grantee; or (c) funding or budgetary commitments made by the Grantee or others

LIVABLE COMMUNITIES ACT
PRE-DEVELOPMENT GRANT PROGRAM

prior to the Council Action, unless specifically authorized in Attachment A. The Council shall bear no responsibility for cost overruns which may be incurred by the Grantee or others in the implementation or performance of the Pre-Development Project activities. The Grantee agrees to comply with any “business subsidy” requirements of Minnesota Statutes sections 116J.993 to 116J.995 that apply to the Grantee’s expenditures or uses of the grant funds.

2.05. Restrictions on Loans. The Grantee shall not use the grant funds to make loans to any subgrantee or subrecipient, and the Grantee shall not permit any subgrantee or subrecipient to use the grant funds for loans to any subrecipient at any tier. The requirements of this Section 2.05 shall be included in all subgrant and subrecipient agreements.

2.06. Pre-Development Project Changes. The Grantee must promptly inform the Council in writing of any significant changes to the Pre-Development Project activities described or identified in Attachments A and B. Failure to inform the Council of any significant changes to the Pre-Development Project or significant changes to grant-funded Pre-Development Project activities, and use of grant funds for ineligible or unauthorized purposes, may jeopardize the Grantee’s eligibility for future LCA awards. Grant funds will not be disbursed prior to Council approval of significant changes to the Pre-Development Project or the grant-funded activities described or identified in Attachments A and B.

2.07. Budget Variance. The Grantee may reallocate up to twenty percent (20%) of the Grant Amount among the grant-funded activities, provided: (a) the grant funds may be used only for Project activities for which the Council awarded the grant funds; (b) the reallocation does not significantly change the Project deliverables; and (c) the Grantee receives written permission from Council staff prior to reallocating any grant funds. Council staff may administratively approve budget reallocation requests that exceed twenty percent (20%) of the Grant Amount only if the reallocation does not significantly change the Project deliverables. Notwithstanding the aggregate or net effect of any variances, the Council’s obligation to provide grant funds under this Agreement shall not exceed the Grant Amount identified at Page 1 of this Agreement.

2.08. Loss of Grant Funds. The Grantee agrees to remit to the Council in a prompt manner: any unspent grant funds, including any grant funds that are not expended prior to the Expiration Date identified at Page 1 of this Agreement; any grant funds that are not used for the authorized purposes; and any interest earnings described in Section 2.10 that are not used for the purposes of implementing the grant-funded Pre-Development Project activities described or identified in Attachments A and B. For the purposes of this Agreement, grant funds are “expended” prior to the Expiration Date if the Grantee pays or is obligated to pay for expenses of eligible grant-funded Pre-Development Project activities that occurred prior to the Expiration Date and the eligible expenses were incurred prior to the Expiration Date. Unspent or unused grant funds and other funds remitted to the Council shall revert to the Council’s Livable Communities Demonstration Account for distribution through application processes in future Funding Cycles or as otherwise permitted by law.

2.09. Payment Request Forms and Disbursements. The Council will disburse grant funds in response to payment requests submitted by the Grantee through the Council’s online grants management system and reviewed and approved by the Council’s authorized agent. Payment requests shall be made using payment request forms, the form and content of which will be determined by the

LIVABLE COMMUNITIES ACT
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Council. Payment request and other reporting forms will be provided to the Grantee by the Council. The Council will disburse grant funds on a reimbursement basis or a “cost incurred” basis. To obtain reimbursement under this Agreement, the Grantee shall provide the Council with evidence that Pre-Development Project activities (or a portion thereof) for which reimbursement is requested have been satisfactorily completed. The Grantee shall describe the grant-eligible activities for which reimbursement is requested and shall provide sufficient documentation of grant-eligible expenditures, invoices and payment documents, and such other information as the Council reasonably requests. The Council will make the final determination whether the expenditures are eligible for reimbursement under this Agreement and verify the total amount requested from the Council. Reimbursement of any cost does not constitute a waiver by the Council of any Grantee noncompliance with this Agreement.

The Council shall disburse grant funds for all grant-eligible expenditures within thirty-five (35) days of the receipt of satisfactory documentation from the Grantee. **NOTWITHSTANDING THE PROVISIONS OF THIS SECTION 2.09, THE COUNCIL WILL NOT DISBURSE ANY GRANT FUNDS TO THE GRANTEE UNLESS THE GOVERNING BODY OF THE GRANTEE HAS ADOPTED A FAIR HOUSING POLICY AS REQUIRED BY SECTION 5.12.**

2.10. Interest Earnings. If the Grantee earns any interest or other income from the grant funds received from the Council under this Agreement, the Grantee will use the interest earnings or income only for the purposes of implementing the Pre-Development Project activities described or identified in Attachments A and B.

III. ACCOUNTING, AUDIT AND REPORT REQUIREMENTS

3.01. Accounting and Records. The Grantee agrees to establish and maintain accurate and complete accounts and records relating to the receipt and expenditure of all grant funds received from the Council. Notwithstanding the expiration and termination provisions of Sections 4.01 and 4.02, such accounts and records shall be kept and maintained by the Grantee for a period of six (6) years following the completion of the Pre-Development Project activities described or identified in Attachments A and B or six (6) years following the expenditure of the grant funds, whichever occurs earlier. Accounting methods shall be in accordance with generally accepted accounting principles.

3.02. Audits. The above accounts and records of the Grantee shall be audited in the same manner as all other accounts and records of the Grantee are audited and may be audited or inspected on the Grantee’s premises or otherwise by individuals or organizations designated and authorized by the Council at any time, following reasonable notification to the Grantee, for a period of six (6) years following the completion of the Pre-Development Project activities or six (6) years following the expenditure of the grant funds, whichever occurs earlier. Pursuant to Minnesota Statutes section 16C.05, subdivision 5, the books, records, documents and accounting procedures and practices of the Grantee that are relevant to this Agreement are subject to examination by the Council and either the Legislative Auditor or the State Auditor, as appropriate, for a minimum of six (6) years.

3.03. Report Requirements. The Grantee will report to the Council on a semi-annual basis by January 31 (for the period July 1 through December 31) and July 31 (for the period January 1 through

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June 30) of each calendar year during the term of this Agreement. The Grantee reports shall describe the status of the Pre-Development Project activities described or identified in Attachments A and B. The reports shall also describe the project spending for the current reporting period and projected spending for future reporting periods. The Grantee must complete and submit to the Council a Final Report before the final disbursement of grant funds will be approved. The form and content of the Final Report will be determined by the Council. These reporting requirements shall survive the expiration or termination of this Agreement.

IV. AGREEMENT TERM

4.01. Term. This Agreement is effective (the “Effective Date”) upon execution of this Agreement by the Council. Unless terminated pursuant to Section 4.02, this Agreement expires on the “Expiration Date” identified at Page 1 of this Agreement. The term of this agreement shall extend from the Effective Date of this Agreement to a date one hundred and twenty (120) calendar days following the Expiration Date to permit close out of this Agreement. **ALL GRANT FUNDS NOT EXPENDED BY THE GRANTEE AND REQUESTED FOR REIMBURSEMENT PRIOR TO THE END OF THE TERM SHALL REVERT TO THE COUNCIL.**

4.02. Termination. This Agreement may be terminated by the Council for cause at any time upon fourteen (14) calendar days’ written notice to the Grantee. Cause shall mean a material breach of this Agreement and any amendments of this Agreement. If this Agreement is terminated prior to the Expiration Date, the Grantee shall receive payment on a pro rata basis for eligible Pre-Development Project activities described or identified in Attachments A and B that have been completed prior to the termination. Termination of this Agreement does not alter the Council’s authority to recover grant funds on the basis of a later audit or other review and does not alter the Grantee’s obligation to return any grant funds due to the Council as a result of later audits or corrections. If the Council determines the Grantee has failed to comply with the terms and conditions of this Agreement and the applicable provisions of the Metropolitan Livable Communities Act, the Council may take any action to protect the Council’s interests and may refuse to disburse additional grant funds and may require the Grantee to return all or part of the grant funds already disbursed.

4.03. Amendments and Extension. The Council and the Grantee may amend this Agreement by mutual agreement. Amendments or an extension of this Agreement shall be effective only on the execution of written amendments signed by authorized representatives of the Council and the Grantee. If the Grantee needs a change to the Future Development Project, additional time within which to complete the grant-funded activities, a change in the budget, or a change in grant-funded activities the Grantee must submit to the Council **AT LEAST NINETY (90) CALENDAR DAYS PRIOR TO THE EXPIRATION DATE**, a complete, written amendment request. All requirements must be met for a request to be considered complete. **THE EXPIRATION DATE MAY BE EXTENDED BASED ON METROPOLITAN COUNCIL POLICY, BUT THE PERIOD OF ANY EXTENSION(S) SHALL NOT EXCEED ONE (1) YEAR BEYOND THE ORIGINAL EXPIRATION DATE IDENTIFIED AT PAGE 1 OF THIS AGREEMENT.**

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V. GENERAL PROVISIONS

5.01. Equal Opportunity. The Grantee agrees it will not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local civil rights commission, disability, sexual orientation or age and will take affirmative action to insure applicants and employees are treated equally with respect to all aspects of employment, rates of pay and other forms of compensation, and selection for training.

5.02. Conflict of Interest. The members, officers, and employees of the Grantee shall comply with all applicable state statutory and regulatory conflict of interest laws and provisions.

5.03. Liability. Subject to the limitations provided in Minnesota Statutes chapter 466, to the fullest extent permitted by law, the Grantee shall defend, indemnify, and hold harmless the Council and its members, employees, and agents from and against all claims, damages, losses, and expenses, including but not limited to attorneys' fees, arising out of or resulting from the conduct or implementation of the Pre-Development Project activities funded by this grant, except to the extent the claims, damages, losses, and expenses arise from the Council's own negligence. Claims included in this indemnification include, without limitation, any claims asserted pursuant to the Minnesota Environmental Response and Liability Act (MERLA), Minnesota Statutes chapter 115B, the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, United States Code, title 42, sections 9601 *et seq.*, and the federal Resource Conservation and Recovery Act of 1976 (RCRA) as amended, United States Code, title 42, sections 6901 *et seq.* This obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which otherwise would exist between the Council and the Grantee. The provisions of this section shall survive the expiration or termination of this Agreement. This indemnification shall not be construed as a waiver on the part of either the Grantee or the Council of any immunities or limits on liability provided by Minnesota Statutes chapter 466, or other applicable state or federal law.

5.04. Acknowledgments and Signage. The Grantee will acknowledge the financial assistance provided by the Council in promotional materials, press releases, reports and publications relating to the Pre-Development Project and the Future Development Project. The acknowledgment will contain the following or similar language:

*Funding support for this project was provided by the Metropolitan
Council Metropolitan Livable Communities Fund.*

Until the Future Development Project is completed, the Grantee shall ensure the above acknowledgment language, or alternative language approved by the Council's authorized agent, is included on all signs (if any) located at the Future Development Project or construction sites that identify project funding partners or entities providing financial assistance for the Future Development Project. The acknowledgment and signage should refer to the "Metropolitan Council" (not "Met Council" or "Metro Council").

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5.05. Permits, Bonds and Approvals. The Council assumes no responsibility for obtaining any applicable local, state, or federal licenses, permits, bonds, authorizations, or approvals necessary to perform or complete any Pre-Development Project activities described or identified in Attachments A and B.

5.06. Subgrantees, Contractors and Subcontractors. The Grantee shall include in any subgrant, contract or subcontract for Pre-Development Project activities appropriate provisions to ensure subgrantee, contractor, and subcontractor compliance with all applicable state and federal laws and this Agreement. Along with such provisions, the Grantee shall require that contractors and subcontractors performing work covered by this grant comply with all applicable state and federal Occupational Safety and Health Act regulations.

5.07. Stormwater Discharge and Water Management Plan Requirements. To the extent appropriate, the Pre-Development Project should include consideration of stormwater discharge and water management plan requirements in federal and state laws, the Council's *2040 Water Resources Policy Plan*, and the local water management plan(s) for the jurisdiction(s) within which the Project Area is located.

5.08. Authorized Agent. Payment request forms, written progress reports, and correspondence submitted to the Council pursuant to this Agreement shall be directed to the Authorized Agent named below or their successor through the Council's online grants administration portal or to the below contact information:

Attn: Samuel F Johnson
Metropolitan Council
CD & MTS Finance and Administration
390 Robert Street North
Saint Paul, Minnesota 55101-1805
Samuel.johnson@metc.state.mn.us

5.09. Non-Assignment. Minnesota Statutes section 473.253, subdivision 2 requires the Council to distribute grant funds to eligible "municipalities," metropolitan-area counties, or "development authorities" for projects in municipalities participating in the Local Housing Incentives Account program. Accordingly, this Agreement is not assignable and shall not be assigned by the Grantee.

5.10. Authorization to Reproduce Images. The Grantee certifies that the Grantee: (a) is the owner of any renderings, images, perspectives, sections, diagrams, photographs or other copyrightable materials (collectively, "copyrightable materials") that are in the Grantee's application or are submitted to the Council as part of the grant application review process or after grant award, or that the Grantee is fully authorized to grant permissions regarding the copyrightable materials; and (b) the copyrightable materials do not infringe upon the copyrights of others. The Grantee agrees the Council has a nonexclusive royalty-free license and all necessary permissions to reproduce and publish the copyrightable materials for noncommercial purposes, including but not limited to press releases, presentations, reports, and on the internet. The Grantee also agrees the Grantee will not hold the Council responsible for the unauthorized use of the copyrightable materials by third parties.

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5.11. Warranty of Legal Capacity. The individuals signing this Agreement on behalf of the Grantee and on behalf of the Council represent and warrant on the Grantee's and the Council's behalf respectively that the individuals are duly authorized to execute this Agreement on the Grantee's and the Council's behalf respectively and that this Agreement constitutes the Grantee's and the Council's valid, binding, and enforceable agreements.

5.12. Fair Housing Policy. If the Pre-Development Project will include a housing component, the governing body of the Grantee must have adopted a Fair Housing Policy. For the purposes of this section, the term "Fair Housing Policy" means a written statement regarding the Grantee's commitment to fair housing that substantively includes at least the following elements: a purpose statement; procedures for responding to fair housing concerns and complaints; and a designated individual or staff position responsible for fair housing issues. A best practices guide, as well as a copy of a model local fair housing policy is available at: <https://metro council.org/Handbook/Files/Resources/Best-Practices/Fair-Housing-Policy-Guide.aspx>.

5.13. Counterparts. This Agreement may be executed in counterpart, each of which counterpart constitutes an original, but both of which together constitute one instrument.

5.14. Electronic Signatures. The electronic signatures of the Council's and the Grantee's authorized representatives shall be valid as the original signatures of the authorized representatives and shall be effective to bind the Council and the Grantee under this Agreement. This Agreement containing, or to which there is affixed, an electronic signature shall be deemed to (a) be "written" or "in writing"; (b) have been signed; and (c) constitute a record established and maintained in the ordinary course of business and an original written record when printed from electronic files. "Electronic signature" also means a manually signed original signature that is then transmitted by any electronic means, including without limitation a faxed version of an original signature or an electronically scanned and transmitted version (*e.g.*, via PDF) of an original signature. The Council's or the Grantee's failure to produce the original signature of any electronically transmitted signature shall not affect the enforceability of this Agreement.

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IN WITNESS WHEREOF, the Grantee and the Council have caused this Agreement to be executed by their duly authorized representatives. This Agreement is effective on the date of final execution by the Council.

CITY OF BROOKLYN CENTER

METROPOLITAN COUNCIL

By: _____

By: _____

Title: _____

LisaBeth Barajas, Executive Director
Community Development Division

Date: _____

Date: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

Approved as to form:

ATTACHMENT A

PRE-DEVELOPMENT PROJECT SUMMARY

This attachment comprises this page and the succeeding page(s) which contain(s) a summary of the Pre-Development Project described in the application for Livable Communities Demonstration Account program grant funds submitted in response to the Council's notice of availability of Livable Communities Act Pre-Development Grant Program funds for the Funding Cycle identified at Page 1 of this Agreement. The summary reflects the Pre-Development Project activities for which the Grantee was awarded grant funds by the Council Action, and may reflect changes in Pre-Development Project funding sources, changes in funding amounts, or minor changes in the proposed Pre-Development Project that occurred subsequent to application submission. The application is incorporated into this Agreement by reference and is made a part of this Agreement as follows. If the application or any provision of the application conflicts with or is inconsistent with the Council Action, other provisions of this Agreement, or the Pre-Development Project Summary contained in this Attachment A, the terms, descriptions, and dollar amounts reflected in the Council Action or contained in this Agreement and the Pre-Development Project Summary shall prevail. For the purposes of resolving conflicts or inconsistencies, the order of precedence is: (1) the Council Action; (2) this Agreement; (3) the Pre-Development Project Summary and Location(s); and (4) the grant application.

PROJECT SUMMARY

Grant Number: SG- 18073
Type: LCA Pre-Development
Applicant: City of Brooklyn Center
Project Name: Immigrant Opportunity Center – Center for Asian & Pacific Islanders (CAPI)
Project Location: 5950 Brooklyn Boulevard
Council District: 2 - Chamblis

Project Detail	
Future Development Project Overview	CAPI seeks to expand its Immigrant Opportunity Center “campus.” CAPI envisions a two-story mixed-use retail / commercial space to become the new home of CAPI’s Financial Opportunity and Benefits Enrollment Centers, tenant space for BIPOC-led nonprofit partners, and community event and training spaces. Funding will support the very early stages of CAPI’s feasibility study, site planning, and community engagement efforts.
Project Comments	• Project will improve connections and create economic opportunities for local residents. • Project team had a clear understanding of the community who will be in the space and how to incorporate them into the design and visioning process
Funding	
Grant Amount	\$125,000
Use of funds	
Amount	Uses and Deliverables to be completed by the end of the grant term
\$25,000	Use: Design Workshops/Community Engagement Deliverable: Documentation of focus groups and how information gathered will be incorporated into the project
\$15,000	Use: Development of project-specific or district-wide Stormwater Management Plan Deliverable: Preliminary civil design of project stormwater management plan
\$35,000	Use: Development of site plans, staging plans, public realm plans Deliverable: Schematic design development of the site and building plan
\$50,000	Use: Market or Feasibility Study Deliverable: Market study, financial feasibility with 3-4 development scenarios

ATTACHMENT B

PRE-DEVELOPMENT PROJECT LOCATION(S)

This attachment comprises this page and the succeeding page(s) which contain aerial photography or drawings that identify the specific location(s) within the Project boundaries or the Site(s) for which the Grantee must use the grant funds. The attached photography or drawings also may identify the types of eligible activities for which the grant funds must be used at specific locations within the Project boundaries or within the Site(s).



Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-

RESOLUTION ACKNOWLEDGING AWARDED FUNDS FOR LIVABLE COMMUNITIES ACT'S LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT FUNDING AND TRANSIT ORIENTED DEVELOPMENT FUNDING AUTHORIZING ACCEPTANCE OF GRANT FUNDS FOR CENTER FOR ASIAN AND PACIFIC ISLANDER

WHEREAS the City of Brooklyn Center, Minnesota was a participant in the Livable Communities Act's ("LCA") Local Housing Incentives Account Program for 2022 as determined by the Metropolitan Council, and was therefore eligible to apply for Livable Communities Demonstration Account ("LCDA") funds; and

WHEREAS the City has identified proposed projects within the City that meets LCDA purposes and criteria and is consistent with and promotes the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council's adopted metropolitan development guide; and

WHEREAS the City has supported grant applications, agreeing to act as legal sponsor for the project, recognized by resolution on July 11th, 2022; and,

WHEREAS the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreement; and

WHEREAS the City acknowledges LCDA grants are intended to fund projects or project components that can serve as models, examples or prototypes for development or redevelopment projects elsewhere in the region, and therefore represents that the proposed project or key components of the proposed project can be replicated in other metropolitan-area communities; and

WHEREAS only a limited amount of grant funding is available through the Metropolitan Council's LCA initiatives during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of LCA grant funding; and

WHEREAS the City's supported project of 'Center for Asian and Pacific Islander' development was awarded \$125,000 in LCDA grant funds on September 14th, 2022; and

NOW THEREFORE BE IT RESOLVED that, after appropriate examination and due consideration, the governing body of the City: Finds that it is in the best interests of the City's development goals and priorities for the proposed projects to occur at these particular sites and at this particular time:

1. Finds that the project components for which LCDA funding was awarded:
 - a. Will not occur solely through private or other public investment within the reasonably foreseeable future; and
 - b. Will occur within the term of the grant award two years for Development grants) expiring June 30th, 2024.
2. Authorizes its City Manager to accept awarded funds on behalf of the City for the application for the Fall 2022 funding cycle for Metropolitan Council Livable Communities Demonstration Account grant funds, and Transit Oriented Development funds for the project components identified in the applications, and to execute such agreements as may be necessary to implement the project on behalf of the City.

May 8, 2023

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 Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Kellace McDaniel, Police Chief

SUBJECT: Resolution Approving a Joint Powers Agreement (JPA) with Pets Under Police Security (PUPS) and Authorize Staff to Execute the JPA

Requested Council Action:

- approve the resolution for a Joint Powers Agreement with Pets Under Police Security (PUPS) and to execute the Joint Powers Agreement

Background:

The City of Brooklyn Center entered into a Joint Powers Agreement with Pets Under Police Security (PUPS) in 1990. In 1992, the City of Brooklyn Center authorized an appropriation to contribute for the cost of construction of a joint facility for PUPS.

Tonight, before council is a resolution approving the renewal of a JPA and authorizing staff to execute such Joint Powers Agreement.

Budget Issues:

- currently budgeted

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	5/3/2023	Resolution Letter
Joint Powers Agreement	5/3/2023	Backup Material

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION RELATING TO ANIMAL CONTROL: CONTINUATION OF JOINTS POWERS AGREEMENT WITH PETS UNDER POLICE SECURITY (PUPS)

WHEREAS, the City of Brooklyn Center approved Resolution 90-190; authorizing a Joint Powers Agreement (JPA) with Pets Under Police Security (PUPS);

WHEREAS, the City has continued this JPA and is satisfied with the quality of services provided by PUPS; and

WHEREAS, the City of Brooklyn Center desires to renew the Joint Powers Agreement with PUPS through December 31, 2053.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Brooklyn Center, Minnesota, approves a Joint Powers Agreement with Pets Under Police Security (PUPS) for the term of January 1, 2023 through December 31, 2053.

May 10, 2023

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.

**JOINT POWERS AGREEMENT
for
PETS UNDER POLICE SECURITY (“PUPS”)**

This JOINT POWERS AGREEMENT (“Agreement”) is made and entered into pursuant to Minn. Stat. § 471.59 by the cities of Maple Grove, Brooklyn Center, Brooklyn Park, Champlin, Crystal, New Hope, Plymouth, and Robbinsdale (“Members”) as of the Effective Date specified herein.

WHEREAS, the Members acknowledge that in the course of operations of their respective municipal animal control efforts, they encounter animals that require safe, efficient, and economical impoundment;

WHEREAS, the Members desire and intend to maintain an organization by which they may jointly and cooperatively provide for the impoundment of such animals in a jointly operated animal control impound facility (“PUPS Facility”);

WHEREAS, the Members desire to provide for the joint use and shared financial responsibilities of operation of the PUPS Facility;

WHEREAS, the PUPS Facility is located at 11350 89th Ave N, Maple Grove, MN 55369;

BASED UPON AND IN CONSIDERATION OF THE FOREGOING, the Members agree as follows:

1. **Term.** This Agreement shall commence on January 1, 2023 (“Effective Date”) and expire on December 31, 2053 unless earlier terminated as specified herein. Upon expiration of the initial term, the Members may negotiate and may agree to extend this Agreement.
2. **Membership**
 - a. *Initial membership.* By executing this Agreement, municipalities noted above are the initial Members of PUPS and are subject to the terms and conditions of this Agreement.
 - b. *Additional members.* Any governmental unit may make application to become a member of PUPS. In order to apply, a governmental unit must contact the Board and inform the Board of the governmental unit’s intent to join. Applications will be considered in the sole discretion of the Board and according to terms and conditions set by the Board in accordance with this Agreement. The terms and conditions of additional membership shall be documented in an addendum to this Agreement.
 - c. *Withdrawal.* Members may elect to withdraw from PUPS upon written notice to the Board no later than June 30 in any year specifying an effective date no earlier than January 1 of the subsequent year. All obligations of the withdrawing Member continue through the effective date of withdrawal.

3. Board

- a. *Composition and voting.* The governing body of PUPS shall be a Board of Directors ("Board") consisting of one board member from each Member city. Each Member has one vote and proxy voting shall not be allowed. Maple Grove's representative shall be the board chair.
- b. *Meetings.* Except as otherwise provided in this Agreement, the Board shall meet either virtually or in person as often as it is deemed necessary and keep minutes, in either electronic or written form, of the substance of each meeting. Minutes of the Board meetings shall be made available to Members for their review.
- c. *Board authority.* The Board by majority vote of its members must approve the annual operation budget and any significant budgetary impacts or changes, any capital improvements, and any new members. The Maple Grove City Administrator may overturn any decision by the Board resulting in additional building maintenance expenditures, modification of the PUPS Facility, or increased capital improvement needs.

4. Management and Use

- a. *Animal Containment Coordinator.* Maple Grove will appoint, employ, and supervise an Animal Containment Coordinator for the PUPS Facility. The Animal Containment Coordinator will be employed by Maple Grove, the costs of which, including wages, benefits, and other related expenses, shall be proportionally paid for by the Members.
- b. *PUPS Facility Use.* The Animal Containment Coordinator, in consultation with the Board, will be responsible for setting the hours of operation, public hours, records management, and animal care subject to the rights and obligations of the Members.
- c. *Use by non-Members.* The Board will establish guidelines, policies, rates, and fees for any use of the PUPS Facility by non-Members.
- d. *Maintenance.* Maple Grove shall be responsible for all maintenance, repair, replacement, and upkeep of the PUPS Facility necessary to keep it in good repair and clean condition, the costs for which will be paid by the Members in proportion to their share set forth herein. If the Board determines that Maple Grove has failed to perform the maintenance or make any of the repairs or changes required by this Agreement, the Board shall notify Maple Grove in writing of the required maintenance, repairs, or changes. Maple Grove has 30 days after receipt of such notice to perform or make the required maintenance, repairs, or changes, after which time upon authorization by the Board any other Member may but are not obligated to perform or make the required maintenance, repairs, or changes, the costs of which shall be shared among all Members in proportion to their share set forth herein. In such event, Maple Grove shall allow reasonable access to the PUPS Facility to any person authorized by the Board to perform maintenance, repairs, or changes. If Maple Grove fails to timely cure under this Article, it shall be liable for any damage to

property or loss sustained by the other Members, except damage or loss caused by any other Members' negligent or willful conduct. Maple Grove's failure to timely cure under this Article shall not constitute a default of this Agreement unless such failure significantly impairs the other Members' use of PUPS.

5. Operations

- a. *Owner-Operator.* Maple Grove shall be the owner, operator, and fiscal agent of PUPS, subject to the rights and obligations of the Members set forth in this agreement. Maple Grove shall control all PUPS operations including but not limited to staffing and billing. No Member shall take any action to install equipment or modify the PUPS Facility or the real property on which the PUPS Facility is located without express, written, advance approval from the Board.
- b. *Operating Costs.* Operating Costs include all expenses and costs incurred and normally required with respect to repair, replacement, maintenance, and operation of the PUPS Facility and equipment, improvements, sidewalk, driveways, and parking facilities. Operating costs shall include but are not limited to the following:
 - i. Wages, salaries, benefits, and related expenses of all employees engaged in the operation, management, maintenance, and care of animals within the PUPS Facility, including, without limitation, the Animal Containment Coordinator;
 - ii. All supplies and materials used in the operation and maintenance of the PUPS Facility;
 - iii. Cost of utilities, including but not limited to water, sewer, heating, lighting, electricity, air conditioning, and ventilation for the PUPS Facility;
 - iv. Maintenance and service agreements for PUPS and the maintenance, service, and replacement of the equipment in the PUPS Facility or parking facilities;
 - v. Costs of all insurance for PUPS, including but not limited to premiums, deductibles, and the costs to purchase and maintain fire, property, casualty, and liability insurance;
 - vi. Any and all common area maintenance costs related to public areas of the PUPS Facility, including but not limited to all bathrooms, sidewalks, landscaping, drives, and, service areas;
 - vii. Capital expenditures including but not limited to the cost to maintain, repair, or replace all structural components of the PUPS Facility, fixtures, equipment, and site improvements.
- c. *Operating Budget.* Maple Grove shall provide Members and the Board a copy of the proposed budget of the estimated Revenue and Operating Costs for PUPS

(the "Operating Budget") by June 1 for the following calendar year. The Board shall approve the operating budget on or before August 31 of each year.

- d. *Cost Sharing.* Members shall share in all Operating Costs for PUPS. The Board must adopt an annual Operating Budget by June 1 of each year and provide each Member a reasonable opportunity to comment on the proposed budget before adoption. Notification of the adopted budget must be provided promptly to the chief administrative officer of each member. Cost sharing shall be determined based on the actual number of impounded animals per Member or according to other methodology adopted by a 2/3 majority of the Board. Each Member shall pay Maple Grove the Member's share of Operating Costs in two equal installments due on May 31 and August 31. The final operations bill back will be due on February 28 of the following year. Maple Grove shall submit an invoice to the Members approximately 30 days in advance to assure timely payment. If a Member ceases to be a Member at any time other than the end of a calendar year, the exiting Member's portion of Operating Costs shall be reallocated to the remaining Members according to their Percentage Share.
- e. *Unanticipated Expenses.* An "unanticipated expense" is an expenditure that is not included in an approved Operating Budget but is necessary for the continued operation of PUPS. Maple Grove shall have discretion in consultation with the Board to approve and incur any unanticipated expense.
- f. *Reconciliation and Reserve Account.* On or before June 30 of each year, Maple Grove shall provide the other Members documentation of the net surplus or deficit of Operating Costs in relation to payments made in the preceding year. Any such surplus or deficit in payments shall be treated as follows:
 - i. If there is an actual deficit, each Member will be responsible for its Percentage Share of the deficit.
 - ii. If there is an actual surplus, the amount overpaid by the Members shall be deposited into a PUPS account to be maintained by Maple Grove (the "PUPS Capital") and used by Maple Grove for PUPS-related expenses. If Maple Grove cancels this Agreement as provided in Paragraph 12, any funds remaining in the PUPS Account at the time of such cancellation or termination shall be distributed to all Members in accordance with their Percentage Share determined at that time. Upon any other termination or cancellation of this Agreement, Maple Grove shall retain all funds in the PUPS Account.
- g. *Capital Contribution.* All Members shall by June 30 of each year make a collective annual capital investment in the PUPS Facility of \$25,000, or in a different amount as may be determined by the Board, divided among membership according to the following percentage formula: the total annual number of animal impounds attributable to the Member divided by the total annual number of all PUPS animal impounds in the prior year. Partial year capital contributions will be prorated.

e.g. PUPS impounds 900 animals in a given year, including 100 animals from Maple Grove. Maple Grove is responsible for 11.1% of the total impounds. Maple Grove's capital contribution for that year would be \$2,775 (11.1% of \$25,000).

- h. *Inspection*. Maple Grove agrees that Members, at their own expense and through their duly authorized representatives, at any time during normal business hours and as often as reasonably necessary, shall have the right to examine, audit, excerpt, and transcribe any books and records which are pertinent to or involve transactions relating to this Agreement, including verification of amounts and types of expenses which appear on the Operating Budget or statements of actual Operating Costs.
- 6. **Compliance with Rules and Regulations**. The Members agree to comply with all applicable federal, state, municipal, and local laws, ordinances, and regulations while occupying PUPS. The Members shall comply with Maple Grove's reasonable rules for the safety, care, cleanliness, and preservation of good order of PUPS, provided that the rules are submitted to them in writing and do not conflict with the terms of this Agreement.
- 7. **Insurance**. Maple Grove will, at all times during the Term and any renewal period of this Agreement, either self-insure or have and keep in force a single limit or excess umbrella commercial general liability insurance policy of an amount not less than \$500,000 per claimant for death, bodily injury, personal injury, property loss and/or damages and \$1,500,000 for total personal injury, bodily injury, property loss and/or damages arising from any one occurrence or greater limits which may be subsequently allowed under Minn. Stat. §§ 466.02 and 466.04, as amended. Maple Grove will furnish Members with Certificates of Insurance documenting the insurance coverage required by this Agreement upon request. All Certificates shall provide that the insurance company shall give 10 days written notice to the Members of cancellation, non-renewal, or any material change in the policy.
- 8. **Liability**.
 - a. *Cooperative Activity*. Pursuant to Minn. Stat. § 471.59, subd. 1a(a), as amended, this Agreement is intended to be and shall be construed as a "cooperative activity" and it is the intent of the Members that they shall be deemed a "single governmental unit" for the purposes of liability; provided, however, that each Member expressly declines responsibility for the acts or omissions of the other Member. Nothing in this Agreement shall be construed to waive or limit any immunity from, or limitation on, the liability of either Member as provided by law.
 - b. *Third Party*. To the extent that tort damages or other related costs or fees become payable to a third party as a result of this Agreement or the activities carried out pursuant to this Agreement, the Members shall each pay an amount equal to their respective percentage of liability. Notwithstanding the foregoing, this Agreement is solely for the benefit of the Members, it being the express intent of the

Members that no other entity or person shall have any right, claim, or interest in this Agreement.

- c. *Employee Liability Limitation.* No Member shall be responsible or liable for injuries or death of the other Members' employees or officers. Each Member will maintain worker's compensation coverage to the extent required by law on its employees and officers who perform work or use the PUPS Facility pursuant to this Agreement.
 - d. *No Immunity Waiver.* Nothing in this Agreement is intended or should be construed in any manner as a waiver of any Member's immunities or of the tort limits contained in Minnesota Statutes chapter 466.
9. **Indemnification.** Subject to the limitations, immunities, and defenses in Minnesota Statute chapter 466, each Member shall defend, indemnify, and hold harmless the other Members and their officers and employees from and against any and all liability, loss, damages, costs, and expenses which it or its employees or agents may hereafter sustain, incur, or be required to pay arising out of or resulting from the performance of this Agreement, provided that any such claim, damage, loss, or expense is (1) attributable to personal or bodily injury, sickness, disease, or death or to injury to or destruction of tangible property including the loss of use therefrom; and (2) caused by any negligent acts or omissions of the indemnifying Member or its employees, agents, or any other person or entity for whose actions it may be liable.
10. **Dispute Resolution; Applicable Law; Venue.** In the event some or all of the Members are unable to reach agreement regarding interpretation of their rights and obligations under this Agreement, the disagreeing Members shall participate in mediation pursuant to the Minnesota Civil Mediation Act, as amended (currently codified at Minn. Stat. § 572.31 et seq.) prior to initiating any other form of dispute resolution, including legal action. This Agreement is created under and shall be read and construed according to Minnesota law. Any legal action between the Members related to this Agreement shall be venued in a court of competent jurisdiction in Hennepin County, Minnesota.
11. **Default.** If any payment by a Member required by this Agreement remains unpaid for 30 days after written notice or a Member fails to comply with any of the terms and conditions of this Agreement and such failure continues for 30 days after written notice, such Member shall be deemed in default. Upon the occurrence of such default, Maple Grove may in its discretion in consultation with the Board terminate the defaulting Member's membership in this Agreement and recover damages from the defaulting Member including but not limited to all unpaid amounts due and owing under this Agreement plus any sum of money as may be determined fair and equitable by a court having jurisdiction over this matter, plus interest at the maximum rate allowed by law.
12. **Termination By Maple Grove.** Maple Grove may, in its sole discretion, elect to terminate this Agreement upon written notice to the Members. Such notice shall provide for no less than one full budget year (January 1 – December 31) prior to its effective date of

termination e.g. if notice under this provision were provided on March 1, 2026, the effective date of termination could be no earlier than January 1, 2028.

13. Miscellaneous Provisions

- a. *Waiver.* Failure by any Member to insist, in any one or more instances, upon strict performance of any term, covenant, or condition of this Agreement or to exercise any option contained in this Agreement shall not be construed as a waiver or a relinquishment for the future of such term, covenant, condition, or option, but the same shall continue and remain in full force and effect. The Members shall not be deemed to have waived any provision of this Agreement until expressed in a signed writing.
- b. *Counterparts.* This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.
- c. *No Assignment.* This Agreement may not be assigned except by the advance, express written consent of all other Members.
- d. *Entire Agreement; Modification.* This Agreement shall constitute the entire agreement among the Members as to the subject matter and any understandings or representations of any kind preceding the execution of this Agreement shall not be binding upon the Members. This Agreement may not be amended or modified except by a written instrument executed by all Members.
- e. *Authority.* Each Member represents and warrants that it has the power and authority to enter into this Agreement. Each Member further represents and warrants that the person or persons executing this Agreement on its behalf have full and complete legal authority to do so, and thereby bind the Member and, to the extent permitted by this Agreement, its successors and assigns.
- f. *Notices.* Any notice or demand, which may or must be given or made by any Member under the terms of this Agreement or any statute or ordinance shall be in writing and be sent registered or certified mail to the other Members addressed as follows:

To: Maple Grove
City Clerk
City of Maple Grove
12800 Arbor Lakes Parkway
Maple Grove, MN 55369

To: Brooklyn Park
Police Chief
City of Brooklyn Park
5400 85th Ave. N
Brooklyn Park, MN 55443

To: Brooklyn Center
Police Chief
City of Brooklyn Center
6645 Humboldt Ave
Brooklyn Center, MN 55430

To: Champlin
Police Chief
City of Champlin
11955 Champlin Drive
Champlin, MN 55316

To: Crystal
Police Chief
City of Crystal
4141 Douglas Drive N
Crystal, MN 55427

To: New Hope
Police Chief
City of New Hope
4401 Xylon Ave N
New Hope, MN 55428

To: Plymouth
City Clerk
City of Plymouth
3400 Plymouth Blvd.
Plymouth, MN 55447-1448

To: Police Chief
City of Robbinsdale
4101 Hubbard Ave N
Robbinsdale, MN 55442

Each Member may designate a different addressee or form of accepting notice at any time by giving written notice to the other Members as provided in this paragraph. Notice delivered by hand shall be deemed received upon delivery.

- g. *Acknowledgement.* Each of the Members affirms and acknowledges that it has fully read, appreciates, and understands the words, terms, conditions, and provisions of this Agreement and is fully satisfied with the same. Each Member affirms and acknowledges that it has been, or had the opportunity to be, represented by legal counsel of its choice.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed on the date indicated below:

[Signature Pages to Follow]

CITY OF MAPLE GROVE

By: Mark Steffenson

Its: Mayor

Dated: _____, 2023

By: Heidi Nelson

Its: City Administrator

Dated: _____, 2023

CITY OF BROOKLYN CENTER

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Manager

Dated: _____, 2023

CITY OF BROOKLYN PARK

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Manager

Dated: _____, 2023

CITY OF CHAMPLIN

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Administrator

Dated: _____, 2023

CITY OF CRYSTAL

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Manager

Dated: _____, 2023

CITY OF NEW HOPE

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Manager

Dated: _____, 2023

CITY OF PLYMOUTH

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Manager

Dated: _____, 2023

CITY OF ROBBINSDALE

By:

Its: Mayor

Dated: _____, 2023

By:

Its: City Manager

Dated: _____, 2023

Council Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: James Soltis, P.E., Assistant City Engineer

SUBJECT: Resolution Declaring May 21-27, 2023, National Public Works Week in the City of Brooklyn Center

Requested Council Action:

- Motion to approve a resolution declaring May 21 through May 27, 2023, as "National Public Works Week" in Brooklyn Center.

Background:

National Public Works Week is a celebration of the tens of thousands of people in North America who provide and maintain the infrastructure and services collectively known as public works. Instituted as a public education campaign by the American Public Works Association (APWA) in 1960, the weeklong celebration calls attention to the importance of public works in community life. The week seeks to enhance the prestige of professionals who serve the public good every day with quiet dedication. The theme for 2023 is "Connecting the World Through Public Works".

The Public Works Department employs 42 full-time and 20 seasonal employees in the six divisions of the department - engineering, street maintenance, park maintenance, public utilities, central garage, and building and grounds maintenance. All divisions work together as a team to provide high-quality service for people who visit, live, or work in Brooklyn Center.

Many of the tasks like plowing streets, mowing parks, putting up signs, pumping water, maintaining large equipment, maintaining all City facilities and grounds, and improvement projects are high profile. Many more tasks are completed almost unnoticed except in their absence.

Many people do not realize that significant efforts of the department take place while everyone else is sleeping. It is not unusual for street or park employees to get called out in the middle of the night after a storm to clear fallen trees from the road, to plow or provide ice control during a winter storm, or utility employees to be called out to respond to a sewer backup or water main break. Our Public Works employees take great pride in their work.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/28/2023	Cover Memo

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING MAY 21-27, 2023 NATIONAL PUBLIC WORKS WEEK IN THE CITY OF BROOKLYN CENTER

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as engineering, water, wastewater, storm drainage, streets and highways, parks and central vehicle fleet maintenance; and

WHEREAS, the health, safety and comfort of this community greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities including their planning, design, construction, operation and maintenance are vitally dependent upon the efforts and skill of Public Works personnel.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that May 21-27, 2023, as "National Public Works Week" in the City of Brooklyn Center, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which Public Works personnel make every day to our health, safety, comfort and quality of life.

May 8, 2023

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 Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Interim Community Development Director

BY: Jason Aarsvold, EDA Project Management - Ehlers

SUBJECT: Resolution to Approve a TIF District #10 (Wangstad Commons) and TIF agreement

Requested Council Action:

- *Motion to:*

- *open the Public Hearing,*
- *take public input,*
- *close the Public Hearing; and*
- *consider approval of resolution approve a TIF District #10 (Wangstad Commons) and TIF agreement*

Background:

Since 2019, The EDA has been working with JO Companies to develop four EDA-owned parcels at 61st Avenue N and Brooklyn Boulevard. The proposed project includes a 54-unit low-income housing tax credit (LIHTC) rental project. In June of 2022, the EDA entered into an option agreement with the developer to sell the EDA-owned land and approved a resolution of support to provide Tax Increment Financing (TIF) for the project.

Through analysis, negotiations and discussions with City Council, EDA and staff, the agreed upon pay-as-you-go (PAYGO) TIF assistance for the project is \$482,000 (present value). In addition, the land will be transferred to Wangstad Commons for \$1. Both contributions are necessary for the project's financial feasibility as further outlined in the attached memorandum from Ehlers.

In a PAYGO financing, the developer is responsible for raising and/or financing 100% of the project costs. The City does not provide any funding up front. Instead, once the project is complete, the City issues a PAYGO promissory note to the developer. Tax increment generated within the TIF district goes to the City, and the City makes payments on the note to the developer using TIF collected in the district.

If TIF collections in the district are less than anticipated, the City is not responsible for making up the difference. This is the developer's risk. At the end of the term of district/note, if a balance remains on the note, the City is again not responsible for making up the difference.

Providing this assistance requires creation of a new TIF district as well as approval of a TIF agreement. The City council must hold the public hearing to establish a new TIF district and approve the TIF Plan. The EDA will also approve the TIF Plan and is the entity that will approve the TIF agreement. The purpose of this action is to hold a public hearing and consider approval of the TIF Plan for TIF District #10 (Wangstad Commons).

TIF Plan

The TIF Plan for District 10 is the City's planning document for the district. It spells out the objectives and policies for the district, identifies the geographic boundaries, and sets the maximum budgetary authority for the district. This planning document simply allows for the creation of a new TIF district. Approval of the TIF Plan does not grant any specific TIF assistance to the developer. This is done by entering into a separate TIF Agreement.

TIF District 10 is being established as a Housing TIF District. The site will qualify for a housing district because the Wangstad Commons project will serve households at, or below, income levels required by statute. In this case, that *minimum* threshold is at least 40% of the units will be affordable to those at 60% AMI. As proposed, however, 100% of the units in the Wangstad project will meet this threshold. The TIF Plan sets up the district for the maximum duration of 26 years.

The maximum budgetary authority in the district is \$2.33 million. This is a maximum budget intended to provide flexibly. It includes 3% annual inflation and assumes the TIF district runs for the full 26 years. The actual assistance to the property owner is anticipated to be a present value amount of \$482,000 which estimates show will be repaid within 17 years.

The TIF Plan assumes Pay-As-You-Go assistance to the project as noted above. The TIF plan also includes a 10% allowance for City administrative costs. This City can use this 10% to pay for any ongoing costs associated with administering the project in the TIF District. In addition, the TIF plan provides for repayment of an interfund loan. This interfund loan is the mechanism to reimburse the City from future tax increments for any expenditures incurred in connection with the TIF plan prior to receipt of any tax increment and not reimbursed by JO Companies.

The parcels proposed for inclusion in TIF District #10 are already included in the City's existing TIF District #6 (the Sanctuary). These parcels were included in TIF District #6 in the event there was ever to be an expansion of the Sanctuary project. This action will also remove these parcels from TIF District #6 so they can be included in the newly created TIF District #10. The parcels being removed from TIF District #6 are currently exempt from property taxes. Therefore, their removal from the district will have no impact on tax increment receipts in the district.

Next Steps:

Following Council action, the EDA will also consider approval of the TIF Plan as well as approval of the TIF agreement. This agreement is the document that specifies how TIF from the new district will go to the Wangstad project as well as provisions associated with the transfer of land.

Once these steps are complete, the project will proceed to a closing with construction anticipated to begin in 2023. The receipt of first tax increment is expected in 2025.

Budget Issues:

This item will have no immediate effect on the budget.

Inclusive Community Engagement:**Antiracist/Equity Policy Effect:**

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Analysis Memo	5/3/2023	Backup Material
TIF Plan	5/3/2023	Backup Material
Resolution	5/3/2023	Resolution Letter
Powerpoint	5/22/2023	Presentation

MEMORANDUM

TO: Jesse Anderson – Acting Community Development Director
 FROM: Jason Aarsvold – Ehlers
 DATE: May 1, 2023
 SUBJECT: JO Companies – Analysis of Financial Request

In 2022, the EDA authorized assistance for JO Companies' Wangstad Commons project. This assistance included pay-as-you-go (PAYGO) tax increment financing (TIF) in the amount of \$482,000 and an agreement to sell the EDA-owned land for \$225,000. The project consisted of a 54-unit workforce housing development containing 1, 2, 3, and 4-bedroom units with a total development cost of approximately \$20.2 million.

At the end of 2022, the developer received an allocation of tax credits through MN Housing's competitive process. Since approval of assistance in 2022, however, the financing gap in the project increased by approximately \$600,000. Through an analysis of the updated pro forma for the Wangstad Commons project, Ehlers determined writing down the land to \$1 would help solve \$225,000 of the new gap and allow the project to proceed. The developer has indicated an ability to solve the remaining portion of the gap. The table below includes the updated sources and uses of funds for the project.

SOURCES			
	Amount	Pct.	Per Unit
First Mortgage	3,174,000	13.9%	58,778
TIF Mortgage (PAYGO)	482,000	2.1%	8,926
Low Income Housing Tax Credits	17,464,526	76.5%	323,417
HOME	550,000	2.4%	10,185
Hennepin County ARPA	569,463	2.5%	10,546
45L Credits	118,800	0.5%	2,200
GP Capital Contribution	50,000	0.2%	926
GP Equity	100	0.0%	2
Energy Rebate	15,000	0.1%	278
Deferred Developer Fee (16% of Total Fee)	394,305	1.7%	7,302
TOTAL SOURCES	22,818,194	100%	422,559

USES			
	Amount	Pct.	Per Unit
Acquisition Costs	1	0.0%	0
Construction Costs	17,416,220	76.3%	322,523
Professional Services	1,114,750	4.9%	20,644
Financing Costs	1,436,224	6.3%	26,597
Developer Fee	2,470,000	10.8%	45,741
Cash Accounts/Escrows/Reserves	380,999	1.7%	7,056
TOTAL USES	22,818,194	100%	422,559

Pro Forma Analysis:

Overall, the information contained in the development pro forma generally meets the expectations of a rental housing project utilizing 9% low-income housing tax credits (LIHTC) and other sources of public financial assistance.

1. **Acquisition Costs** – The proposed land acquisition cost is \$1. Similar projects typically range between \$7,500 to \$18,000 per unit, but the land write-down was necessary for financial feasibility and helped JO Companies secure additional points in their competitive tax credit application.
2. **Total Development Costs (TDC)** – The TDC is projected at approximately \$22.8 million or \$422,559 per unit. This represents an increase from \$20.2 million in the estimates from 2022. Under current market conditions, similar projects have generally ranged between \$275,000 and \$375,000 per unit due to the current material and labor costs. This TDC is on the higher end of the range but was substantiated with additional documentation from the developer, so we have proceeded with this assumption. The TIF Assistance Agreement will include a “look back” provision which will allow for a reduction in City assistance if costs come in lower when actually incurred.
3. **Developer Fee** – The proposed developer fee is approximately 10.8% of the TDC, which is on the high end of the typical industry range between 8-10% for LIHTC projects. However, they would be able to defer about 16% of their fee to close the financial gap. Instead of the Developer being compensated up-front for their time and resources, they will be paid out of available cash flow on the back end of the project.
4. **Rents** – Rent and income limits are derived by the United States Department of Housing and Urban Development (HUD) on an annual basis and are gross rents, meaning utilities are included in the maximum rent a developer may charge to a qualifying tenant. The incomes and rents noted in the following table are for 2022 (2023 rents are not yet published). The Developer currently proposes to have a mix of units at 30% of the area median income (AMI), 50% AMI, and 60% AMI.

Income Limits by Household Size (2022)

	1	2	3	4	5	6	7	8
30%	24,660	28,170	31,680	35,190	38,010	40,830	43,650	46,740
50%	41,100	46,950	52,800	58,650	63,350	68,050	72,750	77,450
60%	49,320	56,340	63,360	70,380	76,020	81,660	87,300	92,940

Maximum Gross Rents by Bedroom Size (2022)

	Studio	1	2	3	4	5	6
30%	616	660	792	915	1,020	1,126	1,231
50%	1,027	1,100	1,320	1,525	1,701	1,877	2,052
60%	1,233	1,320	1,584	1,830	2,041	2,253	2,463

5. **Operating Expenses** – The operating expenses on a per unit basis are \$5,947, which is slightly higher than the typical market range of \$3,500 to \$4,500 per unit per year. However, since this project is only 54 units, the project loses several efficiencies and economies of scale. In addition, the project is carrying operating expenses for supportive housing which is not included in the typical range. The operating expenses are acceptable for this project. Please note that this per unit expense is before management fees, property taxes, and replacement reserves.
6. **Management Fee** – The proposed management fee is 5% of the effective gross income of the project. This is within the typical range of 3% to 5%. Because the scale of the project is relatively small in comparison to other developments, we would expect operating expenses at the higher end of the range.
7. **Reserves** – The annual deposit to replacement reserves is set at \$450 per unit per year. Typical deposits to the replacement reserve range between \$250 - \$450.
8. **Low-income Housing Tax Credits (LIHTC)** – The Developer anticipates tax credit pricing of \$0.90 for every \$1.00 of available tax credits, which generates approximately \$17.46 million of proceeds for the project. Tax credit pricing on many projects range between \$0.85 and \$0.95. Based on current conditions, the assumed tax credit equity is reasonable.
9. **TIF Note / Assistance** – We've concluded that this project requires up to \$482,000 of TIF assistance (17-year term) as well as a land write-down to \$1.

Recommendation:

Based on our review of JO Companies' pro forma and under current market conditions, this project may not reasonably be expected to occur solely through private investment within the near future. The cost associated with development of this project is only feasible, in part, through public financial assistance from the EDA. We conclude that TIF assistance in the amount of \$482,000 and a land write-down to \$1 is supported for this project.

Please contact Jason Aarsvold at 651-697-8512 with any questions.

Adoption Date: May 8, 2023

**City of Brooklyn Center
Economic Development Authority
City of Brooklyn Center,
Hennepin County, Minnesota**

**MODIFICATION TO THE
REDEVELOPMENT PLAN**

Housing Development and Redevelopment Project No. 1

&

Tax Increment Financing (TIF) Plan

Establishment of Tax Increment

Financing District No. 10: Wangstad Commons
(a housing district)



Prepared by:

Ehlers
3060 Centre Pointe Drive
Roseville, Minnesota 55113

BUILDING COMMUNITIES. IT'S WHAT WE DO.

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Modification to the Redevelopment Plan for Housing Development and Redevelopment Project No. 1

FOREWORD

The following text represents a modification to the Redevelopment Plan for Housing Development and Redevelopment Project No. 1 (the “Redevelopment Plan”). This modification represents a continuation of the goals and objectives set forth in the Redevelopment Plan. Generally, the substantive changes include the establishment of Tax Increment Financing District No. 10: Wangstad Commons.

For further information, a review of the Redevelopment Plan, is recommended. It is available from the Interim Community Development Director at the City of Brooklyn Center, Minnesota. Other relevant information is contained in the tax increment financing plans for the tax increment financing districts located within Housing Development and Redevelopment Project No. 1.

Tax Increment Financing Plan for Tax Increment Financing District No. 10: Wangstad Commons

FOREWORD

The City of Brooklyn Center Economic Development Authority (the "EDA"), the City of Brooklyn Center, Minnesota (the "City"), staff and consultants have prepared the following information to expedite the Establishment of Tax Increment Financing District No. 10: Wangstad Commons (the "District"), a housing tax increment financing district, located in Housing Development and Redevelopment Project No. 1 (the "Redevelopment Project").

STATUTORY AUTHORITY

Within the City, there exist areas where public involvement is necessary to cause development or redevelopment to occur. To this end, the EDA and the City have certain statutory powers pursuant to *Minnesota Statutes ("M.S.")*, Sections 469.090 - 469.1082, inclusive, as amended, and *M.S.*, Sections 469.174 to 469.1794, inclusive, as amended (the "TIF Act"), to assist in financing public costs related to this project.

This section contains the Tax Increment Financing Plan (the "TIF Plan") for the District. Other relevant information is contained in the Redevelopment Plan.

STATEMENT OF OBJECTIVES

The District currently consists of four (4) parcels of land and adjacent roads and internal rights-of-way. The District is being created to facilitate construction of approximately 54 units of affordable rental housing in the City (the "Development"). The EDA intends to enter into an agreement (the "Development Agreement") with JO Companies as the developer of the project (the "Developer"). Construction of the Development is anticipated to begin in 2023. This TIF Plan is expected to achieve many of the objectives outlined in the Redevelopment Plan.

The activities contemplated in the Redevelopment Plan and the TIF Plan do not preclude the undertaking of other qualified development or redevelopment activities. These activities are anticipated to occur over the life of the Redevelopment Project and the District.

REDEVELOPMENT PLAN OVERVIEW

Pursuant to the Redevelopment Plan and authorizing state statutes, the EDA and the City are authorized to undertake the following activities in the District:

1. Property to be Acquired - The EDA currently owns all of the property located within the District. The EDA and the City reserve the right to acquire other property within the Redevelopment Project.
2. Relocation - Relocation services will be available to the extent required by law, pursuant to *M.S., Chapter 117* and other relevant state and federal laws.
3. Upon approval of a developer's plan relating to the project and completion of the necessary legal requirements, the EDA or the City may sell or lease to said developer selected properties within the District.
4. The EDA or the City may perform or provide for some or all necessary acquisition, construction, relocation, demolition, and required utilities and public street work within the District.

DESCRIPTION OF PROPERTY IN THE DISTRICT AND PROPERTY TO BE ACQUIRED

The District encompasses all property and adjacent roads rights-of-way and abutting roadways identified by the parcels listed below. These parcels are currently within the City's existing TIF District No. 6 and will be removed from TIF District No. 6 for inclusion in TIF District No. 10.

Parcel number	Address	Owner
34-119-21-43-0049	6107 Brooklyn Blvd	EDA
34-119-21-43-0050	6101 Brooklyn Blvd	EDA
34-119-21-43-0051	3600 61st Ave N	EDA
34-119-21-43-0052	3606 61st Ave N	EDA

Please also see the map in Appendix A for further information on the location of the District. The EDA currently owns all four parcels to be included in the District (the "Parcels") and intends to convey the Parcels to the Developer in connection with construction of the Development, pursuant to an option agreement, dated **June 27, 2022**, and the **TIF Assistance Agreement**.

The EDA reserves the right to acquire and convey, or following the conveyance to the Parcels to the Developer, reacquire and convey, (for full value or a discount) such property within the Redevelopment Project, or appropriate interests therein including interior and adjacent street right of way, as the EDA may deem to be necessary or desirable to assist in the implementation of the Redevelopment Plan and the TIF Plan.

Neither the City nor the EDA will exercise eminent domain powers in the District with respect to property for the Development.

DISTRICT CLASSIFICATION

The EDA and the City, in determining the need to create a tax increment financing district in accordance with *M.S., Sections 469.174 to 469.1794*, as amended, inclusive, finds that the District, to be established, is a housing district pursuant to *M.S., Section 469.174, Subd. 11* and *M.S., Section 469.1761*.

- The District consists of four (4) parcels.
- The Development will consist of 54 units of multi-family rental housing.
- At least 40% of the units will be occupied by persons or families with incomes that do not exceed 60% of the area-wide median income.
- No more than 20% of the square footage of the building that is receiving assistance from tax increment consists of commercial, retail or other non-residential uses.

Pursuant to *M.S., Section 469.176, Subd. 7*, the District does not contain any parcel or part of a parcel that qualified under the provisions of *M.S., Sections 273.111, 273.112, or 273.114* or *Chapter 473H* for taxes payable in any of the five calendar years before the filing of the request for certification of the District.

DURATION & FIRST YEAR OF DISTRICT'S TAX INCREMENT

Pursuant to *M.S., Section 469.176, Subd. 1b.*, the duration of the District will be 25 years after receipt of the first increment by the EDA (a total of 26 years of tax increment). The EDA elects to receive the first tax increment in 2025, which is no later than four years following the year of approval of the District.

Thus, it is estimated that the District, including any modifications of the TIF Plan for subsequent phases or other changes, would terminate after 2050, or when the TIF Plan is satisfied. The EDA reserves the right to decertify the District prior to the legally required date.

ORIGINAL TAX CAPACITY, TAX RATE & ESTIMATED CAPTURED NET TAX CAPACITY VALUE/INCREMENT & NOTIFICATION OF PRIOR PLANNED IMPROVEMENTS

Pursuant to *M.S., Section 469.174, Subd. 7* and *M.S., Section 469.177, Subd. 1*, the Original Net Tax Capacity (ONTC) as certified for the District will be based on the market values placed on the property by the assessor in 2022 for taxes payable 2023.

Pursuant to *M.S., Section 469.177, Subds. 1 and 2*, the County Auditor shall certify in each year (beginning in the payment year 2025) the amount by which the original value has increased or decreased as a result of:

1. Change in tax exempt status of property;
2. Reduction or enlargement of the geographic boundaries of the District;
3. Change due to adjustments or negotiated or court-ordered abatements;
4. Change in the use of the property and classification;
5. Change in state law governing class rates; or
6. Change in previously issued building permits.

In any year in which the current Net Tax Capacity (NTC) value of the District declines below the ONTC, no value will be captured and no tax increment will be payable to the EDA.

The original local tax rate for the District will be the local tax rate for taxes payable 2023, assuming the request for certification is made before June 30, 2023. The ONTC and the Original Local Tax Rate for the District appear in the table below.

Pursuant to *M.S., Section 469.174 Subd. 4* and *M.S., Section 469.177, Subd. 1, 2, and 4*, the estimated Captured Net Tax Capacity (CTC) of the District, within the Redevelopment Project, upon completion of the Development within the District, will annually approximate tax increment revenues as shown in the table below. The EDA requests 100% of the available increase in tax capacity be used for repayment of the obligations of the EDA and current expenditures, beginning in the tax year payable 2025. The Project Tax Capacity (PTC) listed is an estimate of values when the Development within the District is completed.

Project Tax Capacity	
Development estimated Tax Capacity upon completion	105,242
Original estimated Net Tax Capacity	2,858
Fiscal Disparities	0
Estimated Captured Tax Capacity	102,384
Original Local Tax Rate	117.1450% Pay 2023
Estimated Annual Tax Increment	\$119,938
Percent Retained by the City	100%

Note: Tax capacity includes a 3% inflation factor for the duration of the District. The tax capacity included in this chart is the estimated tax capacity of the District in year 26. The tax capacity of the District in year one is estimated to be \$13,331.

Pursuant to *M.S., Section 469.177, Subd. 4*, the EDA shall, after a due and diligent search, accompany its request for certification to the County Auditor or its notice of the District enlargement pursuant to *M.S., Section 469.175, Subd. 4*, with a listing of all properties within the District or area of enlargement for which building permits have been issued during the eighteen (18) months immediately preceding approval of the TIF Plan by the City pursuant to *M.S., Section 469.175, Subd. 3*. The County Auditor shall increase the original net tax capacity of the District by the net tax capacity of improvements for which a building permit was issued.

The City reviewed the area to be included in the District and found that no building permits have been issued during the 18 months immediately preceding approval of the TIF Plan by the City.

SOURCES OF REVENUE/BONDS TO BE ISSUED

The total estimated tax increment revenues for the District are shown in the table below:

SOURCES	
Tax Increment	\$ 2,118,319
Interest	211,832
TOTAL	\$ 2,330,151

The costs outlined in the Uses of Funds will be financed primarily through the annual collection of tax increments. The City and the EDA reserves the right to issue bonds (as defined in the TIF Act) or incur other indebtedness as a result of the TIF Plan. As presently proposed, the Development will be financed by pay-as-you-go notes and interfund loans. Any refunding amounts will be deemed a budgeted cost without requiring a formal modification to this TIF Plan.

This provision does not obligate the EDA or the City to incur debt. The EDA or the City will issue bonds or incur other debt only upon the determination that such action is in the best interest of the City.

The EDA or the City may issue bonds secured in whole or in part with tax increments from the District in a maximum principal amount of \$1,483,815. Such bonds may be in the form of pay-as-you-go notes, revenue bonds or notes, general obligation bonds, or interfund loans. This estimate of total bonded indebtedness is a cumulative statement of authority under this TIF Plan as of the date of approval.

USES OF FUNDS

Currently under consideration is a proposal to facilitate construction of approximately 54 units of affordable rental housing in the District. The EDA has determined that it will be necessary to provide assistance to the project(s) for certain District costs, as described herein.

The EDA has studied the feasibility of the development or redevelopment of property in and around the District. To facilitate the establishment and development or redevelopment of the District, this TIF Plan authorizes the use of tax increment financing to pay for the cost of certain eligible expenses. The estimate of public costs and uses of funds associated with the District is outlined in the following table.

USES	
Land/Building Acquisition	\$ 1
Site Improvements/Preparation	150,000
Affordable Housing	1,000,000
Utilities	75,000
Other Qualifying Improvements	46,982
Administrative Costs (up to 10%)	211,832
PROJECT COSTS TOTAL	\$ 1,483,815
Interest	846,336
PROJECT AND INTEREST COSTS TOTAL	\$ 2,330,151

The total project cost, including financing costs (interest) listed in the table above does not exceed the total projected tax increments for the District as shown in the Sources of Revenue section.

Estimated costs associated with the District are subject to change among categories without a modification to the TIF Plan. The cost of all activities to be considered for tax increment financing will not exceed, without formal modification, the budget above pursuant to the applicable statutory requirements. The EDA may expend funds for qualified housing activities outside of the District boundaries.

FISCAL DISPARITIES ELECTION

Pursuant to *M.S., Section 469.177, Subd. 3*, the City may elect one of two methods to calculate fiscal disparities.

The City will choose to calculate fiscal disparities by clause b (inside).

ESTIMATED IMPACT ON OTHER TAXING JURISDICTIONS

The estimated impact on other taxing jurisdictions assumes that the redevelopment contemplated by the TIF Plan would occur without the creation of the District. However, the EDA and the City have determined that such development or redevelopment would not occur "but for" tax increment financing and that, therefore, the fiscal impact on other taxing jurisdictions is \$0. The estimated fiscal impact of the District would be as follows if the "but for" test was not met:

Impact on Tax Base			
Entity	Pay 2023 Total Net Tax Capacity	Estimated Captured Tax Capacity (CTC) upon completion	Percent of CTC to Entity Total
Hennepin County	2,478,633,845	102,384	0.0041%
City of Brooklyn Center	32,169,910	102,384	0.3183%
ISD 279 (Osseo Area Schools)	259,808,191	102,384	0.0394%

Impact on Tax Rates				
Entity	Pay 2023 Extension Rate	Percent of Total	CTC	Potential Taxes
Hennepin County	34.5420%	29.49%	102,384	\$ 35,365
City of Brooklyn Center	55.9690%	47.78%	102,384	57,303
ISD 279 (Osseo Area Schools)	19.6400%	16.77%	102,384	20,108
Other	6.9940%	5.97%	102,384	7,161
	117.1450%	100.00%		\$ 119,938

The estimates listed above display the captured tax capacity when all construction of the Development is completed. The tax rate used for calculations is the Pay 2023 rate.

Pursuant to *M.S., Section 469.175 Subd. 2(b)*:

- (1) Estimate of total tax increment. It is estimated that the total amount of tax increment that will be generated over the life of the District is \$2,118,319;
- (2) Probable impact of the District on City provided services and ability to issue debt. The District will likely impact police services. With any addition of new residents or businesses, police calls for service will increase. New developments increase traffic, and demands to the call load. The City does not expect that the Development, in and of itself, will necessitate new capital investment in police vehicles or facilities.

The probable impact of the District on fire protection is not expected to be significant. Typically new buildings generate few calls, if any, and are of superior construction. The City does not expect that the proposed Development, in and of itself, will necessitate new capital investment in fire vehicles or facilities.

The impact of the District on public infrastructure is expected to be minimal. The Development is not expected to significantly impact any traffic movements in the area. The current infrastructure for sanitary sewer, storm sewer and water will be able to handle the additional volume generated from the proposed Development. Based on the plans for Development, there are minimal additional costs associated with street maintenance, sweeping, plowing, lighting and sidewalks.

The Development is expected to contribute sanitary sewer (SAC) and water (WAC) connection fees.

The probable impact of the issuance of any general obligation tax increment bonds payable from tax increment revenues from the District on the City's ability to issue debt for general fund purposes is expected to be minimal. It is not anticipated that there will be any general obligation debt issued in relation to this District, therefore there will be no impact on the City's ability to issue future debt or on the City's debt limit.

- (3) Estimated amount of tax increment attributable to school district levies. It is estimated that the amount of tax increments over the life of the District that would be attributable to school district levies, assuming the school district's share of the total local tax rate for all taxing jurisdictions remained the same, is \$355,148;
- (4) Estimated amount of tax increment attributable to county levies. It is estimated that the amount of tax increments over the life of the District that would be attributable to county levies, assuming the county's share of the total local tax rate for all taxing jurisdictions remained the same, is \$624,619;
- (5) Additional information requested by the county or school district. The City is not aware of any standard questions in a county or school district written policy regarding tax increment districts and impact on county or school district services. The county or school district must request additional information pursuant to *M.S., Section 469.175 Subd. 2(b)* within 15 days after receipt of the tax increment financing plan.

No requests for additional information have been received from the county or school district regarding the Development or the District.

SUPPORTING DOCUMENTATION

Pursuant to *M.S., Section 469.175, Subd. 1 (a), clause 7* this TIF Plan must contain identification and description of studies and analyses used to make the determination set forth in *M.S., Section 469.175, Subd. 3, clause (b)(2)* and the findings are required in the resolution approving the District.

- (i) In making said determination, reliance has been placed upon (1) written representation made by the Developer to such effects, (2) review of the Developer's pro forma; and (3) City staff awareness of the feasibility of developing the project site within the District, which is further outlined in the City Council resolution approving the establishment of the District and Appendix C.
- (ii) A comparative analysis of estimated market value both with and without establishment of the District and the use of tax increments has been performed. Such analysis is included with the cashflow in Appendix B and indicates that the increase in estimated market value of the proposed development (less the indicated subtractions) exceeds the estimated market value of the site absent the establishment of the District and the use of tax increments.

DISTRICT ADMINISTRATION

Administration of the District will be handled by the Interim Community Development Director.

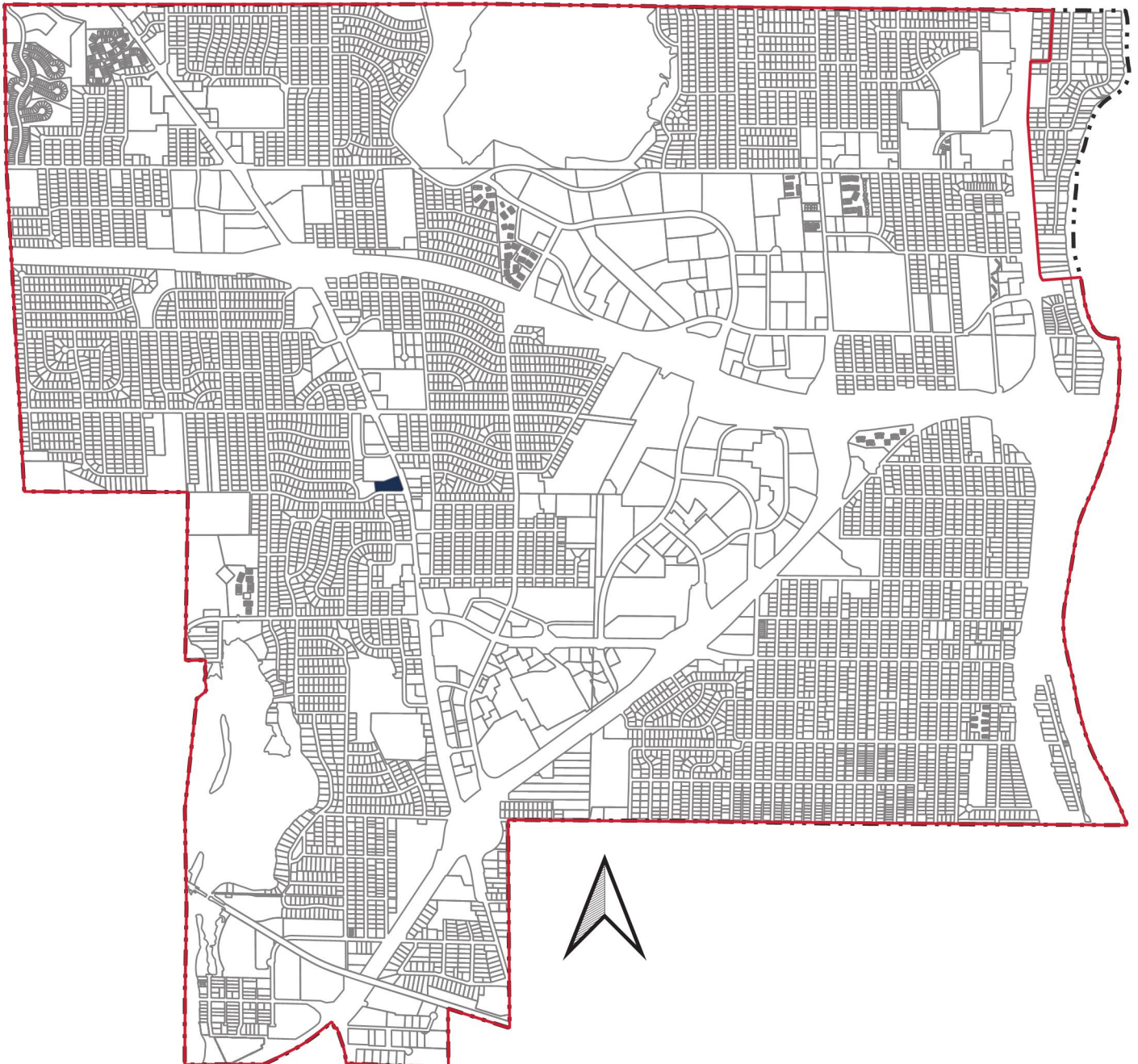
Appendix A: Map of Housing Development and Redevelopment Project No. 1 and the TIF District

Tax Increment Financing District No. 10

Housing Development & Redevelopment

Project No. 1

City of Brooklyn Center
Hennepin County, Minnesota



Legend

-  Housing Development & Redevelopment Project No. 1
-  City Boundaries
-  TIF District No. 10
-  Parcels



Appendix B: Estimated Cash Flow for the District

54-Unit Affordable Apartment



ASSUMPTIONS AND RATES

[illegible]

BASE VALUE INFORMATION (Original Tax Capacity)

Map ID	PID	Owner	Land Address	Building Market Value	Total Market Value	Percentage Of Value Used for District	Original Market Value	Tax Year Original Market Value	Property Tax Class	Current Original Tax Capacity	Class Conversion	After Orig. Tax Cap.	Area/Phase
1	34-119-21-43-0049	EDA	6107 Brooklyn Blvd	172,000	172,000	100%	172,000	Pay 2023	Exempt	-	Aff. Rental	1,290	1
2	34-119-21-43-0050	EDA	6101 Brooklyn Blvd	70,000	70,000	100%	70,000	Pay 2023	Exempt	-	Aff. Rental	325	
3	34-119-21-43-0051	EDA	3600 61st Ave N	69,000	69,000	100%	69,000	Pay 2023	Exempt	-	Aff. Rental	518	
4	34-119-21-43-0052	EDA	3606 61st Ave N	70,000	70,000	100%	70,000	Pay 2023	Exempt	-	Aff. Rental	525	
			381,000	0	381,000		381,000			0		2,858	

Note:

1. Base values are for pay 2022 based upon vales received from the County on 5-27-21.
2. Located in SD #279 and WS #8

Wangstad Commons - 3% Inflation

City of Brooklyn Center, MN
54-Unit Affordable Apartment



PROJECT INFORMATION (Project Tax Capacity)										
Area/Phase	New Use	Estimated Market Value Per Sq. Ft./Unit	Taxable Market Value Per Sq. Ft./Unit	Total Sq. Ft./Units	Total Taxable Market Value	Property Tax Class	Project Tax Capacity	Project Tax Capacity/Unit	Percentage Completed	Percentage Completed
1	Apartments	195,000	195,000	54	10,530,000	Aff. Rental	53,325	988	25%	100%
TOTAL					10,530,000		53,325			
Subtotal Residential				54	10,530,000		53,325			
Subtotal Commercial/Ind.				0	0		0			
									75%	100%
									100%	100%
										2027

Note:

1. Market values are based upon estimates provided by the County Assessor's office.

TAX CALCULATIONS							
	Total Tax Capacity	Fiscal Disparities Tax Capacity	Local Tax Capacity	Local Property Taxes	Fiscal Disparities Taxes	State-wide Property Taxes	Taxes Per Sq. Ft./Unit
New Use							
Apartments	53,325	0	53,325	62,468	0	0	1,409.56
TOTAL	53,325	0	53,325	62,468	0	0	1,409.56

Note:

1. Taxes and tax increment will vary significantly from year to year depending upon values, rates, state law, fiscal disparities and other factors which cannot be predicted.

WHAT IS EXCLUDED FROM TIF?	
Total Property Taxes	76,116
less State-wide Taxes	0
less Fiscal Disp. Adj.	0
less Market Value Taxes	(13,649)
less Base Value Taxes	(3,347)
Annual Gross TIF	59,120

MARKET VALUE BUT / FOR ANALYSIS	
Current Market Value - Est.	381,000
New Market Value - Est.	10,530,000
Difference	10,149,000
Present Value of Tax Increment	1,182,201
Difference	8,966,799
Value likely to occur without Tax Increment is less than:	8,966,799



Wangstad Commons - 3% Inflation
City of Brooklyn Center, MN
54-Unit Affordable Apartment

TAX INCREMENT CASH FLOW														
% of OTC	Project Tax Capacity	Original Tax Capacity	Fiscal Disparities Incremental	Captured Tax Capacity	Local Tax Rate	Annual Gross Tax Increment	Semi-Annual Gross Tax Increment	State Auditor 0.36%	Admin. at 10%	Semi-Annual Net Tax Increment	Semi-Annual Present Value	PERIOD ENDING Yrs.	Tax Year	Payment Date
100%	13,331	(2,858)	-	10,474	117.145%	12,269	6,135	(22)	(611)	5,501	5,288	0.5	2025	02/01/25
							6,135	(22)	(611)	5,501	10,472		2025	08/01/25
100%	39,994	(2,858)	-	37,136	117.145%	43,503	21,752	(78)	(2,167)	19,506	28,492	1.5	2026	02/01/26
							21,752	(78)	(2,167)	19,506	28,492		2026	08/01/26
100%	53,325	(2,858)	-	50,468	117.145%	59,120	29,560	(106)	(2,945)	26,508	46,160	2.5	2027	02/01/27
							29,560	(106)	(2,945)	26,508	46,160		2027	08/01/27
100%	54,925	(2,858)	-	52,067	117.145%	60,994	30,497	(110)	(3,039)	27,349	92,775	3	2027	02/01/28
							30,497	(110)	(3,039)	27,349	92,775		2027	08/01/28
100%	56,572	(2,858)	-	53,715	117.145%	62,924	30,497	(110)	(3,039)	27,349	116,117	3.5	2028	02/01/28
							30,497	(110)	(3,039)	27,349	116,117		2028	08/01/28
100%	58,270	(2,858)	-	55,412	117.145%	64,913	31,462	(113)	(3,135)	28,214	139,001	4	2028	02/01/29
							31,462	(113)	(3,135)	28,214	139,001		2028	08/01/29
100%	60,018	(2,858)	-	57,160	117.145%	66,960	31,462	(113)	(3,135)	28,214	162,146	4.5	2029	02/01/30
							31,462	(113)	(3,135)	28,214	162,146		2029	08/01/30
100%	61,818	(2,858)	-	58,961	117.145%	69,070	32,456	(117)	(3,234)	29,106	184,838	5	2029	02/01/31
							32,456	(117)	(3,234)	29,106	184,838		2029	08/01/31
100%	63,673	(2,858)	-	60,815	117.145%	71,242	32,456	(117)	(3,234)	29,106	207,787	5.5	2030	02/01/31
							32,456	(117)	(3,234)	29,106	207,787		2030	08/01/30
100%	65,583	(2,858)	-	62,726	117.145%	73,480	33,480	(121)	(3,336)	30,024	230,287	6	2030	02/01/31
							33,480	(121)	(3,336)	30,024	230,287		2030	08/01/30
100%	67,551	(2,858)	-	64,693	117.145%	75,785	33,480	(121)	(3,336)	30,024	253,041	6.5	2031	02/01/31
							33,480	(121)	(3,336)	30,024	253,041		2031	08/01/31
100%	69,577	(2,858)	-	66,720	117.145%	78,159	34,535	(124)	(3,441)	30,969	275,349	7	2031	02/01/32
							34,535	(124)	(3,441)	30,969	275,349		2031	08/01/32
100%	71,664	(2,858)	-	68,807	117.145%	80,604	36,740	(132)	(3,661)	32,947	297,909	7.5	2032	02/01/32
							36,740	(132)	(3,661)	32,947	297,909		2032	08/01/32
100%	73,814	(2,858)	-	70,957	117.145%	83,122	36,740	(132)	(3,661)	32,947	320,026	8	2032	02/01/33
							36,740	(132)	(3,661)	32,947	320,026		2032	08/01/33
100%	76,029	(2,858)	-	73,171	117.145%	85,716	37,892	(136)	(3,776)	33,980	342,391	8.5	2033	02/01/33
							37,892	(136)	(3,776)	33,980	342,391		2033	08/01/33
100%	78,310	(2,858)	-	75,452	117.145%	88,388	39,079	(141)	(3,894)	35,045	364,319	9	2033	02/01/34
							39,079	(141)	(3,894)	35,045	364,319		2033	08/01/34
100%	80,659	(2,858)	-	77,801	117.145%	91,140	40,302	(145)	(4,016)	36,141	386,491	9.5	2034	02/01/34
							40,302	(145)	(4,016)	36,141	386,491		2034	08/01/34
100%	83,079	(2,858)	-	80,221	117.145%	93,975	41,561	(150)	(4,141)	37,270	408,228	10	2034	02/01/35
							41,561	(150)	(4,141)	37,270	408,228		2034	08/01/35
100%	85,571	(2,858)	-	82,713	117.145%	96,895	42,858	(154)	(4,270)	38,434	430,208	10.5	2035	02/01/35
							42,858	(154)	(4,270)	38,434	430,208		2035	08/01/35
100%	88,138	(2,858)	-	85,281	117.145%	99,902	42,858	(154)	(4,270)	38,434	451,757	11	2035	02/01/36
							42,858	(154)	(4,270)	38,434	451,757		2035	08/01/36
100%	90,782	(2,858)	-	87,925	117.145%	102,999	44,194	(159)	(4,404)	39,632	473,545	11.5	2036	02/01/36
							44,194	(159)	(4,404)	39,632	473,545		2036	08/01/36
100%	93,506	(2,858)	-	90,648	117.145%	106,190	44,194	(159)	(4,404)	39,632	494,906	12	2036	02/01/37
							44,194	(159)	(4,404)	39,632	494,906		2036	08/01/37
100%	96,311	(2,858)	-	93,453	117.145%	109,476	45,570	(164)	(4,541)	40,866	516,503	12.5	2037	02/01/37
							45,570	(164)	(4,541)	40,866	516,503		2037	08/01/37
100%	98,079	(2,858)	-	95,221	117.145%	112,861	46,988	(169)	(4,682)	42,137	537,677	13	2037	02/01/38
							46,988	(169)	(4,682)	42,137	537,677		2037	08/01/38
100%	100,838	(2,858)	-	97,975	117.145%	116,347	48,447	(174)	(4,827)	43,446	559,084	13.5	2038	02/01/38
							48,447	(174)	(4,827)	43,446	559,084		2038	08/01/38
100%	103,697	(2,858)	-	100,839	117.145%	120,826	49,951	(180)	(4,977)	44,794	580,071	14	2038	02/01/39
							49,951	(180)	(4,977)	44,794	580,071		2038	08/01/39
100%	106,556	(2,858)	-	103,697	117.145%	124,815	51,500	(185)	(5,131)	46,183	601,289	14.5	2039	02/01/39
							51,500	(185)	(5,131)	46,183	601,289		2039	08/01/39
100%	109,515	(2,858)	-	106,657	117.145%	128,872	53,095	(191)	(5,290)	47,613	622,091	15	2039	02/01/40
							53,095	(191)	(5,290)	47,613	622,091		2039	08/01/40
100%	112,564	(2,858)	-	109,706	117.145%	132,999	54,738	(197)	(5,454)	49,087	643,121	15.5	2040	02/01/40
							54,738	(197)	(5,454)	49,087	643,121		2040	08/01/40
100%	115,663	(2,858)	-	112,805	117.145%	137,132	56,430	(203)	(5,623)	50,604	663,739	16	2040	02/01/41
							56,430	(203)	(5,623)	50,604	663,739		2040	08/01/41
100%	118,812	(2,858)	-	115,954	117.145%	141,361	58,173	(209)	(5,796)	52,168	684,581	16.5	2041	02/01/41
							58,173	(209)	(5,796)	52,168	684,581		2041	08/01/41
100%	122,011	(2,858)	-	119,153	117.145%	145,516	59,969	(216)	(5,975)	53,778	705,015	17	2041	02/01/42
							59,969	(216)	(5,975)	53,778	705,015		2041	08/01/42
100%	125,260	(2,858)	-	122,402	117.145%	149,667	61,761	(222)	(6,156)	55,573	725,671	17.5	2042	02/01/42
							61,761	(222)	(6,156)	55,573	725,671		2042	08/01/42
100%	128,559	(2,858)	-	125,697	117.145%	153,826	63,594	(228)	(6,341)	57,453	745,923	18	2042	02/01/43
							63,594	(228)	(6,341)	57,453	745,923		2042	08/01/43
100%	131,908	(2,858)	-	129,050	117.145%	158,097	65,469	(234)	(6,530)	59,439	766,394	18.5	2043	02/01/43
							65,469	(234)	(6,530)	59,439	766,394		2043	08/01/43
100%	135,317	(2,858)	-	132,459	117.145%	162,376	67,400	(240)	(6,723)	61,527	786,463	19	2043	02/01/44
							67,400	(240)	(6,723)	61,527	786,463		2043	08/01/44
100%	138,786	(2,858)	-	135,928	117.145%	166,744	69,425	(246)	(6,919)	63,646	806,750	19.5	2044	02/01/44
							69,425	(246)	(6,919)	63,646	806,750		2044	08/01/44
100%	142,315	(2,858)	-	139,457	117.145%	171,092	71,496	(252)	(7,119)	65,777	826,639	20	2044	02/01/45
							71,496	(252)	(7,119)	65,777	826,639		2044	08/01/45
100%	145,904	(2,858)	-	143,046	117.145%	175,449	73,609	(258)	(7,324)	67,985	846,743	20.5	2045	02/01/45
							73,609	(258)	(7,324)	67,985	846,743		2045	08/01/45
100%	149,553	(2,858)	-	146,695	117.145%	179,808	75,769	(264)	(7,534)	70,215	866,452	21	2045	02/01/46
							75,769	(264)	(7,534)	70,215	866,452		2045	08/01/46
100%	153,262	(2,858)	-	150,404	117.145%	184,166	77,970	(270)	(7,748)	72,482	886,374	21.5	2046	02/01/46
							77,970	(270)	(7,748)	72,482	886,374		2046	08/01/46
100%	157,031	(2,858)	-	154,173	117.145%	188,520	80,261	(276)	(7,966)	74,731	905,905	22	2046	02/01/47
							80,261	(276)	(7,966)	74,731	905,905		2046	08/01/47
100%	160,860	(2,858)	-	157,999	117.145%	192,871	82,642	(282)	(8,184)	77,062	925,645	22.5	2047	02/01/47
							82,642	(282)	(8,184)	77,062	925,645		2047	08/01/47
100%	164,749	(2,858)	-	161,891	117.145%	197,222	84,613	(288)	(8,409)	79,403	944,998	23	2047	02/01/48
							84,613	(288)	(8,409)	79,403	944,998		2047	08/01/48
100%	168,688	(2,858)	-	165,830	117.145%	201,573	86,639	(294)	(8,638)	81,734	964,559	23.5	2048	02/01/48
							86,639	(294)	(8,638)	81,734	964,559		2048	08/01/48
100%	172,687	(2,858)	-	169,829	117.145%	205,924	88,716	(300)	(8,872)	84,065	983,736	24	2048	02/01/49
							88,716	(300)	(8,872)	84,065	983,736		2048	08/01/49
100%	176,746	(2,858)	-	1										

Appendix C: Findings Including But/For Qualifications

The reasons and facts supporting the findings for the adoption of the Tax Increment Financing Plan for Tax Increment Financing District No. 10: Wangstad Commons, as required pursuant to *Minnesota Statutes, (M.S.) Section 469.175, Subdivision 3* are as follows:

1. *Finding that Tax Increment Financing District No. 10: Wangstad Commons is a housing district as defined in M.S., Section 469.174, Subd. 11.*

Tax Increment Financing District No. 10: Wangstad Commons consists of four (4) parcels. The development will consist of construction of approximately 54 units of affordable rental housing, all or a portion of which will receive tax increment assistance and will meet income restrictions described in *M.S. Section 469.1761*. At least 40% of the units receiving assistance will be occupied by individuals and families whose incomes are at or below 60% of area median income.

2. *Finding that the proposed development, in the opinion of the City Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.*

The proposed development, in the opinion of the City, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future: This finding is supported by the fact that the development proposed in the TIF Plan is a housing district that meets the City's objectives for development and redevelopment. The cost of land acquisition, site and public improvements and utilities makes this housing development infeasible without EDA assistance. Due to decreased rental income from affordable units, there is insufficient cash flow to provide a sufficient rate of return, pay operating expenses, and service the debt. This leaves a gap in funding for the project and makes this housing development feasible only through assistance, in part, from tax increment financing. The Developer was asked for and provided a letter and a pro forma as justification that the Developer would not have gone forward without tax increment assistance.

The increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the TIF Plan: This finding is justified on the grounds that the cost of land acquisition, site and public improvements, utilities and construction of affordable housing add to the total development cost. Historically, the costs of site and public improvements as well as reduced rents required for affordable workforce housing in the City have made development infeasible without tax increment assistance. The City reasonably determines that no other development of similar scope is anticipated on this site without substantially similar assistance being provided to the development.

3. *Finding that the TIF Plan for Tax Increment Financing District No. 10: Wangstad Commons conforms to the general plan for the development or redevelopment of the municipality as a whole.*

The City Council reviewed the TIF Plan and found that the TIF Plan conforms to the general development plan of the City.

4. *Finding that the TIF Plan for Tax Increment Financing District No. 10: Wangstad Commons will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of Housing Development and Redevelopment Project No. 1 by private enterprise.*

Through the implementation of the TIF Plan, the EDA and the City will provide an impetus for residential development, which is desirable or necessary for increased population and an increased need for life-cycle housing within the City. The TIF Plan also helps the EDA and the City meet their goal of providing more affordable housing options in the City.

Member _____ introduced the following resolution and moved its adoption:

CITY OF BROOKLYN CENTER, MINNESOTA

RESOLUTION NO. 2023-

RESOLUTION REMOVING CERTAIN PARCELS FROM TAX INCREMENT FINANCING DISTRICT NO. 6, APPROVING A MODIFICATION TO THE REDEVELOPMENT PLAN FOR HOUSING DEVELOPMENT AND REDEVELOPMENT PROJECT NO. 1, ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 10: WANGSTAD COMMONS (A HOUSING DISTRICT) THEREIN AND APPROVING A TAX INCREMENT FINANCING PLAN THEREFOR

WHEREAS, the City of Brooklyn Center, Minnesota (the “City”) and the Brooklyn Center Economic Development Authority, a public body corporate and politic (the “EDA”), have undertaken a program to promote economic development and job opportunities, promote the development and redevelopment of land which is underutilized within the City and have created a redevelopment project known as Housing Development and Redevelopment Project No. 1 (the “Redevelopment Project”) in the City, pursuant to Minnesota Statutes, Sections 469.001 to 469.047 and Sections 469.090 to 469.1081, all inclusive, as amended, (collectively, the “Redevelopment Project Act”), administered by the EDA; and

WHEREAS, the City and the EDA have heretofore established Tax Increment Financing District No. 6, a housing tax increment financing district (“TIF District No. 6”), within the Redevelopment Project and approved a tax increment financing plan therefor (the “TIF No. 6 Plan”), all pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.174 through 469.1794, as amended (the “TIF Act” and, together with the TIF Act and the Redevelopment Project Act, the “Act”) and the Redevelopment Project Act; and

WHEREAS, among others, the parcels currently identified as follows (the “Parcels”) were included in TIF District No. 6: 34-119-21-43-0049, 34-119-21-43-0050, 34-119-21-43-0051, and 34-119-21-43-0052; and

WHEREAS, the City desires by this resolution to amend the TIF No. 6 Plan to remove the Parcels from TIF District No. 6 and include them in TIF District No. 10 (as hereinafter defined), thereby reducing the size of TIF District No. 6 (the “TIF No. 6 Plan Modification”); and

WHEREAS, the Parcels being removed from the TIF District No. 6 are exempt from property taxation because they are owned by the EDA and have a current net tax capacity below the net tax capacity of those Parcels in the original net tax capacity thereof; therefore, the City Council held a public hearing on the date hereof on the removal of the Parcels from TIF District No. 6 pursuant to Section 469.175, Subdivision 4 of the TIF Act; and

RESOLUTION NO. 2023-

WHEREAS, it has been proposed that the EDA modify the redevelopment plan for the Redevelopment Project (the “Redevelopment Plan”); establish Tax Increment Financing District No. 10: Wangstad Commons, a housing tax increment financing district (“TIF District No. 10”), within the Redevelopment Project; remove the Parcels from TIF District No. 6 and include them in TIF District No. 10; adopt the Tax Increment Financing Plan (the “TIF No. 10 Plan” and, together with the Redevelopment Plan and the TIF No. 6 Plan Modification, the “Plans”) for TIF District No. 10; and authorize the execution of certain agreements and documents related thereto (as further described and defined herein); all pursuant to and in conformity with the Act, and all as reflected herein and in that certain document entitled in part “Modification to the Redevelopment Plan - Housing Development and Redevelopment Project No. 1 and Tax Increment Financing (TIF) Plan - Establishment of Tax Increment Financing District No. 10: Wangstad Commons (a housing district)” and presented for consideration by the Council; and

WHEREAS, the Council has investigated the facts relating to the Plans and certain information and material (collectively, the “Materials”) relating to the TIF No. 10 Plan and to the activities contemplated in TIF District No. 10 have heretofore been prepared and submitted to the Council and/or made a part of the City files and proceedings on the TIF No. 10 Plan. The Materials include the tax increment application made, project pro forma financial statement, project sources and uses and other information supplied by JO Companies, LLC (or an affiliate thereof, the “Developer”) as to the activities contemplated therein, the items listed under the heading “Supporting Documentation” in the TIF No. 10 Plan, and information constituting or relating to (1) why the assistance satisfies the so-called “but for” test and (2) the basis for the other findings and determinations made in this resolution. The Council hereby confirms, ratifies and adopts the Materials, which are hereby incorporated into and made as fully a part of this resolution to the same extent as if set forth in full herein; and

WHEREAS, the City has performed all actions required by law to be performed prior to the adoption and approval of the Plans, including but not limited to notice to the County Commissioner representing the area of the County to be removed from TIF District No. 6 and included in TIF District No. 10, delivery of the Plans to Hennepin County and Independent School District No. 279, and holding a public hearing thereon by the City on the date hereof following notice thereof published in accordance with state law; and

WHEREAS, the Council has considered the documentation submitted in support of TIF District No. 10 and the Plans and has considered the information and knowledge gained in hearings upon and during consideration of other matters relating to the proposed development; and

WHEREAS, TIF District No. 10 is being established to facilitate the construction by the Developer of an approximately 54-unit multi-family rental housing facility and related amenities and improvements (the “Development”) in the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the “Council”) of the City of Brooklyn Center, Minnesota (the “City”), as follows:

RESOLUTION NO. 2023-

Section 1. Findings for the Adoption and Approval of the TIF No. 6 Plan Modification.

1.01. The Council hereby reaffirms the original findings for TIF District No. 6 and the findings made in connection with all subsequent modifications, including that, (i) the proposed development of the property in TIF District No. 6 would not have occurred solely through private investment within the reasonably foreseeable future; (ii) the increased market value of the property therein that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the TIF No. 6 Plan; (iii) that the TIF No. 6 Plan Modification conforms to the general plan for the development or redevelopment of the City as a whole; and (iv) that the TIF No. 6 Plan Modification will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the project by private enterprise. The findings set forth in the TIF No. 6 Plan are reaffirmed and incorporated herein by reference and made a part hereof as if fully set forth herein. The TIF No. 6 Plan Modification does not affect the estimated fiscal impacts of TIF District No. 6 on the local taxing jurisdictions provided in connection with the adoption of the original TIF No. 6 Plan because the development described therein was not located on the Parcels.

1.02. The adoption of the TIF No. 6 Plan Modification conforms in all respects to the requirements of the Act and will provide necessary housing, help provide opportunities for additional development and will promote the public purposes and accomplish the objectives specified in the TIF No. 6 Plan and the Redevelopment Plan.

1.03. TIF District No. 6 and the TIF No. 6 Plan are hereby amended to remove the Parcels and the TIF No. 6 Plan Modification is hereby approved. Approval of the TIF No. 6 Plan Modification does not constitute approval of any project or a development agreement with any developer.

1.04. City staff are authorized to file this resolution as evidence of the TIF No. 6 Plan Modification with the Commissioner of Revenue, the Office of the State Auditor and the Hennepin County Auditor.

Section 2. Findings for the Adoption and Approval of the Plans.

2.01. The Council hereby finds that the boundaries of the Redevelopment Project are not being expanded and the Redevelopment Plan is not being modified other than to adopt the TIF No. 6 Plan Modification and to incorporate the establishment of TIF District No. 10 therein and therefore the Council reaffirms the findings and determinations originally made in connection with the establishment of the Redevelopment Project and the adoption of the Redevelopment Plan therefor. The Council hereby finds that: (a) the land within the Redevelopment Project would not be available for redevelopment without the financial aid to be sought under the Plans; (b) the Plans will afford maximum opportunity, consistent with the needs of the City as a whole, for the

development of the Redevelopment Project by private enterprise; and (c) the Plans conform to the general plan for the development of the City as a whole, and otherwise promotes certain public purposes and accomplishes certain objectives as specified in the Plans, including without limitation the development of affordable housing. The purposes and development activities set forth in the Redevelopment Plan, as modified, are hereby expanded to include all development and redevelopment activities occurring within TIF District No. 10.

2.02. The Council hereby finds that TIF District No. 10 is in the public interest and is a “housing district” within the meaning of Minnesota Statutes, Section 469.174, Subdivision 11, because it consists of a project or a portion of a project, intended for occupancy, in part, by persons or families of low and moderate income as defined in Chapter 462A, Title II of the National Housing Act of 1934; the National Housing Act of 1959; the United States Housing Act of 1937, as amended; Title V of the Housing Act of 1949, as amended; and any other similar present or future federal, state or municipal legislation or the regulations promulgated under any of those acts. No more than 20% of the square footage of buildings in the Development that receive assistance from tax increments will consist of commercial, retail or other nonresidential uses.

The Development to be constructed in TIF District No. 10 will consist of approximately 54 units of rental housing. The Developer has represented that at least 40% of the rental housing units (i.e., 22 units) will be rented to and occupied by individuals or families whose income is not greater than 60% or less of area median income and that no more than 20% of the square footage of buildings in the Development that receive assistance from tax increments will consist of commercial, retail, or other nonresidential uses.

2.03. The Council hereby makes the following additional findings in connection with TIF District No. 10:

(a) The Council further finds that the proposed Development, in the opinion of the Council, would not occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary. The specific basis for such finding being:

The rents for affordable housing projects do not provide a sufficient return on investment to stimulate new development. The Developer has represented that it could not proceed with the Development without the tax increment assistance to be provided to the Developer. The Developer has provided the City its estimated Development proforma outlining project sources and uses as well as projected rent, vacancy and financing assumptions. City staff and the City’s advisors reviewed the information and have determined the Development is not feasible without the proposed assistance due to anticipated rent levels and market returns not supporting the development costs. Based on the review, the City does not expect that a development of this type would occur in the reasonably foreseeable future but for the use of tax increment assistance.

(b) The Council further finds that the TIF No. 10 Plan conforms to the general plan for the development or redevelopment of the City as a whole. The specific basis for such finding being:

Subject to the approval by the Council of proposed changes to the City's Comprehensive Plan and applicable zoning to be considered on the date hereof, the TIF No. 10 Plan will conform with the general development plan of the City and will generally complement and serve to implement policies adopted in the City's comprehensive plan. The Development contemplated on the property will be in accordance with the zoning, as amended, or approved zoning variances for the property.

(c) The Council further finds that the TIF No. 10 Plan will afford maximum opportunity consistent with the sound needs of the City as a whole for the development of TIF District No. 10 by private enterprise. The specific basis for such finding being:

The proposed Development to occur within TIF District No. 10 is the construction by private enterprise of primarily low and moderate income multi-family rental housing. The Development will increase the taxable market valuation of the City, and the number of available low and moderate income multi-family housing units in the City. Through the implementation of the TIF No. 10 Plan, the EDA will provide an impetus for residential development, which is desirable or necessary for the increased population and the increased need for workforce and affordable housing within the City. The TIF No. 10 Plan also helps the City meet its goal of providing more affordable housing options in the City.

2.04. The City elects to retain all of the captured tax capacity to finance the costs of TIF District No. 10 and the Redevelopment Project and elects to delay the receipt of the first increment until tax payable year 2025. Pursuant to Minnesota Statutes, Section 469.177, Subd. 3, the City elects to calculate fiscal disparities under clause (b) (inside).

2.05. The provisions of this Section 1 are hereby incorporated by reference into and made a part of the TIF No. 10 Plan and the findings set forth in Appendix C to the TIF No. 10 Plan are hereby incorporated by reference into and made a part of this resolution.

2.06. The Council further finds that the Plans are intended and in the judgment of the Council their effect will be to promote the public purposes and accomplish the objectives specified in the TIF No. 10 Plan for TIF District No. 10 and the Redevelopment Plan for the Redevelopment Project.

Section 3. Approval and Adoption of the Plans; Policy on Interfund Loans and Advances.

3.01. TIF District No. 10 is hereby established and the Plans, as presented to the Council on this date, including without limitation the findings and statements of objectives contained therein, are hereby approved, ratified, established, and adopted and shall be placed on file in the office of the Executive Director of the EDA. Approval of the Plans does not constitute approval of any project or a development agreement with any developer. The Deputy Community Development Director, or his designee, is hereby directed to request, in writing, the Hennepin County Auditor to certify the new TIF District and to file the Plans with the Commissioner of Revenue and the Office of the State Auditor.

3.02. The Council hereby approves a policy on interfund loans or advances (“Loans”) for TIF District No. 10, as follows:

(a) The authorized tax increment eligible costs (including without limitation out-of-pocket administrative expenses in an amount up to \$211,832, interest in an amount up to \$846,336 and other development costs in an amount up to \$1,271,983) payable from TIF District No. 10, as provided in the TIF No. 10 Plan as originally adopted or as it may be amended, may need to be financed on a short-term and/or long-term basis via one or more Loans, as may be determined by the City Finance Director from time to time.

(b) The Loans may be advanced if and as needed from available monies in the City’s general fund or other City fund or account designated by the City Finance Director. Loans may be structured as draw-down or “line of credit” obligations of the lending fund(s).

(c) Neither the maximum principal amount of any one Loan nor the aggregate principal amount of all Loans may exceed \$2,330,151 outstanding at any time.

(d) All Loans shall mature not later than February 1, 2051 or such earlier date as the City Finance Director may specify in writing. All Loans may be pre-paid, in whole or in part, whether from tax increment revenue, tax increment revenue bond proceeds or other eligible sources.

(e) The outstanding and unpaid principal amount of each Loan shall bear interest at the rate prescribed by Minnesota Statutes, Section 469.178, Subdivision 7, which is the greater of the rates specified under Minnesota Statutes, Sections 270C.40 or 549.09 at the time a Loan, or any part of it, is first made, subject to the right of the City Finance Director to specify a lower rate (but not less than the City’s then-current average investment return for similar amount and term).

(f) Such Loans within the above guidelines are pre-approved. The Loans need not take any particular form and may be undocumented, except that the City Finance Director shall specify the principal amount and interest rate and maintain all necessary or applicable data on the Loans.

Approved by the City Council of the City of Brooklyn Center this 8th day of May, 2023.

Mayor, April Graves

ATTEST:

City Clerk, Barb Suciu

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.

TIF District No. 10: Wangstad Commons



Brooklyn Center City Council May 8, 2023
Jesse Anderson, Interim Community Development Director and Jason Aarsvold, Ehlers

Presentation Purpose

- Overview of project
- Review of Tax Increment Financing (TIF) Plan for TIF District No. 10: Wangstad Commons
- City Council public hearing and consideration of a resolution to approve the following:
 - The TIF plan for TIF District No. 10
 - Removal of parcel from TIF No. 6
 - Approval of an interfund loan (ability to repay and City administrative costs with future TIF)



Project Overview



- 54 unit affordable rental housing project
- Located at Brooklyn Blvd. and 61st Ave.
- Total project cost: \$22.8 million
- Project has a **financing gap**
- TIF assistance recommended at \$482,000 – per Ehlers Analysis
- Requires creation of a new TIF district



3

TIF District No. 10 Overview

- Documents set forth policy objectives for the project
- Identifies the geographic location of the project
- Provides **maximum budget** authority for TIF revenues and expenditures
- **Planning document** that allows for creation of a TIF district
- DOES NOT: Grant any assistance for the project



4

TIF District No. 10 Overview



Legend

- Housing Development & Redevelopment Project No. 1
- City Boundaries
- TIF District No. 10
- Parcels



- Established as a Housing TIF District
- Qualifies based on income requirements for occupants
- TIF can pay for certain eligible project costs
- 26-year maximum duration (although assistance is anticipated for 17 years)



5

TIF District No. 10 Overview

- Maximum budget is \$2.33 million
 - This is a maximum BUDGET for the TIF district - not the developer's assistance
 - Includes 3% inflation and 4% interest over the full 26 years
 - Actual assistance is \$482,000 (present value - 17 years estimated)
- Anticipates Pay-as-You-Go payments to the developer – From TIF only - no other repayment required from the City
- Includes a 10% allowance for City admin. costs



6

Next Steps

- City council public hearing and approval of the TIF district this evening
- EDA approval of TIF district this evening
- EDA will need to approve a TIF Assistance agreement to formally direct assistance to the developer
 - This is planned for action at a future EDA meeting – 1 to 2 months out
- Certification of the District before June 30, 2023
 - Administrative step by staff/Ehlers



Council Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Interim Community Development Director

BY: Ginny McIntosh, City Planner and Zoning Administrator

SUBJECT: Resolution Approving Planning Commission Application No. 2023-001, Submitted by JO Companies LLC for a Re-plat, Planned Unit Development Amendment and Rezoning, and an Amendment to the 2040 Comprehensive Plan to Allow for Development of a 54-Unit Multi-Family Residential Building and Related Site Improvements (6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North)

Requested Council Action:

- Motion to approve a resolution regarding Planning Commission Application No. 2023-001, for approval of a preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION, the submitted site and building plans, an amendment to remove 6107 Brooklyn Boulevard from the original 1998 Planned Unit Development and re-zoning of the aforementioned property from PUD/C2 to MX-N1, which reflects the zoning of the three other parcels located within the Subject Property and located at 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North, and a recommended amendment to the City's 2040 Comprehensive Plan to allow for a future land use re-designation of the Subject Property from a mix of Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU), based on the findings, and as amended by the conditions of approval in the resolution, and subject to final approval by the Metropolitan Council for the requested Comprehensive Plan Amendment.

Background:

JO Companies, LLC ("the Applicant") is requesting review and consideration for a proposal that would allow for a consolidation of four vacant parcels owned by the Economic Development Authority (EDA) of the City of Brooklyn Center and redevelopment of said site, which comprises 6101 Brooklyn Boulevard, 6107 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North ("the Subject Property"). The Subject Property encompasses approximately 1.77 acres and is located at the northwest corner of Brooklyn Boulevard and 61st Avenue North, and east of Wangstad Park.

This would ultimately allow for the development of a new four story, 54-unit multi-family residential development and related site improvements. Due to the nature of the request, approval of the preliminary and final plat, site and building plan, Planned Unit Development (PUD) amendment and rezoning, and 2040 Comprehensive Plan amendment requests are required to forward the project.

As part of the application process, a public hearing notice was submitted to the Brooklyn Center *Sun Post* for publication on March 30, 2023, and notices were mailed to both property owners and physical residents of addresses within vicinity of the Subject Property. Development proposal signage was also installed on-

site, notifying the public of the development proposal. The Applicant also underwent a separate community engagement process, which was led by Local Initiatives Support Corporation (LISC). Topics discussed during this engagement covered: pedestrian and traffic flow; housing needs; proximity to Wangstad Park; security, property management, services, and tenant screening; project financing, timeline, and terms of affordability; and project quality, aesthetics, and amenities.

The Applicant has been before the respective City of Brooklyn Center City Council and Economic Development Authority (EDA) bodies numerous times since 2020, for concept reviews and project updates, letters of support for grant funding applications, a Preliminary Development Agreement, an Option Agreement and term sheet, and resolution of support for the use of tax increment financing (TIF). The Applicant went through two rounds of applications with Minnesota Housing Finance Agency (MHFA) before receiving notice of funding in December 2022.

Prior to the Applicant engaging in conversations regarding the Subject Property, these lands had previously generated interest as a potential 113-unit multi-family development. It was through the Applicant's process of due diligence that the proposal was initially proposed in 2020 as a smaller, 83 to 88 unit multi-family residential building, before being reduced down to what is now the proposed 54-unit multi-family residential building.

The Planning Commission held a public hearing for the aforementioned application at their meeting on April 13, 2023 and the Commissioners entered into a lengthy discussion on the proposal. The Applicant and representatives of the development team were present at the meeting and fielded questions from the Commissioners regarding the project's progression and in changes made to the number of units and unit mix, the process with Minnesota Housing Finance Agency (MHFA), safety and security measures for proposed residents, snow removal, proposed trash and loading areas, parking requirements, and traffic impacts related to the project.

City staff received one public comment via email in advance of the public hearing from resident Susan Jorgensen, who was also in attendance and spoke at the public hearing on April 13, 2023. A separate public comment was received via the City's general email inbox from resident David Jorgensen the evening of the public hearing, but City staff did not receive the comment until the day after (April 14, 2023). The public comments received are included as background to this memo.

Following close of the public hearing, the Planning Commission elected to recommend (6-0) City Council approval of the requested preliminary and final plat, site and building plan, an amendment to remove 6107 Brooklyn Boulevard from the original 1998 Planned Unit Development and re-zoning of the aforementioned property from PUD/C2 to MX-N1, which reflects the zoning of the three other parcels located within the Subject Property and located at 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3600 61st Avenue North, and a recommended amendment to the City's 2040 Comprehensive Plan to re-designate the Subject Property from a mix of Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU).

A copy of the Planning Commission Report for Planning Commission Application No. 2023-001, originally dated April 13, 2023, and last revised for the May 8, 2023 Council meeting, and City Council resolution regarding the requested preliminary and final plat, site and building plan, Planned Unit Development amendment and re-zoning, and recommended amendment to the 2040 Comprehensive Plan are included with this memorandum. In order for the proposal to proceed, an approval of all requests is ultimately required.

The report was updated to reflect the Applicant's addressing of City staff comments regarding the preliminary

and final plat and in advance of the City Council meeting. An updated preliminary and final plat, last revised April 20, 2023, and revised Assistant City Engineer's memorandum, last dated April 26, 2023, are included as reference. The request for a Comprehensive Plan Amendment will require a separate submittal to the Metropolitan Council for review and any final approval; however, a recommendation from the local planning body and local governing body authorization is required to proceed with a submittal.

Budget Issues:

None to consider at this time; however, a separate request for the establishment of a new TIF District is required to forward the project.

The Economic Development Authority of the City of Brooklyn Center approved a resolution in June 2021, supporting the use of tax increment financing (TIF) for the proposed Wangstad Commons, and Minnesota Housing Finance Agency (MHFA) issued housing tax credits in support of the proposed development in December 2022.

Inclusive Community Engagement:

The Applicant undertook a separate community engagement process, which was led by Local Initiatives Support Corporation (LISC) in June 2021 to gather input on the proposed redevelopment of the Subject Property. 400 flyers were distributed throughout the adjacent area to residents and businesses, along with email notifications to over 100 contacts, and support from local community organizations (e.g. ACER, CAPI) to share information through their networks. Promotional materials were also provided in English, Spanish, and Hmong.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Staff Report and Exhibits - Wangstad Commons (Last Revised May 8, 2023)	5/2/2023	Backup Material
Resolution - Wangstad Commons	5/2/2023	Resolution Letter
Public Comments - Wangstad Commons (04.13.2023)	5/2/2023	Backup Material
Powerpoint	5/22/2023	Presentation

Planning Commission Report
Meeting Date: April 13, 2023
Last Revised: May 8, 2023

- Application Filed: 03/14/2023
- Review Period (60-day) Deadline: 05/13/2023
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Application No. 2023-001
Applicant: JO Companies, LLC
Property Owner: Economic Development Authority of the City of Brooklyn Center (EDA)
Location: 6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North, Brooklyn Center, MN 55429
Requests: Preliminary and Final Plat, Site and Building Plan, PUD Amendment and Rezoning, and 2040 Comprehensive Plan Amendment



Map 1. Subject Property Location.

Requested Action

JO Companies, LLC (“the Applicant”) is requesting review and consideration for a proposal that would allow for a consolidation of four vacant parcels owned by the Economic Development Authority (EDA) of the City of Brooklyn Center and redevelopment of said site, which comprises 6101 Brooklyn Boulevard, 6107 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North (“the Subject Property”). The Subject Property encompasses approximately 1.77 acres and is located at the northwest corner of Brooklyn Boulevard and 61st Avenue North, and east of Wangstad Park.

As proposed, the redevelopment would result in the construction of a new four story, 54-unit multi-family

residential rental development and related site improvements. Due to the nature of the request, approval of a preliminary and final plat, site and building plan, Planned Unit Development (PUD) amendment and rezoning, and 2040 Comprehensive Plan Amendment is required. Refer to Exhibit A for the provided project narrative and plans, and of which includes an updated preliminary and final plat, last revised April 20, 2023 to address City staff comments outlined in the original April 13, 2023 report.

As part of the application process, a public hearing notice was submitted to the Brooklyn Center *Sun Post* for publication on March 30, 2023 (Exhibit B), and notices were mailed to property owners and residents within vicinity of the Subject Property. Development proposal signage was also installed on-site. The Applicant also underwent a separate community engagement process, which was led by Local Initiatives Support Corporation (LISC). More information is outlined later in the report as well as within the provided Community Engagement Summary (Exhibit C).

Development Pattern



1960 Imagery



1970 Imagery



2012 Imagery



2022 Imagery

Image 1. Historical and Current Imagery of Subject Property Area (Courtesy: MHAPO, Hennepin County, and NearMap).

Existing Conditions



Image 2. Existing Site Conditions at Subject Property and Neighboring Uses.

Background

Applicant JO Companies began discussions with City staff regarding a proposed redevelopment of four parcels owned by the Economic Development Authority of the City of Brooklyn Center (EDA) in 2019 and went before City Council for a concept review in January 2020. The Subject Property had previously generated interest from Thor Living LLC (later Coalition Development LLC) in 2018, where it was initially presented to City Council as a 113-unit, mixed income apartment building. Although Coalition Development LLC secured a Preliminary Development Agreement and Purchase Agreement from the City, they were unable to follow through with the contingency period conditions outlined under the Purchase Agreement (i.e. secure financing, receive all necessary land use approvals from the City); therefore, the Purchase Agreement became invalid.

The Applicant initially proposed a smaller, 83 to 88-unit multi-family apartment building. In February 2020, City Council issued a letter of support that was to accompany a grant application submittal to Hennepin County by the Applicant, and later that month, the EDA approved a Preliminary Development Agreement with the Applicant to allow them the ability to: conduct due diligence on the Subject Property, obtain financing, prepare plan sets and any necessary approvals from the City, negotiate an agreement on the sale of the Subject Property, and proceed with a request for public subsidy. This agreement was originally set to expire on February 28, 2021, but was later extended by amendment to allow the additional time

necessary to work through the aforementioned items.

A resolution of support and authorization to submit a Livable Communities Demonstration Account (LCDA) application to the Metropolitan Council was later passed by City Council in May 2020. This application request was for community engagement, market and site analysis, including a planning and financial analysis, and stipulated a monetary commitment from the City of Brooklyn Center. Grant funding was eventually awarded for the project in June 2020.

In March 2021, an update was provided to City Council on the status of the project, which now contemplated a further reduced 54-units of multi-family housing on the Subject Property. Although the four-story height remained, the revised plans would offer expanded greenspace and community amenities. It was at this point that the unit mix was also updated to increase the likelihood that the project would be awarded tax credits from Minnesota Housing Finance Agency (MHFA). An updated proforma with sources and uses was provided at this time, along with a unit mix table, and revised site plan. The Applicant indicated plans to work with LISC (Local Initiatives Support Corporation) to lead their engagement efforts.

In June 2021, the EDA approved a resolution supporting the use of tax increment financing (TIF), and in advance of the Applicant's initial application to Minnesota Housing Finance Agency (MHFA) for the proposed redevelopment of the Subject Property. It was at this same meeting that the EDA also approved a resolution approving an Option Agreement with Applicant JO Companies as well as a term sheet.

Subsequently, the Applicant facilitated a virtual community engagement process in June 2021 to gather input on the proposed redevelopment of the Subject Property, to be known as Wangstad Commons. 400 flyers were distributed throughout the adjacent area to residents and businesses, along with email notifications to over 100 contacts, and support from local community organizations to share the information among their networks. Promotional materials were also provided in English, Spanish, and Hmong. Approximately thirty participants attended the virtual community meetings, including representatives from CAPI and ACER, and presentations were provided by City staff, providing context for the site and information about city goals for the area and housing.

Topics addressed during these conversations, as addressed in the attached *LISC Community Engagement Summary: Wangstad Commons Proposal—JO Companies* (Exhibit C) included:

1. Pedestrian and traffic flow (e.g. moving trucks);
2. Housing needs;
3. Other development in the area;
4. Proximity to Wangstad Park;
5. Security, property management, services, and tenant screening;
6. Project financing, timeline and terms of affordability;
7. Project quality, aesthetics, and amenities;
8. What will be needed for the project to be successful and to really contribute to its neighborhood and its community?

It was during this time that the Applicant received notification that their initial application to MHFA was unsuccessful. A second application was submitted in July 2022 and ultimately received approval for the issuance of funding in December 2022.

In March 2023, a discussion was held during a City Council/EDA Work Session to work through certain

financing gaps and direction was requested as to a further write down of the land (Subject Property). Based on the feedback received, City staff has begun preparing a formal TIF agreement based on the revised terms and the creation of a new Housing Tax Increment Financing District.

As additional background, Braun Intertec completed a Phase I ESA and Phase II ESA on the Subject Property in August 2019.

Site Data:

2040 Land Use Plan:	Low-Density Residential (3.01-5 DU/Ac.) Commercial
Neighborhood:	Kylawn
Current Zoning:	Planned Unit Development/Commerce District (PUD/C2) Neighborhood Mixed-Use (MX-N1)
Site Area:	Approximately 1.77 Acres

Surrounding Area:

Direction	2040 Land Use Plan	Zoning	Existing Land Use
North	Commercial	PUD/C2 District	Senior Multi-Family Development (Sanctuary at Brooklyn Center)
South	ROW N-MU (Neighborhood Mixed-Use)	N/A Neighborhood Mixed-Use (MX-N2)	61 st Avenue North Multi-Family Development (Triplexes)
East	N-MU (Neighborhood Mixed-Use)	Neighborhood Mixed-Use (MX-N2)	Commercial (American Legion, Que Viet)
West	Parks, Recreation, Open Space	Public Open Space (O)	City Park (Wangstad Park)

REQUESTS

PRELIMINARY AND FINAL PLAT

As proposed, the Applicant intends to re-plat and consolidate the Subject Property from four parcels to one. All four parcels are currently owned by the EDA and are currently absent of any improvements with the exception of some remnant pavement for a former overflow lot for what was the former Brookdale Chrysler-Plymouth dealership property (now the Sanctuary at Brooklyn Center) and existing curb cuts off Brooklyn Boulevard and 61st Avenue North.

Per a review of the preliminary plat, the zoning classification information for identified parcels 2, 3, and 4, and neighboring Wangstad Park should be updated to reflect the new zoning districts for these parcels, which became effective in January 2023. Additionally, the Applicant will need to amend or create a new, dedicated easement as the existing easement area located off Brooklyn Boulevard and providing shared access to the Sanctuary at Brooklyn Center (6121 Brooklyn Boulevard) does not cover the entirety of the access drive. A 10-foot drainage and utility easement was originally noted for dedication on the plat around the entire perimeter of the Subject Property; however, the Applicant revised the preliminary and final plat on April 20, 2023 and the staff report and associated Exhibit E have been updated to reflect these changes.

Legal descriptions and easement vacation documents must be obtained for all existing easements intended for vacation. Any proposed easements are to be dedicated as part of the preliminary and final

plat process through the City. City staff has requested certain easements, and specifically a utility easement running through the middle of the Subject Property, be vacated in advance of a new plat recording. The Applicant is currently in discussion with City staff to bring the vacation through City Council within the next month and in advance of any recording for the proposed WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION.

An updated certified abstract of title or registered property report shall be provided to the City Planner and City Attorney for review and comment, and the Applicant shall address any comments as outlined as part of the Hennepin County plat review process.

Based on the above noted findings, City staff recommends the Planning Commission recommend City Council approval of the submitted preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION, subject to the Applicant complying with the outlined Approval Conditions and approval of the related site and building plan, Planned Unit Development/re-zoning, and Comprehensive Plan Amendment requests.

COMPREHENSIVE PLAN AMENDMENT

A comprehensive plan amendment is required anytime a community changes any part of a municipality's adopted comprehensive plan, including, but not limited to:

- Changes resulting from neighborhood or small area planning activities
- Land use changes to allow a proposed development
- Proposed forecast changes to proposed MUSA (Metropolitan Urban Service Area) changes in service or staging
- Text changes to revise a policy or land use category
- Routine updates to incorporate new information or update a public facilities agreement

These requests are ultimately submitted to the Metropolitan Council for review and final approval; however, they require a recommendation from the local planning body, and local governing body authorization for the amendment. In certain cases, an adjacent jurisdictional review is also required to allow for other affected municipalities and districts to weigh in on any potential impacts.

The Subject Property currently has a future land use designation of both Commercial (C) and Low-Density Residential (3.01-5 Dwelling Units per Acre). The request for the 2040 Comprehensive Plan Amendment comes as a matter of timing as the Applicant approached the City regarding the redevelopment of the Subject Property around the same time the 2040 Comprehensive Plan process was wrapping up in 2019.

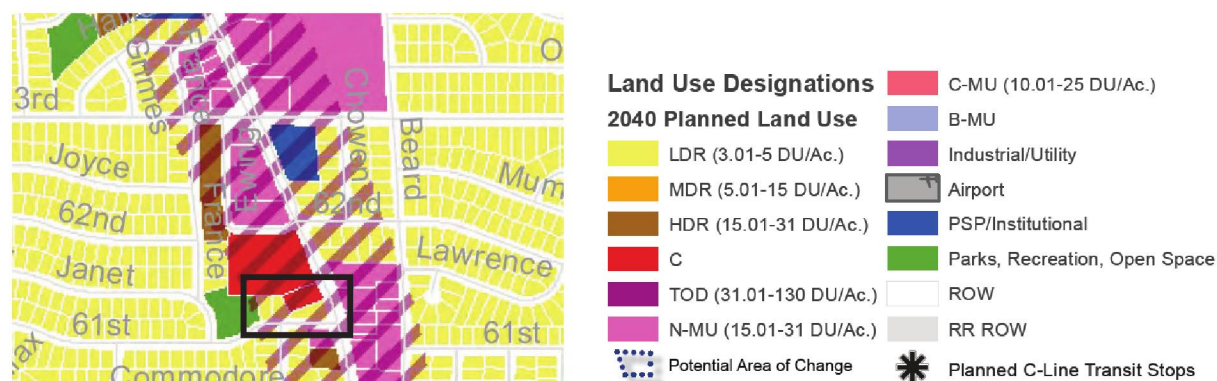
As proposed, the request would be to amend the 2040 Comprehensive Plan to allow for a re-designation of all four parcels to Neighborhood Mixed-Use (N-MU), which is a new land use designation that, "guides land surrounding key neighborhood intersections for a mix of residential, retail commercial/office uses. This designation plans for the redevelopment of existing uses and assumes a minimum of 50% of land within this designation would be used for residential purposes, and the remaining area would be developed with neighborhood scale retail, service and commercial uses."

Many of the properties designated as "Neighborhood Mixed-Use" under the 2040 Comprehensive Plan are located along the Brooklyn Boulevard Corridor. The housing opportunities outlined within the 2040 Comprehensive Plan are not necessarily slated for high-rises or master planning efforts, but instead

contemplated to have smaller footprints with the potential for incorporation of mixed use (e.g. storefronts, restaurants).

As is outlined in Chapter 4 (*Housing and Neighborhoods*) of the City’s 2040 Comprehensive Plan, “the City’s residents were vocal about the existing multi-family options available in the community and the lack of diversity within the multi-family housing stock. Without a full inventory of all available multi-family units it is difficult to confirm some of the anecdotal comments heard throughout the process, but nevertheless it is important to consider since residents’ testimony provides valuable insight into the existing housing stock. Several residents indicated that there are few options available for larger multi-family units with at least three (3) bedrooms, making it difficult to find stable living options for families with more than two (2) children. Residents also communicated a desire to have housing options that were closer to supportive retail, commercial and services so that they could walk, bike or easily use transit to meet their needs. Despite these challenges, the City’s parks, trails and open spaces were viewed as an integral and important part of their quality of life.”

As Brooklyn Boulevard (CSAH 152) is considered a minor arterial roadway and with an average daily traffic count of just under 20,000 cars per day (2021) per the Minnesota Department of Transportation’s Traffic Mapping Application, the City of Brooklyn Center has actively pursued opportunities to improve roadway and intersection safety (e.g. removals and consolidation of curb cuts), enhance traffic operations, and provide improved bicycle and pedestrian travel. This was recently executed in coordination with Hennepin County as part of the Brooklyn Boulevard Corridor project, which wrapped up last year. The City’s Economic Development Authority (EDA) has also strategically acquired single-family residential properties located along Brooklyn Boulevard in the hopes of consolidating parcels for the highest and best use—the Subject Property is an example of an assemblage of four (4) EDA-owned parcels acquired between 2012 and 2019.



Map 2. 2040 Future Land Use Plan and Subject Property (highlighted in black).

Redevelopment of the Subject Property would not only create vibrancy at the intersection of 61st and Brooklyn Boulevard, but provide a transitional point as the neighborhood to the west is almost entirely comprised of single-family residential. Given that the Metropolitan Council anticipates the creation of over 2,200 new housing units over the next 20 years within the City of Brooklyn Center, the addition of 54 new dwelling units and at the unit mix proposed provides greater housing options within a city that is, for the most part, fully built out.

Based on the above noted findings, City staff recommends the Planning Commission recommend City Council approval of the requested amendment to the 2040 Comprehensive Plan to allow for a re-

designation of the Subject Property, of which includes the properties currently addressed as 6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North, from Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU), subject to the Applicant complying with the outlined Approval Conditions and approval of the related preliminary and final plat, site and building plan, and Planned Unit Development/re-zoning, and contingent upon final approval from the Metropolitan Council.

PLANNED UNIT DEVELOPMENT AMENDMENT | REZONING

The Applicant is requesting a re-zoning and amendment to the Planned Unit Development that specifically impacts the northernmost parcel located on the Subject Property, commonly addressed as 6107 Brooklyn Boulevard. This parcel is currently zoned Planned Unit Development/Commerce (PUD/C2) District; whereas, the remaining three parcels are currently zoned Neighborhood Mixed-Use (MX-N1). Although the Applicant intends to combine all four parcels into one as part of the re-plat, some clean-up is necessary.

It should be noted that the Neighborhood Mixed-Use District (MX-N1) allows for multi-family residential as a permitted use under Section 35-4200 (*Allowed Use Table*) and at a density range of 15 to 31 dwelling units per acre (DU/Ac). The MX-N1 District's purpose is to accommodate, "low- to medium- density residential and multi-family residential development, with or without small-scale ground floor non-residential uses. In addition, MX-N1 allows for the reuse of residential structures with frontage on an arterial street for a variety of residential and non-residential uses. It is intended primarily for use along arterial corridors, at or near major intersections, and areas adjacent those zoned MX-N2 or similarly zoned areas."

Under the City's new Unified Development Ordinance (UDO), which became in effective in January 2023, Planned Unit Developments (PUDs) established after this date are processed as Conditional Use Permits (CUPs); however, PUDs established prior to this date required a formal re-zoning and ordinance amendment. Per Section 35-2103.e (*General Use Regulations*), "Planned Unit Developments, and parcels zoned as a Planned Unit Development, in accordance with prior zoning regulations, shall remain in effect and shall remain subject to any and all agreements, conditions and standards applicable to the Planned Unit Development. Amendments shall be processed in accordance with the procedures identified for Planned Unit Developments in this UDO."

As part of the City staff review of the Subject Property, it was determined that the parcel located at 6107 Brooklyn Boulevard was originally included in a Planned Unit Development established for the former Brookdale Chrysler-Plymouth Dealership on September 28, 1998 under City Council Resolution No. 98-169, and prior to this, had operated as an auto dealership since 1962. This PUD allowed for the re-zoning of this particular parcel as well as certain property to the north, now known as the Sanctuary at Brooklyn Center (6121 Brooklyn Center), from Commerce (C2) and Service/Office (C1) to a zoning designation of Planned Unit Development/Commerce (PUD/C2) District. The parcel located at 6107 Brooklyn Boulevard, which is one of the four parcels comprising the Subject Property, was intended for the, "parking and display of passenger vehicles for sale," according to the Planning Commission Report prepared on January 14, 2016 for the Sanctuary at Brooklyn Center project.

In 2016, under Planning Commission Application No. 2016-001, a request was made to amend the original Brookdale Chrysler-Plymouth PUD of 1998 to, "rescind the exclusionary language of motor vehicle sales and related activities on these two lots, and provide for the allowance of an affordable assisted living facility for low income seniors." The amendment also provided for the allowance of reduced setbacks.

This approval was further memorialized on January 25, 2016 under City Council Resolution No. 2016-19 (Exhibit D).

A review by the City Attorney confirmed that an amended or restated PUD Agreement is likely the best approach to release the northernmost parcel located within the Subject Property, and known as 6107 Brooklyn Boulevard, from this existing agreement. Alternatively, the City could also authorize a release to remove the parcel from the PUD Agreement as the City's Economic Development Authority is the beneficiary of said PUD Agreement.

Should the requests contemplated under Planning Commission Application No. 2023-001 be approved, City staff will require: (1) an amendment to the existing access agreement for the shared access drive located partially on 6107 Brooklyn Boulevard and partially on 6121 Brooklyn Boulevard (Sanctuary at Brooklyn Center), as the current easement does not fully encompass this easement area; or enter into a new access easement with the Sanctuary at Brooklyn Center for the area not included within the current easement.

Based on the above noted findings, City staff recommends the Planning Commission recommend City Council approval of the requested amendment to remove 6107 Brooklyn Boulevard from the original 1998 Planned Unit Development and re-zone the aforementioned property from PUD/C2 to MX-N1, which is reflective of the zoning for the three other parcels, currently addressed as 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North, subject to the Applicant complying with the outlined Approval Conditions, and approval of the related preliminary and final plat, site and building plan, and Comprehensive Plan Amendment requests.

SITE AND BUILDING PLAN

Site Design

As the Applicant has been working on the proposal since 2019, various conceptual site plans have been presented over the years. With the adoption of the City's new Unified Development Ordinance in January 2023, the Applicant and development team worked with City staff to modify the site plan to meet the new dimensional standards as outlined for the Neighborhood Mixed-Use District (MX-N1).

As is contemplated within this application, the Subject Property would be redeveloped into a 54-unit multi-family residential building and related site improvements. Per the Applicant, the project is intended to fill a largely unmet need in Brooklyn Center by providing a large number of family-style units, including three (3) and four (4) bedroom units, at various levels of affordability with rents set between 30 and 60-percent of the area median income (AMI). A unit mix schedule submitted by the Applicant outlines the following breakdown in Table 1 below:

Unit Mix Schedule by Unit Type		
Type	Count	Floor
1 Bed – 1 Bath	4	1
1 Bed – 1 Bath	3	2
1 Bed – 1 Bath	3	3
1 Bed – 1 Bath	3	4
Total 1 Bed-1 Bath Units: 13		
2 Bed – 1 Bath	5	1
2 Bed – 1 Bath	8	2

2 Bed – 1 Bath	8	3
2 Bed – 1 Bath	6	4

Total 2 Bed-1 Bath Units: **27**

3 Bed – 1 3/4 Bath	3	2
3 Bed – 1 3/4 Bath	3	3
3 Bed – 1 3/4 Bath	3	4

Total 3 Bed-1 3/4 Bath Units: **9**

4 Bed – 1 3/4 Bath	2	1
4 Bed – 1 3/4 Bath	1	2
4 Bed – 1 3/4 Bath	1	3
4 Bed – 1 3/4 Bath	1	4

Total 4 Bed-1 3/4 Bath Units: **5**

Total Unit Count: 54

Table 1. Unit Mix Breakdown for Proposed Wangstad Commons (Subject Property).

Minimum Dimensional Standards

As proposed, the Subject Property would be consolidated to one parcel to accommodate the four story, 54-unit multi-family residential building. Assuming a re-zoning of the northernmost parcel (6107 Brooklyn Boulevard) to reflect the remaining three parcels' zoning of MX-N1 District, the following dimensional standards were provided with the submittal:



Image 3. Submitted Site Plan for Subject Property.

Dimensional Standards	MX-N1 District	Wangstad Commons (Proposed)
Building Setbacks		
Front Build-to (Min-Max)	5-20 feet on primary and secondary frontage	10 foot (61 st Avenue North) 20 feet (Brooklyn Boulevard)
Side-Interior (Min) <i>—NOTE: Rear building setbacks are considered side-interior setbacks for corner lots</i>	10 feet	180 feet (west) 85 feet (north)
Other Standards		
Structure Height (Max)	48 feet	44 feet
Density	15-31 Dwelling Units/Acre	30.5 Dwelling Units/Acre

Table 2. Existing and Proposed Dimensional Standards for Subject Property.

As is indicated in Table 2 above, corner lots with lot lines, “not abutting street right-of-way shall, for the purpose of this Unified Development Ordinance, be considered side-interior lot lines, and except as otherwise provided, the use shall adhere to the setback requirements set out for interior side yards.”

Further, at least 50-percent of the first floor of the front façade of each primary building shall be located not more than ten (10) feet from the front lot line.

Traffic | Access | Parking | Circulation | Connection

As proposed, site ingress would either be gained off Brooklyn Boulevard from the southbound lanes, or via 61st Avenue North. For site egress, access would be limited to a right-out only at the access drive shared with the Sanctuary at Brooklyn Center (6121 Brooklyn Boulevard), or full access options as provided off 61st Avenue North.

City staff did submit the provided plan set to Hennepin County for review. As part of their preliminary comments, a request was made to review the proposed turnaround located at the north end of the Subject Property. The County further indicated that the turnaround should be revised to minimize motorist confusion. See Image 4 below.

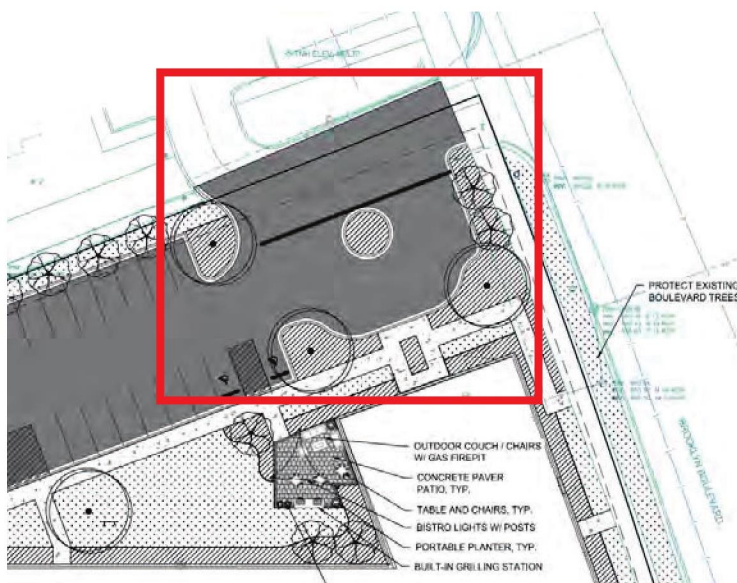


Image 4. Proposed turnaround on Subject Property (in red).

As part of City staff's review, a request was made to provide turning and tracking movement diagrams for larger and emergency vehicles as part of the application submittal. The Applicant provided a fire truck access exhibit showing movement throughout the site on Civil Set Sheet CS102; however, no sizing details were provided. The Applicant should revise the exhibit to reflect truck sizing to ensure it is reflective of the City's emergency vehicles that would provide service to the Subject Property, if needed.

Under the City's new Unified Development Ordinance (UDO), a maximum of two (2) parking spaces per dwelling unit are required for multi-family residential settings. As proposed, a total of 96 parking spaces are provided at a 1.7 parking ratio per unit. Of these, 49 parking spaces would be provided in a surface parking lot, with the remaining 47 parking spaces provided in an underground parking garage with an access drive off the west side of the Subject Property.

Per City staff review, the proposed parking space dimensions satisfy the City's minimum standards for 90-degree (perpendicular) parking and the proposed drive-aisles meet the minimum 24-foot width requirements for two-way traffic.

The Applicant denotes two sidewalk connections to the new trail installed as part of the Phase II Brooklyn Boulevard modernization project, a sidewalk connection off 61st Avenue North, and a sidewalk connection with internal crosswalk leading west to Wangstad Park. All sidewalks maintain a minimum six-foot clear width as is outlined in the City's Unified Development Ordinance.

Bicycle facilities are provided for on the submitted plan sets; however, the project architect and civil engineers should rectify their respective sets as the architectural set denotes bicycle parking on the north end of the Subject Property; whereas, the civil set denotes bicycle parking on the south end of the Subject Property. An interior floor plan for the lower level parking identifies a dedicated bike storage and repair area at the northeast corner of the building. The City's Unified Development Ordinance stipulates the provision of bicycle and pedestrian facilities where adjacent connections to infrastructure exist.

Lighting

A photometric plan was submitted with a fixture specification schedule. Per Section 35-5400 (*Exterior Lighting*) of the City's Unified Development Ordinance, all exterior lighting "shall be designed and arranged to restrict direct illumination and glare onto abutting parcels," and "mitigative measures shall be employed to limit glare and spill light to protect neighboring parcels and to maintain traffic and pedestrian safety on public streets and sidewalks."

Exterior lighting shall not exceed one (1) foot-candle as measured from the centerline of a public street or residential property line. As proposed, the greatest point of illumination at a property line is at the property line located just outside the pedestrian entrance off 61st Avenue North (3.3 foot-candles); however, this area abuts street right-of-way and the illumination levels appear to reduce to 0 foot-candles at the street centerline. All exterior lighting proposed adjacent to the Sanctuary at Brooklyn Center falls below one (1) foot-candle at the property line. In addition, lighting across the open-air parking lot was reviewed for compliance with the minimum and maximum illumination ranges, as well as consistency in lighting levels across the parking lot.

As proposed, the parking lot lighting would be installed on 15-foot poles, which falls within the City's maximum 24-foot pole height (at finished grade) requirement. The outdoor patio area located on the north side of the building proposes both building downlighting and 10-foot pole lighting, which falls within the maximum 20-foot pole height permitted by City Code. All pedestrian entrances and exits will provide

recessed downlighting above each door, and the parking garage and service doors would utilize wall sconces. City staff worked with the project's electrical designers to ensure City requirements were met regarding minimum levels of illumination (5-footcandles) within five (5) feet of each entrance and exit for multi-family residential. City staff also conveyed the use of cut off lenses or shielding for any lighting located below residential units to minimize light spray (e.g. parking garage doors).

The Applicant inquired on the potential installation of architectural lighting of the proposed multi-family building, but has not yet provided any revised photometric plans or lighting schedules. Per City requirements, "lighting fixtures mounted directly on structures shall be permitted when utilized to enhance architectural elements or to help establish scale or provide visual interest." It should be noted that any lighting proposed adjacent to unit windows provide cutoffs to minimize light spray into units.

Trash / Screening

Trash routing within the building will be through a central trash chute system located on the west side of the building. Trash would collect within a trash room located on the first floor the building, and would be wheeled out to a dedicated pickup area on service days.

All ground mounted equipment over 30-inches in height or greater than 12-cubic feet (e.g., transformers, mechanical) shall be effectively screened from public view. Similarly, roof-mounted equipment shall also be screened from view through use of parapets, wall/ fencing materials, or paint compatible and complementary to the building.

An existing fence installed along the north end of the Subject Property and on the Sanctuary at Brooklyn Center property (6121 Brooklyn Boulevard) is to remain in place as this is located off-site per plan submittals and was a condition of City Council approval for the Sanctuary at Brooklyn Center, as outlined under City Council Resolution No. 2016-019 .

Architectural Materials



Image 9. 3D Renderings of Proposed Building Exterior (Subject Property).

City staff reviewed the submitted architectural set against the City’s building materials, as outlined under Section 35-5203 of the City Code. As proposed, the Applicant intends to utilize a mix of brick, fiber cement board, glazing, and metal paneling on each of the elevations. An elevation-by-elevation material breakdown is provided, along with an overall material calculations breakdown. A finish schedule was also provided for review by City staff—refer to Image 10 below.

OVERALL BUILDING MATERIAL CALCULATIONS					
Material		Calculated Area (SF)	Percentage		
Brick		14219	41%		
Fiber Cement Board		9984	29%		
Glazing		8181	24%		
Metal Panel		2216	6%		
Grand total: 27		34600	100%		

EXTERIOR MATERIAL FINISH SCHEDULE					
MATERIAL ID	MATERIAL	MANUFACTURER	FINISH	COLOR	EXAMPLE
BRICK-1	FACE BRICK	GLEN-GERY	SMOOTH	EBONITE	
FCB-1	FIBER CEMENT BOARD LAP SIDING	JAMES HARDIE	SMOOTH	ARCTIC WHITE	
MP-1	METAL PANEL	VITRABOND	ANODIZED	BLACK ANODIZED	

Image 10. Overall Building Materials Calculation for Proposed Wangstad Commons and Finish Schedule (Subject Property).

Generally, the Applicant achieves the composition requirement of no less than 60-percent face brick, natural or colored stone, pre-colored or factory stained or stained on site textured pre-cast concrete panels, textured concrete block, stucco, glass, fiberglass, or similar materials. The remaining use of fiber cement board lap siding and metal paneling falls within the maximum use of no more than 40-percent pre-finished metal, Corten steel, copper, premium grade wood with mitered outside corners (e.g. cedar redwood, fire), or fiber cement board.

On an elevation-by-elevation basis, consistency and cohesiveness were noted in utilizing the mix of materials, with no one elevation featuring one material more than another.

City staff worked with the Applicant and development team to make small tweaks to the setbacks along 61st Avenue North to minimize encroachment of the balconies into the airspace, while complying with the City’s maximum setback provisions for the Neighborhood Mixed-Use (MX-N1) District.

Gathering Spaces/ Amenities

The Applicant has indicated that they and their development team approached this particular project with a long-term ownership model. Amenities were prioritized within the project design and construction in order to ensure it will remain a desirable and marketable place for residents to live at for many years to come, which is reflected in the incorporation of in-unit laundry, common area amenities, underground parking options, and the installation of balconies.

The Applicant further provided City staff with additional information surrounding property management and security. As proposed, the development would be managed by on-site staffing and maintenance. An estimated 60 cameras are intended for installation on the Subject Property and within common areas, hallways, grounds, and parking areas. The building would specifically require keyless/electronic (key fob) access throughout the building, including access to the building as well as any of the common areas (e.g. fitness, storage, underground parking, etc.).

As proposed, the north side of the Subject Property would feature a dedicated outdoor gathering space on a concrete paver patio, complete with gas firepit, grilling station, seating, and tables and chairs. Trash and recycling receptacles would be provided for. This area would be adjacent to a proposed 800-square foot community room. A lobby/lounge area and staff office and conference rooms would be located across from the community room on the first level and off the main entrance.

The proposed development also contemplates an approximately 590-square foot business center, and 510-square foot fitness room for residents, a dog washing room, and dedicated resident storage (570-850 square feet per floor) on each level of the building, which City staff appreciates given the larger, multi-bedroom units provided for within the development and potential concerns surrounding the use of balconies as “storage.”

The south side of the Subject Property also provides an entrance with a concrete paved area on either side of the entrance, bench seating, and trash and recycling receptacles off the entrance.

An internal, direct connection west to Wangstad Park is provided, and the Applicant contemplates use of the west side of the Subject Property for community gardening, and complete with ornamental fencing and raised planting beds. Per communication with the City’s parks and recreational staff, the playground at Wangstad Park is slated for replacement this summer (2023). The proposed redevelopment would have no impact on the proposed park improvements.

Landscaping

The project submittal includes a landscape plan and detail sheet; however, no planting schedule was provided and City staff was unable to conduct a full review. City staff reviewed the landscaping plans against the City’s Unified Development Ordinance and specifically Sections 35-5513 (*Parking Lot Landscaping*) and 35-5600 (*Landscaping, Screening, and Fences*).

As proposed, the majority of the existing trees on site today would require removal to allow for the spacing necessary to construct the new multi-family building and related site improvements, including the surface parking, although some select trees located along the western edge of the Subject Property are intended for preservation.

Per Section 35-5513, off-street open parking facilities that accommodate more than six vehicles shall incorporate landscaping adjacent the lot to the extent of at least three (3) percent the total surface area

of all impervious parking facility areas. Additionally, and subject to certain exceptions, a minimum of one (1) deciduous tree shall be provided per parking lot island. The Applicant will need to revise their landscape plan to provide a planting schedule in conformance with the City's requirements and revise plans to reflect deciduous trees within the island areas.

Consideration should be given for stepping certain landscaping back at and near intersections and pedestrian crossings to provide adequate visibility for both motorists and pedestrians and as outlined under Section 35-5605 (*Landscape Visibility at Intersections*). This was similarly reflected by Hennepin County in their preliminary comments provided to City staff. The Applicant should also verify any proposed landscaping is coordinated with any lighting plans and sufficiently distanced from any underground utilities and easement areas.

It should be noted that in order to promote species diversity and resilience, no more than 40-percent of the total number of trees may be of the same species and that any landscape vegetation should utilize native and resilient plant types where possible in order to promote landscape resiliency and reduce site maintenance requirements. Underground irrigation is also required for installation and maintenance.

City staff requests a landscape project valuation be provided as Neighborhood Mixed-Use District developments are based on a project valuation basis.

Signs

No specific signage requests were made, although the architectural exterior elevation sheets outline a maximum of 100-square feet per wall sign. Unless specifically requested, the Applicant will need to comply with the allowances as outlined in the adopted City signage regulations for the Neighborhood Mixed-Use District, and the Applicant will need to apply for and receive issuance of a sign permit prior to any installation.



Image 11. Wall Sign Example per Submittal (Subject Property).

Engineering Review

James Soltis, Assistant City Engineer, reviewed the submitted plan sets and provided a memorandum dated March 30, 2023 and last revised April 26, 2023 (Exhibit E). Most of the comments pertain to the need for plan corrections and additional details relating to the submitted civil set and plats, and for the most part address minor edits. A request was made to amend the existing or create a new easement for the shared access drive off Brooklyn Boulevard, as well as provisions for a 10-foot drainage and utility easement around the entire perimeter of the Subject Property and as outlined in the submitted preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION. In response to the comments originally outlined, the Applicant provided a revised preliminary and final plat to City staff for

review on April 20, 2023, and a revised memorandum was provided on April 26, 2023.

City staff has requested the vacation of a utility easement running through the middle of the Subject Property. The Applicant is currently working with City staff to submit a separate application for review and approval by City Council and in advance of recording the new plat.

An MPCA NPDES permit is required as the total disturbed area would exceed one acre, and a Construction Management Plan and Agreement, and Utility Facilities Easement Agreement shall be submitted to the City in advance of any permit release. The Applicant shall conform to any watershed requirements, requirements of Hennepin County (e.g. plat review, right-of-way permits for work in Brooklyn Boulevard), and submit as-builts at project close out.

A preliminary stormwater report, prepared by HP, Inc. and dated March 14, 2023 was submitted to City staff for review. A final stormwater management report shall be required as outlined under Item 11.

Building Review

Building Official Dan Grinsteinner conducted a cursory review of the submitted plan sets and provided a memorandum dated April 7, 2023 (Exhibit F). Pending approval of the requests, the Applicant will need to submit full construction plans, including but not limited to: architectural, structural, mechanical, plumbing, electrical, civil, landscaping, and photometric plans to the City for review.

A fire sprinkler and monitoring system is required for installation and is to be maintained at all times, and sufficient fire hydrants shall be provided. Additional detailing will be required to provide access to a fire sprinkler room or wall connections (e.g. A Post PIV, Wall PIV, or OS&Y valve).

The Applicant will also need to meet any minimum ADA requirements with regard to the building and site improvements, and prior to issuance of any building permits, a SAC determination shall be submitted to the Metropolitan Council and any associated fees shall be paid at time of permit issuance.

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

CPTED Review

City staff requests that as part of any construction set review and in advance of any permit release, a CPTED (Crime Prevention through Environmental Design) review be completed by City staff.

External Reviews

The submitted plan sets were forwarded on to contacts at Hennepin County for their review. Preliminary comments were provided to City staff following review by their committee. They provided the following commentary in a response dated April 10, 2023:

1. County staff recommends the developer review sight lines at the access to Brooklyn Boulevard, especially to trail users using an assumed 20 MPH design speed for trail users per State Aid Rules. Landscaping should not impede sight triangles;
2. Any work within or matching into county road right-of-way will require a county permit; and

3. County staff recommend review of the proposed turnaround. The location is too close to the access off of Brooklyn Boulevard and does not allow proper length for queueing motorists. In addition, county staff feel the proposed width of the turnaround will lead to user confusion as to which side of the center island people should be driving in or out of. County staff recommend narrowing the turnaround, especially at connection points with the proposed RIRO shared access, and pulling it as far west as possible.

Any approval of Planning Commission Application No. 2023-001 is subject to the Applicant complying with any requested revisions or recommendations as outlined by the aforementioned authorities.

Based on the above noted findings, City staff recommends the Planning Commission recommend City Council approval of the requested site and building plans for the proposed redevelopment of the approximately 1.77-acre Subject Property commonly addressed as 6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North, to a four story, 54-unit multi-family residential building with related site improvements, subject to the Applicant complying with the outlined Approval Conditions, and approval of the related preliminary and final plat, Planned Unit Development/re-zoning, and 2040 Comprehensive Plan Amendment requests.

APPROVAL CONDITIONS | ANTICIPATED PERMITTING

Staff recommends the following conditions be attached to any positive recommendation on the approval of Planning Commission Application No. 2023-001 for the Subject Property located at 6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North:

1. The building plans are subject to review and approval by the Building Official as noted in the memorandum dated April 7, 2023, and with respect to applicable codes prior to the issuance of permits; and the final location or placement of any fire hydrants or other fire-related building code items shall be reviewed and approved by the Fire Inspector.
 - a. Any major changes or modifications made to this Site and Building Plan can only be made by an amendment to the approved Site and Building Plan as approved by the City Council.
 - b. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits.
 - c. The Applicant shall work to ensure all applicable Minnesota Fire Code requirements have been met as part of any site plan approval.
 - d. A fire sprinkler system is required to be installed and shall be maintained on a consistent basis per City Code requirements.
 - e. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council and any associated fees paid at time of any permit issuance.
 - f. The Applicant shall provide any final site and building plans to City staff for a CPTED review and make alterations as necessary prior to permit release.
 - g. A revised landscape plan and detailing shall be submitted to ensure compliance with the City Code regarding landscape plantings and minimum valuations for Neighborhood Mixed-Use District properties.
 - h. The Applicant shall install irrigation systems where necessary to facilitate maintenance of site landscaping and green areas, and irrigation shop drawings for review and approval prior to installation.
 - i. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and a detail sheet provided.

- j. The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding) and receive issuance of a permit prior to any installation. All signage shall conform to City requirements.
- 2. The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's review memorandum, dated March 30, 2023, and last revised April 26, 2023.
 - 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. Any requirements as outlined in reviews conducted by Hennepin County.
- 3. Agreements:
 - a. The Applicant shall work with the adjacent property owner (6121 Brooklyn Boulevard) to amend and restate the 1998 PUD agreement, which was last amended in 2016. This agreement is to be reviewed and approved by the City Attorney and the amended agreement recorded with Hennepin County prior to the issuance of building permits.
 - b. The Applicant shall coordinate with adjacent property owner (6121 Brooklyn Boulevard) and the City to execute an amended or new easement agreement for the shared access drive located off Brooklyn Boulevard. This easement is to be reviewed by the City Attorney and recorded with Hennepin County prior to the issuance of building permits.
 - c. 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.
 - d. 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.
 - e. A Utility Facilities Easement Agreement is required for submittal to the City prior to issuance of any permits.
 - f. A Construction Management Plan and Agreement and associated escrow are required for submittal prior to the City prior to issuance of any permits.
- 4. Platting:
 - a. Approval of the preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION are contingent upon the addressing of comments by Assistant City Engineer James Soltis in the memorandum dated March 30, 2023, an last revised April 26, 2023.
 - b. Final plat and mylar shall be subject to the provisions of Chapter 35 of the City Code of Ordinances.
 - c. Addressing of final plat comments and/or requirements as provided by Hennepin County.
 - d. Addressing of final plat comments and/or requirements from the City Attorney's office, and specifically regarding an updated certified abstract of title.
 - e. The successful recording of said plat (mylar) with Hennepin County.

RECOMMENDATION

Based on the above-noted findings, City staff recommends the following motion:

Motion to adopt a Resolution recommending approval of (1) preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION, (2) the submitted site and building plan, (3) an amendment to remove 6107 Brooklyn Boulevard from the original 1998 Planned Unit Development and re-zoning of the

aforementioned property from PUD/C2 to MX-N1, which reflects the zoning of the three other parcels within the Subject Property, and (4) a recommended amendment to the City's 2040 Comprehensive Plan to allow for a re-designation of the Subject Property from a mix of Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU), based on the submitted plans and findings of fact, as amended by the Conditions of Approval in the April 13, 2023 Planning Commission Report, last revised for the May 8, 2023 City Council meeting, and subject to final approval by the Metropolitan Council for the requested Comprehensive Plan Amendment.

ATTACHMENTS

Exhibit A – Planning Commission Application No. 2023-001 Plans and Documents, submitted March 14, 2023, and last revised April 20, 2023.

Exhibit B – Public Hearing Notice, submitted for publication in the Brooklyn Center *Sun Post*, and dated March 30, 2023.

Exhibit C – LISC Community Engagement Summary for Wangstad Commons Proposal-JO Companies, and dated July 2021.

Exhibit D – City Council Resolution Nos. 98-169 (*Resolution Regarding Disposition of Planning Commission Application No. 98017 Submitted by Dave Phillips on behalf of Brookdale Chrysler Plymouth*) and 2016-19 (*Resolution Regarding the Disposition of Planning Commission Application No. 2016-001, Submitted by SCA Properties, LLC Requesting Approval of a Planned Unit Development Amendment and Site and Building (Development) Plan Approval for the Sanctuary of Brooklyn Center, the 158-Unit Senior Assisted Living Housing Project (Located at 6121 Brooklyn Boulevard)*).

Exhibit E – Review Memorandum, prepared by Assistant City Engineer James Soltis, originally dated March 30, 2023, and last revised April 26, 2023.

Exhibit F – Review Memorandum, prepared by Building Official Dan Grinsteinner, and dated April 7, 2023.

SECOND LEVEL

SECOND LEVEL	CORRIDOR	1,757 SF	1
SECOND LEVEL	ELEC.	90 SF	1
SECOND LEVEL	ELEV.	108 SF	1
SECOND LEVEL	ELEV. LOBBY	187 SF	1
SECOND LEVEL	JAN.	90 SF	1
SECOND LEVEL	RESIDENT STORAGE	848 SF	1
SECOND LEVEL	STAIR	586 SF	2
SECOND LEVEL	TRASH	73 SF	1
SECOND LEVEL	UNIT A1	1,520 SF	2
SECOND LEVEL	UNIT A2	704 SF	1
SECOND LEVEL	UNIT B1	6,953 SF	7
SECOND LEVEL	UNIT B2	913 SF	1
SECOND LEVEL	UNIT C1	2,535 SF	2
SECOND LEVEL	UNIT C2	1,332 SF	1
SECOND LEVEL	UNIT D1	1,417 SF	1
SECOND LEVEL: 24		19,114 SF	

THIRD LEVEL

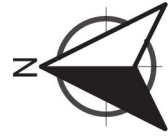
THIRD LEVEL	CORRIDOR	1,757 SF	1
THIRD LEVEL	ELEC.	90 SF	1
THIRD LEVEL	ELEV.	108 SF	1
THIRD LEVEL	ELEV. LOBBY	187 SF	1
THIRD LEVEL	JAN.	90 SF	1
THIRD LEVEL	RESIDENT STORAGE	848 SF	1
THIRD LEVEL	STAIR	586 SF	2
THIRD LEVEL	TRASH	73 SF	1
THIRD LEVEL	UNIT A1	1,520 SF	2
THIRD LEVEL	UNIT A2	704 SF	1
THIRD LEVEL	UNIT B1	6,953 SF	7
THIRD LEVEL	UNIT B2	913 SF	1
THIRD LEVEL	UNIT C1	2,535 SF	2
THIRD LEVEL	UNIT C2	1,332 SF	1
THIRD LEVEL	UNIT D1	1,417 SF	1
THIRD LEVEL: 24		19,114 SF	

FOURTH LEVEL

FOURTH LEVEL	CORRIDOR	1,553 SF	1
FOURTH LEVEL	ELEC.	90 SF	1
FOURTH LEVEL	ELEV.	108 SF	1
FOURTH LEVEL	ELEV. LOBBY	186 SF	1



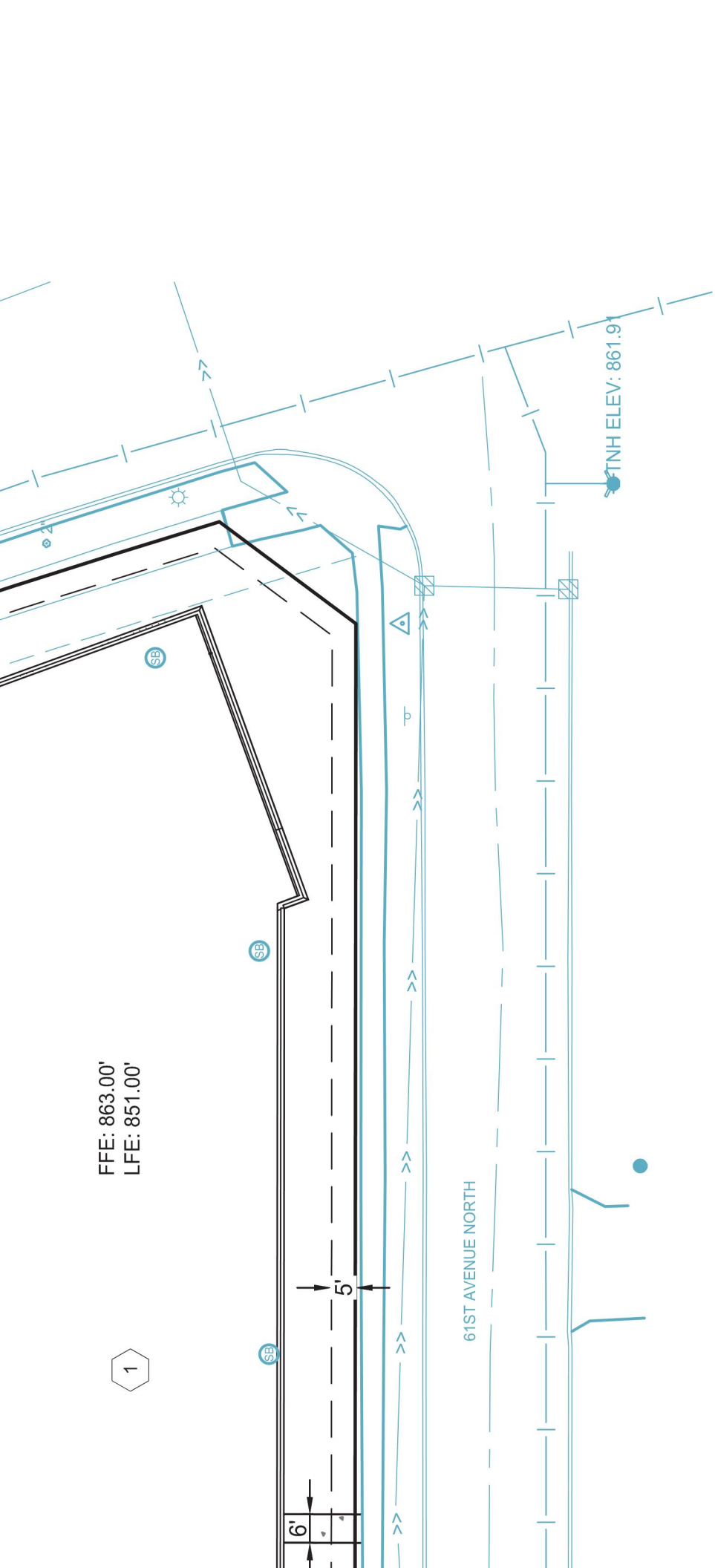
11. THE CONTRACTOR SHALL BE RESPONSIBLE TO COMPLY WITH ALL OSHA REGULATIONS.
12. THE CONTRACTOR SHALL APPLY FOR A CITY OF BROOKLYN CENTER SITE PLAN FOR PUBLIC WORKS DEPARTMENT SHALL BE NOTIFIED BY THE CONTRACTOR 48 HOURS BEFORE THE START OF CONSTRUCTION. THE CONTRACTOR MUST COMPLY WITH THE TERMS OF THE PERMITS RECEIVED AND THE CONTRACTOR MUST COMPLY WITH THE TERMS OF THE PERMITS RECEIVED.
13. ALL EXTERIOR BUILDING WALLS AND FOUNDATIONS ADJACENT TO PERVIOUS NOISE BARRIERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ARCHITECTURAL PLANS AND SPECIFICATIONS.
14. AS PART OF THE ROW PERMITTING PROCESS, TWO WEEKS BEFORE ANY WORK BEGINS, THE CONTRACTOR SHALL NOTIFY THE INSPECTOR THE NAME AND CONTACT INFORMATION OF THE CONSTRUCTION PERMITTING OFFICE. IF THE INSPECTOR NOT PROVIDED THERE MAY BE A DELAY IN OBTAINING PERMITS FOR THE WORK.



Sheet List Table	
SHEET NUMBER	SHEET TITLE
CJ100	COVER SHEET
CD101	EXISTING CONDITIONS & DEMO PLAN
CS101	SITE PLAN
CS102	FIRE TRUCK ACCESS
CS501	SITE DETAILS
CS502	SITE DETAILS
CG101	GRADING PLAN
CG110	EROSION CONTROL PLAN
CG111	SWPPP
CG501	EROSION CONTROL DETAILS
CU101	UTILITY PLAN
CU501	UTILITY DETAILS
CU502	UTILITY DETAILS
CU503	UCS DETAILS
CU504	UCS DETAIL S

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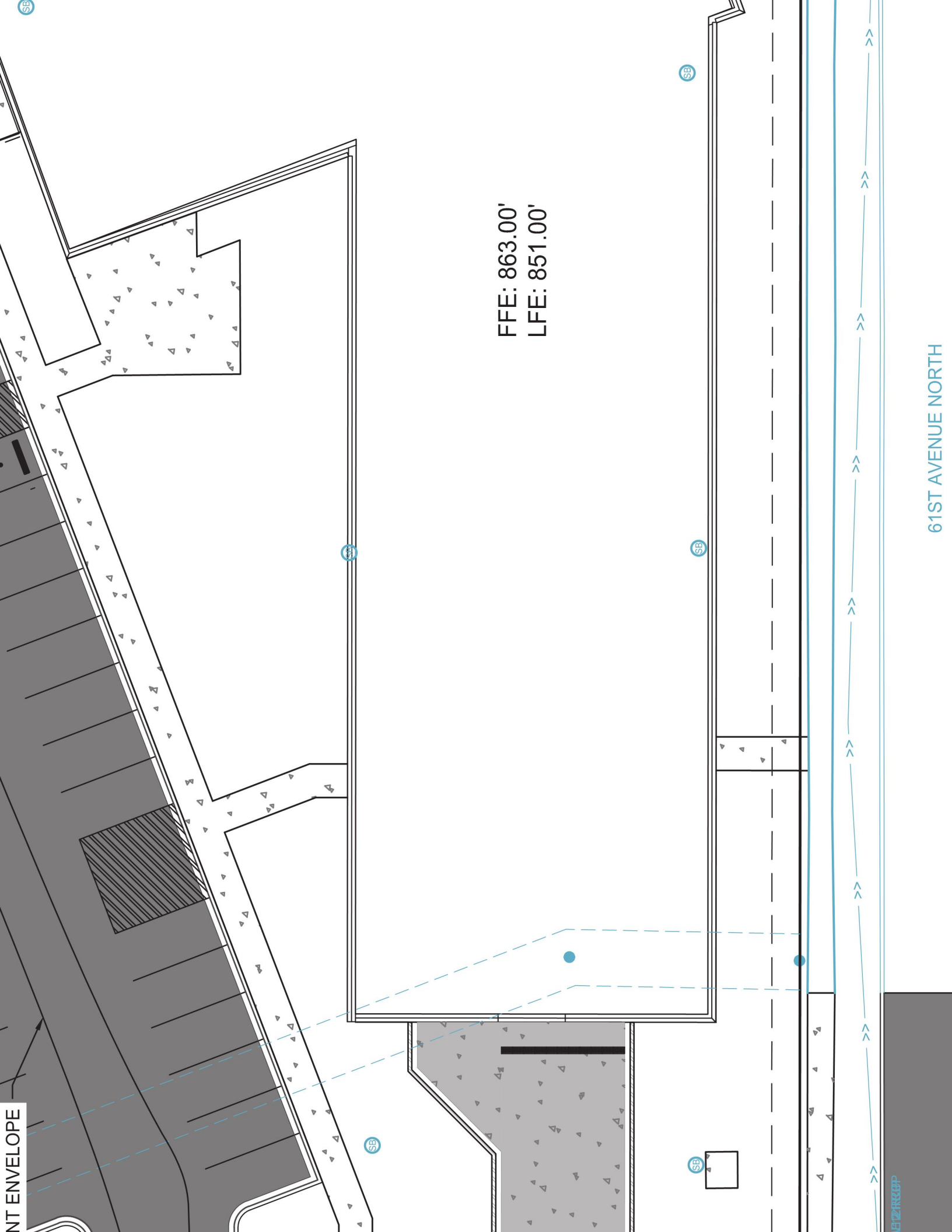




SITE PLAN NOTES

1. REFER TO ARCHITECTURAL AND/OR STRUCTURAL PLANS FOR ACTUAL BUILDING FOOTPRINT.
2. THE CONTRACTOR SHALL CONSTRUCT ALL PAVEMENTS TO CONFORM WITH THE EXISTING PAVEMENT GRADES AT TIE-IN POINTS. NO PONDING OF WATER SHALL BE ALLOWED.
3. SAW ALL CONCRETE CONSTRUCTION JOINTS, CLEAN THEM OF DEBRIS, BLAST AND PATCH.
4. REINFORCE ODD SHAPED PAVING PANELS WITH #3 BARS AT 24" EACH WAY. PROVIDE A MINIMUM 90° SHARP ANGLE WHEN THE LENGTH TO WIDTH RATIO EXCEEDS 3 TO 1 OR WHEN THE AREA OF AN ODD SHAPED PANEL EXCEEDS 100 SQ. YD.
5. DIMENSIONS ARE EDGE OF PAVEMENT, CURB GUTTER-LINE, OUTSIDE FACE OF CURB OR FACE OF BUILDING.

NT ENVELOPE



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LFE: 851.00'

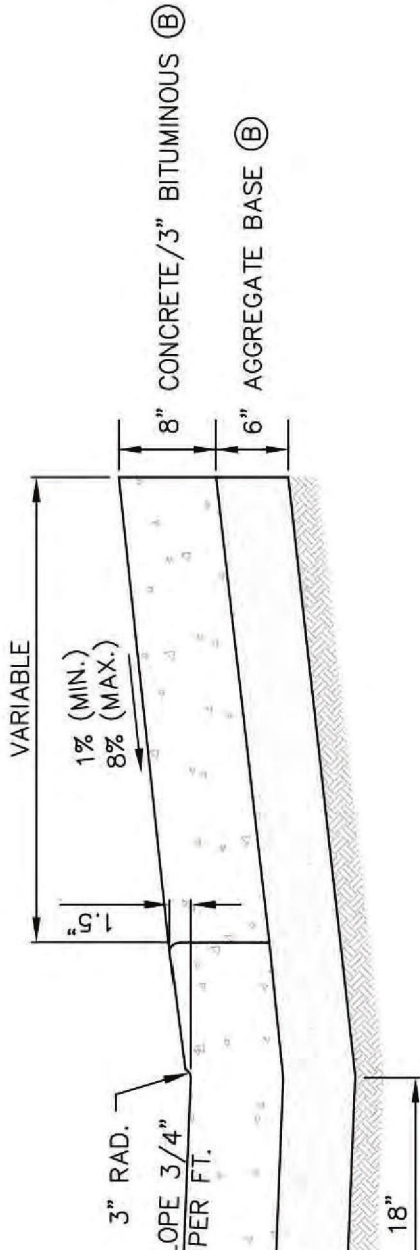
61ST AVENUE NORTH

152RURP

MAXIMUM.

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TTER AT DRIVEWAY OPENINGS WILL BE PAID FOR AS CONCRETE DRIVEWAY APRON.
THROUGH THE DRIVEWAY SHALL BE 6" THICK AND WILL BE PAID FOR AS CONCRETE DRIVEWAY

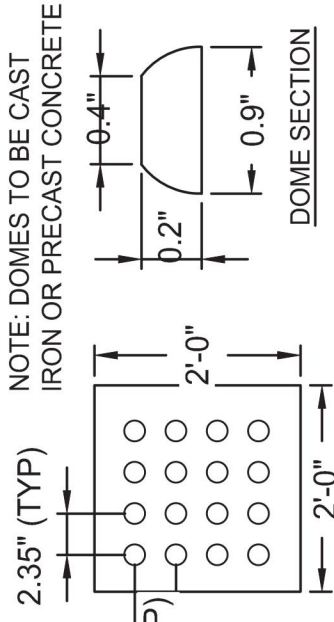
SECTION A-A



S	TYPICAL COMMERCIAL DRIVEWAY WITH SIDEWALK	REV. 03/2018
	<i>Michael Allen</i> APPROVED: CITY ENGINEER	STANDARD PLATE 405

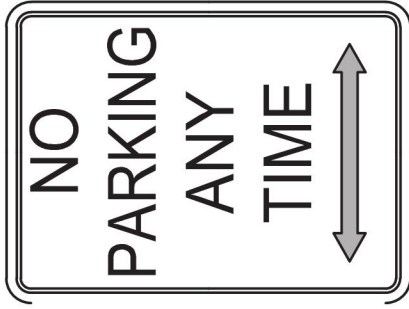
ALL COMMERCIAL DRIVEWAY WITH SIDEWALK

SCALE



TRUNCATED DOMES

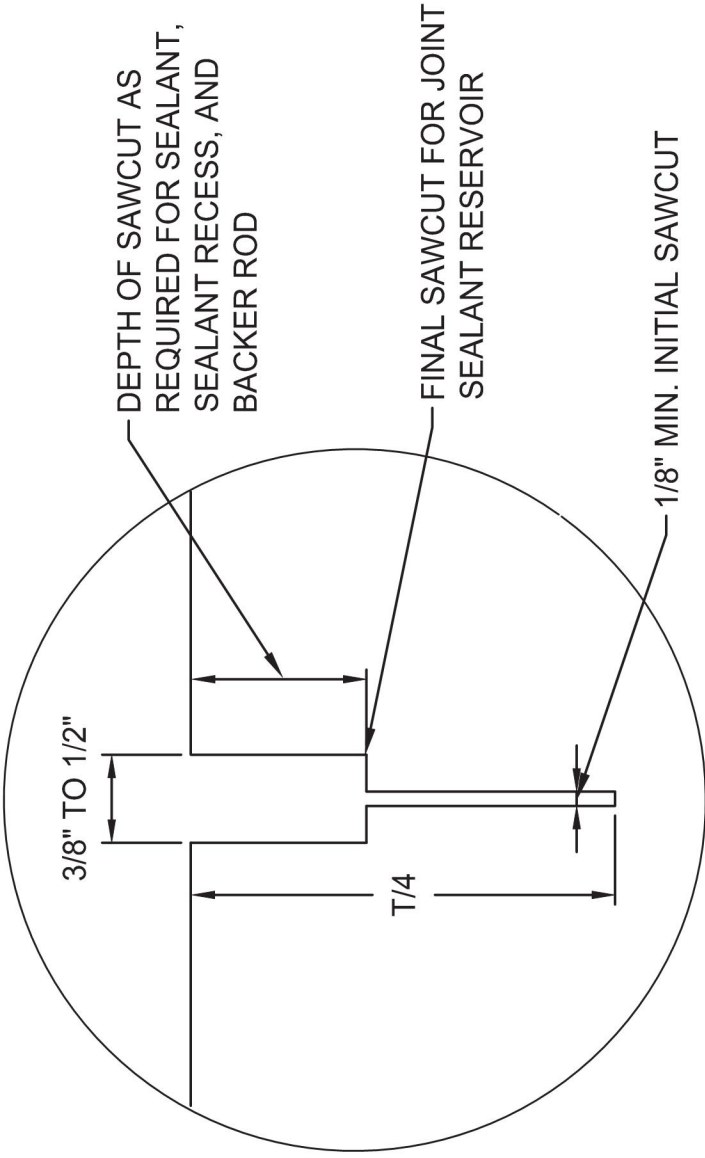
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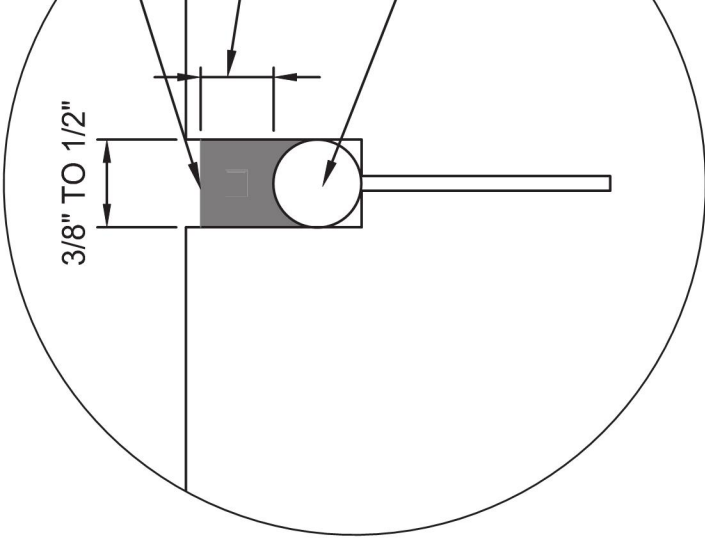




SAWCUT

T = PAVEMENT THICKNESS

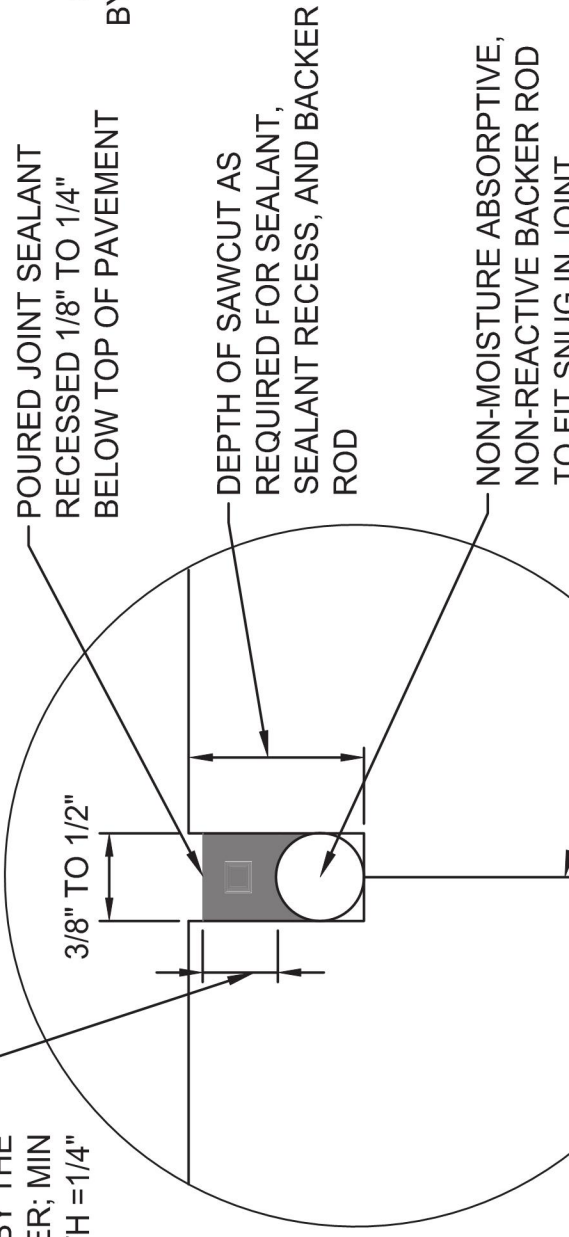
COMPLETED SEALANT



CONTRACTION JOINT

DEPTH OF SEALANT = 0.5
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MANUFACTURER; MIN
DEPTH = 1/4"

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0.5 TO 1.0 TIMES
WIDTH OF SEALANT
RESERVOIR (1/4"
OR AS RECOMMENDED
BY THE MANUFACTURER)



SPOT ELEVATION

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CONSTRUCTION ACTIVITY REQUIREMENTS: EROSION/SEDIMENT CONTROL, PROCEDURES, & MAINTENANCE STANDARDS

1. AMEND THE SWPPP AND DOCUMENT ALL CHANGES TO THE SWPPP AND ASSOCIATED PLAN SHEETS IN A TIMELY MANNER. SWPPP AMENDMENTS AND SITE PLANS WILL BE PREPARED BY THE OPERATOR AND SUBMITTED TO THE OWNER FOR REVIEW AND WRITTEN APPROVAL BY THE PROJECT OWNER (OR DESIGNATED REPRESENTATIVE). STORE THE SWPPP AND ALL AMENDMENTS ON SITE AT ALL TIMES.
2. PREPARE AND SUBMIT A SITE MANAGEMENT PLAN FOR THE ENGINEER'S ACCEPTANCE FOR STAGING/STOCKPILE MANAGEMENT AREAS, CONCRETE MANAGEMENT, CONCRETE SLURRY APPLICATION AREAS, FUGITIVE DUST CONTROL PLAN, SPILL CONTAINMENT PLAN, HAZARDOUS MATERIAL MANIFEST & MANAGEMENT PLAN, WETLAND MANAGEMENT PLAN, VEGETATION PRESERVATION & MAINTENANCE PLAN, WORK IN AND NEAR AREAS OF ENVIRONMENTAL SENSITIVITY, AREAS IDENTIFIED IN THE PLANS AS "SITE MANAGEMENT PLAN AREA", ANY WORK THAT WILL REQUIRE DEWATERING, ANY ADDITIONAL PLANS LISTED IN THE PROJECT SPECIFICATIONS, AND AS REQUIRED BY THE ENGINEER. SUBMIT ALL SITE MANAGEMENT PLANS TO THE ENGINEER IN WRITING, ALLOW A MINIMUM OF 7 DAYS FOR PROJECT ENGINEER TO REVIEW AND ACCEPT SITE MANAGEMENT PLAN SUBMITTALS. WORK WILL NOT BE ALLOWED TO COMMENCE IF A SITE MANAGEMENT PLAN IS REQUIRED UNTIL ACCEPTANCE HAS BEEN GRANTED BY THE ENGINEER. THERE WILL BE NO EXTRA TIME ADDED TO THE CONTRACT DUE TO THE UNTIMELY SUBMITTAL.
3. THERE IS NO CONSTRUCTION PHASING OR STAGING DEFINED BY THE OWNER FOR THIS PROJECT. THE SCHEDULE FOR INSTALLING TEMPORARY BMPs SHALL BE INCORPORATED INTO THE OPERATOR'S WEEKLY SCHEDULE FOR EACH CONSTRUCTION STAGE AND PRESENTED TO THE OWNER'S REPRESENTATIVE.
4. BURNING OF ANY MATERIAL IS NOT ALLOWED WITHIN PROJECT BOUNDARY.
5. DO NOT DISTURB AREAS OUTSIDE OF THE CONSTRUCTION LIMITS. DELINEATE AREAS NOT TO BE DISTURBED AND WETLANDS (EVEN AREAS THAT ARE PERMITTED FOR CONSTRUCTION) PRIOR TO STARTING GROUND DISTURBING ACTIVITIES. IF IT BECOMES NECESSARY

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AND VEHICLES. THE EXITS ARE CONSTRUCTED OF LARGE ANGULAR ROCK. STEEL RAILS
ED TO KNOCK THE MUD OFF THE TIRES BEFORE TRAVELLING ONTO THE ROADWAY.

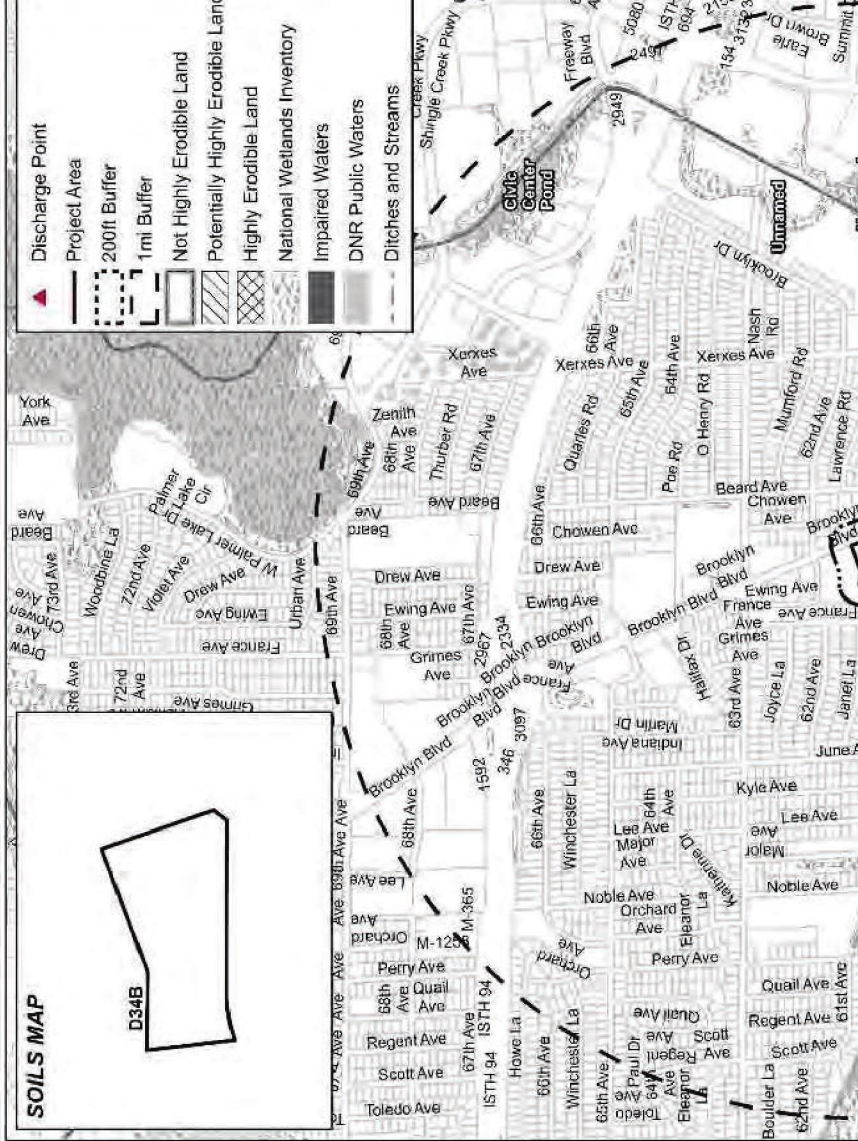
END THE SWPPP TO INCLUDE THE INTENDED USES AND LOCATIONS OF FLOCCULANTS,
EATMENT CHEMICALS. CHEMICAL TREATMENTS MUST BE IN COMPLIANCE WITH PART 9.18.
TH STATE RULE 7011.0150 ON DUST PREVENTION REQUIREMENTS. DUST FROM THE SITE WILL
PEERING AND/OR USING A MOBILE PRESSURE-TYPE DISTRIBUTOR TRUCK TO APPLY POTABLE
UNIT WILL APPLY WATER AT A RATE NECESSARY TO PREVENT RUNOFF AND FLOODING.

CONSTRUCTION ACTIVITIES INCLUDE, BUT NOT LIMITED TO:
ATED FROM CLEARING AND GRUBBING, IMPORT/EXPORT OPERATIONS, REMOVALS/COMPACTION,
RACING, TOPSOIL STRIPPING STOCKPILING, WET/DRY PAVEMENT CUTTING, STREET
AND GUTTER, MANHOLE STRUCTURES, SIDEWALKS, DRIVEWAY APRONS, FOUNDATIONS, WET/DRY
/CLEANOUT.

S INSTALLATIONS, SOIL ADDITIVES, FERTILIZATION, MULCHING.
TION, DEMOLITION/REMOVALS, WET/DRY PAVEMENT CUTTING.
POLLUTION PREVENTION AND MANAGEMENT MEASURES IDENTIFIED IN THE NPDES-CSW PERMIT,
CONSTRUCTION AND HAZARDOUS WASTES MUST BE IN COMPLIANCE WITH MPCA REGULATIONS.
ABLE TOILETS SO THEY CANNOT BE TIPPED OR KNOCKED OVER. SUPPLY ADEQUATE SECONDARY
ROUND ALL STATIONARY EQUIPMENT (GENERATORS, PUMPS, LIGHT PLANTS, ETC.) PROVIDE
TERIALS AND TOXIC WASTE.

IN SITE.
OCCUR IN DESIGNATED AREA AS DETERMINED BY THE CONTRACTOR SUBMITTAL OF A
IES.
SPILLS AS REQUIRED BY THE MPCA AND MNDOT SPECIFICATIONS.
LOCATION ON THE SITE.
TH RESTRICTED ACCESS FOR ALL HAZARDOUS MATERIALS AND TOXIC WASTE. RETURN ALL
SITE TO THE DESIGNATED STORAGE AREA AT THE END OF THE BUSINESS DAY UNLESS
ATERIALS AND TOXIC WASTE (INCLUDING BUT NOT LIMITED TO OIL, DIESEL FUEL,
F, PETROLEUM BASED PRODUCTS, WOOD PRESERVATIVES, ADDITIVES, CURING COMPOUNDS, AND
SECONDARY CONTAINMENT. CLEAN UP SPILLS IMMEDIATELY.

SOLID WASTE.
MUST BE VACUUMED UP IMMEDIATELY. NO CONCRETE WASHOUT SHALL COME IN CONTACT WITH
DISPOSED OF.
T TO EACH CONCRETE WASHOUT FACILITY.
USAL PLAN FOR ALL WASTE MATERIALS. INCLUDE IN THE PLAN HOW THE MATERIAL WILL BE

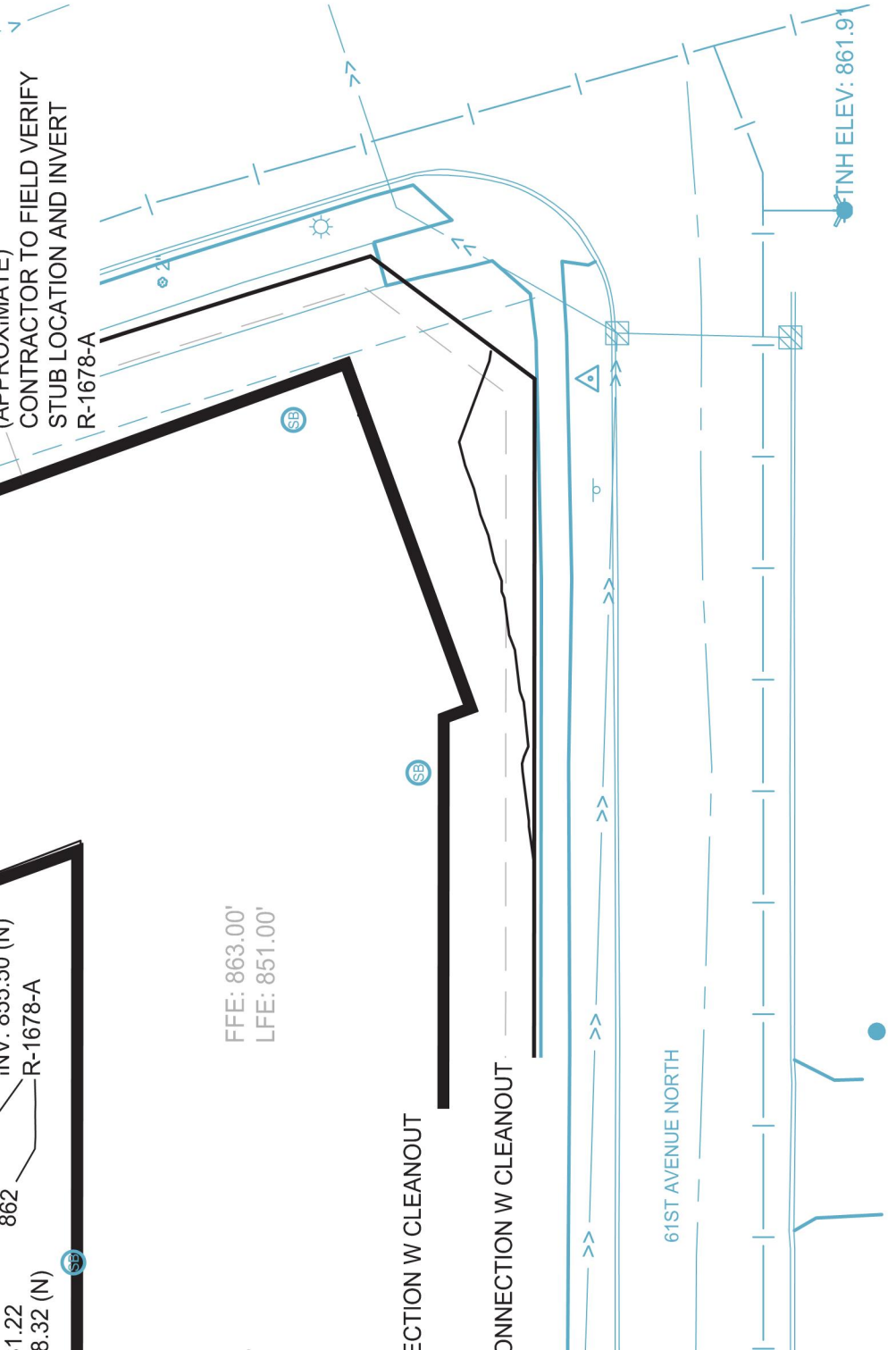


NOTES:

INSERT SHALL BE INSTALLED PRIOR TO CLEARING AND GRADING ACTIVITY, OR UPON PLACEMENT OF A NEW CATCH BASIN.

SEDIMENT SHALL BE REMOVED FROM THE UNIT WHEN IT BECOMES HALF FULL .

SEDIMENT REMOVAL SHALL BE ACCOMPLISHED BY REMOVING THE INSERT, EMPTYING, AND RE-INSERTING IT INTO THE CATCH BASIN.



17. REFER TO ELECTRICAL AND MECHANICAL CONTRACTOR TO COORDINATE AND BUILDING CONTRACTOR
18. SEE 6/CU501 FOR PIPE BEDDING
19. SERVICE CONNECTIONS SHALL BE MADE TO THE PROPERTY LINE OR, IF A SERVICE CONNECTION IS ENCOUNTERED, WATER SERVICE SHALL BE MAINTAINED
20. MAINTAIN 3 FEET VERTICAL SEPARATION BETWEEN HIGH DENSITY INSULATION AND WATER SERVICE
21. ALL WATER SERVICE VALVE INSTALLATIONS SHALL BE COMPLETED PRIOR TO COMPLETION OF CONSTRUCTION
22. ALL PIPE WORK INSIDE OF PROPERTY SHALL BE CERTIFIED BY THE CITY OF BIRMINGHAM
23. THE CONTRACTOR PROVIDING THE WATER SERVICE SHALL BE REQUIRED BY ANY GOVERNING AGENCY TO COMPLY WITH ALL LOCAL REQUIREMENTS
24. PIPING WITHIN 10' OF THE BUILDING SHALL BE PLUMBING CODE 4714 SECTION 4714.1

SHIP OF STORM SEWER TO EXISTING GRADES.

ITIONS & DETAIL PLATES, AWWA AMERICAN WATERWORKS

NG TRENCHES. COMPLY WITH ALL LOCAL REQUIREMENTS.

24"	30.0 SQ FT
30"	50.0 SQ FT

D.I.P. WATER MAIN, INCLUDING HYDRANT RISERS, BASED IN POLYETHYLENE WRAP.

EQUAL RETAINER GLANDS SHALL BE FURNISHED AND PLUG FITTINGS IN ADDITION TO THE AS SHOWN ABOVE.

IT BE POURED CONCRETE. MOTAR/GROUT BED BLOCKING ARE NOT ALLOWED.

ICAL JOINTS WITH CONCRETE.

**PUBLIC WORKS
DEPARTMENT**

JOINT RESTRAINT FOR WATER MAIN

Michael Allen

APPROVED: CITY ENGINEER

REV. 03/2018

STANDARD
PLATE
103

NOTES:

APPLIES WHERE VERTICAL SEPARATION IS LESS THAN 36" FOR STORM SEWER. PROVIDE A MINIMUM OF 18" SEPARATION BETWEEN WATERMAIN AND SEWER PIPE.

**PUBLIC WORKS
DEPARTMENT**

WATER MAIN-STORM SEWER CROSSING INSULATION

Michael Allen

APPROVED: CITY ENGINEER

REV. 03/2018

STANDARD
PLATE
104

JOINT RESTRAINT FOR WM

STEEL FENCE POST

GUTTERLINE

SLOPE SHALL BE 1% MINIMUM UNLESS OTHERWISE DETERMINED

LONG RADIUS 45° BEND

POINT OF INSERTION SHALL BE SEALED WITH A FERNOW OR FITTING APPROVED EQUAL.

CONTRACTOR SHALL INSERT 4" PVC INTO EXISTING RISER TO A LENGTH DETERMINED BY ENGINEER IN FIELD.

MATERIALS USED SHALL CONFORM TO SPECIFICATIONS

SEWER GASKETS SHALL BE

WM-SAN SEWER CROSSING INSULATION

SCALE: NOT TO SCALE

CLASS C PIPE BEDDING

NORMAL FILL MATERIAL COMPACTED TO 95% OF THE STANDARD PROCTOR DENSITY

6"

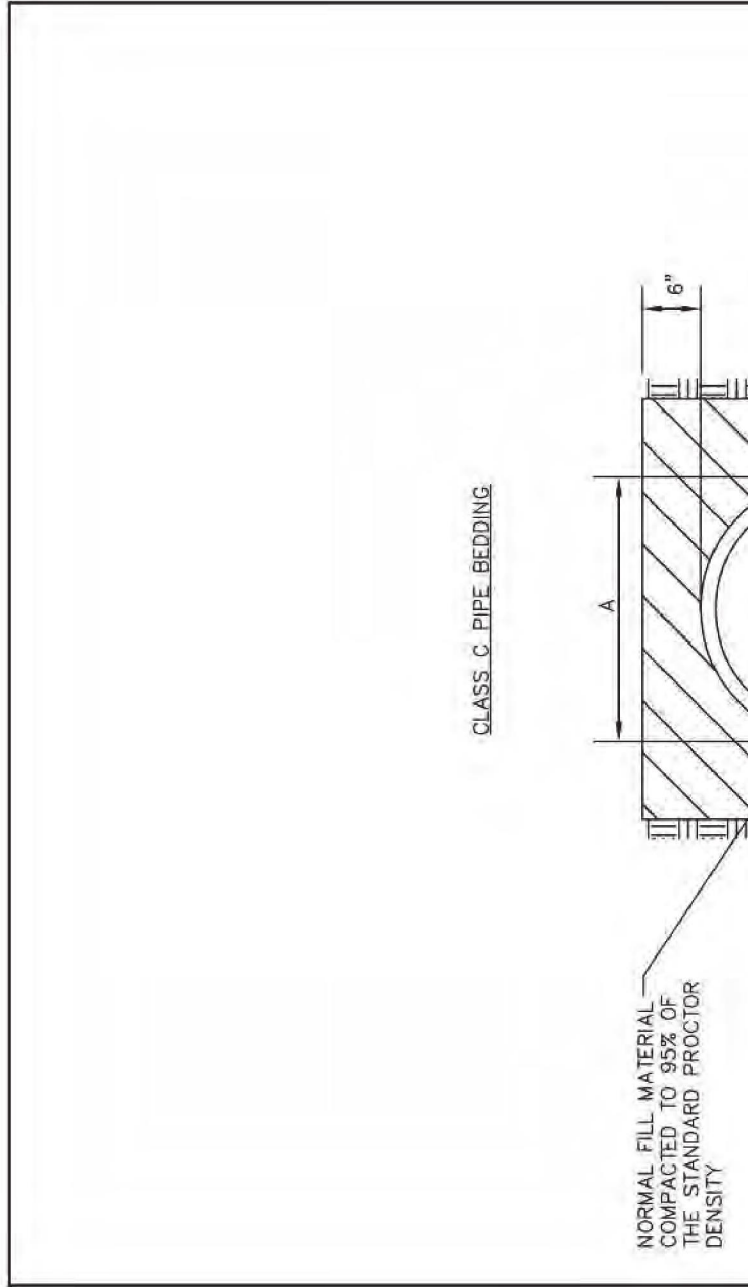
UNEQUAL RETAINER GLANDS SHALL BE FURNISHED
SIZES AND PLUG FITTINGS IN ADDITION TO THE
AS SHOWN ABOVE.

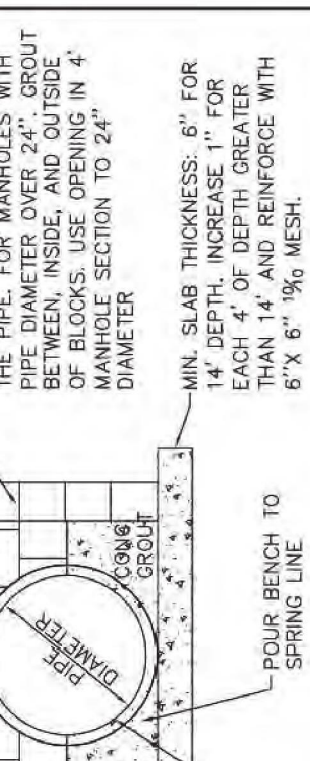
MUICAL JOINTS WITH CONCRETE.

 PUBLIC WORKS DEPARTMENT	WATER MAIN—STORM SEWER CROSSING INSULATION	REV. 03/2018
	APPROVED: <u>Michael Wilson</u> CITY ENGINEER	STANDARD PLATE 104

3 WM-SAN SEWER CROSSING INSULATION

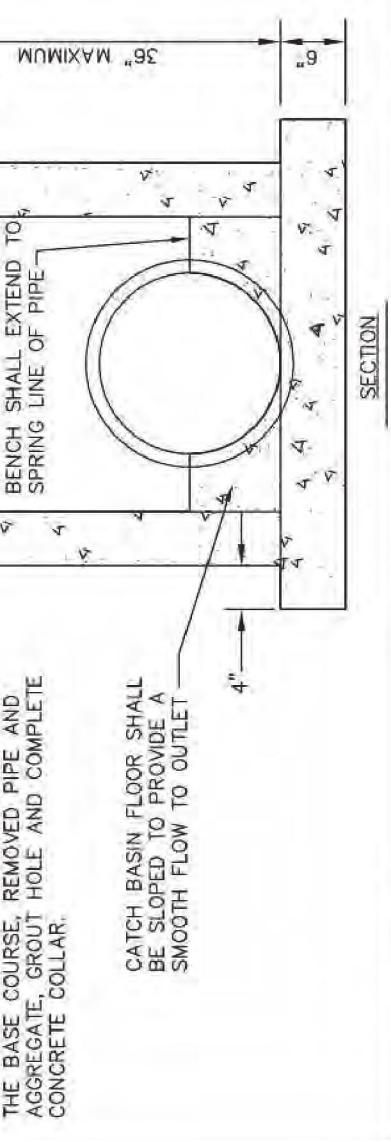
J501V





THE BASE COURSE, REMOVED PIPE AND AGGREGATE, GROUT HOLE AND COMPLETE CONCRETE COLLAR.

	CATCH BASIN MANHOLE	REV. 03/2018
		STANDARD PLATE 304
APPROVED: CITY ENGINEER		



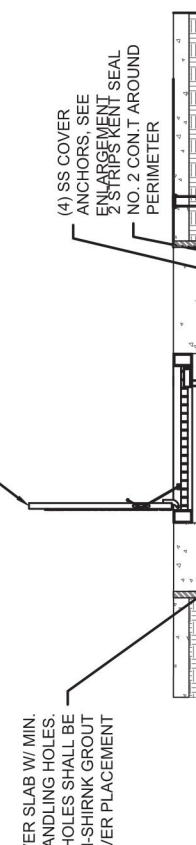
	SINGLE PIPE CATCH BASIN TYPE A ROUND	REV. 03/2018
		STANDARD PLATE 306
APPROVED: CITY ENGINEER		

HOLE

11 SINGLE PIPE CATCH BASIN TYPE A ROUND

CU502 SCALE: NOT TO SCALE

30"x48" CLEAR OPENING SINGLE LEAF ALUM. HATCH W/ POSITIVE LOCK AT 90° OPENING. SPLIT LEAF ALUM. SAFETY GRATE & CONCEALED LOCKING HASP. HATCH TO BE CAST INTEGRALLY WITH CONC. RISER.



(4) SS COVER ANCHORS, SEE SYSTEM SEAL NO. 2 CONT AROUND PERIMETER

THE CHAMBERS IN PLACE AND PRESERVE ROW SPACING.

ADDITIONAL MATERIALS BEARING CAPACITIES TO THE SITE DESIGN.

CONSTRUCTION FOR ALL INLETS TO PROTECT THE SUBSURFACE.

THE "STORMTECH MC-3500/MC-4500 CONSTRUCTION GUIDE".

UNTIL PROPER FILL DEPTHS ARE REACHED IN ACCORDANCE

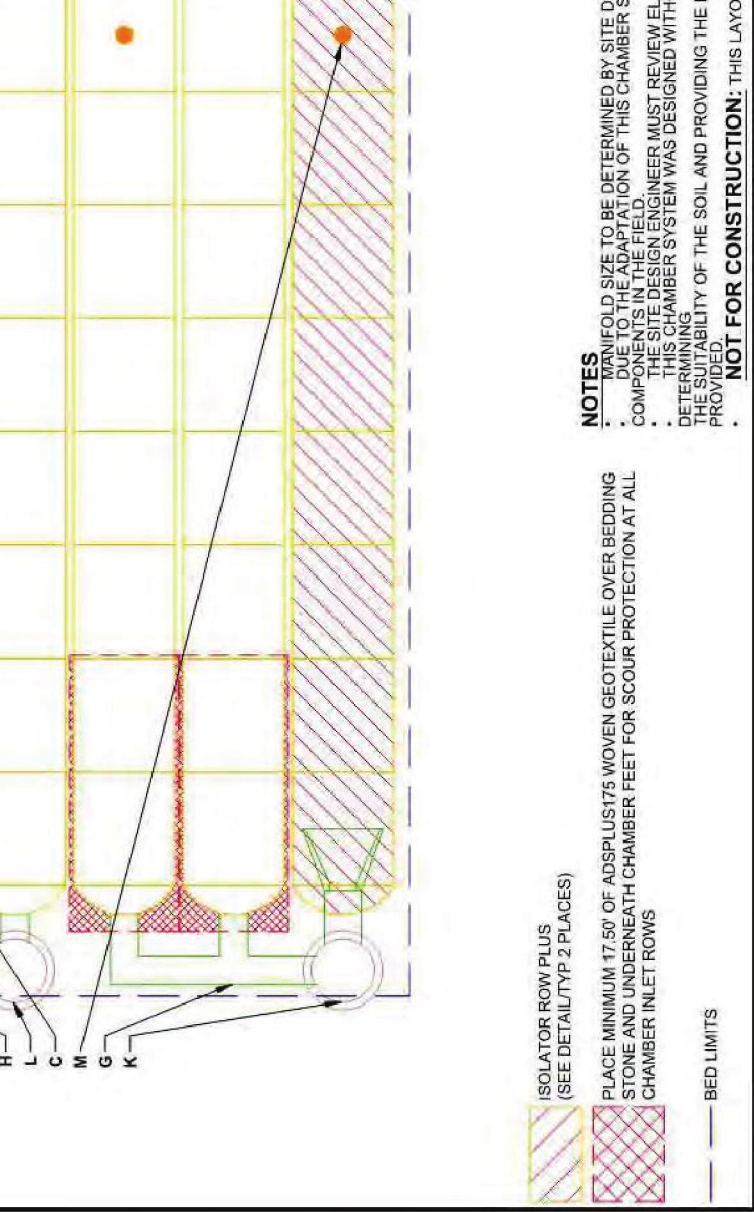
"STORMTECH MC-3500/MC-4500 CONSTRUCTION GUIDE".

REQUIRED FOR DUMP TRUCK TRAVEL OR DUMPING.

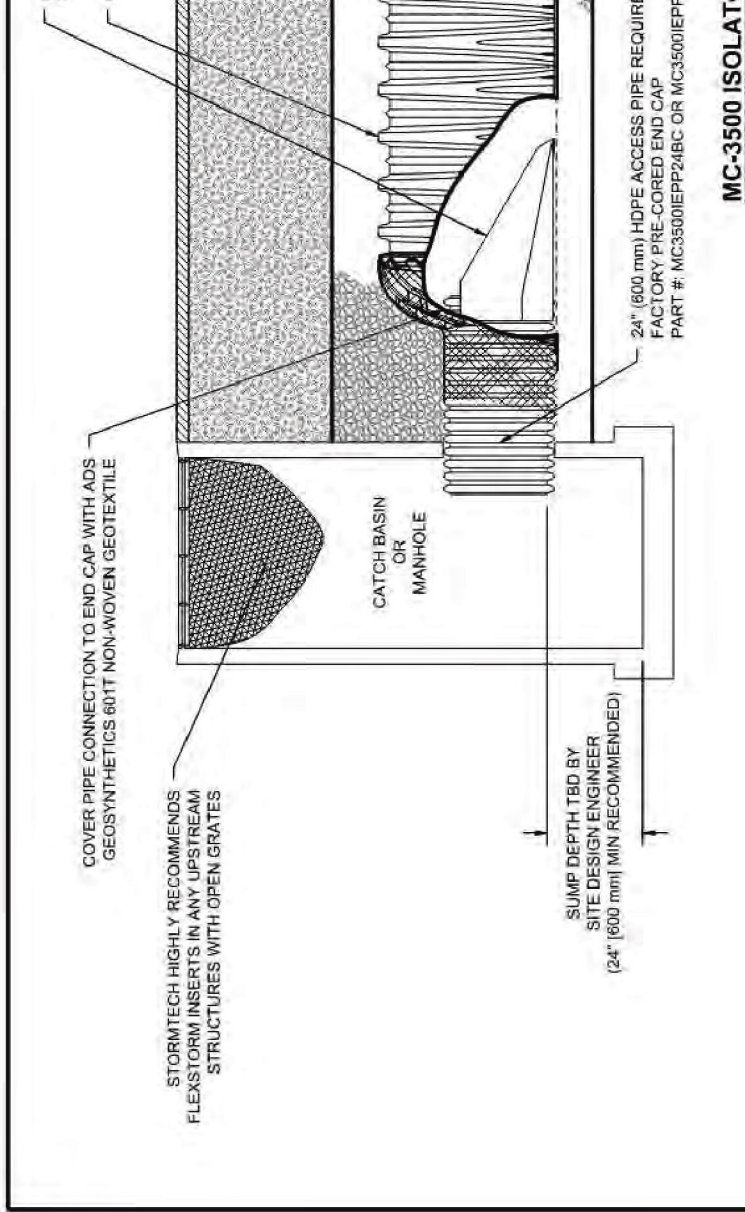
S MAY CAUSE DAMAGE TO CHAMBERS AND IS NOT AN ACCEPTABLE

METHOD ARE NOT COVERED UNDER THE STORMTECH STANDARD

REQUIREMENTS OR WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT.



WANGSTAD COMMONS		BROOKLYN CENTER, MN, USA		PROJECT #:		CHECKED: N/A	
DATE:		DRAWN: JW		PROJECT #:		CHECKED: N/A	
DESCRIPTION		PROJECT #:		CHECKED: N/A		PROJECT #:	
NO COMPACTION REQUIRED.		PROJECT #:		CHECKED: N/A		PROJECT #:	
ACT OR ROLL TO ACHIEVE A FLAT SURFACE. ^{2,3}		PROJECT #:		CHECKED: N/A		PROJECT #:	
O M43) STONE".		PROJECT #:		CHECKED: N/A		PROJECT #:	
IAL LOAD DESIGNS, CONTACT STORMTECH FOR		PROJECT #:		CHECKED: N/A		PROJECT #:	
TE DESIGN ENGINEER'S DISCRETION.		PROJECT #:		CHECKED: N/A		PROJECT #:	

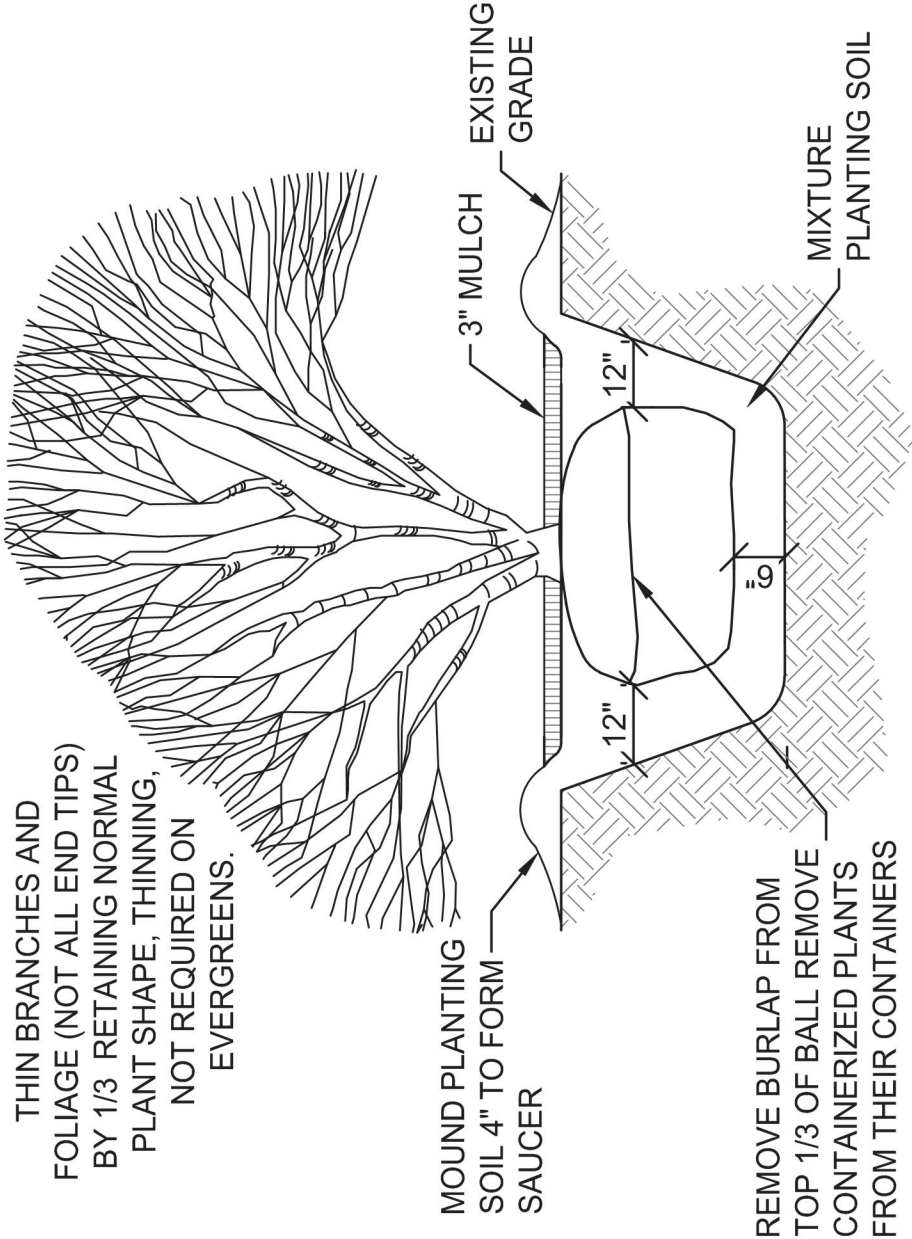




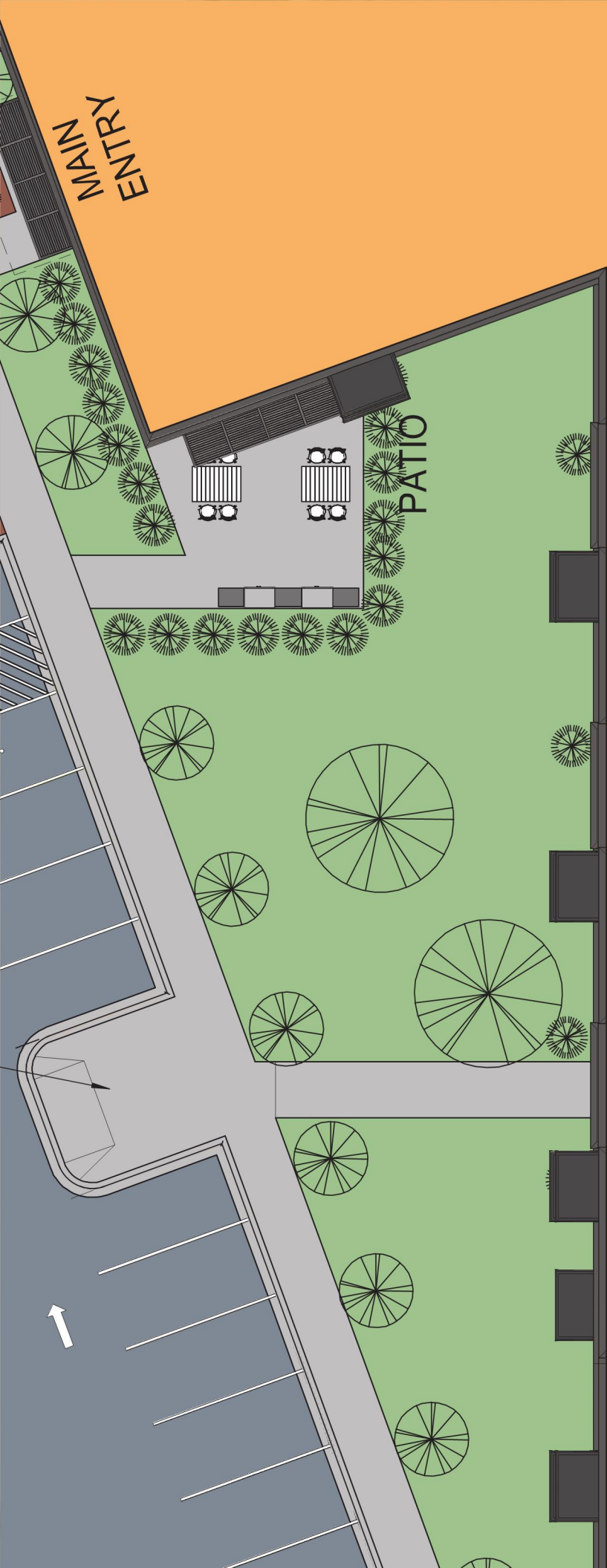
NOTES:
1. SEE BALLED AND BURLAPPED
PLANTING STOCK DETAIL
FOR FURTHER NOTES.

END OF
TO

THIN BRANCHES AND
FOLIAGE (NOT ALL END TIPS)
BY 1/3 RETAINING NORMAL
PLANT SHAPE, THINNING,
NOT REQUIRED ON
EVERGREENS.



G, AND
ROOTS
THAN
SFN

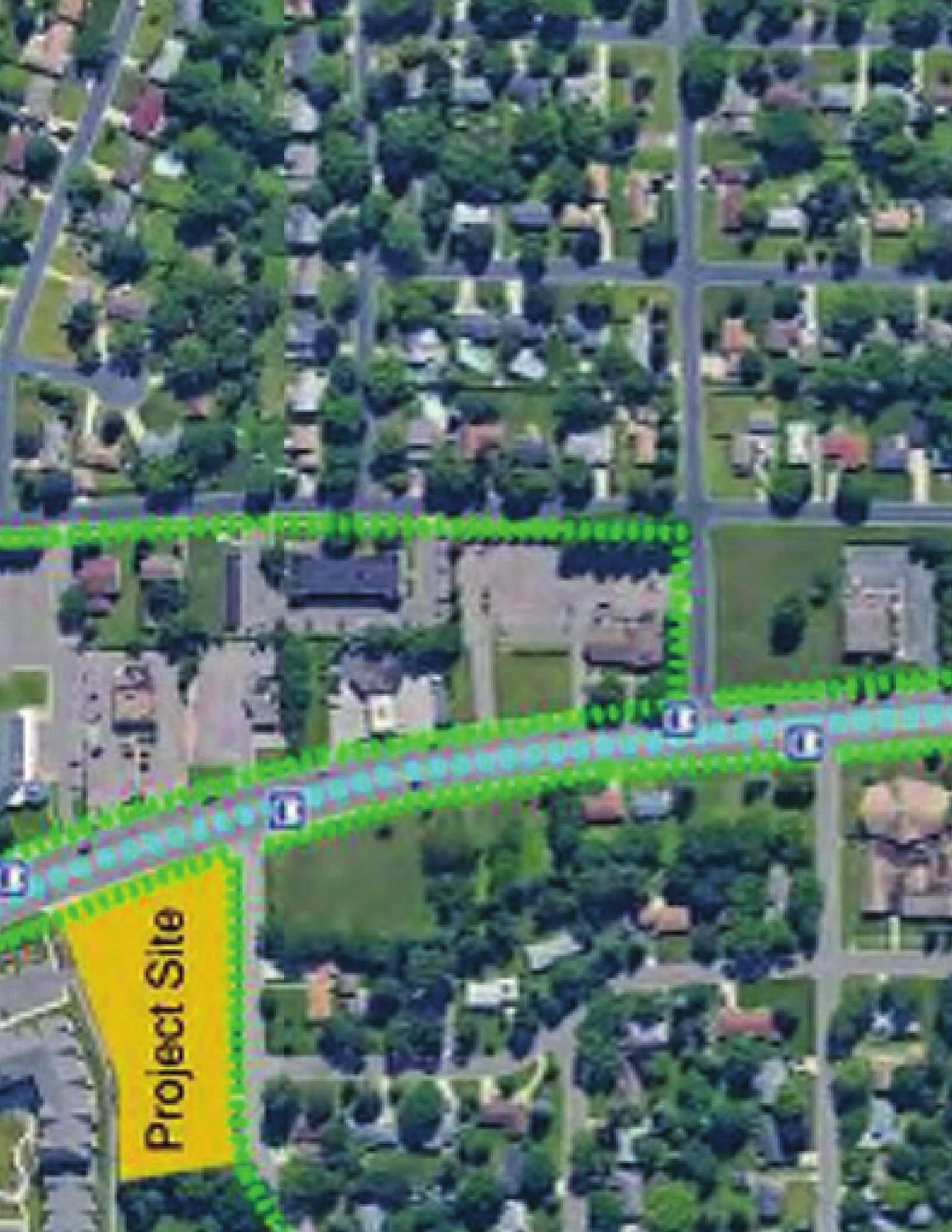


AFFORDABLE HOUSING

4 LEVELS

54 UNITS

BUILDING FOOTPRINT 19,100 GROSS SF



Project Site

ELEV.



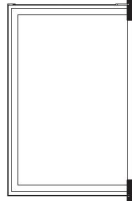
19'-6"

24'-0"

19'-6 3/8"

BELOW
GRADE
PARKING 47
STALLS
16780 SF

ELEV



UNIT D2
1620 SF

UNIT A1
760 SF

COR

UNIT B1
990 SF

UNIT B1
990 SF

UNIT A1
760 SF

ELEV.

UNIT B1
990 SF

UNIT B1
990 SF

UNIT A1
760 SF

UNIT B1
990 SF

UNIT B1
990 SF

UNIT A1
760 SF

ELEV.

UNIT B1
990 SF

UNIT B1
990 SF

UNIT A1
760 SF

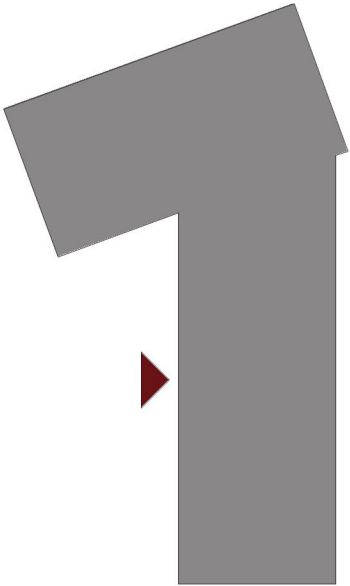
UNIT B1
990 SF

UNIT B1
990 SF

UNIT A1
760 SF

STREET VIEW- 61ST

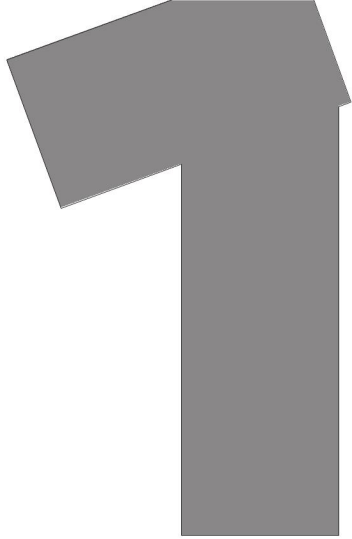




ELEVATION KEY



AST
centage



ELEVATION KEY

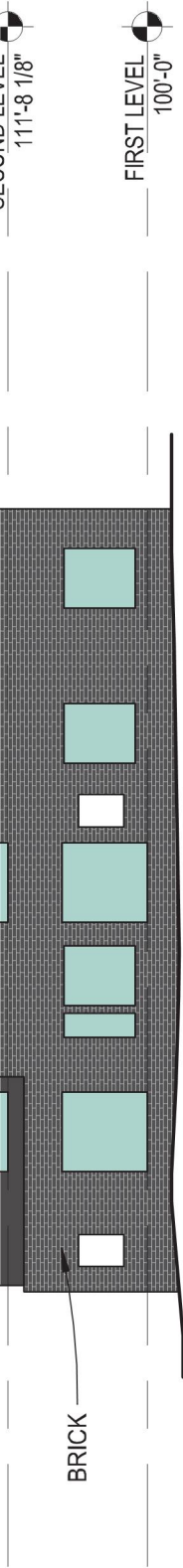
ARAPET HIGH 146'-4"

ROOF 143'-4 3/4"

FOURTH LEVEL 132'-11 7/8"

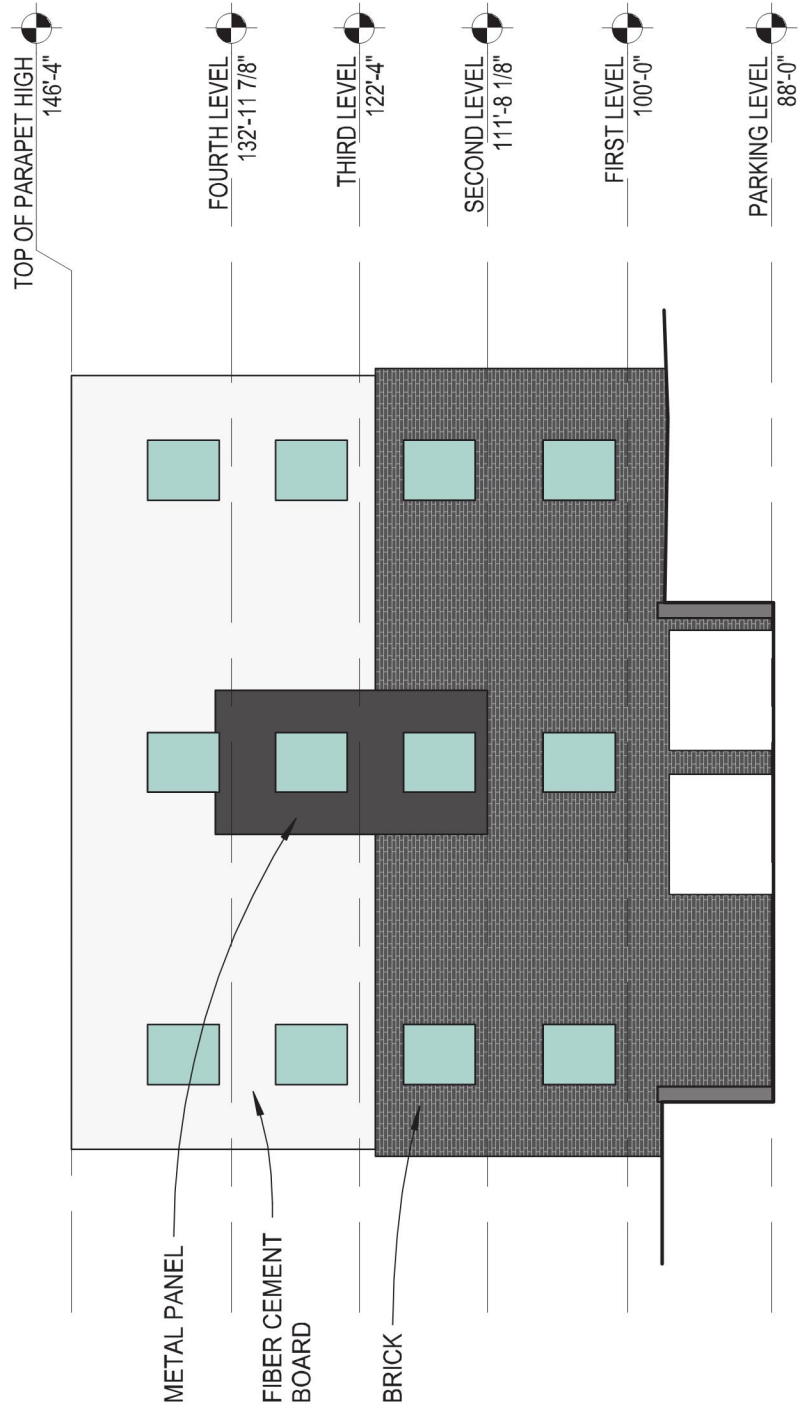
THIRD LEVEL 122'-4"

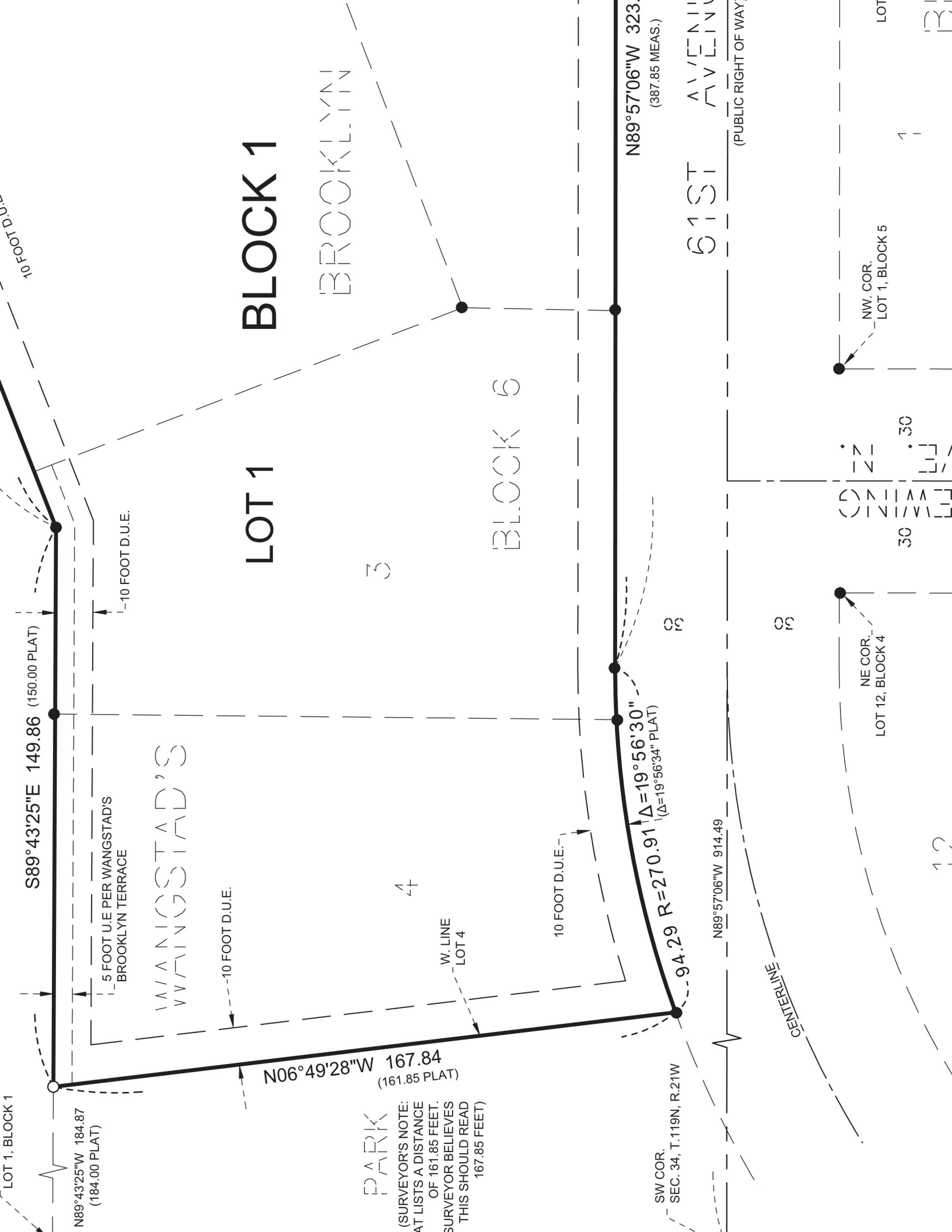
SECOND LEVEL 111'-8 1/8"



SOUTHEAST ELEVATION

1/16" = 1'-0"





S89°43'25"E 149.86 (150.00 PLAT)

5 FOOT U.E. PER WANGSTAD'S
BROOKLYN TERRACE

WANGSTAD'S
BROOKLYN TERRACE

10 FOOT D.U.E.

LOT 1

BLOCK 1

BROOKLYN

3

4

W. LINE
LOT 4

BLOCK 5

10 FOOT D.U.E.

94.29 R=270.91 Δ=19°56'30"
(Δ=19°56'34" PLAT)

N89°57'06"W 323
(387.85 MEAS.)

61ST AVENUE

(PUBLIC RIGHT OF WAY)

N89°57'06"W 914.49

CENTERLINE

SW COR.
SEC. 34, T.119N, R.21W

NE COR.
LOT 12, BLOCK 4

NW COR.
LOT 1, BLOCK 5

30 30 30 30

1

12

LOT

PARK
(SURVEYOR'S NOTE:
AT LISTS A DISTANCE
OF 161.85 FEET.
SURVEYOR BELIEVES
THIS SHOULD READ
167.85 FEET)

**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 an in-person public hearing on **Thursday, April 13, 2023**, at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: <https://www.ci.brooklyn-center.mn.us/>. 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 REQUESTS:

Preliminary and Final Plat, PUD Amendment and Re-zoning, Site and Building Plan, and 2040 Comprehensive Plan Amendment

APPLICANT: JO Companies, LLC

PROPERTY OWNER:

Economic Development Authority of the City of Brooklyn Center

PROPERTY ADDRESSES:

6107 Brooklyn Boulevard,
6101 Brooklyn Boulevard,
3600 61st Avenue North, and
3606 61st Avenue North,
Brooklyn Center, MN 55429

PIDS: 34-119-21-43-0049,
34-119-21-43-0050,
34-119-21-43-0051, and
34-119-21-43-0052

BRIEF STATEMENT OF CONTENTS OF PETITION:

The Applicant is requesting review of a proposal to re-plat and re-develop the approximately 1.77-acre site into a four-story, 54-unit multi-family residential building and related site improvements. The Subject Property is owned by the Economic Development Authority of the City of Brooklyn Center and is comprised of four (4) vacant lots located at the northwest corner of Brooklyn Boulevard and 61st Avenue North.

Comments and questions may be forwarded to gmcintosh@ci.brooklyn-center.mn.us up until 4:30 pm on the day of the meeting, or by contacting Ginny McIntosh at (763) 569-3319. Your comments will be included in the record and addressed as part of the meeting. Alternatively, you may participate in the Planning Commission meeting via Webex at: join.webex.com

Meeting Number (Access Code):
2469 410 2630
Password: BCP04132023
By Phone: 1 (312) 535-6110
(Enter Access Code)

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 and Zoning
Administrator

Community Engagement Summary:

Wangstad Commons proposal – JO Companies

61st Avenue North & Brooklyn Boulevard

Brooklyn Center

Submitted by
Gretchen Nicholls, Local Initiatives Support Corporation (LISC) Twin Cities



July 2021

Executive Summary

JO Companies contracted with LISC Twin Cities' Corridor Development Initiative (CDI) to facilitate a virtual community engagement process in June 2021 to gather input for Wangstad Common – a redevelopment project proposed for 61st Avenue North and Brooklyn Boulevard in Brooklyn Center.

Objectives:

1. Convene a community engagement process to review proposed development and gather community input;
2. Provide a Community Feedback Summary report to the City of Brooklyn Center and developer for consideration.

Outreach for community participation included 400 flyers dropped throughout the adjoining area (including residents and businesses), email notifications to

over 100 contacts, and support from local community organizations to share the information among their networks. Promotional materials were provided in English, Spanish and Hmong.

Approximately thirty participants joined the virtual community meetings, including representatives from CAPI and ACER (African Career and Education Resources, Inc.) who represent communities of color, lower-income households, renters, and BIPOC businesses. Presentations were shared by Meg Beekman, Brooklyn Center Community Development Director, providing context for the site and information about city goals for the area and for housing, and by Johnny Opara, JO Companies, to introduce his development team and provide an overview of the Wangstad Commons proposal.

Community members were invited to ask questions of the city staff and development team, and provide input about the proposal. Themes of the two-part conversation included:

- Pedestrian and traffic flow (incl. access for moving trucks)
- Housing needs
- Other development in the area
- Proximity to Wangstad Park
- Security, property management, services, and tenant screening
- Project financing, timeline, and term of affordability
- Project quality, aesthetics, and amenities
- What will be needed for the project to be successful and to really contribute to its neighborhood and its community?
- Additional comments or questions

The questions and comments gathered from the sessions will be shared with the City of Brooklyn Center and JO Companies and their project team for consideration. A more detailed overview of the input gathered is included in the report.

Site Description:

Overview: 61st Avenue North and Brooklyn Boulevard

The following includes excerpts from the presentation provided by Meg Beekman, Community Development Director, City of Brooklyn Center.

The 1.3-acre site consists of four EDA-owned parcels (all land is vacant – no structures) located at the Northeast corner of 61st Avenue North and Brooklyn Boulevard which is in the tax increment financing district #6 (Housing District) created for The Sanctuary – an assisted living facility built in 2018. The EDA-owned site is zoned neighborhood mixed use which allows for a combination of medium density residential and small scale commercial uses, and is located adjacent to Wangstad Park.

The Brooklyn Center 2040 Comprehensive Plan calls for a land use study for the corridor to guide future development and create design standards and zoning controls to achieve the following objectives:

- Consolidate accesses onto the roadway and identify opportunities for consolidation to make sites more efficient.
- Create a set of design guidelines for the Corridor, to encourage a pedestrian scale at the street level.
- Properties along the Brooklyn Boulevard Corridor that are within the overlay, but are without Corridor frontage may consider 'joining' a redevelopment effort with a property containing frontage

Brooklyn Center EDA has been acquiring single-family parcels along the Corridor for many years, which is part of long-term policy to consolidate access points, assemble land to facilitate redevelopment, and increase the intensity of land uses along the corridor.

Brooklyn Boulevard improvements include:

- Significant road improvements are planned for the corridor, which will affect the function of the roadway
- Project will improve pedestrian and bicycle connections, and add streetscaping and landscaping elements
- Reconstruction will improve safety and reduce vehicle conflicts, as well as consolidate access points where possible
- Improvements and new park equipment planned for Wangstad Park in 2022

Proposed Development

Wangstad Commons

Developer: JO Companies



JO Companies, LLC was founded in March of 2009 by Johnny Opara. JO Companies is a Black-owned, mission driven real estate development company. After spending over 17 years in corporate America within sales and leadership roles, Johnny left to become an entrepreneur and pursue his passion for real estate. Johnny's passion and motivation for real estate and housing development was inspired and fueled by his late father's experience. Johnny experienced and saw first-hand how the lack of affordable quality housing affects its residents and their families.

Since 2017, JO Companies has been able to build a real estate development pipeline for new construction affordable housing valued at \$45M.

Wangstad Commons is a four-story workforce housing Multi-Family development that includes:

- 54 Total Housing Units
- Unit Mix: 1, 2 & 3 Bedrooms (three unit options)
- Area Median Incomes: 30%, 50%, and 60%
- Supportive Housing: PWD (6 units – 1 Bedroom), and HPH (4 units – 1 Bedroom) = 10 Units
- Site Area: Area: 1.13 Acres
- Gross Square Feet Approx. 90,000 GSF
- Construction Type: New Construction

The location at 61st Ave. North and Brooklyn Boulevard is central and convenient to transit, jobs, services and community resources likely to be accessed by the residents of Wangstad Commons.

Project amenities include:

- Onsite property management
- Fitness Center
- Large business center/community room with outdoor terrace

Wangstad Commons: 61st Ave N & Brooklyn Center

Page | 4

- Mail & Package room
- Surface & Underground parking
- Controlled access entry
- Community Gardens on site for growing fresh food
- In unit washers and dryers
- Pet friendly

The surrounding area features:

Transit and Transportation Access:

- Metro Transit's new Bus Rapid Transit C-Line begins just south of the Wangstad Commons
- Two local stops or a 10-minute walk to the Brooklyn Center Transit Station
- Close to major roadway corridors (I-94, I-694, Hwy 100)

Employment Centers:

- Express access to the jobs and services in downtown Minneapolis

Schools and Community Centers:

- Garden City Elementary (.6 miles) and Northport Elementary (1 miles) Schools
- Park Center High School (2 miles)
- Brookdale Library (1 mile)
- Brooklyn Center Community Center (1 mile)

Recreation:

- Parks, ice rinks, baseball fields, golf course, Top Golf and wildlife areas within 1 mile
- Wangstad Park is directly adjacent to the site, with no road crossings required to access its playground, basketball court and open spaces

Services:

- North Memorial Health Clinic (.7 miles)
- Brooklyn Boulevard Dental Clinic (.4 miles)
- Retail and services such as pharmacies, grocery stores, banks, fitness centers, and restaurants within 1 mile of the site
- Approximately a dozen places of worship, including churches and mosques within close proximity

Brooklyn Boulevard functions as a regional connector, which informs the scale and types of uses. The land use designation of Neighborhood Mixed

Use guided the project density, and the desire for high-quality workforce housing and larger units informed the site plan and concept. The City's zoning code will continue to guide the design standards and regulatory requirements to make sure that the project will be an asset for the community. The new design guidelines encourage pedestrian scale features at the street level, and enhanced pedestrian and bicycle environment to create a more inviting and livable place to be.

Major road improvements are currently underway on Brooklyn Boulevard, including streetscape features and lighting, which will affect the functionality, safety, and usability of the corridor. The proximity of Wangstad Park also creates a wonderful location for families with children.

The site is located in a tax increment financing (TIF) district that was created when The Sanctuary was constructed. The TIF district adds additional affordability and building requirements regulated by state statute. JO Companies approached the City of Brooklyn Center about the site in February 2019 and has been working with staff to make sure the project aligns with city goals. The project concept was presented to the City Council and Economic Development Authority (EDA) in March 2019, and a preliminary development agreement was approved. No financial commitments were made, but the agreement provides time for the developer to move through due diligence and position the project for financing.

The City also submitted a predevelopment grant request to the Met Council for the project which was awarded. The City and Developer are currently negotiating an option agreement, which is the next step from a letter of intent that provides exclusive development rights to the property and requires earnest money down. JO Companies will also be seeking low income housing tax credits (LIHTC) from MN Housing to finance the project. These resources are highly competitive and is often the most difficult part of the process for completing an affordable housing project. The City is also working on a term sheet for tax increment financing.

Site planning continues for Wangstad Commons, which includes financial analysis, design, engineering, and environmental review. The community input provide in these sessions will further inform and shape the project.

Community Input: Q & A

The following topics were discussed during the two-part process:

Pedestrian and traffic flow (incl. access for moving trucks)

Community member comment: I live at the sanctuary next door and many of us are pedestrians because we use wheel chairs, so the concern is the sidewalks and the traffic that is going to be generated by this new facility. Because, as it is very dangerous for us just crossing the street, as it is and I'm a little more concerned about how much more traffic is going to be generated by this building and us being able to get safely across the streets. I know that you know there's really not a lot, you can do about it except for maybe asking the city to do some kind of zoning where they would put in crosswalks like they do on the main streets so that they know that they have to stop a certain distance from the STOP sign, so that people can cross. Drivers are often not paying attention which is really dangerous.

Development team response: We are going to texture some of the paving there to slow cars down.

Community member question: Question about the entrance of the loading dock. Is there sufficient widths provided for folks driving trucks? Is there any value in maybe even cutting that corner or making a little more space at the corner? Especially for people moving in – this is an issue that a lot of buildings struggle with.

Development team response: We're still in schematic design and development, so you know we're having a multitude of different conversations with the architect, along with our civil engineer. It will absolutely be engineered to accommodate trucks. We will need to have a trash truck getting down that ramp to pick up garbage from the building and all that good stuff so those things yeah just are really not reflected in this site plan at this time. We don't have any concerns that there will be available space to move vehicles efficiently through the project.

City staff comments (Meg Beekman) – Brooklyn Blvd is a county road, currently undergoing reconstruction. There has been a lot of concern about pedestrian crossings across Brooklyn Blvd, which has been front and center in the minds of the City Council. Every conversation about Brooklyn Blvd has brought up the pedestrian crossings. I'm not a traffic engineer, but I know that the County has looked at this issue thoroughly, and given the traffic counts on the Boulevard I don't anticipate that there are going to be any mid-block crossings, or crossings in areas without signaled intersections. The purpose of the road improvements are to improve safety alignment by extending trails and sidewalks on both sides of the roadway

and narrowing the roadway by putting a boulevard down the center to create a pedestrian refuge. The center boulevards will help to beautify the area, as well as provide traffic calming effects at intersections. We've talked about this with the developer to explore potential improvements on their property to add pedestrian space and increase safety. The engineers are not going to allow a signal at this intersection and are looking at other ways to improve safety. They are also looking at other opportunities in the quarter where they are expanding crossings, knowing that it's a big priority wherever possible.

For this particular project the city will require parking and traffic study as part of its formal review. We will look at traffic counts coming in and out of the site will look at the impact of that on the adjacent roadways as well as parking demand.

Housing needs

Community member comment: I was the mayor for 12 years from 95 to 2011 and before I was mayor part of the City Council plan to the city was to remove single family homes off Brooklyn Boulevard because of the traffic problem. And I don't think there was anything in there about multifamily housing, but I know the removal of single family homes has been a plan for multiple years.

Community Member comment: Many of us know that there was multifamily housing on Brooklyn Boulevard. Where the triplex is are going up multifamily housing was taken down and It just seems illogical or hard to comprehend that those places were taken down for safety reasons or for access. Now they are just replacing the multifamily housing on Brooklyn Boulevard. I definitely understand that history, and it seems like it's a step back where we came from.

Community Member comment: First of all I like to say it's very encouraging to see this proposal. Brooklyn Center is facing a huge housing crisis, and tenants are facing the biggest brunt of it. ACER works with a lot of tenants about their housing needs. Including a lot of young people that are graduating from high school and becoming independent and going to college. Housing is a big concern for them. If we want to keep young people in the community we need to provide housing options for them that they can afford. Housing for people just finishing college, or starting out on their first job. They are having difficulty finding housing in our community.

Schools

- Clarify the school district the project is located in for new residents. Brooklyn Center is divided between four different school districts.

Other development in the surrounding area

- Island Homes Triplexes (rental) are being built to the south of the proposed project
- The Sanctuary was built in 2018(?)

Community member question: What will happen to the site at 60th Avenue?

City staff response: It is a remnant site acquired for the Brooklyn Boulevard reconstruction project. It's probably not large enough to accommodate a structure or housing. More likely that we'll be looking at other options such as urban agriculture.

Community member comment: A community garden may not be an appropriate use along Brooklyn Boulevard.

Proximity to Wangstad Park

Community Member question: Wangstad Commons is a park that my children use right now, and now having 54 units of unknown residents and a parking lot right there is very unsettling for the current residents. How will you reconcile or alleviate those concerns?

Development Team response: We do plan on having a buffer between this project and the park, it will either be a landscape buffer or a fence. We do want to have a connection to the park, so that the residents can access that park but the building will not subsume the park. There's plenty of green space on our site and activities on our site for the residents. The buffer will help separate the park from the land from the parking lot that you mentioned.

Community member comment: I'm excited about the park next door. We know from a public health perspective amenities are essential to the well-being of the whole Community. I hope the buffer is going to be put there for good reasons, but it should not be used to prohibit or limited people's access to the park. Giving people access helps to build healthier and better communities.

Community member comment: Individuals that live in near proximity and utilize the park, understandably so by natural design, are going to feel some sort of ownership or belonging to the park, I think that's a very common sentiment. I also think that just given that it's going to be a family oriented building, and hopefully the residents will utilize the park, along with other neighbors nearby. This will give people the opportunity to live and breathe what Brooklyn Center is – the most diverse city. It's going to show, as Johnny touched on, folks that come from single family homes sometimes tend to, or are perceived to have slightly higher economic standards. I understand the concerns about the possibility of getting overused in terms of older kids, and of kids that kind of tend to make the park their own, of course that exists. But that's one of those things that's like collateral damage that sometimes will fall good and sometimes will fall bad. I hope that they just take the time to attempt to manage the park. Not just Johnny but also the city itself and the Parks and Rec and police (and parents) should it ever become the kind of place that younger kids no longer felt comfortable or safe to be there. I see it as a place where multi cultures and economic scales will gather. And sometimes children are exactly what brings people together who typically have nothing in common. But when they realize their children play and jump and scream the same, then there's some unity. I think it's going to work out good. That's my comment, even though I do understand what that person says, I think it's going to work out.

Community member comment: I think it'd be best case scenario is people who would live would utilize the park. If we want people to feel like this is their home, this is where they will be invested, they'll be living here, they will be patronizing businesses here and in theory, contributing to the tax base. Then, of course, we want them to feel like the park the park is also their's, like they have a share in the pie. That say single family owners feel like "Oh, this is our park", it's also their part because it's a public park and eventually we all kind of contribute to that that's kind of how life works. I think the best case scenario is people do utilize the park and, like was previously said, it brings people together. That that would be amazing.

Security, property management, services, and tenant screening

Community Member question: Will this be a smoke free campus? Or is there going to be smoking allowed in the in the building and on the campus?

Development team response: Yes, it will be a smoke free building and campus

Community member question: If the project has supportive housing units, will it include housing services and legal services on site?

Development team response: We've partnered with Simpson housing, who will be providing supportive housing for all ten units to provide high quality supports for people with disabilities. We will have on-site property management. It is not determined whether Simpson will have an actual office on-site.

Community member question: Will there be 24 hour security?

Development team response: We are providing secure access. Key access cards will be the only way to enter the building.

Community member question: Will you have security staff on-site to address security concerns?

Developer response: Based on my own experience I prefer not to have security at the property. It's a great question. My experience with security hasn't been a pleasant one, and I want residents to feel like they're living in a building that affords them the ability to live harmoniously. I think security imposes on that. Especially for people that are looking to get their life back on track. Simpson Housing manages over 4,000 units and has a great reputation. We should be in good shape to provide the level of services to residents, specifically the supportive housing units with the services of Simpson Housing, to the best of our ability.

Community member question: How long will the property remain affordable?

Developer response: We hope to utilize Low Income Housing Tax Credits (LIHTC) which are provided by the federal government and requires affordability for 40 years. I actually want to extend that to 50 years.

Community member question: How will it be determined who gets the underground parking spots?

Developer response: We'll have a number of underground and at-grade parking units, and will be working with the City through their zoning requirements to figure out the parking ratios and determine the plan for how to divide the underground parking units for residents living at Wangstad Commons.

Community member question: Will there be handicap parking spots in the underground garage?

Development team response: Yes, there will be.

Community member question: How are you going to screen residents? I live at the Sanctuary next door, and I know from experience that if you get people in there that are doing drugs and stuff it's really hard to get them out. So it's going to need to be really well-managed. I really want this to be a success and to be a step up for people.

Development team response: We are committed to working with top tier property management company, and have built an alliance with the Blazer Group to benefit from their success. Based on the screening criteria that we have discussed, I'm confident that we will do our best to make sure that applicants are able to meet the requirements needed to live at Wangstad Commons. The property management firm (RHR?) will make sure there is thorough screening criteria. And we'll also be working with the Simpson housing folks to interview all the high priority homeless people with disabilities and have interviews, so there's going to be lots of screening criteria.

Developer response: I understand that these issues can impact the livelihood of the community, so in partnership with RHR and Simpson housing, I plan to be a developer that is present and to make sure that the buildings are running well. Providing a stewardship that can provide great experiences, not only for the folks that are living there, but for the outside community as well.

We have awesome property managers and they take classes with the crime free housing and the police as well. We will implement design elements as well to deter crime. We will do our very best to make sure the property is safe.

Project financing, timeline and term of affordability

Community Member question: Finally, my question is about tax credits. I would like to know how many years the units will be affordable? I know there's a certain amount of years that an owner is required to maintain affordable rents. One of the challenges I know we were having in the twin cities, a few years back, was when the tax credits are coming to expire, they were not renewed and the rents went up.

Developer response: Affordability has always been the main reason for me getting into development. My hope is that, if this project does move forward, that as a long term owner it will continue to be affordable for those families and for those individually just mentioned. Currently MN Housing requires a 40 year term for tax credit projects.

Community member question: How long will the property remain affordable?

Developer response: We hope to utilize Low Income Housing Tax Credits (LIHTC) which are provided by the federal government and requires affordability for 40 years. I actually want to extend that to 50 years.

Community member question: Do you plan to complete the project and lease up in 2024?

Developer response: We hope to have construction completed in July of 2023, and will work with Housing Solutions to do all of our tenant income certifications. Because of the low vacancy rates, we hope to have the project completed as soon as possible. There's folks on waiting lists looking for three bedrooms to live in.

Project quality, aesthetics, and amenities

Community member comment: The presentation certainly appears good. I'm curious about the fit and finish of the project. Will you be using standard or upper tier fit and finish? We want to see higher end product going into Brooklyn Center. When you raise the bar, you raise the people

Developer response: The objective is to provide affordable housing with as many amenities as possible. Currently it's extremely expensive to build and put together feasible projects. We'll be working to bring a good product to the City and give the residents a good experience. Our team has been monitoring the rising construction costs. Two and three bedrooms are very expensive to build, and providing a washer and dryer will definitely provide so much relief for folks versus going to have to go to the nearby laundromat. They will also have access to a fitness and business center in the community room, as well as a community garden. There's a variety of different things that we would like to provide for residents on this site. I'm in the business of trying to build high quality, sustainable, efficient housing product that will be affordable most importantly. So to answer your questions, yes, we're looking to bring a product to Brooklyn Center that's going to be a highlight on the boulevard.

Community member comment: Having a washer and dryer is a very positive thing. The only thing missing is a pool!

Community member comment: Put the pool in Wangstad Park. That way everyone would have access to it.

Questions about the community engagement process

Community Member question: Question about LISC, whose mission is to revitalize communities. Why is our community looked upon as in need of revitalization? And why is tearing down single family homes part of revitalization when it looks like you're actually disseminating and destroying our Community?

Response by LISC representative: The Local Initiatives Support Corporation (LISC) is a nonprofit national community development financial institution that works with community partners and cities to help achieve the goals they have identified for their communities. LISC is supportive with financing, technical assistance, and grants. LISC resources are requested for things that are not provided by the market such as affordable housing or affordable commercial spaces. LISC also offers this community engagement format to discuss proposed development sites and gather input from residents and other stakeholders. We believe strongly in the importance of engaging communities and gathering their wisdom and knowledge.

What will be needed for the project to be successful and to really contribute to its neighborhood and its community?

Community member comment: Good construction, good design, good management, safety.

Community member comment: Some of the aesthetics Johnny has added gives people an uplifting feeling and pride, such as the little structures that have the umbrella type thing at one of the entrances with benches. And then over near the Park area where you've added some detail touches that have a function as well as a welcoming atmosphere. Also the in-unit laundry and any of those things that make you feel more proud. There's also a proud feeling that you live in an aesthetically nice place that's well cared for and well designed. Things that make you feel like you are moving up or looking up – things that give you aspiration is what moves all things. I am a believer that we are a product of our environment, and gives us the momentum towards where we are headed. On the design I think Johnny is looking to make it a nice appealing place on the outside, with a few touches on the outside that make it look really comfortable to sit down and enjoy, so I think those are things that contribute to a successful project.

Developer response: I think the analogy I use is if you give someone something nice they will take care of it. Let's say if there's a piece of

Kleenex on the floor. There's a higher chance they're going to pick it up and throw it away right if they feel like they're in a nice place. For me that was the main reason that I got into this business, not necessarily to build the taj mahal, but to make sure for my father had the necessary amenities and that he wasn't discriminated against or excluded because of his disability. And to make sure that he had an experience that he can be proud of, and as you said, being a product of your environment contributes. If you provide someone something nice and I think we can build a product that is representative of those values for residents within Brooklyn Center, I think that that can really help change the narrative surrounding what is affordable housing. I appreciate those comments and it's one of the main reasons why I got into this business to make sure that we can still give someone something nice, even if their income doesn't reflect that, so thank you so much.

Community member comment: Another thing that would make the project successful is cash flow. This project is amazing, and I wish that I had something like this back in the day with an in-unit washer and dryer. But I'm worried about cash flow with such low rents and all of the amenities, I'm worried that you will end up raising rents just to keep up with property maintenance. I'm wondering if there are reserves that will need to be in place required by MHFA or funders to take care of that? It's kind of worrying, but I'm definitely on-board with supporting this project as a resident of Brooklyn Center.

Development team response: With the Section 42 program, every fifteen years you can apply to get new tax credits. Basically with lower rents right now we'll be getting a smaller mortgage, but the gap funding is filled with the tax credits. So every fifteen years we'll plan for asset management such as a new roof, or new parking lot, common area upgrades, etc. The tax credits may be used to fund that. That's how we'll be able to provide a good up-scale project greatly maintained every 15 – 20 years while keeping the rents low.

Investors will require that an operating reserve be in place to cover three to six months of expenses, so if there is some shortfall that occurs in operating expenses, the reserve will cover it. Additionally, the tax credits bring in enough equity to that the mortgage can be written down, so that cash flow can be sustainable for a long period of time.

Any other last comments or questions?

Community member comment: Thanks for all this all the effort that's gone into this. It's the best thing I've ever seen. I was on Planning Commission for nine years and you guys have really done a fantastic job. Johnny, I'm

impressed by your presentations and your heart for this project. It will be very interesting to see it unfold over the next couple of years, and really go forward and maybe set a new precedent for a new type of housing in Brooklyn Center.

Final comments from city staff:

From the city's perspective, we have been working with Johnny for maybe a year and half on this and he's been very dedicated to putting this project together and doing all of the due diligence that's needed. You know we're nowhere near at the end of that process and so there's quite a bit of decision making and public process that will be part of any approval, including a formal review, and none of that has taken place yet so I just want to let folks know the city is walking along with this project and the City Council has been supportive of it up until this point. But it will need to go through all of the processes that we have for any project in the city, including financial review, engineering, and planning review, so this isn't the only opportunity to give input. There will also be public hearings, as we move forward and when approvals are being asked of the City.

The Wangstad Commons/61st Avenue North & Brooklyn Boulevard community engagement process was provided by:

LISC Twin Cities Corridor Development Initiative Team:

- **Barbara Raye**, Center for Policy Planning and Performance (facilitator)
- **Julia Paulsen Mullin**, production supports and documentation
- **Gretchen Nicholls**, Twin Cities LISC (outreach and coordination)

The community sessions were held virtually:

Workshop I: Overview of Concept Plan for the Wangstad Commons Site

Tuesday, June 8, 2021

7 – 8:30 pm

The session reviewed the concept plan for the Wangstad Commons site provide by local developer Johnny Opara.

Presentations were provided by:

- **Meg Beekman, City of Brooklyn Center, Community Development Director** to provide an overview of the site and city goals, and
- **Johnny Opara, JO Companies** to present the project concept and site plan.

Workshop II: Gather Community Input on the Wangstad Commons Plan

Tuesday, June 15, 2021

7 – 8:30 pm

Participants provided input and posed questions to the development team about the proposed Wangstad Commons proposal.

Conclusion

This report serves as the final summary of the community input provided to the Wangstad Commons proposal conducted in June 2021. The report will be submitted to the developer, JO Companies, and the City of Brooklyn Center for their consideration.

Attachments

- A. Slide presentation for Workshop 1
- B. Slide presentation for Workshop 2
- C. Contact information for people who registered for the virtual sessions
- D. Announcement/publicity flyer for the Wangstad Commons CDI workshops

Community Session 1: 61st Ave N & Brooklyn Blvd Wangstad Commons

Tuesday, June 8, 2021



Corridor
Development
Initiative

AGENDA

- I. **Welcome and Process Goals**
 - Gretchen Nicholls, Local Initiative Support Corporation (LISC)
 - II. **Project Background**
 - Meg Beekman, City of Brooklyn Center
 - III. **Introduction of the Development Team**
 - Johnny Opara, JO Companies
 - IV. **Presentation of site concept**
 - Development Team
 - V. **Facilitated Q & A**
 - Barbara Raye, Center for Policy Planning and Performance
- What more would you like to know about the project?*
- VI. **Objectives for Session 2 (Tuesday, June 15th)**

Wangstad Commons Project Background



LISC CDI Workshop Series – June 8
Meg Beekman, Community Development Director

Regional Housing Trends

2018 Metropolitan Council report found that “the Twin Cities metro region is facing a critical housing shortage as the population increases. In addition, the need for more housing supply, changing demographics are increasing the need for more diversity of housing choices.”

From 2010 to 2017, the population of the 7-county metropolitan area grew by 7.9 percent, while housing units grew by only 5.4 percent. The Metropolitan Council estimates that 39,700 new affordable housing units will be needed by 2030.

It is estimated that the region is losing 4,000 to 5,000 naturally occurring affordable homes annually.



Regional Housing Trends

Within Cities Metro Area currently experiencing record low vacancy rates

Midyear report, average vacancy rate across region was 2.3%

Driven by high demand for rental housing combined with unmet supply
Effect of low vacancy rates:

Increased rents (up 8 percent year over year)

Increased interest from outside investors in Class B and C rental properties

Landlords in a position to be choosier about who they rent to

Reduction in number of landlords accepting Section 8 vouchers



What is Affordable Housing?

HUD defines housing as affordable when a household pays no more than 30% of their gross annual income for a housing unit.

Housing which can be purchased or rented at an affordable rate by a household which earns 80% of an area's median income (AMI) or less, is considered affordable

Housing which is affordable because of its age and/or condition, but where rent is not subsidized, is considered Naturally Occurring Affordable Housing (NOAH)

Housing which is affordable because the construction of the building or the rents are subsidized is considered Legally-binding Affordable



What is Affordable Housing?

2021 Rental Housing Affordability in the Twin Cities Metro Area

# Bedrooms	30% AMI	50% AMI	60% AMI	80% AMI
Efficiency	\$550	\$918	\$1,101	\$1,468
1 Bedroom	\$590	\$984	\$1,180	\$1,574
2 Bedrooms	\$708	\$1,181	\$1,417	\$1,889
3 Bedrooms	\$817	\$1,363	\$1,635	\$2,180
4 Bedroom	\$912	\$1,521	\$1,825	\$2,433



What is Affordable Housing?

2020 AMI by Family Size – Twin Cities Area

AMI %	1	2	3	4	5	6	7
30%	\$ 21,700	\$ 24,800	\$ 27,900	\$ 31,000	\$ 33,500	\$ 36,000	\$ 39,640
50%	\$ 36,200	\$ 41,400	\$ 46,550	\$ 51,700	\$ 55,850	\$ 60,000	\$ 64,150
60%	\$ 43,410	\$ 49,620	\$ 55,830	\$ 62,040	\$ 66,990	\$ 72,450	\$ 76,920
80%	\$ 54,950	\$ 62,800	\$ 70,650	\$ 78,500	\$ 84,800	\$ 91,100	\$ 97,350
100%	\$ 72,350	\$ 82,700	\$ 93,050	\$ 103,400	\$ 111,650	\$ 120,750	\$ 128,200

Brooklyn Center Demographics

Median household income:

Brooklyn Center - \$59,550 (64% AMI)

Hennepin County - \$76, 052

Average Household size:

Brooklyn Center - 2.95

Hennepin County – 2.39

Average Rents in Brooklyn Center		
# of Bedrooms	Rent	
Studio	\$	899
1 Bedroom	\$	1,010
2 Bedrooms	\$	1,227
3 Bedrooms	\$	1,611
4 Bedrooms	\$	1,850
*Source: rentjungle.com		

Average rents in Brooklyn Center are considered affordable to those making roughly 50%-60% of the area median income (AMI)
6% of Brooklyn Center renters are cost burdened



Brooklyn Center's Rental Housing

100% of Brooklyn Center's housing stock is rental

829 properties and 4,340 units

8 percent of single family properties are rented

Nearly all of it is considered naturally occurring affordable housing (NOAH)

Average rents affordable at between 50-60 percent AMI

Most multi-family constructed between 1961-1979 – homogeneous
1 and 2 bedroom units

17.1% of all housing units (17.1% of rental) are legally-binding affordable

55 Section 8 voucher holders (up from 402 in 2018)



Brooklyn Center's Rental Housing

Normally occurring affordable units do not necessarily provide safe, stable housing choices

Many renters are on month to month leases – making their housing situations more precarious

Tenants report frequent (more than once per year) rent increases

Rent and incomes are not increasing at the same rates

Capital improvements in buildings typically coincide with rent increases

Tenants report concerns over retaliation (non-renewals) or maintenance fee charge backs if they complain about maintenance issues



040 Housing and Neighborhood Goals

Promote a diverse housing stock that provides safe, stable, and accessible housing options to all of Brooklyn Center's residents.

Recognize and identify ways to match Brooklyn Center's housing with the City's changing demographics.

Explore opportunities to improve the City's housing policies and ordinances to make them more responsive to current and future residents.

Maintain the existing housing stock in primarily single-family neighborhoods through proper ordinances, incentive programs and enforcement.

Explore opportunities to incorporate new affordable housing into redevelopment areas that promote safe, secure and economically diverse neighborhoods.



ousing Policy Work Plan

air Housing Policy

ousing Study

Housing Choice

- What is the composition and condition of the current housing stock?
- What are the current market demands for housing?
- Does the city have enough and the right type to meet current and future need?

Affordable Housing Policies

- What can the city do to improve livability and accessibility to quality affordable housing for residents?
- What best practices exist to support addressing the need for affordable housing in the community?
- What policies are most effective to prevent displacement?

nant Protections

ngle Family Housing Stabilization



Brooklyn Boulevard Land Use Policy

Corridor traditionally has functioned as a major thoroughfare with a mix of single-family residential and low intensity commercial uses.

Comprehensive Plan identifies a mismatch between the land use and the function of the corridor that creates conflicts and affects safety and usability

- Local access versus regional connector

2040 Comprehensive Plan identifies an overlay over the corridor to call attention to land uses adjacent to the roadway

The Plan guides the future land use of key nodes to Neighborhood Mixed Use – medium density residential and small-scale commercial uses integrated with existing neighborhoods



Brooklyn Boulevard Land Use Policy

The 2040 Plan calls for a land use study for the corridor to guide future redevelopment and create design standards and zoning controls

The 2040 Plan identifies the following objectives for the corridor:

- Consolidate accesses onto the roadway and identify opportunities for consolidation to make sites more efficient.
- Create a set of design guidelines for the Corridor, to encourage a pedestrian scale at the street level.
- Properties along the Brooklyn Boulevard Corridor that are within the overlay, but are without Corridor frontage may consider ‘joining’ a redevelopment effort with a property containing frontage



Brooklyn Boulevard Improvements

Significant road improvements are planned for the corridor, which will affect the function of the roadway

Project will improve pedestrian and bicycle connections, and add streetscaping and landscaping elements

Reconstruction will improve safety and reduce vehicle conflicts, as well as consolidate access points where possible

Improvements and new park equipment planned for Wangstad Park in 2022



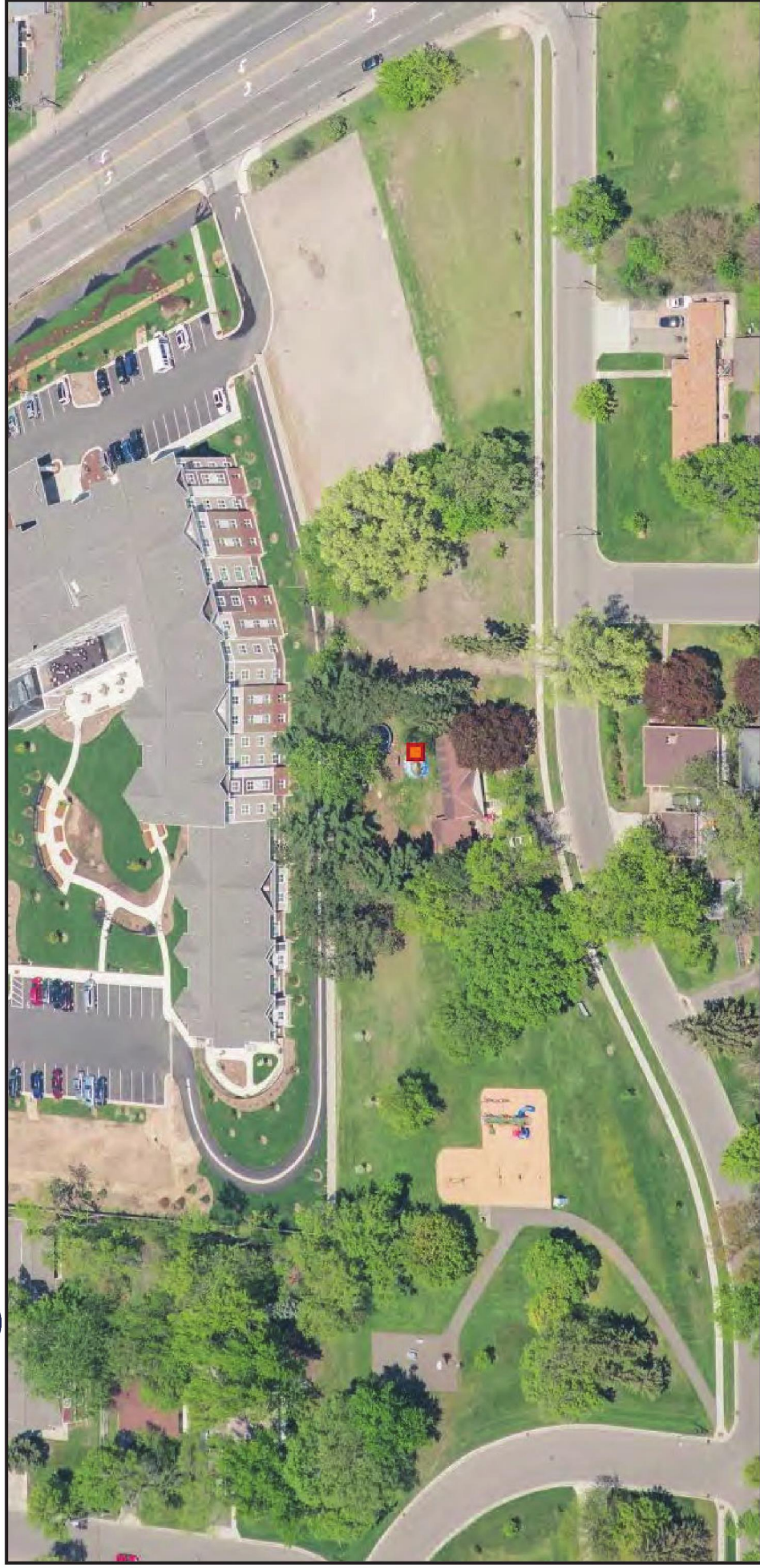
Brooklyn Boulevard Land Acquisition

Brooklyn Center EDA has been acquiring single-family parcels along the Corridor for many years

part of long-term policy to consolidate access points, assemble land to facilitate development, and increase the intensity of land uses along the corridor



Existing Conditions

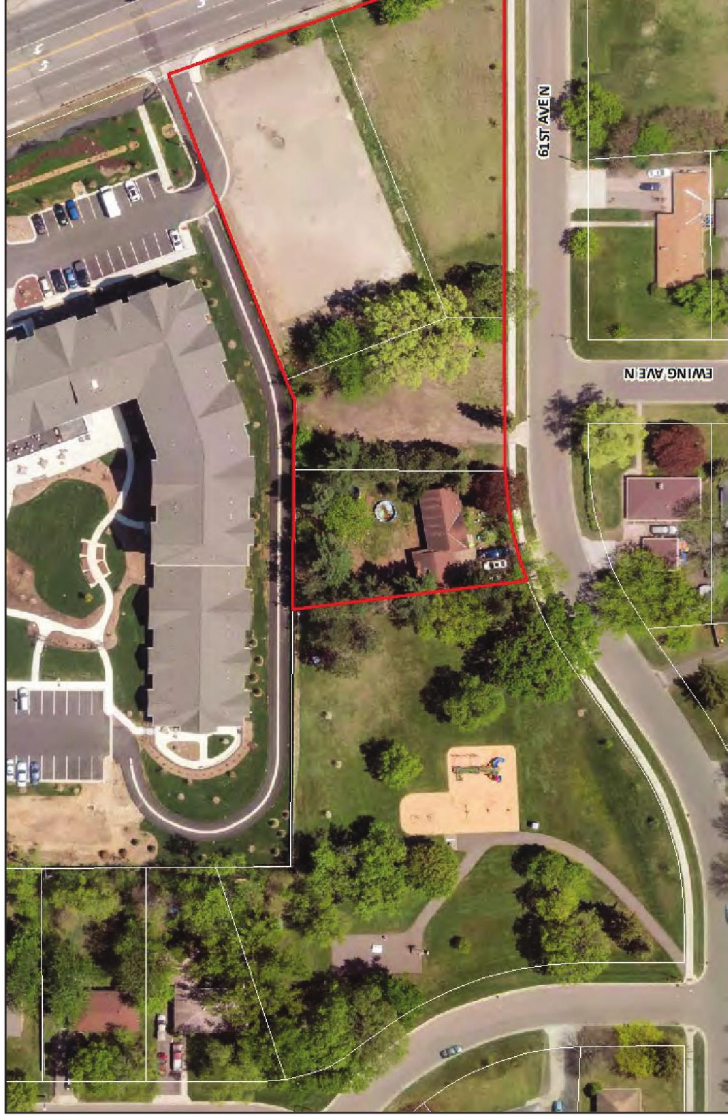


Background

Location at Northwest corner of
61st Avenue N and Brooklyn
Boulevard

- EDA-owned parcels (all land
is vacant—no structures)

located in TIF District #6
Housing District) – created for
the Sanctuary



Background

JO Properties approached the City with a development concept in February 2019

DA approved a Preliminary Development Agreement with JO Properties in March 2019

City has been working with JO Properties as they move the project forward



Process and Next Steps

City and developer negotiate an option agreement for the land
Developer applies for tax credits to finance the project –
Completing their financing

IF Term sheet
and use approvals
and sale and construction
permits





WANGSTAD COMMONS

family Workforce Housing

Presentation to:
BROOKLYN CENTER COMMUNITY



RODUCTION

Project Development Team:

JO Companies, LLC

Simpson Housing

Halverson and Blaiser Group, LTD

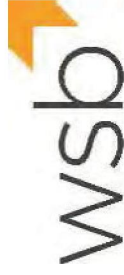
Baker Tilly US, LLP

Doran Companies

Pope Architects

WSB - Civil Engineer

Winthrop & Weinstine, P.A.



Company Bio:



- ▶ JO Companies, LLC was founded in March of 2009 by Johnny Opara. JO Companies is a Black-owned, mission driven real estate development company. After spending over 17 years in corporate America within sales and leadership roles, Johnny left to become an entrepreneur and pursue his passion for real estate. Johnny's passion and motivation for real estate and housing development was inspired and fueled by his late father's experience. Johnny experienced and saw first-hand how the lack of affordable quality housing affects its residents and their families.
- ▶ Since 2017, JO Companies has been able to build a real estate development pipeline for new construction affordable housing valued at \$45M.



Google

Rd 132

VE N



WANGSTAD PARK

CITY OF BROOKLYN CENTER











61ST AVENUE N

61ST AVENUE N

61ST AVENUE N

Wangstad Commons: Project Narrative

- ▶ Wangstad Commons is a four-story workforce housing Multi-Family development.
- ▶ Unit Mix: 1, 2 & 3 Bedrooms
- ▶ Three Unit Options
- ▶ 54 Total Units
- ▶ Area Median Incomes: 30%, 50%, and 60%
- ▶ Supportive Housing: PWD (6 units - 1 Bedroom), and HPH (4 units - 1 Bedroom) = 10 Units
- ▶ With the location being at 61st Ave. North and Brooklyn Boulevard it's central and convenient to transit, jobs, services and community resources likely to be accessed by the residents of Wangstad Commons.
- ▶ Site Area: Area: 1.13 Acres
- ▶ Gross Square Feet Approx. 90,000 GSF
- ▶ Construction Type: New Construction

Project Unit Mix Breakdown

Unit Type	# of Units	Average Sq/ft	Monthly Net Rent
1BD (SHS Units)	10	800	\$656-\$676
1BD	3	800	\$857
2BD	16	1,050	\$1,027
2BD	11	1,050	\$1,251
3BD	8	1,200	\$1,182
3BD	6	1,200	\$1,441
Total Units	54		

Wangstad Commons:

Amenities

- ▶ Onsite property management
- ▶ Fitness Center
- ▶ Large business center/community room with outdoor terrace
- ▶ Mail & Package room
- ▶ Surface & Underground parking
- ▶ Controlled access entry
- ▶ Community Gardens on site for growing fresh food
- ▶ Large business center/community room with outdoor terrace
- ▶ In unit washers and dryers
- ▶ Pet friendly

Wangstad Commons: Local Attractions

- ▶ Metro Transit's new Bus Rapid Transit C-Line begins just south of the Wangstad Commons
- ▶ Two local stops or a 10-minute walk to the Brooklyn Center Transit Station
- ▶ Express access to the jobs and services in downtown Minneapolis
- ▶ 3,348 residents of Brooklyn Center work in Minneapolis
- ▶ Close to major roadway corridors (I-94, I-694, Hwy 100)
- ▶ Garden City Elementary (.6 miles) and Northport Elementary (1 miles) Schools
- ▶ Park Center High School (2 miles)
- ▶ Brookdale Library (1 mile)
- ▶ Brooklyn Center Community Center (1 mile)
- ▶ Parks, ice rinks, baseball fields, golf course, Top Golf and wildlife areas within 1 mile
- ▶ Wangstad Park is directly adjacent to the site, with no road crossings required to access its playground, basketball court and open spaces
- ▶ North Memorial Health Clinic (.7 miles)
- ▶ Brooklyn Boulevard Dental Clinic (.4 miles)
- ▶ Retail and services such as pharmacies, grocery stores, banks, fitness centers, and restaurants within 1 mile of the site
- ▶ Approximately a dozen places of worship, including churches and mosques within close proximity

Development Timeline





Thank You



INGSTAD COMMONS





FIRST LEVEL AREA PLAN

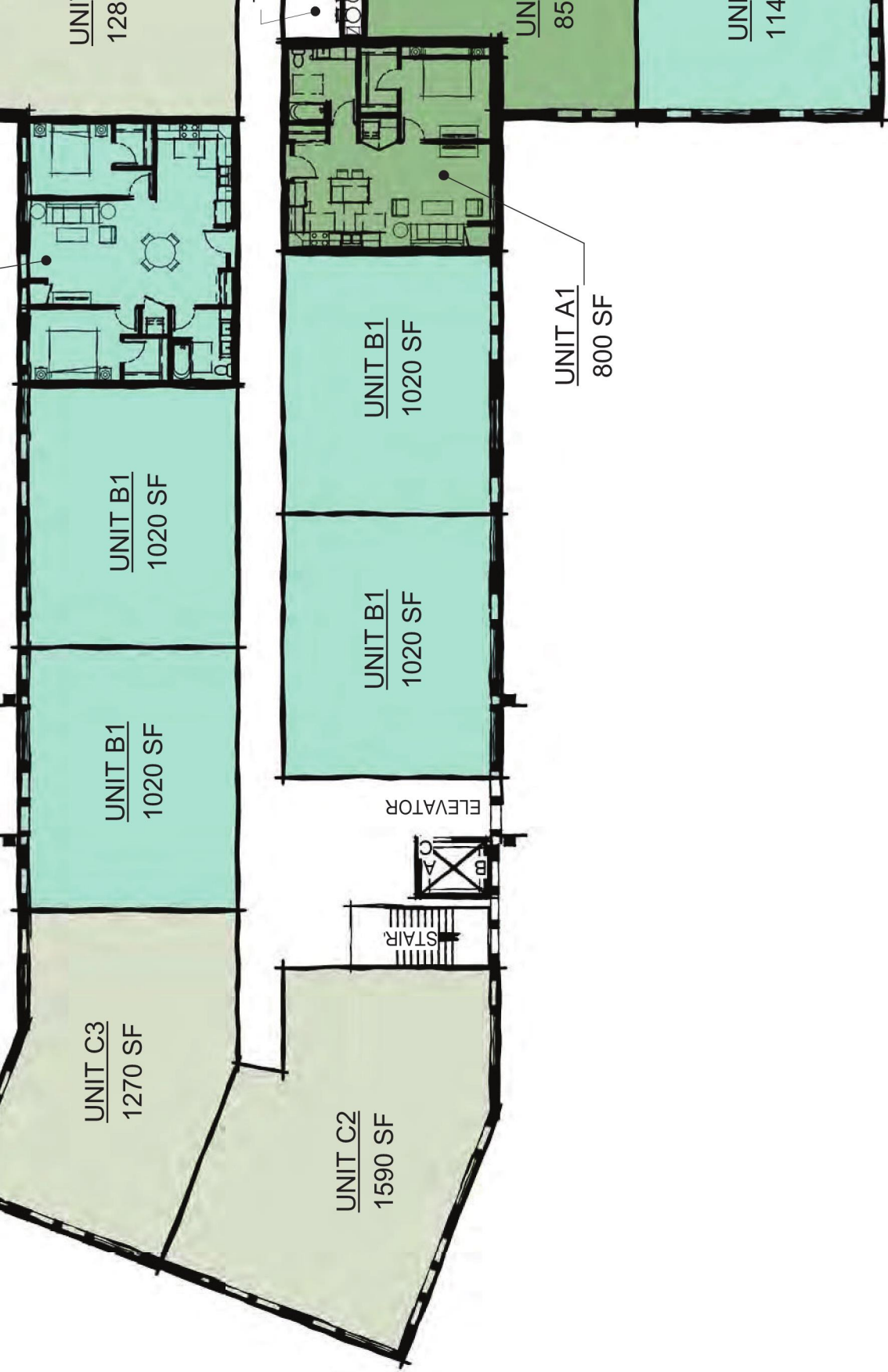
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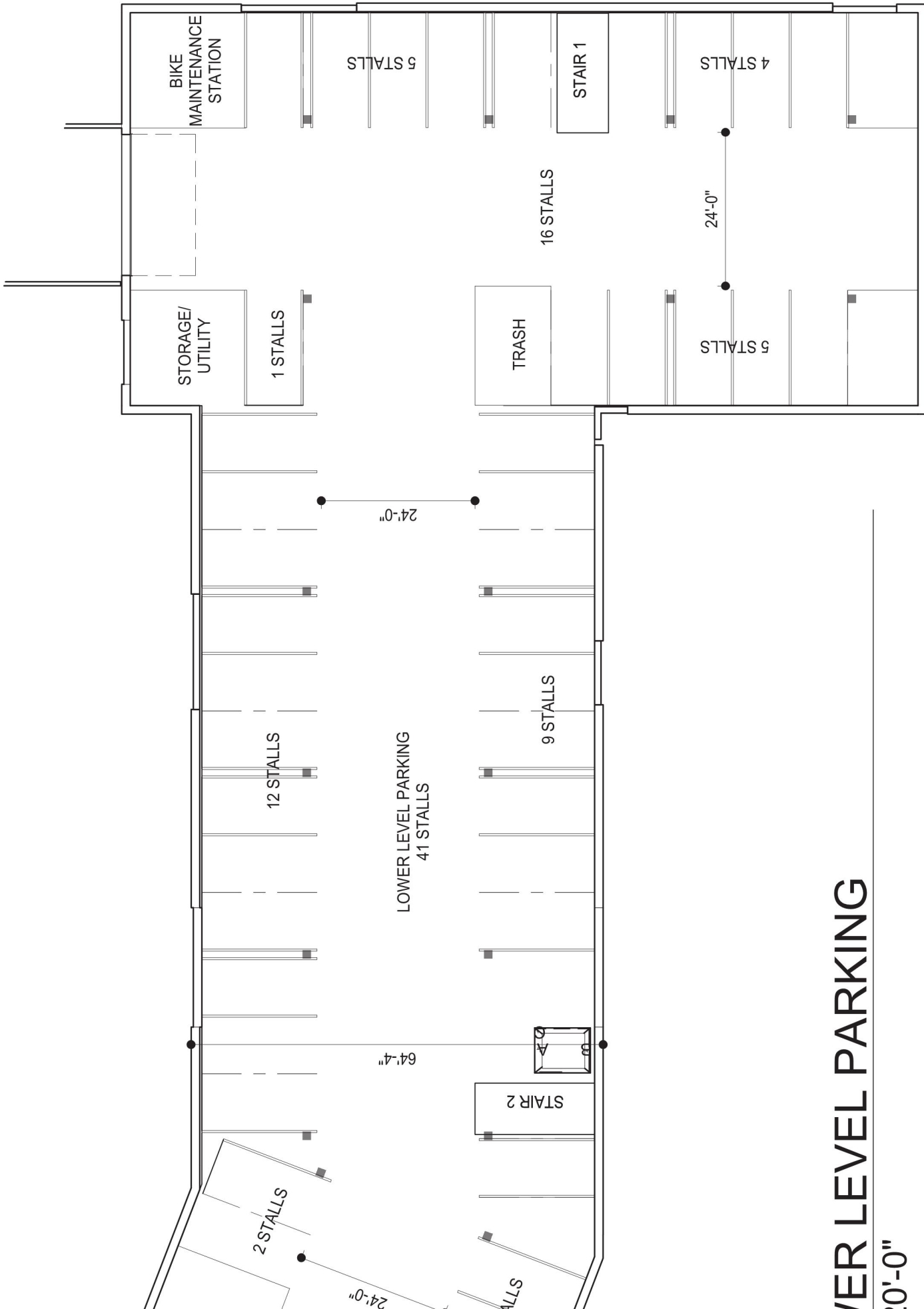
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A3

SECOND, THIRD, & FOURTH LEVEL AREA

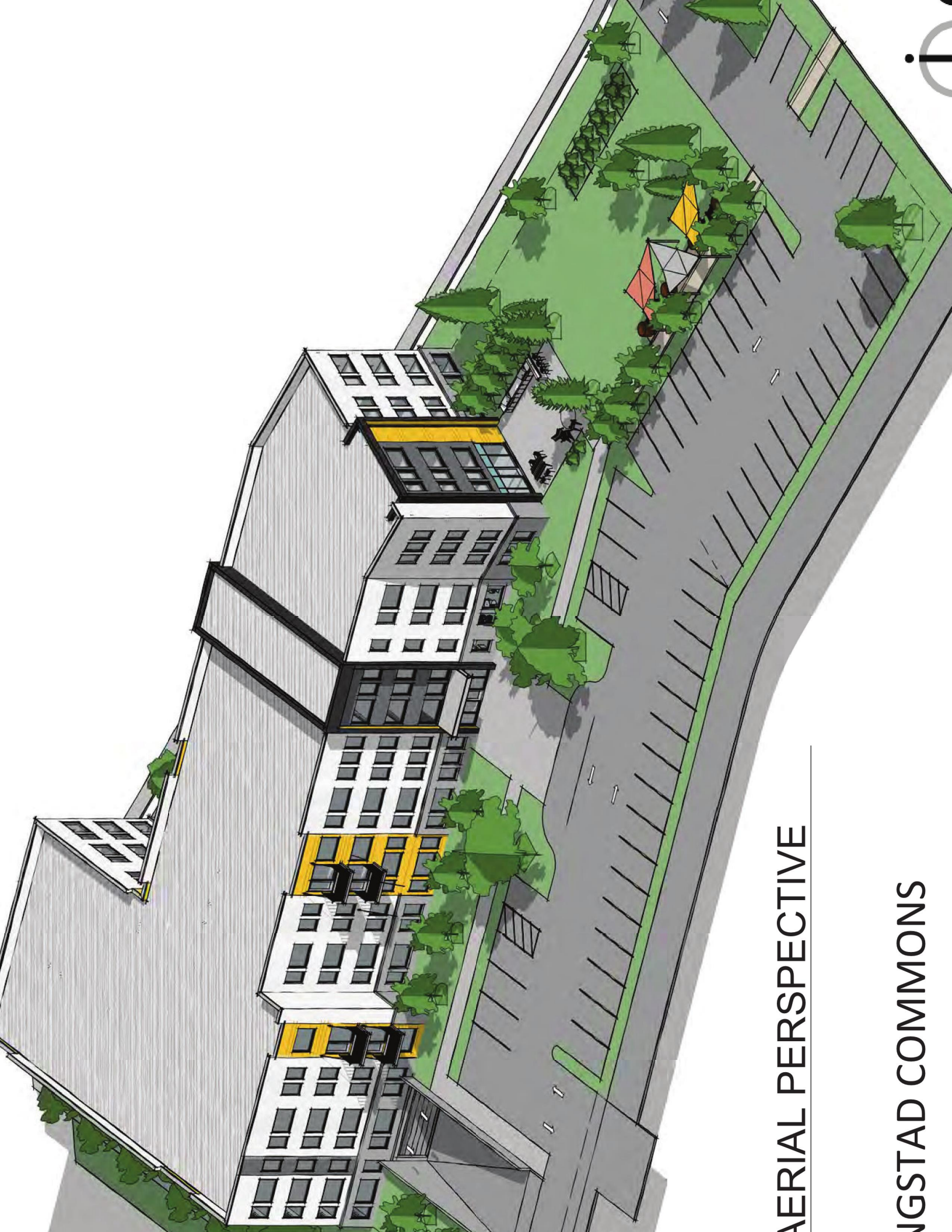
1" = 20'-0"





LOWER LEVEL PARKING

24'-0"



AERIAL PERSPECTIVE

INGSTAD COMMONS



PERSPECTIVE AT OUTDOOR GATHERING





NORTH ELEVATION

1/32" = 1'-0"



WEST ELEVATION

1/32" = 1'-0"





ELEVATION

1/32" = 1'-0"

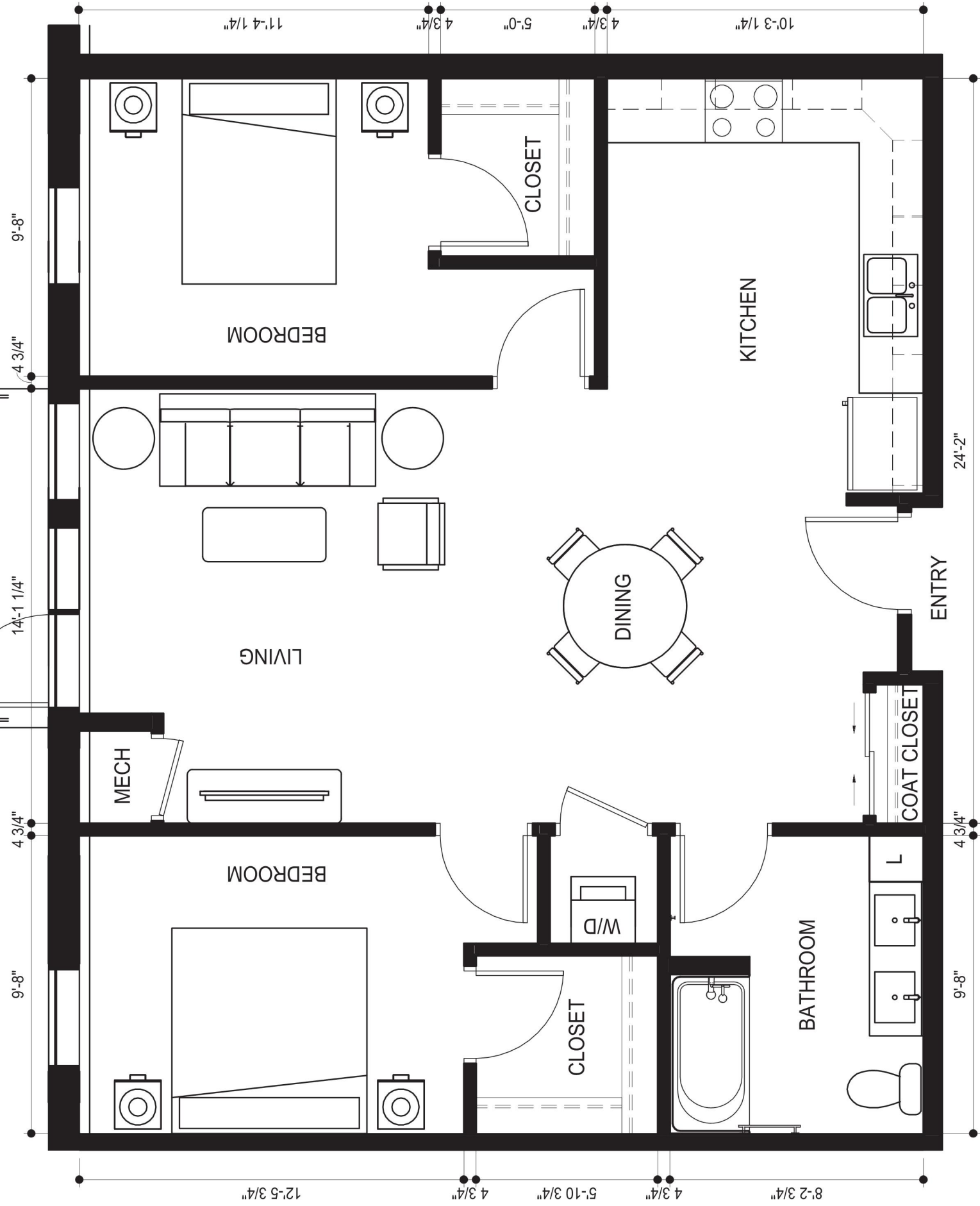


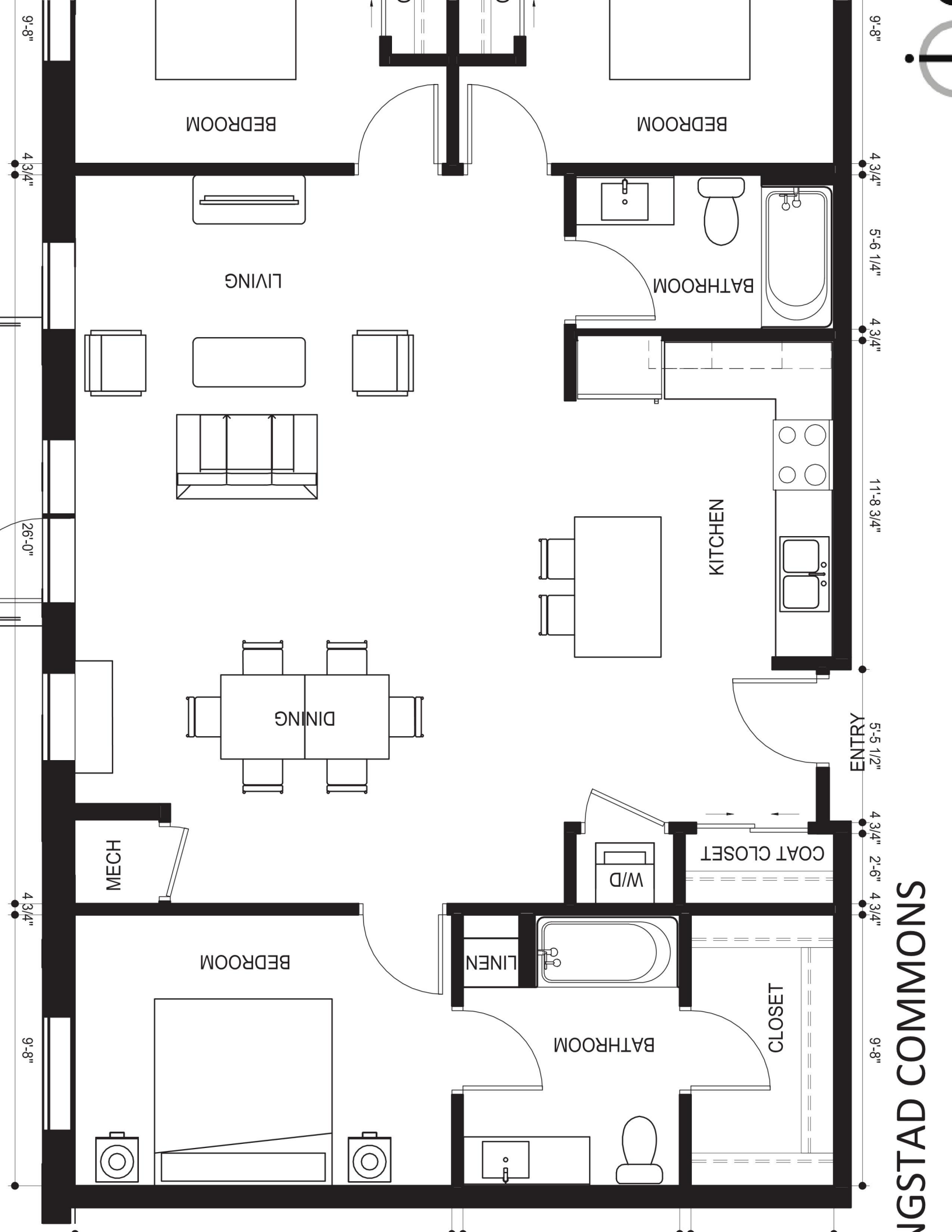
ELEVATION

1/32" = 1'-0"

INGSTAD COMMONS







Session 2: Community Feedback

Tuesday, June 15th

7 8:30 pm (virtual event)

discussion questions

1. What do you support about the project, and what are your concerns
2. How could the development maximize its connection/relationship to Wangstad park
3. Any feedback on the site plan Or design features
4. Any considerations in regard to the location of the project
5. How could the development better serve/support its residents
6. What will be needed for the project to be successful



Thank you

For more information about the community feedback process

Contact Gretchen Nicholls at g nicholls@lisc.org

Community Session 2: 61st Ave N & Brooklyn Blvd Wangstad Commons

Tuesday, June 15, 2021



Corridor
Development
Initiative

AGENDA

- I. Welcome, Purpose of Session 2, and Overview of Session 1
Barbara Raye, Center for Policy Planning and Performance
- II. Recap of the proposed project: Wangstad Commons
Johnny Opara, JO Companies
- I . Community Input - facilitated by Barbara Raye
Discussion questions:
 - What do you support about the project, and what are your concerns
 - Any feedback on the site plan Or design features
 - Feedback on the proposed site plan's interface with Wangstad park
 - Any considerations in regard to the location of the project
 - How could the development better serve/support its residents
 - What will be needed for the project to be successful
 - Other feedback
- Next Steps: Final summary submitted to City and Development team

Feedback and Questions from Session 1:

Traffic concerns

Concerns about increased traffic in the area for residents of The Sanctuary some of whom use wheelchairs

Safety for pedestrians crossing the driveway

Consider improvements to the surrounding streets and sidewalks

Housing needs

If we need so much housing, why do we keep tearing housing down

How is this project revitalizing the community A residential building was demolished in this area

City goal of removing single family homes from Brooklyn Boulevard has been in place for many years compatible uses for high-capacity corridor

It doesn't make sense to add multifamily here when other multifamily was recently demolished

Need for affordable housing for families, especially for young people

How long will it remain affordable

Schools

- ▶ Clarify school district the project is located in

Wangstad Park

- ▶ Impact on the park caused by a lot of new families (potential for overuse)
- ▶ Good location near the park for families good access for new residents

Other surrounding development

- ▶ Other development in the area: Triplexes (rental) being built to the south of the proposed project

Community Input Process

- ▶ Why is LISC, who organized this these meetings, involved in this project



WANGSTAD COMMONS

family Workforce Housing

Presentation to:
BROOKLYN CENTER COMMUNITY



RODUCTION

Project Development Team:

JO Companies, LLC

Simpson Housing

Halverson and Blaiser Group, LTD

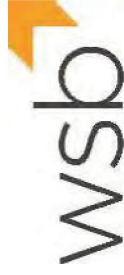
Baker Tilly US, LLP

Doran Companies

Pope Architects

WSB - Civil Engineer

Winthrop & Weinstine, P.A.



Company Bio:



- ▶ JO Companies, LLC was founded in March of 2009 by Johnny Opara. JO Companies is a Black-owned, mission driven real estate development company. After spending over 17 years in corporate America within sales and leadership roles, Johnny left to become an entrepreneur and pursue his passion for real estate. Johnny's passion and motivation for real estate and housing development was inspired and fueled by his late father's experience. Johnny experienced and saw first-hand how the lack of affordable quality housing affects its residents and their families.
- ▶ Since 2017, JO Companies has been able to build a real estate development pipeline for new construction affordable housing valued at \$45M.



Google

Rd 132

AVE N



WANGSTAD PARK

CITY OF BROOKLYN CENTER











Wangstad Commons: Project Narrative

- ▶ Wangstad Commons is a four-story workforce housing Multi-Family development.
- ▶ Unit Mix: 1, 2 & 3 Bedrooms
- ▶ Three Unit Options
- ▶ 54 Total Units
- ▶ Area Median Incomes: 30%, 50%, and 60%
- ▶ Supportive Housing: PWD (6 units - 1 Bedroom), and HPH (4 units - 1 Bedroom) = 10 Units
- ▶ With the location being at 61st Ave. North and Brooklyn Boulevard it's central and convenient to transit, jobs, services and community resources likely to be accessed by the residents of Wangstad Commons.
- ▶ Site Area: Area: 1.13 Acres
- ▶ Gross Square Feet Approx. 90,000 GSF
- ▶ Construction Type: New Construction

Project Unit Mix Breakdown

Unit Type	# of Units	Average Sq/ft	Monthly Net Rent
1BD (SHS Units)	10	800	\$656-\$676
1BD	3	800	\$857
2BD	16	1,050	\$1,027
2BD	11	1,050	\$1,251
3BD	8	1,200	\$1,182
3BD	6	1,200	\$1,441
Total Units	54		

Wangstad Commons:

Amenities

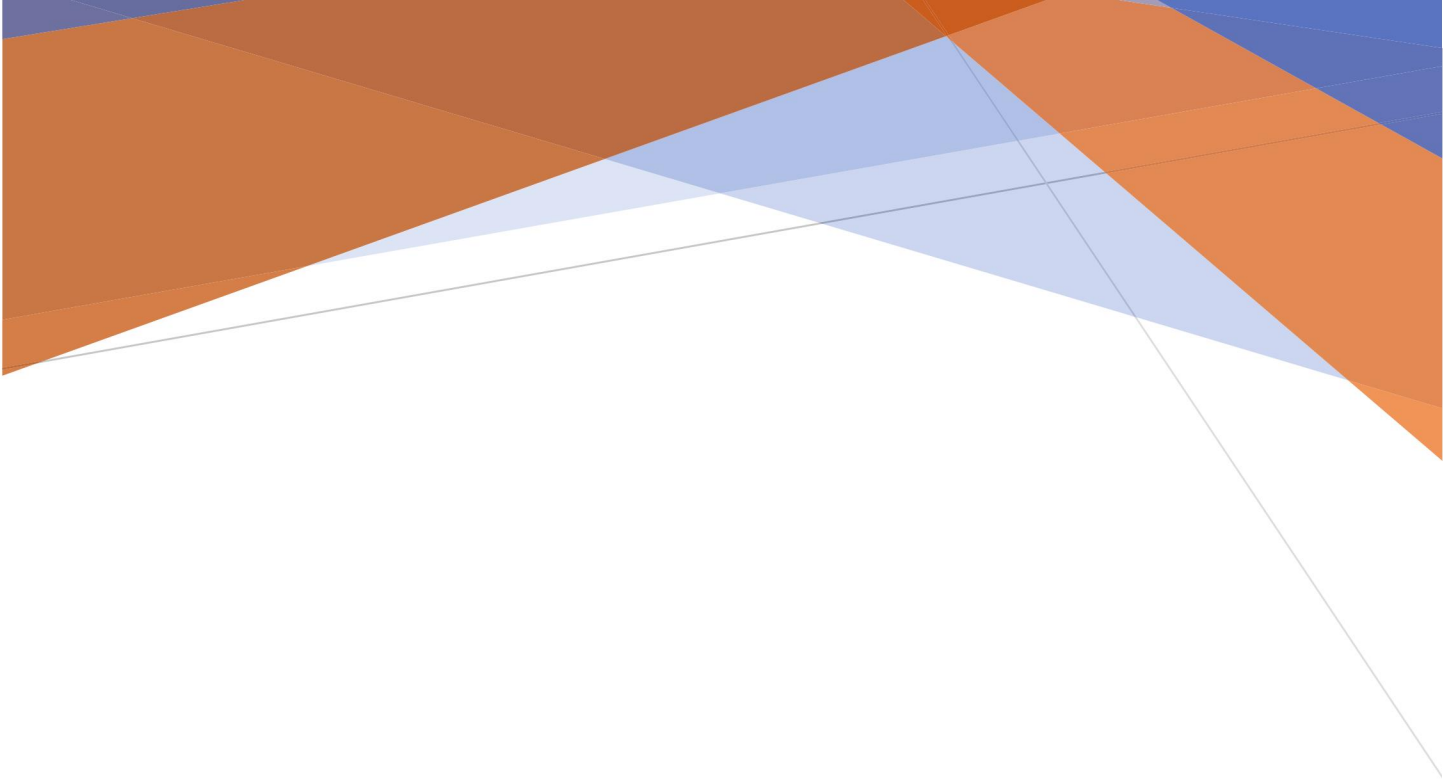
- ▶ Onsite property management
- ▶ Fitness Center
- ▶ Large business center/community room with outdoor terrace
- ▶ Mail & Package room
- ▶ Surface & Underground parking
- ▶ Controlled access entry
- ▶ Community Gardens on site for growing fresh food
- ▶ Large business center/community room with outdoor terrace
- ▶ In unit washers and dryers
- ▶ Pet friendly

Wangstad Commons: Local Attractions

- ▶ Metro Transit's new Bus Rapid Transit C-Line begins just south of the Wangstad Commons
- ▶ Two local stops or a 10-minute walk to the Brooklyn Center Transit Station
- ▶ Express access to the jobs and services in downtown Minneapolis
- ▶ 3,348 residents of Brooklyn Center work in Minneapolis
- ▶ Close to major roadway corridors (I-94, I-694, Hwy 100)
- ▶ Garden City Elementary (.6 miles) and Northport Elementary (1 miles) Schools
- ▶ Park Center High School (2 miles)
- ▶ Brookdale Library (1 mile)
- ▶ Brooklyn Center Community Center (1 mile)
- ▶ Parks, ice rinks, baseball fields, golf course, Top Golf and wildlife areas within 1 mile
- ▶ Wangstad Park is directly adjacent to the site, with no road crossings required to access its playground, basketball court and open spaces
- ▶ North Memorial Health Clinic (.7 miles)
- ▶ Brooklyn Boulevard Dental Clinic (.4 miles)
- ▶ Retail and services such as pharmacies, grocery stores, banks, fitness centers, and restaurants within 1 mile of the site
- ▶ Approximately a dozen places of worship, including churches and mosques within close proximity

Development Timeline





Thank You



INGSTAD COMMONS





FIRST LEVEL AREA PLAN

1" = 20'-0"

1

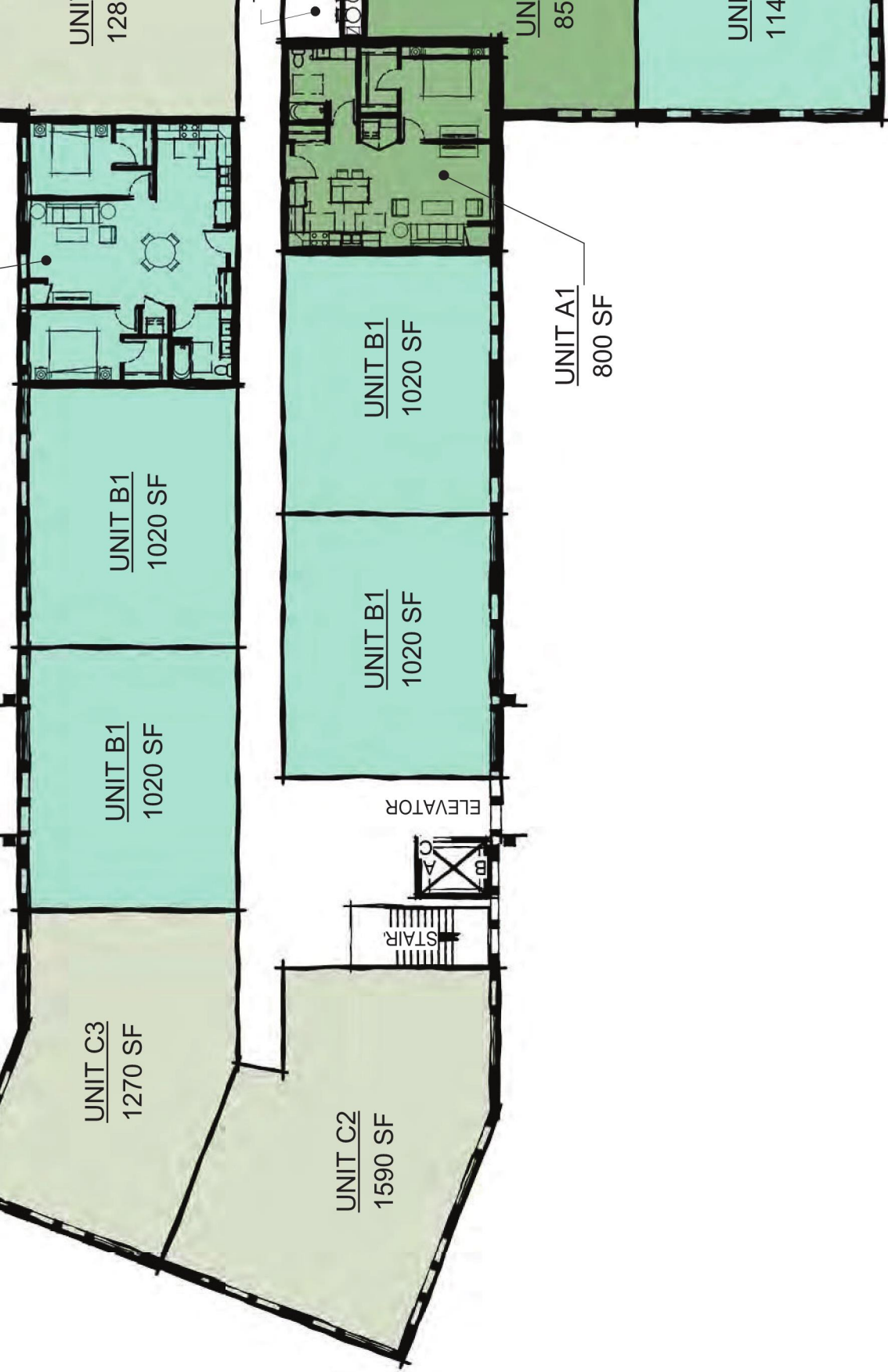
A2

FIRST LEVEL
FIRST LEVEL
FIRST LEVEL
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FIRST LEVEL
FIRST LEVEL

SECOND LEVEL
SECOND LEVEL
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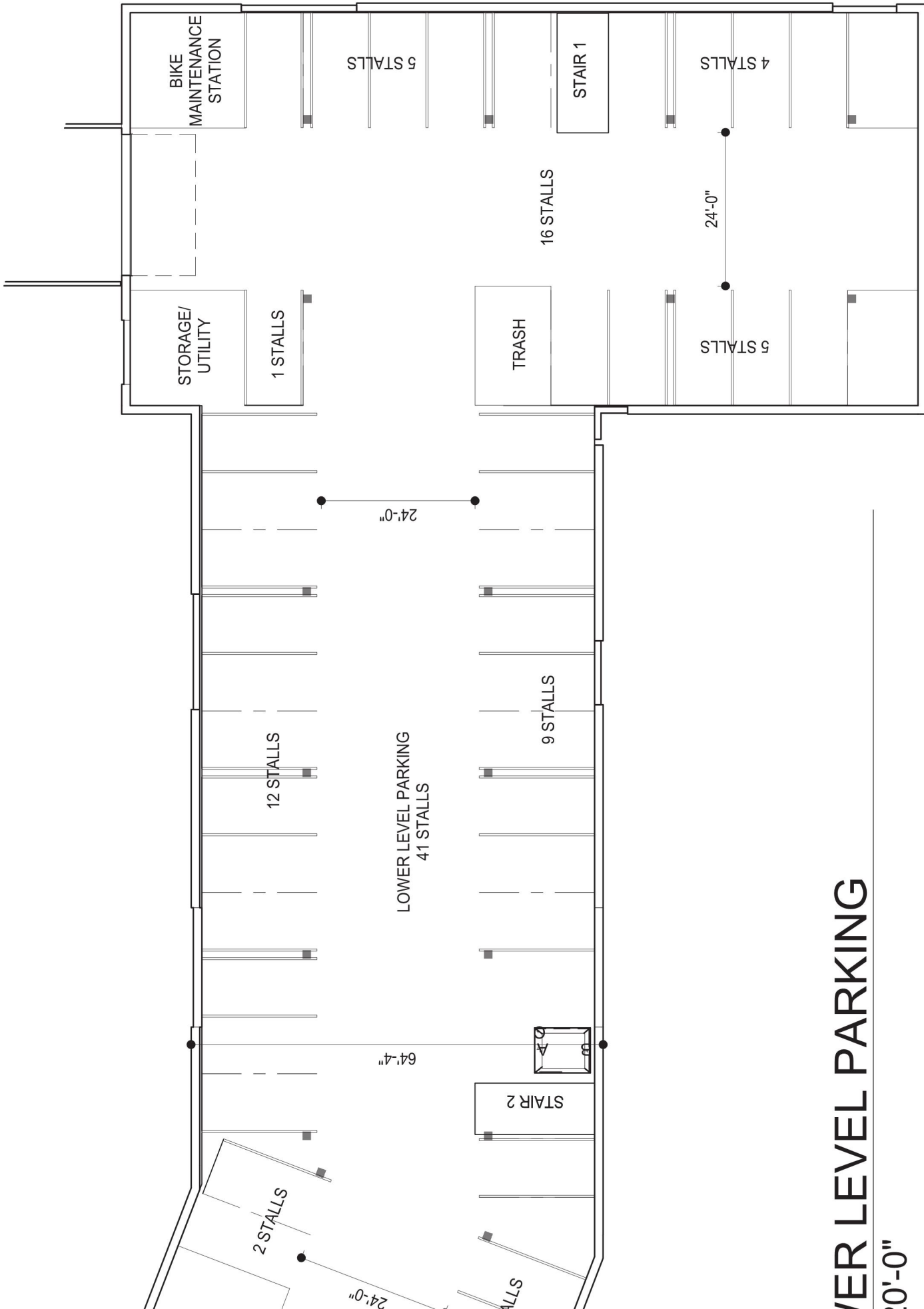
1

A3

SECOND, THIRD, & FOURTH LEVEL AREA

1" = 20'-0"

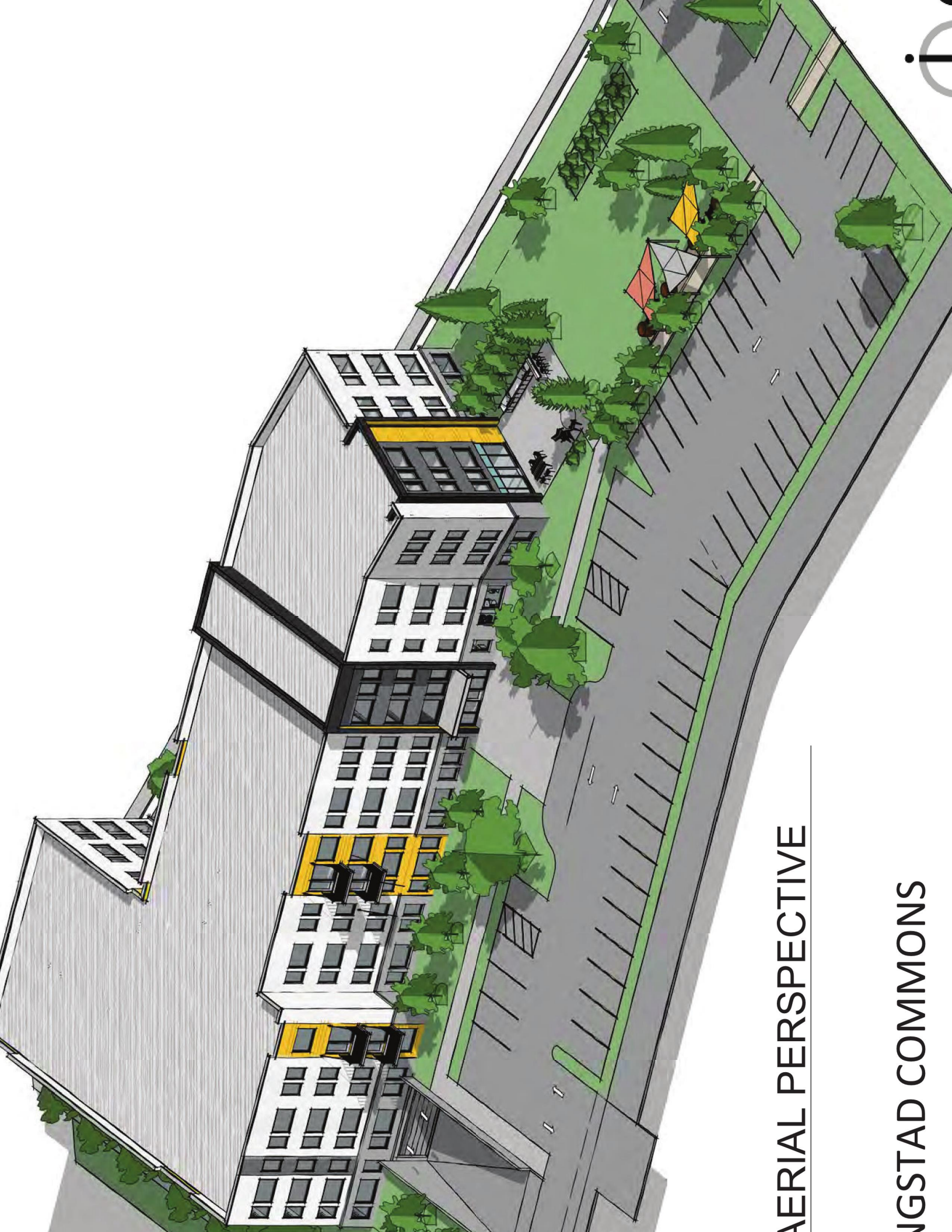




LOWER LEVEL PARKING

24'-0"

INGSTAD COMMONS



AERIAL PERSPECTIVE

INGSTAD COMMONS



PERSPECTIVE AT OUTDOOR GATHERING





NORTH ELEVATION

1/32" = 1'-0"



WEST ELEVATION

1/32" = 1'-0"





ELEVATION

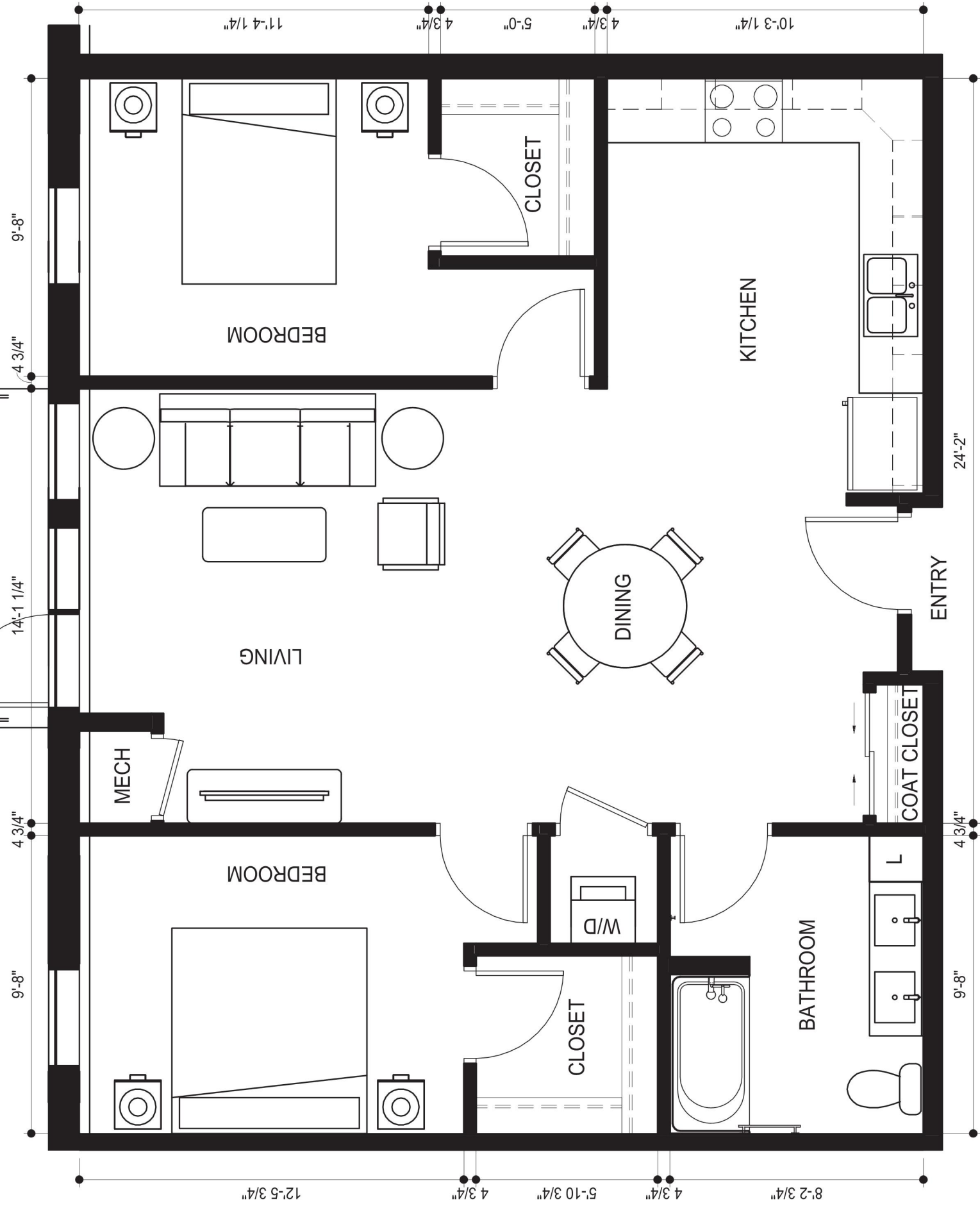
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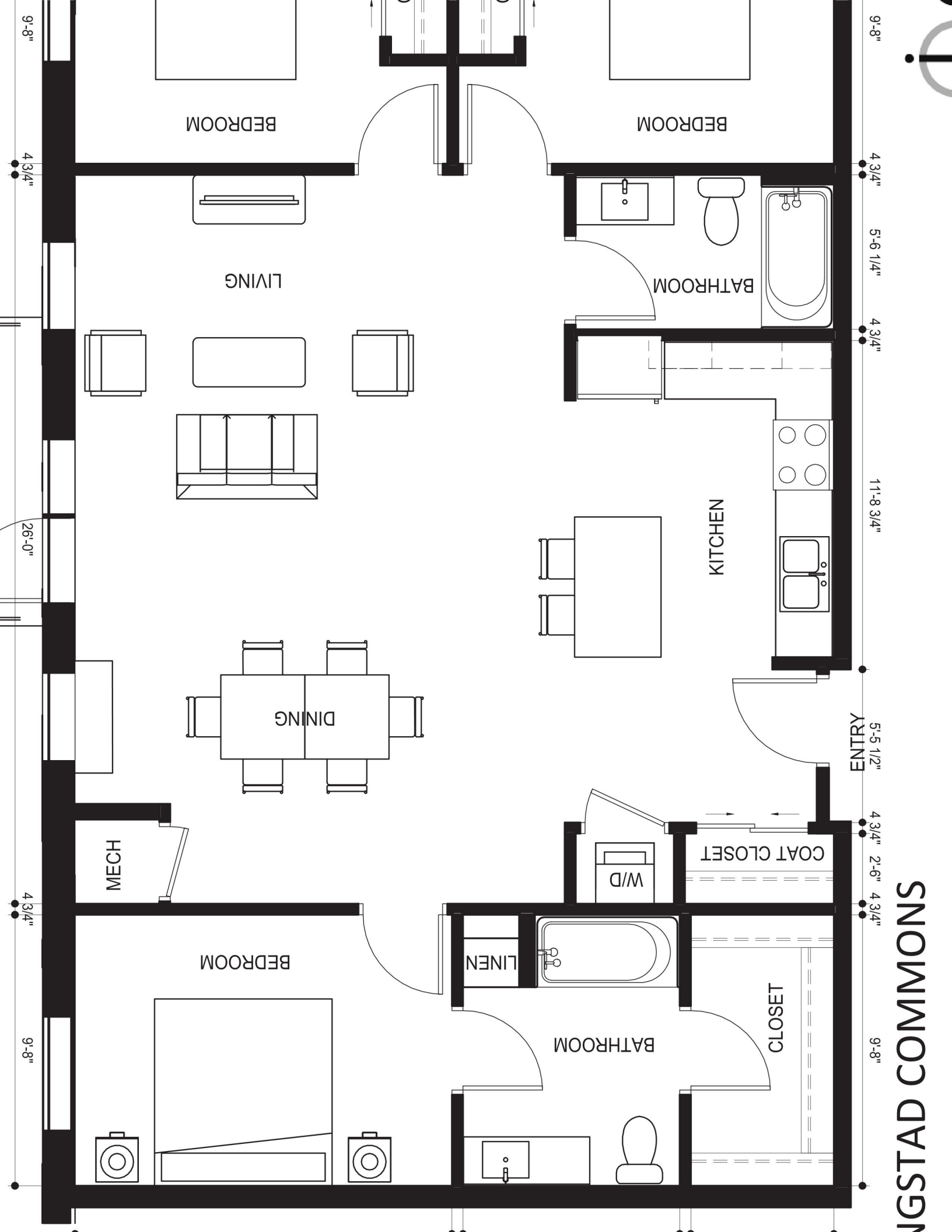


ELEVATION

1/32" = 1'-0"







Discussion questions:

1. What do you support about the project, and what are your concerns
2. Any feedback on the site plan Or design features
3. Feedback on the proposed site plan's interface with Wangstad park
4. Any considerations in regard to the location of the project
5. How could the development better serve/support its residents
6. What will be needed for the project to be successful
7. Other feedback

Thank you

e Wangstad Commons Community Input Summary
report will be provided electronically to:

- City of Brooklyn Park
- JO Companies (and team)
- Community participants

r more information about the community feedback process

Contact Gretchen Nicholls at g nicholls@lisc.org

Wangstad Commons
Community Engagement Sessions
June 8 & 15, 2021

First Name	Last Name	email	Organization
Community Members			
Vong	Thao	vthao@ci.brooklyn-center.mn.us	City of Brooklyn Center
Alexander	Koenig	alexander.patricia.koenig@outlook.com	Planning Commission
Melissa	Carey	carey.melissa@gmail.com	
Matthew	Branch	Matthew.Branch@mpls.k12.mn.us	
Steve	Shonning	srsbc@yahoo.com	
Terri	Porter	thp5028@gmail.com	The Sanctuary
Mary	Davitt	mdavitt1103@gmail.com	The Sanctuary
Connie	Duffney	connie.l.duffney@gmail.com	The Sanctuary
Myrna	Kauth	myrnakauth@usfamily.net	Previous Mayor
Gary	Besch	JUDEANDGARY@msn.com	
Lisa	Lawrence-Anderson	councilmemberlawrence-anderson@ci.brooklyn-center.mn.us	City Council
Bill	Kalinoski	bill.kalinoski@gmail.com	
Peggy	Oberg	peggylob@yahoo.com	
Stephanie	Perry	snperry.perry@gmail.com	
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Denise	Butler	dbutler@acerinc.org	ACER
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Bob	Barth	BBarth@wsbeng.com	WSB Engineering
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Clint	Blaiser	cblaiser@hbgltd.net	HBG Architects
Coralis	Rodriguez	crodriguez@popearch.com	Pope Architects
Matthew	Paschall	Matthew.Paschall@bakertilly.com	Baker Tilly
David	Evans	David.Evans@bakertilly.com	Baker Tilly
Diana	Dyste	Diana.Dyste@bakertilly.com	Baker Tilly
City Staff			
Meg	Beekman	mbeekman@ci.brooklyn-center.mn.us	City of Brooklyn Center
Consultants			
Barbara	Raye	office.center.ppp@gmail.com	Center for Policy Planning and Performance
Julia	Paulsen Mullin	jpaulsenmullin@gmail.com	
Gretchen	Nicholls	gnicholls@lisc.org	LISC Twin Cities

Join Us!

Guiding the Future Redevelopment at:

61st Ave North & Brooklyn Blvd.
Brooklyn Center, MN 55429

Hosted by:

JO Companies
LISC Twin Cities



Mark your calendars

Community Workshops

To RSVP or for more info, contact:

Gretchen Nicholls at
gnicholls@lisc.org

Attendees are encouraged to attend both sessions.

Workshop I: Overview of Concept Plan for the Wangstad Commons site

Tuesday, June 8, 2021
7-8:30pm

Contact Gretchen Nicholls at
gnicholls@lisc.org to RSVP

(a virtual meeting link will be provided).

*The session will review the
concept plan for the Wangstad
Commons site provided by
local developer Johnny Opara.*

Workshop II: Gather Community Input on the Wangstad Commons Plan

Tuesday, June 15, 2021
7-8:30pm

Contact Gretchen Nicholls at
gnicholls@lisc.org to RSVP

(a virtual meeting link will be provided).

*Participants will provide input on the
Wangstad concept plan. A summary
of the community feedback will be
provided to the developer and the
City of Brooklyn Center for
consideration.*

Únase a nosotros en la
revisión de un plan conceptual
para la futura reurbanización del
sitio emplazado en la calle

**61st Ave North & Brooklyn Blvd.
Brooklyn Center, MN 55429**

Auspiciado por:

LISC Twin Cities

JO Companies



**Marquen y agenden las fechas
del evento en sus calendario**

Se invita a los miembros de la
comunidad a participar en la
presentación del concepto y a que
aporten sus opiniones. El promotor
local, Johnny Opara, de la
compañía JO Companies, está
proponiendo un plan de desarrollo
de viviendas multifamiliares de
cuatro (4) pisos para población
laboralmente activa denominado
Wangstad Commons.

Talleres comunitarios

**Ponerse en contacto con Gretchen Nicholls en la
dirección gnycholls@lisc.org para confirmar su
asistencia**

(se le proporcionará un enlace para la reunión virtual).

***Le recomendamos a los participantes a que
asistan a ambos eventos.***

Taller I: Visión General del Plan Conceptual para el sitio Wangstad Commons

**Martes, 8 de junio, 2021
De 5:30 a 7:00 p.m.**

Ponerse en contacto con Gretchen Nicholls en
la dirección gnycholls@lisc.org
para confirmar su asistencia
(se le proporcionará un enlace para la reunión virtual).

*En la sesión se revisará el plan
conceptual para el sitio Wangstad
Commons presentado por el
promotor local Johnny Opara.*

Taller II: Recopilar la Información Aportada por la Comunidad sobre el Plan Wangstad Commons

**Martes, 15 de junio, 2021
De 5:30 a 7:00 p.m.**

Ponerse en contacto con Gretchen Nicholls
en la dirección gnycholls@lisc.org
para confirmar su asistencia
(se le proporcionará un enlace para la reunión virtual).

*Los participantes suministrarán información y
harán sus aportes sobre el plan conceptual de
Wangstad Commons. Al promotor y a la
Ciudad de Brooklyn Center se le presentará
una síntesis de las opiniones y comentarios de
la comunidad para que sean sometidos a
consideración.*

Koom nrog peb rau qhov kev
tshuaj xyuas lub ntsiab ntawm txoj
kev npaj ua rau kev rov tsim kho
yav tom ntej rau ntawm lub chaw

61st Ave North & Brooklyn Blvd.
Brooklyn Center, MN 55429

Raug pab txhawb los ntawm:
LISC Twin Cities
JO Companies



Cim rau koj lub sij hawm hnuv
hli thiab xyoo.

Kev cob qhia hauv zej zog

Yeej txais tos thiab tau caw tej
kev xam pom los ntawm cov
neeg pej xeeb hauv zej zos.

Tus kws tsim kho hauv ib
cheeb tsam yawg Johny Opara,
ntawm JO Companies, tab tom
nthuav tawm txog 4-zaj dab
neeg ntawm kev tsim vaj tse
rau ntau tsev neeg nyob uas hu
ua Wangstad Commons.

Tiv toj rau Gretchen Nicholls rau ntawm
gnicholls@lisc.org rau RSVP
(lub rooj ib tham pom duab hauv xov tooj
yuav raug muab lub chaw qhia rau).

Peb xav kom cov neeg tuaj koom rau ob lub koob tsheej no

Lub rooj sab laj I: Tshuaj Xyuas txog Lub
Ntsiab Ntawm Txoj Kev Npaj ua rau ntawm
lub chaw Wangstad Commons

Hnub Tuesday, Lub Rau Hlis Ntuj Hnub Tim 8, 2021
5:30 – 7 teev yav tsaus ntuj

Tiv toj rau Gretchen Nicholls rau ntawm
gnicholls@lisc.org rau RSVP (lub rooj ib tham pom
duab hauv xov tooj yuav raug muab lub chaw qhia rau).

*Tshooj no uav tshuaj xyuas txog lub
ntsiab ntawm txoj kev npaj ua rau
ntawm lub chaw Wangstad
Commons uas raug npaj los ntawm
tus kws tsim kho hauv ib cheeb
tsam yawg Johny Opera.*

Lub rooj sab laj II: Muab Tej Lus Xam Pom
Los Ntawm Neeg Hauv Zej Zos tso rau
Wangstad Commons Qhov Kev Npaj Ua

Hnub Tuesday, Lub Rau Hlis Ntuj Hnub Tim 15
5:30 – 7 teev yav tsaus ntuj

Tiv toj rau Gretchen Nicholls rau ntawm
gnicholls@lisc.org rau RSVP (lub rooj ib tham pom
duab hauv xov tooj yuav raug muab lub chaw qhia rau).

*Cov neeg tua jkoom yuav muab te j lus xam
pom rau ntawm Wangstad Commons lub
ntsiab ntawm txoj kev npaj ua. Cov ntsiab
lus ntawm kev xam pom los ntawm cov
neeg hauv zej zos yuav raug muab qhia rau
tus kws tsim kho thiab Lub Nroog Brooklyn
txhawm rau muab kev txiav txim siab.*

Member Debra Hilstrom introduced the following resolution and moved its adoption:

RESOLUTION NO. 98-169

RESOLUTION REGARDING DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 98017 SUBMITTED BY DAVE PHILLIPS ON BEHALF OF BROOKDALE CHRYSLER PLYMOUTH

WHEREAS, Planning Commission Application No. 98017 submitted by Dave Phillips on behalf of Brookdale Chrysler Plymouth, proposes rezoning from C-2 (Commerce) and C-1 (Service/Office) to PUD/C-2 (Planned Unit Development/Commerce) of the properties addressed as 6121 Brooklyn Boulevard and 6107 Brooklyn Boulevard; and

WHEREAS, the proposal comprehends the expansion of the Brookdale Chrysler Plymouth dealership with an 8,500 sq. ft. building addition for automobile service and repair and a 1,100 sq. ft. car wash at 6121 Brooklyn Boulevard and the interim use of 6107 Brooklyn Boulevard for the storage and display of new and used car inventory; and

WHEREAS, the Planning Commission held a duly called public hearing on August 13, 1998, when a staff report and public testimony regarding the rezoning and site and building plans were received; and

WHEREAS, the West Central Neighborhood Advisory Group met to consider this matter on September 2, 1998, at the City Hall and unanimously recommended approval of this Planned Unit Development proposal; and

WHEREAS, the Planning Commission resumed consideration of this matter on September 10, 1998, received a staff report, revised development plans, and took further testimony during a continued public hearing; and

WHEREAS, the Planning Commission recommended approval of Application No. 98017 by adopting Planning Commission Resolution No. 98-04 on September 10, 1998; and

WHEREAS, the City Council considered Application No. 98017 at its September 28, 1998 meeting; and

WHEREAS, the City Council considered the rezoning and site and building plan request in light of all testimony received, the guidelines for evaluating rezonings contained in Section 35-208 of the City's zoning ordinance and in light of the provisions of the Planned Unit Development ordinance contained in Section 35-355, and in light of the comments relative to this property in the City's Comprehensive Plan.

NOW, THEREFORE, be it resolved by the City Council of the City of Brooklyn Center that Application No. 98017 be approved in light of the following considerations:

1. The rezoning will allow for appropriate redevelopment along Brooklyn Boulevard, which is consistent with the needs and redevelopment policies of the City.
2. The rezoning will allow for a development plan involving the expansion of the Brookdale Chrysler Plymouth dealership, which can be considered compatible with surrounding land uses.
3. The development of the property in question, will for the most part, conform with city ordinance standards. Variation from the buffer and setback requirements where the use abuts single family residential uses is acceptable given the landscaping and screening plans submitted. Also the expansion of the automobile service operation is acceptable given the landscaping and screening plans submitted.
4. The property at 6107 Brooklyn Boulevard cannot be developed by itself under the current C-1 zoning designation given the requirements for a minimum one acre parcel for service/office development on a major thoroughfare and must be combined with other parcels for redevelopment. The interim use of this parcel for the parking and storage of inventory is an appropriate use and still allows for the future combination of this parcel with other property for appropriate commercial development.
5. The rezoning of the land and the accompanying development plans allow for expansion of a existing viable business along Brooklyn Boulevard consistent with the recommendations contained in recent studies for the City of Brooklyn Center.
6. The rezoning is consistent with the City's Comprehensive Plan. The rezoning proposal demonstrates merit beyond the interests of the owner of land in that it will provide a substantial upgrading of the site and upgrading of the physical character of Brooklyn Boulevard and allow for the interim use of a parcel of land that would otherwise sit vacant and this is considered a benefit to the community.

BE IT FURTHER RESOLVED by the City Council of the City of Brooklyn Center to approve Application No. 98017 subject to the following conditions and considerations:

1. 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 and utility plans are subject to review and approval by the City Engineer prior to the issuance of permits.
3. A site performance agreement and supporting financial guarantee (in an amount to be determined based on cost estimates) shall be submitted prior to the issuance of permits.
4. Any outside trash disposal facilities and rooftop mechanical equipment shall be appropriately screened from view.
5. The 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 ordinances.
6. An underground irrigation system shall be installed in all landscaped areas to facilitate site maintenance.
7. Plan approval is exclusive of all signery which is subject to Chapter 34 of the city ordinances.
8. B-612 curb and gutter shall be provided around the parking and driving areas in the off-site inventory lot.
9. The applicant shall submit an as-built survey of the property, improvements and utility service lines prior to release of the performance guarantee.
10. The property owner shall enter into an easement and agreement for maintenance and inspection of utility and storm drainage systems prior to the issuance of permits.
11. The plans shall be modified to include the following:
 - a. A minimum six foot high opaque screen fence along the west and south portions of the property where it abuts with 6101 Brooklyn Boulevard.
 - b. Lighting along the south property line will be a high cut-off type so as not to cause light glare on adjacent properties, particularly those zoned residential.
 - c. The applicant shall work with the Staff in providing shade trees in the Brooklyn Boulevard greenstrip consistent with the Streetscape Study for that street.

Resolution No. 98-169

12. The applicant shall enter into a development agreement with the City, to be reviewed and approved by the City Attorney and executed prior to the issuance of permits to include provisions relating to the above stated conditions.

September 28, 1998

Date

Myrna Kragness
Mayor

ATTEST:

Sharon Knutson
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Kathleen Carmody and upon vote being taken thereon, the following voted in favor thereof:

Myrna Kragness, Kathleen Carmody, Debra Hilstrom, and Robert Peppe;
and the following voted against the same: none;
whereupon said resolution was declared duly passed and adopted.

Member Lin Myszkowski introduced the following resolution and moved its adoption:

RESOLUTION NO. 2016-19

RESOLUTION REGARDING THE DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2016-001, SUBMITTED BY SCA PROPERTIES, LLC REQUESTING APPROVAL OF A PLANNED UNIT DEVELOPMENT AMENDMENT AND SITE AND BUILDING (DEVELOPMENT) PLAN APPROVAL FOR THE SANCTUARY OF BROOKLYN CENTER, THE 158-UNIT SENIOR ASSISTED LIVING HOUSING PROJECT (LOCATED AT 6121 BROOKLYN BOULEVARD)

WHEREAS, on September 28, 1998, the City Council of Brooklyn Center adopted Resolution No. 98-169 which approved the establishment of the Brookdale Chrysler-Plymouth Dealership Planned Unit Development (PUD) of 1998, which comprehended the rezoning approval of two parcels located at 6121 and 6107 Brooklyn Boulevard from C-2 (Commerce) and C-1 (Service/Office) to PUD/C-2 (Planned Unit Development/Commerce) District; and

WHEREAS, the 1998 PUD approved the expansion and overall use of the two parcels for the existing Chrysler-Plymouth auto dealership, and stipulated that Lot 1, Block 1 of the Chrysler Motors Corporation 2nd Addition (main parcel) can only be used for "*motor vehicle sales, leasing, service and the sale of vehicle parts.*"; while the smaller lot to the south of the main lot "*...shall be used for parking and display of passenger vehicles for sale.*"; and

WHEREAS, SCA Properties, LLC has submitted Planning Application No. 2016-001, which requests consideration and approval of an amendment to the 1998 PUD, by rescinding the auto oriented uses and related activities described under the recorded PUD Agreement of 1998 between the City of Brooklyn Center and former owners William J. Bartram and the Chrysler Realty Corporation (their successors and assigns); and now requests the City consider allowing certain changes to the PUD for this redevelopment area; and

WHEREAS, Planning Application 2016-001 presents an official request by the Developer to allow a specific senior housing with assisted living care as a use that is not identified under City Zoning Code Section 35-322, C2 (Commerce) District standards, and allow the redevelopment of Lot 1, Block 1 of the Chrysler Motors Corporation 2nd Addition with a new 4-story, senior assisted living facility with certain amenities, and allows for reduced setbacks for this new senior housing development: and

WHEREAS, Planning Application 2016-001 also provides the official request for consideration and approval of the new Site and Building (Development) Plan for the existing PUD, which includes the preliminary layout and design details for the new 4-story, senior assisted living facility and its amenities on the subject site: and

WHEREAS, on January 14, 2016, the Planning Commission held a duly called public hearing, whereby a staff report, which included a full set of site and building plans, along with architectural plans, and also an updated site layout plan and traffic impact study (draft) were all presented; and public testimony regarding the Amendment to this Planned Unit Development and Site and Building Plan were received and considered by the Planning Commission; the Planning Commission considered the Planned Unit Development Amendment request in light of all testimony received, including the guidelines for evaluating such amendments as contained in Section 35-355 of the City's Zoning Ordinance and the City's Comprehensive Plan; 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 (Development) Plan, and which the final site/development plans shall be revised according to the amended site layout plan (referred to as the Site Access Exhibit – dated 01/08/2016) as presented at the public hearing of January 14, 2016 to the Planning Commission, and determines this plan to be an appropriate and reasonable use and redevelopment of the subject property; and

WHEREAS; in light of all testimony received, the Planning Commission did determine that Planning Application No. 2016-001, and the revised Site Access Exhibit plan submitted by SCA Properties, LLC may be approved based upon the following considerations:

- A. The proposed use of a general assisted living facility, with limited acuity care units for senior residents, is an acceptable use under this PUD/C-2 district; and meets the general definitions or standards of a permitted (but limited) nursing care home; and may be considered an allowable or permitted use under the "Other uses similar in nature" standard provided for under Sect. 35-322 district standards;
- B. The proposed senior housing project will provide an ideal opportunity for redevelopment of a targeted area for the community's senior residential and health care sector; eliminates and replaces an obsolescent or deteriorating commercial area, and will stimulate new investment in the neighborhood and community.
- C. The proposed project appears to demonstrate a clear and public need or benefit to the community and regional area, as it will improve the appearance of the city and enhance the quality of life, property values and civic pride in this neighborhood area;
- D. The proposed senior housing project will facilitate the redevelopment plans of this site, which appear to be compatible with the goals, objectives

RESOLUTION NO. 2016-19

and policies of the City's 2030 Comprehensive Plan and underlying land use plan.

- E. The proposed rezoning will enhance and strengthen City Center's economic viability and status in the regional market place by the following supporting statements:
 - i. helps to increase employment opportunities, rental occupancy and tax base;
 - ii. provides for the redevelopment of an obsolete and underutilized site into a use(s) that address needs in the marketplace, especially for senior housing and life-cycle housing needs.
- F. The new senior housing project provides an ideal opportunity to provide additional (and affordable) senior housing options for its own and neighboring residents.
- G. The new senior housing project will not be injurious to the use and enjoyment of other uses in and around this Wangsted park neighborhood;
- H. The addition of this new senior housing project will not impede the normal orderly development and proposed improvements of this area or those projected along the Brooklyn Boulevard Corridor; and
- I. The proposed layout of this new senior housing development, including the new buildings, site improvements, walkways, and trails, including reduced setbacks and any other related flexibility or reductions identified within these Site and Building Plans, are hereby acceptable and approved.

WHEREAS, the Planning Commission of the City of Brooklyn Center did determine that Planning Application No. 2016-001 as submitted by SCA Properties, LLC may be approved based on the belief that the guidelines for evaluating Planned Unit Development Amendment as contained in Section 35-355 along with the guidelines and standards for evaluating site and building plans, as contained in Section 35-230 (Plan Approval), all of which are contained in the City's Zoning Ordinance, have been met, and the proposal is, therefore, in the best interest of the community; and

WHEREAS, upon acceptance of all public comments and discussion of this Planning Application No. 2016-001, the Planning Commission adopted Resolution No. 2016-01, which provides favorable and unanimous recommendations to the City Council that the requested PUD Amendment and Site and Building (Development Plan) as comprehended under said

RESOLUTION NO. 2016-19

Planning Application No. 2016-001, may be approved with certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Brooklyn Center, Minnesota, that Planning Application No. 2016-001 submitted by SCA Properties, LLC, is approved subject to the following conditions:

1. Developer is allowed to amend the 1998 Planned Unit Development of the Brookdale Chrysler-Plymouth Dealership by redeveloping the subject site consistent with the proposed Site and Building Plan known as the "Sanctuary of Brooklyn Center Senior Living", which shall serve as the new (and approved) Development Plan to this amended PUD.
2. No other allowances, modifications or changes that may not be illustrated or indicated on the submitted "Sanctuary of Brooklyn Center" plan, dated 12/11/15 shall be comprehended or permitted under this Site and Building Plan approvals, unless specifically requested by the Developer and approved by the City Council.
3. Developer must install and show on the final plans a new 8-foot high screening fence along the west property line; and a 4-6 ft. high vinyl coated chain-linked fence along the south line adjacent to the city park and single family residential uses. Developer shall adjust landscape plans to provide additional natural screening along the south boundary line with the single family residential uses.
4. Developer must obtain a building permit and adhere to all requirements prior to beginning any removals, demolition, land disturbance work, or new construction of parking, utilities or buildings.
5. Developer/Applicant agrees to comply with all conditions or provisions noted in the City Engineer's Review memo, dated January 7, 2016.
6. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits.
7. 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.
8. Any outside trash disposal facilities and roof top or on-ground mechanical equipment shall be appropriately screened from view.

RESOLUTION NO. 2016-19

9. An underground irrigation system shall be installed in all landscaped areas to facilitate site maintenance.
10. This PUD Amendment and Site Plan approvals are exclusive of all final signs on this site, which shall remain subject to Chapter 34 of the city ordinances must be approved under separate Sign Permits.
11. Appropriate erosion and sediment control devices shall be provided on site during construction as approved by the City's Engineering Department and applicant shall obtain an NPDES construction site erosion permit from the Minnesota Pollution Control Agency prior to disturbing the site.
12. Any major changes or modifications made to this PUD Development/Site and Building Plan can only be made by an amendment to this PUD, which shall include an updated Development/Site Plan if necessary.
13. The Developer must meet requirements from Hennepin County's review.
14. The Developer shall provide Hennepin County with a minimum 17' of additional road easement including an additional 7' by 60' triangular easement in northeast corner of property.
15. The Developer shall submit an as built survey of the property, improvements and utility service lines prior to release of the performance guarantee.

January 25, 2016

Date

Tim Willson

Mayor

ATTEST:

Sharon Knutson

City Clerk

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

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

Tim Willson, April Graves, Kris Lawrence-Anderson, Lin Myszkowski, Dan Ryan and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

MEMORANDUM

DATE: ~~March 30, 2023~~
April 26, 2023

TO: Ginny McIntosh, City Planner/Zoning Administrator

FROM: James Soltis, Assistant City Engineer

SUBJECT: Public Works – Preliminary Site Plan / Plat Review
6101 Brooklyn Blvd - Wangstad Commons

Public Works staff reviewed the following documents submitted for review for the proposed 6101 Brooklyn Blvd development known as Wangstad Commons.

This memo was revised following revised Preliminary and Final Plat documents provided by Taylor Rumph through email on April 25, 2023.

- Preliminary Plans (2023-03-14-Issued for City Review-022334-000_Arch-Civil-LA)
- Preliminary Stormwater Report (2023-03-14- Draft HydroCAD Report)
- Preliminary Plat (018699 V-PP (03-13-2023)) – Revised (4 20 2023)
- Final Plat (018699 V-FP (03-13-2023)) – Revised (4 20 2023)

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 any permits.

Plan Items

CD101 – Existing Conditions & Demo Plan

1. Note 17: Remove reference to St. Paul Standard Specifications.

CG101 – Grading Plan

2. EOF for parking lot appears to be adjacent to the underground parking ramp. Please adjust the ultimate EOF for the lot or provide data indicating the elevation for a back to back 100-year storm event is below this elevation.

CU101 – Utility Plan

3. Locate the building roof discharge location on plan.
4. Note 13: Replace reference to Rice Creek with “City of Brooklyn Center”.
5. Denote all utilities including underground treatment as private. This can be done through a note.

LS101 – Landscape Plan

6. If an irrigation system is planned an as-built must be provided to the city upon completion of work.

Platting Requirements

7. The existing cross access easement does not cover the entire access drive. A new easement must be dedicated to cover this area.
8. ~~A 10' drainage and utility easement must be dedicated on the plat around the entire perimeter of the site.~~
9. Legal descriptions and easement vacation documents must be obtained for all existing easements to be vacated. Existing public easements as determined by the City must be vacated, and proposed easements must be dedicated as part of the preliminary and final platting process. The formal vacation document must contain an easement vacation description and depiction exhibit signed by a professional surveyor.
10. An updated certified abstract of title or registered property report must be provided to the City Planner and City Attorney for review at the time of the preliminary plat application (within 30 days of preliminary plat application). Additionally, this will need to stay current and be updated through the approval process as required to maintain and be current within 30 days of the release of final plat.

General Items

11. The total disturbed area exceeds one acre, an NPDES permit is required. The total disturbed area is less than five acres; the City of Brooklyn Center has reviewed the plans per the Shingle Creek Watershed Commission rules. From preliminary review the applicant has met watershed's rule requirements. A final stormwater management report must be provided upon completion.
12. The applicant shall be responsible for coordinating site development plans with all private utility companies (Xcel Energy, CenterPoint Energy, Qwest Communications, Comcast, etc.) Applicant shall be responsible for verifying all utilities are absent from the easement proposed to be vacated.
13. The City has submitted the plans to Hennepin County for review. Applicant must meet requirements from the review. **Comments received from HC on April 10, 2023 are listed below.**
 - a. **County staff recommends the developer review sight lines at the access to Brooklyn Boulevard, especially to trail users using an assumed 20 MPH design speed for trail users per State Aid Rules. Landscaping should not impede sight triangles.**
 - b. **Any work within or matching into county road right-of-way will require a county permit.**
 - c. **County staff recommend review of the proposed turnaround. The location is too close to the access off of Brooklyn Boulevard and does not allow proper length for queueing motorists. In addition, county staff feel the proposed width of the turnaround will lead to user confusion as to which side of the center island people should be driving in or out of. County staff recommend narrowing the turnaround, especially at connection points with the proposed RIRO shared access, and pulling it as far west as possible.**

Agreements

14. During construction of the site improvements, and until the permanent turf and plantings are established, the developer will be required to reimburse the City for the administration and engineering inspection efforts. Please submit a deposit of \$5,000 that the City can draw upon on a monthly basis.
15. 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 \$5,000 deposit will be required as part of the non-compliance provision.

16. An overall Easement Agreement is required that will provide the City perpetual accessibility to all private utilities and storm drainage areas to inspect and enforce proper utility service and maintenance for the entire site. This easement agreement also includes private inspection, maintenance, and reporting responsibilities. Easements to provide utility service to the development should be dedicated as necessary.
17. 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 for any associated private and/or public improvements prior to issuance of the certificate of occupancy. The 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.
18. 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).

Anticipated Permitting

19. A City of Brooklyn Center land disturbance permit is required.
20. A Water and Sewer Permit is required.
21. A Minnesota Pollution Control Agency NPDES storm water construction permit is required.
22. If applicable, applicant will need to obtain required permits to work in County right-of-way.
23. Other permits not listed herein may be required. It is the Responsibility of the applicant to obtain such permits as warranted.

Prior to Issuance of Land Alteration.

24. The construction of project will require an encroachment on an adjacent property. Documentation must be submitted showing authorization for this activity.
25. Copies of all required permits must be provided to the City.
26. Final construction plans and specification must be submitted and approved by the City Engineer. The final construction plans must be certified by a licensed engineer in the state of Minnesota.
27. The Construction Management Plan and Agreement has been executed and the associated separate cash escrow has been deposited with the City.
28. A preconstruction conference is scheduled and held with City staff and other entities designated by the City.

All aforementioned items, comments and recommendations are provided based on the information submitted by the applicant at the time of this review. Subsequent approval of the final plan may require additional modifications based on engineering requirements associated with final design as established by the City Engineer and other public officials having jurisdiction over approval of the final site plans



Community Development
763-569-3330

April 7, 2023

Wangstad Commons Apartments

Building review comments for newly proposed Wangstad Commons Apartment to be located at the corner of Brooklyn Boulevard and 61st Avenue North.

1. Prior to a Building permit being issued. A SAC determination for the new building will need to be done by MET Council and SAC determination letter received.
2. Separate permits and signed plans required for Building, Mechanical, Plumbing & Electrical. A Fire sprinkler and Fire alarm permit with plans is required to be submitted to the Building Department for this building review. The Community Development department must be contacted on all proposed signage for this building. Permits are required for all exterior signage.
3. The building will be required to have a sprinkler system installed. City of Brooklyn Center zoning ordinance 3-101 B. (2) as adopted by the Minnesota State Building code 1306 Special Fire Protection system 1306.0020 Subp. 2, Existing and New buildings.
4. City of Brooklyn Center Water & Sewer permit is required for this project. City water and sewer connection fees for "Multi-family buildings" on "Less than 5 acres" have a city WAC/SAC cost of \$4,500 + water / sewer /storm connect fee \$150 and state surcharge of \$2.33.
5. An access door from outside directly into the Fire Sprinkler Riser room is recommended. If there is no access from the outside of the building into the Sprinkler riser room. A Post PIV, Wall PIV or OS & Y valve shall be provided per City Fire Inspector.
6. Fire Department connections shall be located on the street side of buildings or facing approved fire apparatus access roads and be fully visible and recognizable.
- 7) Connections to the City water supply for commercial/Industrial, Retail/Office & Multi-family buildings will require (2) two bacteria tests.

Sincerely,

Dan Grinsteinner
Building Official
City of Brooklyn Center
763-569-3313

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO.

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2023-001 FOR A RE-PLAT, PLANNED UNIT DEVELOPMENT AMENDMENT AND REZONING, AND AN AMENDMENT TO THE 2040 COMPREHENSIVE PLAN TO ALLOW FOR DEVELOPMENT OF A 54-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AND RELATED SITE IMPROVEMENTS (6107 BROOKLYN BOULEVARD, 6101 BROOKLYN BOULEVARD, 3600 61ST AVENUE NORTH, AND 3606 61ST AVENUE NORTH)

WHEREAS, Planning Commission Application No. 2023-001, submitted by JO Companies, LLC (“the Applicant”) requests review and consideration of a proposal that would consolidate four vacant parcels currently owned by the Economic Development Authority of the City of Brooklyn Center (“Property Owner”) located 6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North (“the Subject Property”) for development of a 54-unit multi-family residential building and related site improvements; and

WHEREAS, said application submittal also contemplates an amendment to an existing Planned Unit Development originally approved on September 28, 1998 under City Council Resolution No. 98-169 and last amended on January 25, 2016 under City Council Resolution No. 2016-19, which would allow for the removal of the northernmost parcel located within the Subject Property and commonly addressed as 6107 Brooklyn Boulevard from the aforementioned Planned Unit Development, and its subsequent re-zoning to Neighborhood Mixed-Use (MX-N1) District, which is reflective of the three other parcels that comprise the Subject Property, commonly addressed as 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3606 61st Avenue North; and

WHEREAS, said application submittal also addresses a request to re-designate the Subject Property under the City’s 2040 Comprehensive Plan future land use designation from a mix of Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU), which is a new land use designation under the 2040 Plan that is intended to guide land surrounding key neighborhood intersections for a mix of residential, retail commercial, and office uses; and

WHEREAS, the Comprehensive Plan amendment request is made in light of the fact that the Applicant had only initiated conversations with the City surrounding the Subject Property’s redevelopment to multi-family residential during what was finalization of the 2040 Comprehensive Plan, and whereas said request would be a permitted use under the City’s Unified Development Ordinance and within the densities permitted assuming an allowable density range of 15.01-31 dwelling units per acre; and

WHEREAS, the City’s Economic Development Authority has been strategically acquiring primarily residential parcels along Brooklyn Boulevard in the hopes of consolidating parcels for the highest and best use; and

RESOLUTION NO.

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota held a duly noticed and called public hearing on April 13, 2023, whereby a planning report was presented and public testimony regarding the proposal were received; and

WHEREAS, notice of such public hearing was published in the official newspaper and mailed to neighboring property owners and residents, as required by the City and Minnesota State Statute, and development proposal signage was installed on the Subject Property by the City; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota considered the application requests in light of all testimony received, and the guidelines and standards as outlined under Section 35 (*Unified Development Ordinance*), including, but not limited to: Sections 35-7600 (*Site and Building Plan Approval*), 35-8000 (*Subdivisions and Planned Unit Developments*), 35-1500 (*Comprehensive Plan*), and the dimensional and design standards as outlined within Sections 35-5100 through 35-5600, and the request complies with the general goals and objectives of the City's 2040 Comprehensive Plan, with exception to the requested amendment to the Comprehensive Plan to re-designate the Subject Property to move the project forward, and of which requires final determination by the Metropolitan Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota to recommend Planning Commission Application No. 2023-001, submitted by JO Companies, LLC be approved based upon the findings of fact in the April 13, 2023 planning report, last revised for May 8, 2023, and submitted documents and plans as amended by the following conditions of approval:

1. The building plans are subject to review and approval by the Building Official as noted in the memorandum dated April 7, 2023, and with respect to applicable codes prior to the issuance of permits; and the final location or placement of any fire hydrants or other fire-related building code items shall be reviewed and approved by the Fire Inspector.
 - a. Any major changes or modifications made to this Site and Building Plan can only be made by an amendment to the approved Site and Building Plan as approved by the City Council.
 - b. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits.
 - c. The Applicant shall work to ensure all applicable Minnesota Fire Code requirements have been met as part of any site plan approval.
 - d. A fire sprinkler system is required to be installed and shall be maintained on a consistent basis per City Code requirements.
 - e. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council and any associated fees paid at time of any permit issuance.
 - f. The Applicant shall provide any final site and building plans to City staff for a CPTED review and make alterations as necessary prior to permit release.
 - g. A revised landscape plan and planting schedule shall be submitted to ensure

RESOLUTION NO.

- compliance with the City Code regarding landscape plantings and minimum project valuations for Neighborhood Mixed-Use District properties.
- h. The Applicant shall install irrigation systems where necessary to facilitate maintenance of site landscaping and green areas, and irrigation shop drawings for review and approval prior to installation.
 - i. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and a detail sheet provided.
 - j. The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding) and receive issuance of a permit prior to any installation. All signage shall conform to City requirements.
2. The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's review memorandum, originally dated March 30, 2023, and last revised April 26, 2023.
- 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. Any requirements as outlined in reviews conducted by Hennepin County.
3. Agreements:
- a. The Applicant shall work with the adjacent property owner (6121 Brooklyn Boulevard) to amend and restate the 1998 PUD agreement for removal of 6107 Brooklyn Boulevard from said agreement. This agreement is to be reviewed and approved by the City Attorney and the amended agreement recorded with Hennepin County prior to the issuance of building permits.
 - b. The Applicant shall coordinate with adjacent property owner (6121 Brooklyn Boulevard) and the City to execute an amended or new easement agreement for the shared access drive located off Brooklyn Boulevard. This easement is to be reviewed by the City Attorney and recorded with Hennepin County prior to the issuance of building permits.
 - c. 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.
 - d. 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.
 - e. A Utility Facilities Easement Agreement is required for submittal to the City prior to issuance of any permits.
 - f. A Construction Management Plan and Agreement and associated escrow are required for submittal prior to the City prior to issuance of any permits.

RESOLUTION NO.

4. Platting:

- a. Approval of the preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION are contingent upon the addressing of comments by Assistant City Engineer James Soltis in the memorandum originally dated March 30, 2023, and last revised April 26, 2023.
- b. Final plat and mylar shall be subject to the provisions of Chapter 35 of the City Code of Ordinances.
- c. Addressing of final plat comments and/or requirements as provided by Hennepin County.
- d. Addressing of final plat comments and/or requirements from the City Attorney's office, and specifically regarding an updated certified abstract of title.
- e. The successful recording of said plat (mylar) with Hennepin County.

May 8, 2023

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.

From: [REDACTED] >
Sent: Thursday, April 13, 2023 4:25 PM
To: Ginny McIntosh
Subject: Wangstad park adjacent development

Ginny-

I wish to express my disapproval of the proposal by JO Companies to use the Brooklyn Blvd / 61st Ave N lots for a four story multi family residential building.

This location is not equipped to absorb the extra traffic this will add to the area. Recent construction on Brooklyn Blvd has made this area more dangerous, particularly at Admiral and Brooklyn Blvd. Additional traffic will make a dangerous situation even worse.

Additionally, there are safety concerns and there has been no plan put forward to the public as to how the Brooklyn Center Police Department will be able to serve and protect the amount of new residents this project would bring in addition to the current residents.

Furthermore, as business after business leaves the area, it is difficult to understand how the community as it exists today will be able to meet the needs of the current and new residents.

These concerns have not been fully vetted and must be addressed.

Lastly, the community is not the same today as when this project was initially proposed and those changes have not been addressed before approval is given.

For these reasons I oppose this plan and respectfully request that the commission exercise negative discretion and deny this request made by JO Companies.

Respectfully,
Susan

Sent from my Verizon, Samsung Galaxy smartphone

From: Jesse Anderson
Sent: Friday, April 14, 2023 1:19 PM
To: Ginny McIntosh
Subject: FW: Feedback for Brooklyn Center, MN

Hi,

Here is a comment regarding wangstad.



Jesse Anderson
Interim Community Development Director
6301 Shingle Creek Pkwy | Brooklyn Center, MN 55430
Direct: (763) 569-3420 |
Office: (763) 569-3330 | Fax: (763) 569-3360
Janderson@ci.brooklyn-center.mn.us

[Website](#) | [Twitter](#) | [Nextdoor](#) | [LinkedIn](#) | [CodeRED](#) | [YouTube](#)

From: Webmaster <webmaster@ci.brooklyn-center.mn.us>
Sent: Friday, April 14, 2023 10:08 AM
To: Reggie Edwards <redwards@ci.brooklyn-center.mn.us>; LaToya Turk <lturk@ci.brooklyn-center.mn.us>; Jesse Anderson <janderson@ci.brooklyn-center.mn.us>
Subject: FW: Feedback for Brooklyn Center, MN

FYI



Armando Oster
Community Engagement Specialist
6301 Shingle Creek Pkwy | Brooklyn Center, MN 55430
Cellular: (763) 339-3849 | Office: (763) 569-3396
aoster@ci.brooklyn-center.mn.us

[Website](#) | [Twitter](#) | [Nextdoor](#) | [LinkedIn](#) | [CodeRED](#) | [YouTube](#)

From: webmaster@ci.brooklyn-center.mn.us <webmaster@ci.brooklyn-center.mn.us>
Sent: Thursday, April 13, 2023 7:03 PM
To: Webmaster <webmaster@ci.brooklyn-center.mn.us>
Subject: Feedback for Brooklyn Center, MN

You have received this feedback from David jorgensen [REDACTED] for the following page:

<https://www.brooklyncentermn.gov/government/departments/community-development/planning-zoning>

Concerning jo companies plan on 61 ave. Brooklyn Center has lost alot Job opportunities for the

residents to find employment. For the number of residents there doesn't appear for parking on the property leaving parking on the street with a danger street due to people parking by the wasted park and the curve coming from the west and the lack of enforcement of traffic laws in BC. It would be nice if there was a promise that the BC crime rate would be reduced or BC residents involved in crime more people more may increase crime. There must be a better use for the property beside stuffing lots of people in the small space. There is a lot of dense housing in the area. BC wanted to limit the rental of houses in the but now they want more density housing inconsistent planning.

JO Companies (Wangstad Commons)



REQUESTS:

Preliminary and Final Plat
 Site and Building Plan
 PUD Amendment | Rezoning
 Comprehensive Plan Amendment



City Council Meeting | May 8, 2023
 Ginny McIntosh, City Planner/Zoning Administrator

Requested Action

JO Companies ("the Applicant") is requesting review and consideration of a proposal that would allow for the re-plat and redevelopment of approximately 1.77 acres (4 parcels) owned by the City's EDA, and located at: 6107 Brooklyn Boulevard, 6101 Brooklyn Boulevard, 3600 61st Avenue North and 3606 61st Avenue North ("the Subject Property").

- Preliminary and Final Plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION
- Site and Building Plan: 54-unit multi-family residential rental development
- Planned Unit Development (PUD) amendment and rezoning of northernmost parcel (6107 Brooklyn Boulevard) from PUD/C2 to MX-N1, which reflects zoning of three other parcels within Subject Property
- Comprehensive Plan Amendment: Allow for re-designation of Subject Property to accommodate use (mix of Commercial and Low-Density Residential to Neighborhood Mixed-Use) to Neighborhood Mixed-Use





3

Background

- The City's EDA acquired the four parcels between 2012 and 2019
 - EDA has been actively acquiring parcels along Brooklyn Boulevard for years with intent for consolidation to highest and best (re)use.
- The Subject Property initially generated interest in redevelopment from Thor Living LLC (later Coalition Development LLC) in 2018, where it was presented to City Council as a **113-unit**, mixed income apartment building.
 - Coalition secured Preliminary Development Agreement and Purchase Agreement, but was unable to follow through with conditions outlined and agreements became invalid.



4

Background (Cont.)

2020

January: The Applicant (JO Companies) initially proposed multi-family residential apartment building of between **83 and 88 units**.

February: City Council issued letter of support for HC grant application, and EDA issued Preliminary Development Agreement.

May: City Council issued letter of support for Met Council grant application.

June: The Applicant receives grant funding from Met Council.



5

Background (Cont.)

2021

March: A project update is provided to City Council, which now contemplates further reduced **54-units** of multi-family—revised plans are provided, which outlines expanded green space and community amenities and unit mix is updated to increase likelihood of MHFA funding.

June: The EDA approves resolution supporting use of TIF in advance of Applicant application to MHFA. An Option Agreement and term sheet are also approved by resolution and the Applicant begins community engagement process with LISC.

July: The Applicant receives word from MHFA that initial application was unsuccessful.



6

Background (Cont.)

2022

July: The Applicant re-submits application to MHFA.

December: The Applicant receives approval of MHFA LIHTC Application for Wangstad Commons project (54 units).



7

Background (Cont.)

2023

January: The Applicant begins semi-regular meetings with City staff to revise plan sets according to new Unified Development Ordinance (zoning).

March: City Council/EDA Work Session is held to work through certain financing gaps and direction is requested as to options for minimizing financial project gap. Based on feedback provided, City staff begins preparing formal TIF Agreement based on revised terms and creation of new Housing TIF District.



8

Preliminary and Final Plat

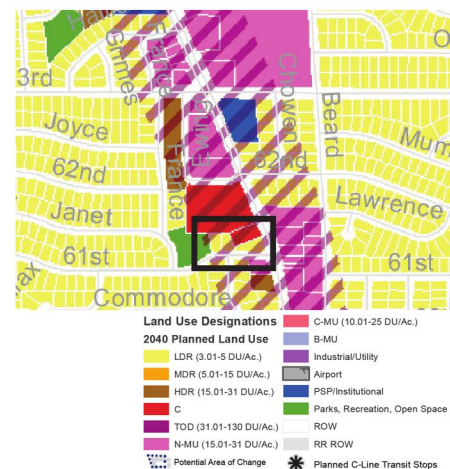
- Four EDA-owned parcels would be re-platted to one parcel to accommodate 54-unit multi-family residential building and site improvements.
- Minor edits requested from City staff for updating on preliminary plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION.
 - Planning Commission report was revised in advance of Council meeting following revisions made by Applicant to address City staff comments.
 - Amendment or creation of new, dedicated easement for shared access drive off Brooklyn Boulevard is required.
 - Vacation of utility easement running through center of Subject Property—Applicant submitted application for review and consideration at future Council meeting.
 - Any requirements outlined by Hennepin County.



9

Comprehensive Plan Amendment

- Comprehensive Plan amendment required when a community changes any part of a municipality's adopted comprehensive plan, including land use changes to allow for a proposed development.
- Requested amendment comes as matter of timing as Applicant was just beginning conversations with City as 2040 Comprehensive Plan Process was wrapping up.
- Subject Property was future land use designated as mix of Commercial (C) and Low-Density Residential (LDR) due to their former land uses of an overflow lot for former Brookdale Chrysler-Plymouth dealership and single-family homes.



10

Comprehensive Plan Amendment (cont.)

- Requested re-designation of Subject Property is to **Neighborhood-Mixed Use (N-MU)**, which was a new future land use designation under the 2040 Plan and guides, “land surrounding key neighborhood intersections for a mix of residential, retail commercial/office uses. This designation plans for the redevelopment of existing uses and assumes a minimum of 50% of land within this designation would be for residential purposes, and the remaining area would be developed with neighborhood scale retail, service and commercial uses.”
 - During comprehensive plan engagement process, some residents vocal about existing multi-family opportunities and lack of diversity in housing stock.
 - Some residents indicated few options available for larger multi-family units (3+ bedrooms) and availability of housing options closer to supportive retail, commercial, and services so they can walk, bike or easily use transit to meet needs.
 - Subject Property falls within Brooklyn Boulevard Corridor Project area, which was intended to improve roadway and intersection safety, enhance traffic operations and improve bicycle and pedestrian travel.



11

Planned Unit Development Amendment – Rezoning

- Request to **remove** the northernmost parcel located within the Subject Property (6107 Brooklyn Boulevard) from PUD/C-2 (Planned Unit Development/Commerce) District and **re-zone** to match the current zoning (MX-N1) of the three other parcels located within the Subject Property.
 - The PUD this parcel is in was established in 1998 as part of the former Brookdale Chrysler-Plymouth dealership, which was in existence since 1962. The northernmost parcel was intended for an overflow sales and display lot.
 - PUD was amended in 2016 to remove automotive/dealership restrictions and allow for redevelopment of neighboring 6121 Brooklyn Boulevard (Sanctuary at Brooklyn Center), but this parcel was not removed from PUD and remained in EDA ownership.
 - Attorney direction is to amend/restate PUD Agreement with neighboring property owner to remove parcel.



12

Site and Building Plan



13

Site and Building Plan

- 54 Units of Multi-Family Residential Rental Development at affordability bands of between 30 and 60-percent of Area Median Income (AMI). Unit Mix Provided is:
 - 13 units – 1 Bed/1 Bath (24% of units)
 - 27 units – 2 Bed/1 Bath (50% of units)
 - 9 units – 3 Bed/1 ¾ Bath (17% of units)
 - 5 units – 4 Bed/1 ¾ Bath (9% of units)



14

Site and Building Plan

Dimensional Standards

- Subject Property would be consolidated to one parcel to accommodate the four story, 54-unit multi-family residential building. Assuming a re-zoning of the northernmost parcel (6107 Brooklyn Boulevard) to reflect the remaining three parcels' zoning of MX-N1 District, the following dimensional standards were provided with the submittal:

Dimensional Standards	MX-N1 District	Wangstad Commons (Proposed)
Building Setbacks		
Front Build-to (Min-Max)	5-20 feet on primary and secondary frontage	10 foot (61 st Avenue North) 20 feet (Brooklyn Boulevard)
Side-Interior (Min) —NOTE: Rear building setbacks are considered side-interior setbacks for corner lots	10 feet	180 feet (west) 85 feet (north)
Other Standards		
Structure Height (Max)	48 feet	44 feet
Density	15-31 Dwelling Units/Acre	30.5 Dwelling Units/Acre

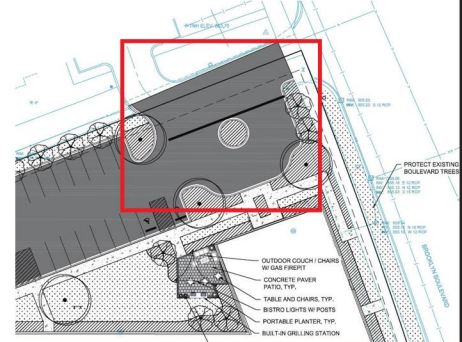


15

Site and Building Plan

Traffic | Access | Parking | Circulation | Connection

- Primary site access off Brooklyn Boulevard, with limited access utilizing right-turn only onto southbound Brooklyn Boulevard or into Subject Property or full access from intersection of 61st Avenue North and Brooklyn Boulevard
- City staff submitted plan set to Hennepin County—preliminary comments were provided which addressed sight lines at Brooklyn Boulevard, necessity of a ROW permit, and the proposed turnaround (revisions requested).
- Fire truck access exhibit provided as part of submittal.
- Parking: Maximum of 108 spaces to be provided assuming 54 units
 - Surface Lot: 49 spaces
 - Underground Parking: 47 spaces
 - TOTAL: 96 parking spaces (1.77 parking ratio)**
- Minimum standards for parking dimensions and drive aisles are met.
- Sidewalk connections and bicycle facilities are provided.



16

Site and Building Plan

Lighting

- A photometric plan and fixture schedule was submitted—City staff reviewed plans for compliance
 - Maximum foot-candles at property line/ROW
 - Min-Max ranges for open air parking lots
 - Minimum foot-candles for pedestrian entrances and exits (multi-family residential)
 - Maximum pole heights and lighting types

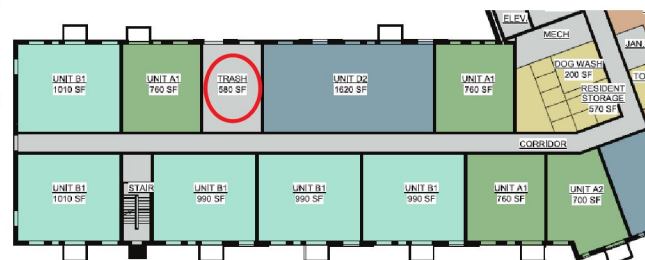


17

Site and Building Plan

Trash / Screening

- Central trash chute system to be installed along west end of building, with trash room on first floor. Trash would be rolled out to dedicated pad area on pickup days.
- Trash and recycling receptacles provided in communal areas
- All ground mounted and roof mounted equipment shall be effectively screened from public view and per City Code requirements.



18

Site and Building Plan

Architectural Materials

- City staff reviewed the submitted architectural set against the City's building materials, as outlined under Section 35-5203 of the City Code. As proposed, the Applicant intends to utilize a mix of brick, fiber cement board, glazing, and metal paneling on each of the elevations. An elevation-by-elevation material breakdown is provided, along with an overall material calculations breakdown.

MATERIAL ID	MATERIAL	MANUFACTURER	FINISH	COLOR	EXAMPLE
BRICK-1	FACE BRICK	GLEN GERRY	SMOOTH	EBONITE	
FCB-1	FIBER CEMENT BOARD LAP Siding	JAMES HARDIE	SMOOTH	ARCTIC WHITE	
MP-1	METAL PANEL	VITRABOND	ANODIZED	BLACK ANODIZED	

OVERALL BUILDING MATERIAL CALCULATIONS

Material	Calculated Area (SF)	Percentage
Brick	14219	41%
Fiber Cement Board	9984	29%
Glazing	8181	24%
Metal Panel	2216	6%
Grand total: 27	34600	100%



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Site and Building Plan

Architectural Materials

- City Staff provided feedback to the Applicant from January until March 2023 and with the adoption of the City's new Unified Development Ordinance
 - Required adjustments to building orientation and setbacks
 - Relocation of parking garage
 - Adjustments to locations of balconies along 61st Avenue North while adhering to maximum building setback requirements (frontage) for MX-N1 District



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Site and Building Plan

Landscaping

- A landscape plan was submitted with detail sheet; however, no planting schedule was provided and City staff was unable to conduct full review. Applicant will need to comply with City's UDO.
Note: Revised plans submitted on May 3, 2023.
- Majority of existing trees would require removal, although trees along western edge proposed for preservation.
- MX-N1 District developments utilize a minimum project valuation for the purposes of establishing minimum landscaping requirements—to be provided by Applicant.

Signs

- No specific signage requests were made for new or revised signage, although maximum 100 SF is noted in two places on renderings for a wall sign.
- All signage will need to comply with the allowances as outlines in the adopted City signage regulations.
- Applicant will need to apply for necessary sign permits prior to installation.



21

Additional Reviews

- Engineering reviewed plans and provided a memo dated March 30, 2023 and last revised April 26, 2023.
- An MPCA NPDES permit is required and a Construction Management Plan and Agreement, and Utility Facilities Easement Agreement shall be submitted to the City before any permits can be issued.
- Building Official conducted a cursory review of the submission and provided a memo dated April 7, 2023 with comments and conditions of approval.
- CPTED (Crime Prevention through Environmental Design) review to be completed by City staff for any new construction sets proposed.
- Plan sets were reviewed by Hennepin County and preliminary comments provided. Any approval is subject to compliance with any requested revisions or recommendations from these external reviews.



22

Summary and Notifications

- LISC led community engagement efforts in summer 2021—engagement summary is included with report.
- Public hearing notice was published in the *Sun Post* on March 30 and mail notifications were sent out to properties in vicinity of the Subject Property.
 - Two public comments received (comments in packet):
 - Susan Jorgensen—via email on 04/13 and present at 04/13 public hearing
 - David Jorgensen—via email on 04/13 (email not received until 04/14)
- Development proposal posted on Subject Property in advance of public hearing.
- Extensive discussion at Planning Commission meeting and covered: project progression and changes in units/unit mix, MHFA process, safety and security measures, snow removal, proposed trash and loading areas, parking requirements, and necessity of a traffic study.
- Planning Commission recommended unanimous (6-0) approval to City Council.



23

OBS

Recommendation

Motion to:

Adopt a resolution regarding Planning Commission Application No. 2023-001, for approval of:

- (1) a preliminary and final plat for WANGSTAD'S BROOKLYN TERRACE SECOND ADDITION,
- (2) the submitted site and building plans,
- (3) an amendment to remove 6107 Brooklyn Boulevard from the original 1998 Planned Unit Development, and
- (4) re-zoning of the aforementioned property from PUD/C2 to MX-N1, which reflects the zoning of the three other parcels located within the Subject Property and located at 6101 Brooklyn Boulevard, 3600 61st Avenue North, and 3600 61st Avenue North, and
- (5) a recommended amendment to the City's 2040 Comprehensive Plan to allow for a future land use re-designation of the Subject Property from a mix of Commercial (C) and Low-Density Residential (LDR) to Neighborhood Mixed-Use (N-MU), based on the findings, and as amended by the conditions of approval in the resolution, and subject to final approval by the Metropolitan Council for the requested Comprehensive Plan Amendment.



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OB5 As the request by the Applicant includes a request to re-zone the Subject Property from a PUD/C2 (Planned Unit Development/Commerce) District to a PUD/MX-B (Planned Unit Development/Business Mixed-Use) District, City Code dictates that the City Zoning Ordinance be amended to reflect the re-zoning. A draft copy of the ordinance language is included for review. Should the City Council proceed with the re-zoning, a motion to approve a first reading of an ordinance amending Chapter 35 of the Zoning Code of Ordinances regarding the Subject Property located at 1297 Shingle Creek Crossing would be required. Following the motion, a second reading and public hearing would be scheduled for August 8, 2022. The request for a Comprehensive Plan Amendment will require a separate submittal to the Metropolitan Council for review and any final approval; however, a recommendation from the local planning body and local governing body authorization is required to proceed with a submittal.

Olivia Boerschinger, 7/11/2022

Council Regular Meeting

DATE: 5/8/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Elizabeth Heyman - Director of Public Works

SUBJECT: Resolution Declaring the Brooklyn Center City Council's Official Public Comments on the Minnesota Department of Transportation's Highway 252/94 Scoping Document Draft Scoping Decision Document

Requested Council Action:

- Motion to approve a resolution declaring the Brooklyn Center City Council's official public comments on the Minnesota Department of Transportation's Highway 252/I-94 Scoping Document and Draft Scoping Decision Document.

Background:

The Minnesota Department of Transportation (MnDOT), along with local and federal project partners, are currently studying proposals to improve safety, address reliability, and reduce congestion on Hwy 252 between Hwy 610 in Brooklyn Park and I-694 in Brooklyn Center, and on I-94 from I-694 in Brooklyn Center to downtown Minneapolis.

As part of this effort, MnDOT is preparing a multi-year Environmental Impact Statement (EIS), that outlines the impact a potential construction project could have on the surrounding area, including effects to the social, economic, and environmental in the proposed project area.

On March 21, 2023, MnDOT released the project's draft Scoping Decision Document which describes the elements and alternatives evaluated as part of the scoping process for the Hwy 252/I-94 project. In this draft document, MnDOT identifies ten Hwy 252/I-94 corridor alternatives for further study in the draft EIS; including three freeway corridor alternatives for the Hwy 252 portion of the project. MnDOT is currently seeking public comments on this document.

Based on the comments and discussion Council had with MnDOT staff at the City Council meeting on April 10, 2023, and the discussion Council had at a Council work session on April 24, 2023, staff have drafted the attached letter that will serve as the Council's public comment on the draft Scoping Decision Document. Before finalizing Council's public comments, staff are seeking to confirm the Council would like to recommend the following Hwy 252 Corridor Elements for further evaluation in the Draft Environmental Impact Statement:

1. Six-Lane Expressway
2. Four-Lane Low Speed Arterial Roadway

Budget Issues:

N/A

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	5/1/2023	Cover Memo
Brooklyn Center City Council Comments on Hwy 252/I-94 Draft SDD	5/1/2023	Backup Material
powerpoint	5/22/2023	Presentation

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING THE BROOKLYN CENTER CITY COUNCIL'S OFFICIAL PUBLIC COMMENTS ON THE MINNESOTA DEPARTMENT OF TRANSPORTATION'S HIGHWAY 252/I-94 SCOPING DOCUMENT AND DRAFT SCOPING DECISION DOCUMENT.

WHEREAS, the Minnesota Department of Transportation (MnDOT) is seeking public comment on the Highway 252/I-94 Scoping Document and Draft Scoping Decision Document; and

WHEREAS, the Council believes the Highway 252 corridor is dangerous by design.; and

WHEREAS, Brooklyn Center has long advocated that the safety issues along the corridor must be addressed, and therefore, the City Council is supportive of the MnDOT completing a holistic environmental review process to chart a course for improving safety in the corridor, while at the same time protecting human health, promoting regional equity, and enhancing the livability and prosperity of Brooklyn Center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the attached letter serves as the Council's official public comment on the Highway 252/I-94 Scoping Document and Draft Scoping Decision Document.

May 8, 2023

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.



Minnesota Department of Transportation
395 John Ireland Blvd
St. Paul, MN 55155

May 8, 2023

Re: City of Brooklyn Center Comments on the Highway 252/I-94 Scoping Document and Draft Scoping Decision Document

Dear Commissioner Daubenberger,

The City of Brooklyn Center appreciates the opportunity to review and comment on the Highway 252/I-94 Scoping Document and Draft Scoping Decision Document (SDD). The Highway 252 corridor is dangerous by design. According to the draft SDD, the full length of Highway 252 and I-94 within the project area have a demonstrated crash problem and that crossing Highway 252, on foot or by bike, can be difficult due to the number of lanes, crossing distances, and busy intersections. Brooklyn Center has long advocated that the safety issues along the corridor must be addressed. Therefore, the City is supportive of the Minnesota Department of Transportation (MnDOT) completing a holistic environmental review process to chart a course for improving safety in the corridor, while at the same time protecting human health, promoting regional equity, and enhancing the livability and prosperity of Brooklyn Center.

It is well known that while Minnesota is one of the healthiest states in the country, it also has some of the worst health disparities. All communities can experience poor health outcomes, but due to systemic inequities, they disproportionately occur in communities of color and the American Indian community. Research show that only 10 percent of health is influenced by clinical care, and another 10 percent by genetics. The remaining 80 percent is a result of the physical environment, health behaviors, and social and economic factors¹, making it exceedingly important to assess how plans for Highway 252/I-94 will impact resident health.

¹ Generations Health Care Initiative, "Connecting Health with Communities," ghci.us/community-health; and World Health Organization, "Health Impact Assessment: The Determinants of Health," <https://www.who.int/health-topics/health-impact-assessment>.

Furthermore, the majority of Brooklyn Center residents are people of color and according to the first report from the Highway 252/94 project's Equity and Health Assessment,

“Compared to the typical Minnesotan, people living along the Hwy 252/I-94 corridor are at greater risk of disease, hospitalization, and death due to poor air quality. Urban counties and counties with a higher proportion of people of color, such as Hennepin County, have higher rates of emergency room visits, hospitalizations, and deaths resulting from fine particle matter and ozone exposure. Environmental Protection Agency models put the lifetime risk of cancer from inhalation of air toxins at 31 parts per million for communities along the corridor. This risk is a function of air toxic concentration, exposure rates, and socioeconomic conditions.

MnDOT's three Hwy 252 Corridor Elements recommended for advancement in the draft SDD have the potential to deepen air quality related health inequities by introducing 34,400 – 54,500 more vehicles per day to the Highway 252 corridor; a corridor that already carries 57,000 to 66,000 vehicles per day. However, at this phase of the study, MnDOT is not assessing the air quality impacts of each alternative. Given that we know the physical environment greatly influences the health, and therefore safety, of a community, the Brooklyn Center City Council believes it is imperative to use a more holistic understanding of safety to truly carry out an equitable analysis of the impacts of the project. Removing all non-freeway options before air quality impacts are measured means Brooklyn Center residents, and residents in the entire region, will never have true holistic understanding of how each alternative performs from health and safety perspective.

Additionally, the Brooklyn Center City Council is concerned about the impact the recommended freeway options may have on the City's tax base. Brooklyn Center has among the lowest per capita tax capacity within the Twin Cities metro region. This places a higher per capita tax burden on Brooklyn Center residents compared to peer communities, including wealthier areas with a higher ability to pay. This is partially the result of national and regional changes in commercial trends that has shifted the tax burden from the city's declining commercial core to the city's modestly valued housing stock. Carrying only freeway options through to the next phase of study guarantees decreases to the City's tax base. The decreases will come not just from land taken off the tax rolls through eminent domain, but also from the property value decreases that will occur as properties directly adjacent to the proposed freeway interchanges are negatively impacted by increased traffic levels and traffic noise.

Therefore, the Brooklyn Center City Council is asking MnDOT to make the following changes to the draft SDD:

- Change the draft SDD to recommend the following Hwy 252 Corridor Elements for further evaluation in the Draft Environmental Impact Statement (EIS):
 - Six-Lane Expressway
 - Four-Lane Low Speed Arterial Roadway

- Include pedestrian and bicycle overpasses in the definition of the Six-Lane Expressway and Four-Lane Low Speed Arterial Roadway corridor elements.
- Reevaluate how bicycle and pedestrian overpasses impact a corridor element's multimodal level of service.
 - The City Council understands that not all users will utilize bicycle and pedestrian overpasses. However, they find it unreasonable to accept no risk at ground-level intersections when freeway alternatives come with their own set of risks, including negative effects on health, safety, and property. In simpler terms, the Council believes that incorporating bicycle and pedestrian overpasses into non-freeway Highway 252 corridor elements should result in a higher overall multimodal level of service rating, meaning better accessibility and connectivity for various modes of transportation.
- Add project evaluation criteria that evaluate the project's effect on the City's tax base, including, but not limited to, the following:
 - Taxable property removed from the tax base
 - Projected changes in property values
 - Projected changes in business activity
- Update the project's purpose and need statement to state:
 - The purpose of the Hwy 252/I-94 Project is to improve the safe and reliable movement of people and goods across multiple modes on and across Hwy 252 and I-94 between Hwy 610 in Brooklyn Park and North 4th Street in Minneapolis, while protecting and promoting human health, community livability and equity.

Sincerely,

Mayor April Graves

**Council Member Kris
Lawrence- Anderson**

**Council Member Marquita
Butler**

**Council Member Teneshia
Kragness**

Council Member Dan Jerzak

Hwy 252/I-94 Draft Scoping Decision Document

City Council Public Comments



5/8/2023

Liz Heyman, Public Works Director

Schedule

- **May 8: Council meeting**
 - **Must adopt comments** at this meeting if the Council wants to submit public comments as a body
- **May 19: End of Comment Period**

Materials provided
to Council:

- DRAFT letter from Council to MnDOT



Equity and Health Assessment (EHA)

- EHA enhances MnDOT's use of equity and health information during the Hwy 252/I-94 environmental review.
- Report #3 release sometime this week.
- Acts as public comment on draft Scoping Decision Document (SDD).
- MnDOT will use the EHA to document findings not addressed in the Hwy 252/I-94 EIS and to develop recommendations for further action in partnership with impacted communities.



3

MnDOT Hwy 252 Recommendations

Recommended for further study in EIS

- Four-lane freeway including bus shoulders
- Six-lane freeway including bus shoulders
- Six-lane freeway including managed lanes
- All interchange options



4

4/10 Council Comments: Main Themes

1. Demonstrated 252 safety issues must be addressed while protecting and enhancing Brooklyn Center
 - **Comment: Continue with EIS process**
2. Take health impacts of increased traffic and traffic noise into account when evaluating safety
 - **Comment: Study a wider range of alternatives in EIS**
 - **Which ones?**
3. Take tax base implications into account when evaluating alternatives
 - **Comment: Add additional evaluation criteria**
4. Elevate health, community livability, and equity throughout the scoping process
 - **Comment: Adjust the purpose and need statement**



5

City Council Comments

1. Demonstrated 252 safety issues must be addressed while protecting and enhancing Brooklyn Center
 - **Comment: Continue with EIS process**

The City is supportive of MnDOT completing a **holistic environmental review** process to chart a course for improving safety in the corridor, while at the same time protecting human health, promoting regional equity, and **enhancing** the livability and prosperity of Brooklyn Center.



6

City Council Comments

3. Take tax base implications into account when evaluating alternatives
- **Comment: Add additional evaluation criteria**

Add project evaluation criteria that evaluate the effect on the City's tax base, including, but not limited to, the following:

- Taxable property removed from the tax base
- Projected changes in property values
- Projected changes in business activity



7

City Council Comments

4. Elevate health, community livability, and equity throughout the scoping process
- **Comment: Adjust the purpose and need statement**

Update the project's purpose and need statement to state:

The purpose of the Hwy 252/I-94 Project is to improve the safe and reliable movement of people and goods across multiple modes on and across Hwy 252 and I-94 between Hwy 610 in Brooklyn Park and North 4th Street in Minneapolis, ***while protecting and promoting human health, community livability and equity.***



8

Non-Freeway Options

- **Six lane expressway**
 - **Four-lane low speed arterial**
 - Six-lane low speed arterial
 - Local collector road with transitway
- Pick options that will differentiate the non-freeway options
 - Didn't hear community support for disconnecting from Hwy 610



9

Comparing Non-Freeway Alternatives

Considerations	Six lane expressway	Four-lane low speed arterial	Six-lane low speed arterial	Local collector road with transitway
Traffic impacts to local roadway network	Low to moderate	Moderate	Low to moderate	High
Transit advantage	Bus shoulders	None	None	Exclusive transitway
Vehicle safety	Very similar to No Build	Better than No Build	Somewhat better than No Build	Distinctly better than No Build
Pedestrian and bicycle safety	Slightly better than No Build	Somewhat better than No Build	Slightly better than No Build	Better than No Build



10

City Council Comments

2. Take health impacts of increased traffic and traffic noise into account when evaluating safety
 - **Comment: Study a wider range of alternatives in EIS**
- Reevaluate how bicycle and pedestrian overpasses impact a corridor element's multimodal level of service.



11

Comparing Non-Freeway Alternatives

Considerations	Six lane expressway	Four-lane low speed arterial	Six-lane low speed arterial	Local collector road with transitway
Traffic impacts to local roadway network	Low to moderate	Moderate	Low to moderate	High
Transit advantage	Bus shoulders	None	None	Exclusive transitway
Vehicle safety	Very similar to No Build	Better than No Build	Somewhat better than No Build	Distinctly better than No Build
Pedestrian and bicycle safety	Slightly better than No Build	Somewhat better than No Build	Slightly better than No Build	Better than No Build



12

City Council Comments

2. Take health impacts of increased traffic and traffic noise into account when evaluating safety
 - **Comment: Study a wider range of alternatives in EIS**
- Evaluate in the draft EIS:
 - **Six-Lane Expressway**
 - **Four-Lane Low Speed Arterial Roadway**
 - Reevaluate how bicycle and pedestrian overpasses impact a corridor element's multimodal level of service.



13

Next Steps and Schedule

- **May 8: Next Council meeting**
 - **Must adopt comments** at this meeting if the Council wants to submit public comments as a body
- **May 19: End of Comment Period**



14

Extending the comment period

Lastly, the City Council asks that MnDOT extend the comment period on the draft SDD for another _____ days, to give the public sufficient time to review MnDOT's Equity and Health Assessment Report #3 in tandem with the draft SDD.



15

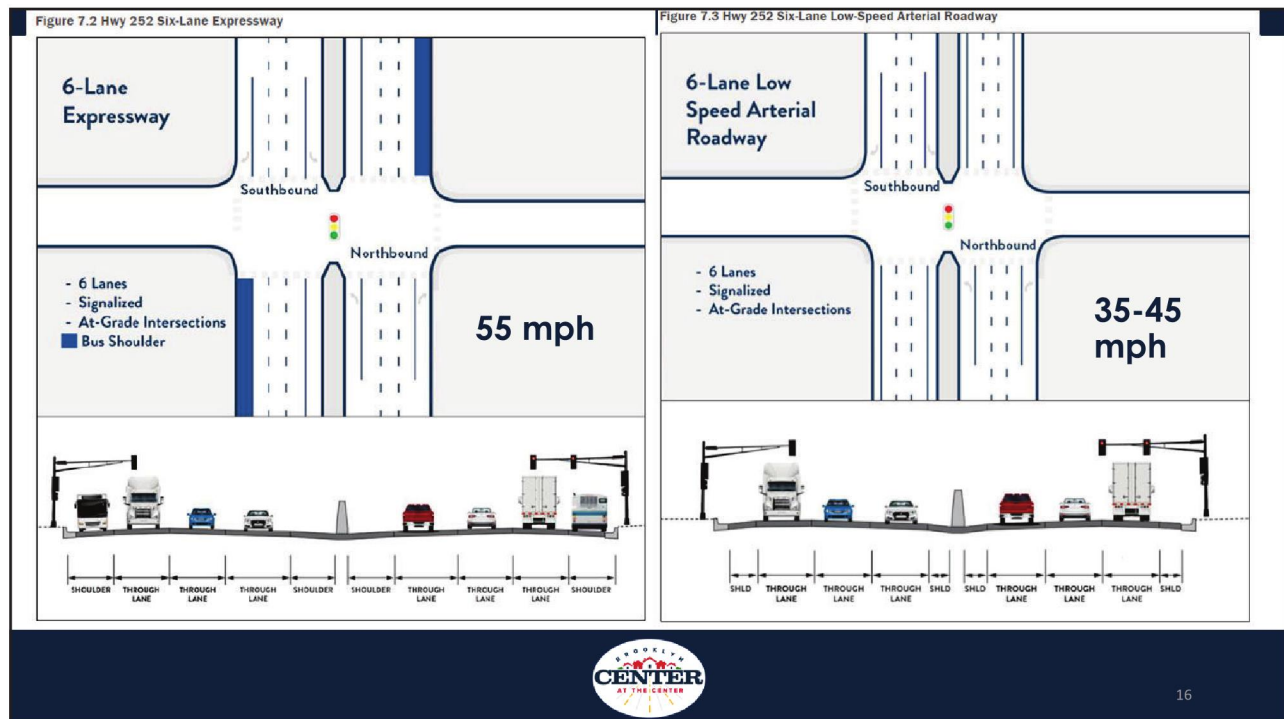
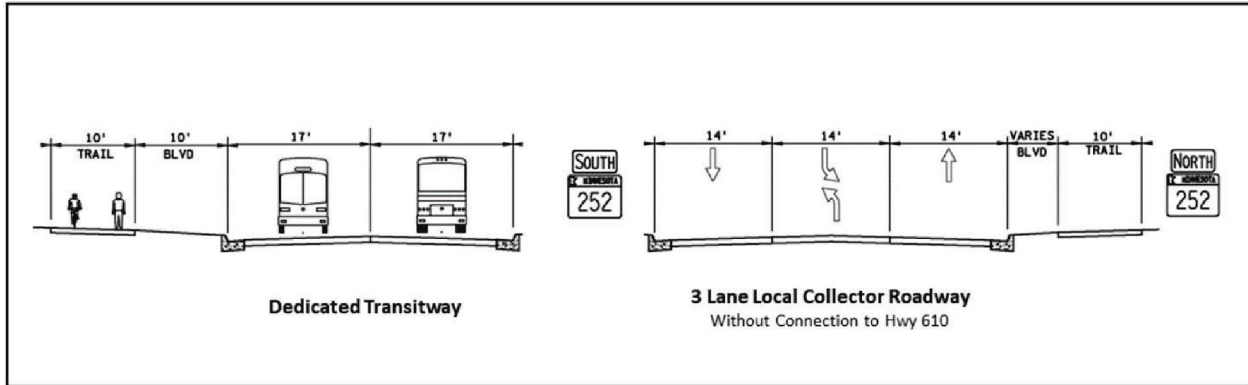


Figure 7.14 Hwy 252 Local Collector Road with Transitway



**Council/EDA Work
Session**

City Hall Council Chambers
May 8, 2023

AGENDA



ACTIVE DISCUSSION ITEMS

1. Opportunity Site Phase 1 Financing
- provide direction to staff regarding Opportunity Site Phase 1 Financing.

PENDING LIST FOR FUTURE WORK SESSIONS

1. Upcoming Items
 - Grant Discussion-May 22
 - Tenant Protection Data presentation-May 22
 - DKIC Traffic Stops presentation-May 22
 - THC Moratorium-June 12
 - Memorial Policy-June 12
 - Special Assessment Policy/Franchise Fees (*referred to Financial Commission*)
 - Beautification and Public Art Commission
 - Liquor Store 2 -
 - Organizational Chart-Budget work sessions
 - Rental License Review (*referred to Housing Commission*)
 - Food Truck Ordinance / License
 - Emerald Ash Borer Policy Review (*referred to Park & Rec Commission November*)