

**CITY COUNCIL
MEETING**

City Hall Council Chambers
March 23, 2020

AGENDA



1. Invocation - 7 p.m.

2. Call to Order Regular Business Meeting

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

3. Roll Call

4. Pledge of Allegiance

5. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- *Motion to approve the following minutes:*

- *March 9 - Study Session*
- *March 9 - Regular Session*

b. Approval of Licenses

- *Motion to approve licenses as presented*

c. Support for the City Clerk to Apply for the MCFOA Region IV Director Position

- *Motion to support the City Clerk on applying for the Municipal Clerks and Finance Officers Association of Minnesota (MCFOA) Region IV Director Position*

6. Presentations/Proclamations/Recognitions/Donations

7. Public Hearings

8. Planning Commission Items

a. Resolution Approving Planning Commission Application No. 2020-001 for a Special Use Permit and Parking Variance (Located at 4900 France Avenue North)

Motion to adopt a resolution approving Planning Commission Application No. 2020-001 for issuance of a Special Use Permit and parking variance to operate a mosque and community center at 4900 France Avenue North, as amended by the conditions of approval in the resolution.

9. Council Consideration Items

- a. Resolution Expressing Support for Converting Highway 252 From an at-grade Expressway to a Grade Separated Freeway
 - *Motion to approve a resolution expressing support for converting Highway 252 from an at-grade expressway to a grade separated freeway*

10. Council Report

11. Adjournment

Council Regular Meeting

DATE: 3/23/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Background:

In accordance with Minnesota State Statute 15.17, the official records of all meetings must be documented and approved by the governing body.

Budget Issues:

- None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
3-9 Study Session	3/19/2020	Backup Material
3-9 Regular Session	3/19/2020	Backup Material

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

STUDY SESSION
MARCH 9, 2020
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor Mike Elliott at 6:00 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, and Kris Lawrence-Anderson. Councilmember Dan Ryan was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Mayor Elliott stated he will remove Item 6d, related to Highway 252, from the Regular Agenda and move it to Item 10b.

MISCELLANEOUS

Mr. Boganey requested the City Council's consideration of two potential meeting dates. Both meetings would be held from 6:00 – 8:00 p.m. Meeting attendees should arrive by 5:45 p.m.

Mr. Boganey stated the meetings are with the School Board, and Common Sense. He added potential dates identified by City Staff are March 30, April 6, April 20, and May 4. He noted other dates can also be considered.

Mr. Boganey asked the City Council to indicate their meeting date preferences for him to tally the results. He added the dates of April 6 and May 4 are the preferred dates.

City Clerk Barb Suciu stated the Board of Appeal and Equalization meeting is scheduled for April 6, 2020.

Councilmember Graves gave the City Council copies of a Resolution of support and requested their consideration.

Councilmember Graves left the Study Session at 6:12 p.m. She noted she would return soon.

Mr. Boganey asked whether the dates of April 20 and May 4 would work. Ms. Suciú stated April 20 is the alternate date for the Board of Equalization. She added all Mondays in April are taken.

Mr. Boganey stated the School Board meeting will be scheduled for May 4, 2020, and a date will be sought for the additional meeting.

Mr. Boganey stated a webinar, hosted by the League of Minnesota Cities, will be held on Thursday, May 12, 2020, at 11:00 a.m., on the topic of coronavirus. Information will be provided for cities regarding what impact the coronavirus will have on the community and how to mitigate its effects. He noted City Councilmembers are welcome to attend.

Councilmember Butler asked whether City Staff have a plan in place for when to cancel City events and take other actions related to COVID-19. Mr. Boganey stated City Staff will follow the lead of Hennepin County's declarations. He stressed the importance of being in sync with Hennepin County and the State of Minnesota, in terms of declarations to initiate specific actions.

Mayor Elliott stated the Center for Disease Control (CDC) guidelines for cities and government organizations and how to respond to COVID-19.

Mayor Elliott stated he received a request from the Alliance for Sustainability for the City to participate in a grant application for the development of a sustainability plan for Brooklyn Center. He added the City is looking into forming a sustainability Commission. He noted a conference is planned that City Staff and Councilmembers may want to attend, which will address sustainability efforts and how cities can develop a sustainability plan.

Mayor Elliott stated he invited the Alliance's Executive Director to address the City Council at an upcoming Regular Meeting. He added the Alliance is focused on implementing sustainability standards that can help cities meet their overall energy goals.

Mayor Elliott stated he spoke with Tom Fisher, University of Minnesota Design Center, about addressing the City Council regarding the Design Center's work enhancing sustainability in communities that are actively under development.

Councilmember Lawrence-Anderson stated she spoke with Emily Anderson, Minnesota Non-Smokers Association, as well as a representative of the American Heart Association, regarding new initiatives that other cities have undertaken in terms of tobacco-related Ordinances. She added Golden Valley has initiated new legislation, and other cities are limiting the sale of flavored tobacco products. She noted these individuals would like to address the City Council on this issue and provide additional information.

Councilmember Butler stated, in January 2020, she brought to the City Council's attention the work of the Twin Cities Cohesion Initiative. She stated a consensus was reached to invite the Cohesion Initiative to address the City Council at an upcoming meeting.

Mr. Boganey stated he does not recall that there was a consensus on this issue, but it was reviewed by the City Council to be possibly added to a City Council agenda. Mayor Elliott stated it should be added to the calendar.

Mayor Elliott requested an update on the previously discussed letter of support for the Alliance for Sustainability. Mr. Boganey stated City Staff is looking at it and doing some research, in terms of how the letter of support will fit into the City's work plan for 2020, and whether staff requirements can be met.

Mayor Elliott stated his understanding is that the City's commitment would be in terms of staff time and leadership, and an emphasis on outreach to communities in Brooklyn Center. Mr. Boganey agreed, adding the letter of support would represent a commitment on the part of the City. He added the Initiative would help the City accelerate its goal of improving Green Step standing. He noted he wants to get City Staff's perspective.

Mayor Elliott asked whether there is City Council support for the grant application, for which the cost would be City Staff time, to move forward with the partnership with Alliance for Sustainability.

Councilmember Lawrence-Anderson asked whether there will be an actual cost to the City. Mr. Boganey stated there is the assumption that there will be some costs based upon recommendations that will come out of the report and the work that City Staff will do to meet the recommendations.

Mayor Elliott stated he has a sample letter of support from the City of Maplewood. He requested that City Staff look into getting some dates for these presentations.

Councilmember Lawrence-Anderson asked whether the City Council will be purchasing a table at this year's prayer breakfast. Mr. Boganey stated the City Council has never purchased a table.

Mayor Elliott asked whether a City Councilmember could be reimbursed if they attend such an event.

City Attorney Troy Gilchrist stated the use of City funds for reimbursement must be related to official roles and duties. He added government officials over the years have increasingly avoided reimbursement from City funds. He noted he would caution against it.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Mayor Elliott adjourned the Study Session at 6:45 p.m.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF BROOKLYN CENTER)

ss. Certification of Minutes

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Study Session of the City Council of the City of Brooklyn Center held on March 9, 2020.
2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.
3. That the City Council adopted said minutes at its March 23, 2020, Regular Session.

Barbara Suciu, City Clerk

Mike Elliott, Mayor

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

REGULAR SESSION
MARCH 9, 2020
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

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

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, and Kris Lawrence-Anderson. Councilmember Dan Ryan was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Community Development Director Meg Beekman, Public Works Director Doran Cote, Police Chief Tim Gannon, City Clerk Barb Suci, and City Attorney Troy Gilchrist.

Mayor Mike Elliott opened the meeting for Informal Open Forum.

Tom Kouri, 6416 Willow Lane, stated the 252 Task Force has had follow-up contact with Metro Transit, including a February 7, 2020 meeting with a Metro Transit representative. He added the Task Force asked her to take the initiative to support the Task Force and neighborhood needs concerning transit and plans for Bus Rapid Transit (BRT) through the corridor. He noted this would include options for maintaining express bus stops; addressing local transit needs for users on both sides of 252; and ensuring transit users can safely cross 252. The Task Force is trying to work with Metro Transit, to ask them to be a catalyst to drive improvement for the neighborhood.

A new resident stated she moved to Brooklyn Center a few months ago, and she lives near Summit Drive and Earle Brown Drive. She expressed concern regarding the large numbers of parking lot lights in her neighborhood, that are very bright and cause light pollution. She asked whether the City would consider lowering the lights and adding light shades to reduce the amount of light pollution.

The resident stated there are many under-utilized buildings with excessive parking in her neighborhood. She asked whether the City has plans for those properties, to reduce the amount of impervious surface. She noted she would like to find out about reducing the number of streetlights first.

Mayor Elliott requested the resident's name. She stated her name is Anne Marie Prescott.

Sarah Youngberg stated she was born and raised in Brooklyn Center, and she remembers when there was bus service along West River Road. She expressed concerns that bus service will be returned to West River Road. She added a young girl was killed in 1982 getting off a bus on West River Road, which was the catalyst for getting the road closed. After the road was closed, the neighborhood was safer and more family-friendly. She noted she has heard there will be bus service on West River Road.

Mayor Elliott stated there are no plans right now to put buses on West River Road.

Ms. Youngberg stated the current proposals for 252 includes an increase in traffic speed. She added the speed on 252 should be reduced immediately which would greatly increase safety. Mayor Elliott stated this could be an issue that the Task Force may be considering. He added the City Council and City Staff are reviewing information related to this subject and will respond to questions.

Public Works Director Doran Cote stated anyone can go on the Hennepin County website and find a link for the Highway 252 project where can enter their comments. The official public comment period on the environmental document will be this fall at the earliest.

Mayor Elliott asked whether a decision will be made in the fall after the public comment period. Mr. Cote stated municipal consent will be required after the public comment period.

Tara McCarthy stated most of MnDOT's plans for 252 include opening West River Road to accommodate traffic trying to access I-94, which will cause an even higher traffic load than in the 1980s when West River Road was closed. She added she hopes the City Council will take the time to review this situation and keep their neighborhood safe.

Steven Cooper stated tonight's City Council meeting agenda includes an action item related to Highway 252 which the Task Force believes is premature. The environmental report is not complete, and the public comment period will not be over until October 2020. The Task Force has asked many questions of MnDOT which they are unable to answer, and there is very little information upon which to act.

Mr. Cooper stated MnDOT is projecting 110,000 cars per day, a big increase over the current estimate of 60,000 cars per day. This increase in traffic will come from the north and east and will not be local traffic. This corridor has one of the highest levels of air pollution, and many cases of asthma, which are directly correlated. BRT should be included in the plan now. If the net effect is to increase traffic, pollution, and asthma, the City Council needs to know that in advance. Highway 252 is a road that is designed for traffic going 55-60 miles per hour and expressing support for an increase in traffic and speeds is premature.

A resident stated she saw someone was using their phone to make a video. Mr. Gilchrist stated this is a public forum meeting, and it is being recorded. He added it is permissible for people to make recordings of a public meeting.

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to close the Informal Open Forum at 6:57 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Lawrence-Anderson stated the City of Brooklyn Center is working on implementing safety plans related to COVID-19, and City Staff and Councilmembers plan to listen in to a webinar on Thursday, March 12, 2020.

Councilmember Lawrence-Anderson stated a devastating tornado in Nashville, Tennessee last week resulted in many deaths. She added her thoughts and prayers are with the people of Nashville.

Councilmember Lawrence-Anderson stated International Women's Day was Sunday, March 8, 2020.

Councilmember Lawrence-Anderson offered two quotes for the Invocation:

“The meaning of life is to find your gift. The purpose of life is to give it away.”
-Pablo Picasso

“The purpose of human life is to serve and to show compassion and the will to help others.” -Albert Schweitzer

3. CALL TO ORDER REGULAR BUSINESS MEETING

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

4. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, and Kris Lawrence-Anderson. Councilmember Dan Ryan was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Community Development Director Meg Beekman, Public Works Director Doran Cote, Police Chief Tim Gannon, City Clerk Barb Suci, and City Attorney Troy Gilchrist.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Lawrence-Anderson moved, and Councilmember Butler seconded to approve the Agenda and Consent Agenda, as amended, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. February 3, 2020, Work Session
2. February 24, 2020, Regular Session
3. February 24, 2020, Work Session

6b. LICENSES

HOSPITALITY ACCOMMODATIONS

Best Western Plus	2050 Freeway Blvd Brooklyn Center 55430
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MECHANICAL LICENSE

Avid Heating & Cooling Inc	7700 County Road 110 Minnetrista 55364
Ditter Inc	820 Tower Dr Medina 55340
Sayler Heating & Air Conditioning Inc	6520 W Lake St St Louis Park 55426
S.E.W. Enterprises Inc	5621 Highway 12 Willmar 56201

RENTAL

INITIAL (TYPE IV – one-year license)
2806 66TH Ave N

Thown Thor / Wooberg LLC

INITIAL (TYPE II – two-year license)
5024 71st Ave N
5133 France Ave N
7130 Fremont Ave N
7119 Halifax Ave N

FYR SFR BORROW LLC II
FYR SFR BORROW LLC II
Sesan Ogunniran /EE & J Investment LLC II
HP Minnesota I / Pathlight Mgt II

RENEWAL (TYPE IV – one-year license)
3012-18 51st Ave N
5606 Bryant Ave N
5700 Camden Ave N

Sri Lakshmi Valiveti
Marc Silverstein / MNSF II W1 LLC
Daniel Gelb /Quality Residences/
Danmark Properties, LLC -

6618 Camden Dr

owes reinspection fee - Did not meet action plan,
missing crime-free housing

Hussain Khan - did not meet mitigation plan,
missing CPTED

5214 Ewing Ave N

My Truong & My Lam / J&M Homes

6900 Newton Ave N

FYR SFR BORROW LLC

RENEWAL (TYPE III – one-year license)

4953 Zenith Ave N

Matthew Greseth

7200 Camden Ave N

Evergreen Park Manor

Sean Bannemann

2018 55th Ave N

Chen Zhou

6601 Camden Dr

Leroy Massaquoi

5519 Colfax Ave N

Ryan Smith

3018 Nash Rd

Timothy Cavanaugh

RENEWAL (TYPE II – two-year license)

5332-36 Russell Ave N

Douglas Ryan

3328 49th Ave N

Sherman Kho

5323 Brooklyn Blvd

Chen Zhou

6337 Bryant Ave N

My Truong / Park Avenue Homes LLC

6610 Colfax Ave N

FYR SFR BORROW LLC

7018 Drew Ave N

Michael A Bocko

5548 Dupont Ave N

John Ford Lindah

5748 Humbolt Ave N

FYR SFR BORROW LLC

RENEWAL (TYPE I – three-year license)

5801 Irving Ave N

IH3 Property Illinois LP

5449 Lyndale Ave N

Kathleen Lemay/Rod Carlson /

Living Well Disability Services

6206 Scott Ave N

Mark & Cathy Cocker

5907 York Ave N

Xian Qiang Lin / Infinite Property LLC

6812 Zenith Ave N

Elizabeth Paredes Rosario

6c. RESOLUTION NO. 2020-34 ACCEPTING BID AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2020-07, WATER TOWER NO. 1 REHABILITATION

6d. RESOLUTION NO. 2020-35 EXPRESSING SUPPORT FOR CONVERTING HIGHWAY 252 FROM AN AT-GRADE EXPRESSWAY TO A GRADE SEPARATED FREEWAY (MOVED TO ITEM 10B)

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

-None.

8. PUBLIC HEARINGS

-None.

9. PLANNING COMMISSION ITEMS

9a. REQUEST TO DIRECT STAFF TO PREPARE A RESOLUTION FOR THE APPROVAL OR DENIAL OF PLANNING COMMISSION APPLICATION NO. 2020-001 FOR THE ISSUANCE OF A SPECIAL USE PERMIT AND PARKING VARIANCE TO OPERATE A MOSQUE AND COMMUNITY CENTER AT 4900 FRANCE AVENUE NORTH

Community Development Director Meg Beekman reviewed a request for a Special Use Permit and parking variance for a mosque and community center at 4900 Avenue. The applicant identified this property as a new location for their mosque and community center after their previous location in Brooklyn Center became unavailable. The applicant wants to remain in Brooklyn Center, where their membership is largely based. The property at 4900 France Avenue N was previously in the I-2 Industrial zone, in which assembly uses are not permitted. An amendment to the zoning district was approved by the City Council on October 28, 2019, which allows religious uses by Special Use Permit.

Ms. Beekman stated the property would be used for worship space as well as gathering areas and office space and additional classroom space for youth education and engagement activities. The proposed use occupancy is estimated at 75 attendees each, or 150 total members, at two 30-minute prayer services to be held on Fridays between 12:00 p.m. – 2:00 p.m. The subject property has two 4,000 square foot buildings, a parking lot and an outdoor trash enclosure. The main building at 4900 France Avenue N, which would be occupied first, is currently declared unfit due to water damage over the winter, which would need to be fully mitigated before a certificate of occupancy can be issued. The second building on the site does not meet building and fire code requirements.

Ms. Beekman stated the property is located on a cul-de-sac, with an electrical sub-station and adjacent industrial uses nearby, as well as an active railway line. In terms of parking, eight proof-of-parking stalls have been identified onsite. The applicant conducted a traffic study at the request of City Staff, prepared by Alliant Engineering, which estimated that 32 parking spaces could be striped onsite. The traffic study identified a need for 70 parking spaces based on potential trips generated by each prayer service. This constitutes a parking deficiency of nearly 40 stalls. City Staff acknowledges flaws in the parking study based on current membership and not actual occupancy of the property, although the Special Use Permit stays with the property, and parking should be based on occupancy.

Ms. Beekman stated a shuttle service is proposed to transport attendees to Friday services and reduce the need for additional parking. The shuttle service would consist of four vans with a

capacity of six persons each. Offsite parking would be available at Brookdale Christian Center, from whom a letter of agreement has been received. City Staff is requesting that the applicant finalize a parking agreement with Brookdale Christian Center.

Ms. Beekman stated another recommendation from the parking study was to sign the parking stalls in the existing parking lot, to restrict parking to carpool use only. The applicant is open to this requirement, which would be enforced with a designated parking attendant. Single-occupancy cars will be encouraged to use the shuttle service, although the shuttle might prove problematic for attendees who are on their lunch hour.

Ms. Beekman stated the traffic study recommended allowing on-street parking along 210 feet of France Avenue N, which is currently signed “no parking”. City Staff observed vehicles already parking in these areas, and also in nearby neighborhoods. France Avenue is a 30-foot wide roadway, and Zoning Code requires a 24-foot drive aisle for emergency access and City Staff does not support lifting the parking restrictions.

Ms. Beekman stated City Staff have calculated maximum occupancy loads at 346 occupants on the main floor based on 1998 building plans, and Zoning requirements specify 58 on-site parking spaces per service. The City Engineer reviewed the proposal and provided comments related to restriping the parking lot and additional comments regarding the parking traffic study.

Ms. Beekman stated the applicant has agreed that the parking lot would be expanded and restriped with an accessible route to 4902 France Avenue, relocation of the outdoor trash enclosure, and a landscape plan to bring the property into compliance with original 1998 plan.

Ms. Beekman stated City Staff has concerns about the proximity of the railroad line to the property line, and a requirement has been added for the installation of a fence. The electrical tower adjacent to the driveway is also a concern.

Ms. Beekman stated City Staff have provided options to mitigate offsite parking impacts, including removal of the circular building at 4902 France Avenue N, to provide for additional parking; and the requirement that an offsite parking agreement must be filed with the City. The City’s standards for Special Use Permits apply to this application.

Ms. Beekman stated a public hearing was held at the Planning Commission’s February 13, 2020 meeting. After a lengthy discussion and public comment period, the Planning Commission generally noted their support of the applicant’s mission but expressed concern about the viability of the property given the investment that would be required. The Planning Commission stressed the importance of installing a barrier between the subject property and the active railway line. There were also questions regarding the shuttle service.

Ms. Beekman stated many members of the Islamic community spoke in support of the applicant, and one local resident also spoke in favor. At the public hearing, Imam Dukuly, representing the

applicant, noted that other communities with mosques have strict on-site parking requirements, including Columbia Heights and Burnsville. City Staff contacted these communities, and the mosque in Columbia Heights is a small facility embedded in a residential neighborhood with ample on-street parking. The mosque in Burnsville is situated in a commercial strip mall and has had significant issues with parking and emergency access, and local complaints when mosque attendees park their cars in other commercial businesses' parking lots.

Ms. Beekman stated the Planning Commission was split on a 3-3 vote, and unable to make a recommendation to the City Council. City Staff is requesting that the City Council direct staff to prepare a resolution for either approval or denial for review at the City Council's March 23, 2020, regular meeting. If approval is recommended, the City Council may include additional conditions.

Councilmember Lawrence-Anderson asked whether the requested variance would allow on-street parking.

Ms. Beekman stated the intent is that parking would be accommodated on-site with re-striping, separate prayer services with fewer attendees at each service, and provision of a shuttle service. City Staff has expressed concern regarding the implementation of the proposed parking agreement with Brookdale Christian Center. The parking agreement would not be attached to an easement or property ownership, and longevity is not assured.

Councilmember Lawrence-Anderson requested clarification regarding on-street parking, and the minimum required width of the street. Ms. Beekman stated the street is 30 feet wide, with an assumed available drive lane of 21 feet or less. She added City Code requires a minimum width of 24 feet for a drive aisle.

Councilmember Lawrence-Anderson stated she would not support a 21-foot wide drive lane when City Staff recommends 24-foot width.

Mayor Elliott asked whether truck traffic traveling to and from the nearby industrial buildings follows a particular route. Ms. Beekman stated France Avenue is a dead-end cul-de-sac. She added City Staff have observed truck traffic using the cul-de-sac as a turn-around.

Councilmember Lawrence-Anderson expressed concern that there was not a consensus at the Planning Commission either to support or deny this Resolution. She asked whether there has ever been another planning application that ended in a tie vote. She stated she would prefer to have a recommendation from the Planning Commission, as the City Council relies on their consideration and recommendations.

Mayor Elliott requested clarification regarding Conditions of Approval. Ms. Beekman stated they are listed in the Planning Commission report, and also included in the meeting packet. She added

additional proposed conditions of approval have been identified by City Staff based on the Planning Commission's discussion.

Mayor Elliott asked about the proposed condition regarding the removal of one of the buildings to expand parking and limit the Special Use Permit to one building, which would reduce the need for additional parking.

Ms. Beekman stated City Staff estimates the current parking demand would be a minimum of 58 on-site parking spaces per worship service. She added the 35 available spaces would be a deficit-based on the occupancy of the circular building. She noted the applicant intends to create the assembly spaces first in 4900 France Avenue, and bring the second building into use in the future, which could double the amount of required parking.

Ms. Beekman stated City Staff noted an option would be to demolish the second building and use the space for parking or restrict its use so that an additional Special Use Permit would be required for future use.

Mayor Elliott stated the applicant provided a letter from Brookdale Christian Center that they agree with having parking there, so the applicant can provide a shuttle service to the mosque from their parking lot. Ms. Beekman confirmed this, adding the Condition of Approval related to this is that there should be a formal agreement on file with the City. She added City Code allows for off-site parking under the control of the user, and that is not the case, as the parking is under the control of Brookdale Christian Center.

Mayor Elliott left Council Chambers at 7:42 p.m.

Councilmember Butler stated the mosque was previously located in a residential area. She asked how parking was accommodated at that location. Ms. Beekman stated the mosque was able to utilize street parking at that location.

Councilmember Butler asked whether the Planning Commission reviewed the additional Conditions of Approval provided by City Staff. Ms. Beekman stated the Planning Commission discussed the issues addressed in the additional Conditions of Approval, but they did not add the conditions.

Mayor Elliott returned to Council Chambers at 7:46 p.m.

Imam Dukuly, representing the mosque and community center, stated there will be 25 parking spaces available on site. He added they have agreed to have two services, and parking will be sufficient. He added he will be coming to the mosque with a van and he can bring his whole family and other members. He noted many members are old and cannot drive, and they will be carpooling.

Imam Dukuly stated he will not commit himself to restrict the use of, or demolishing, one of the buildings. He added the first building will soon be ready for occupancy. He noted their dream is to occupy the other building as well.

Imam Dukuly stated the Brookdale church has already provided a letter from the church's Board for parking that has no time limitation. He added they have a relationship with that church. He noted he provided copies of the letter to City Staff.

Imam Dukuly stated the mosque and its members have done everything that the City has asked them to do. He added they spent \$4,000 to complete a traffic study on the property that they do not own. He noted the City Council already voted to change the zoning of the property, to make it possible for the mosque to be there. He asked why the City Council would now say they cannot use the property.

Imam Dukuly stated there should be no argument on the part of the City Council not to approve this request. He added the mosque and its members have agreed to abide by all the regulations. He noted, however, they cannot agree to the recommended conditions provided by City Staff.

Imam Dukuly stated he is tired of coming and asked how many more months this will go on. He added if the City Council agrees to this tonight, it will still be another month. He asked when they will have their place. He expressed concern that the mosque's children do not have a place to go, to have a source of learning, and to bring them up to be responsible citizens.

Imam Dukuly expressed frustration that the mosque wants to do something special and add to the community, and the City should support that. He added the City of Brooklyn Center is unique, with people of many diverse cultures all living in one city. He noted the mosque wants to stay in the community, but if this request is denied, he will publicly make it known that the Brooklyn Center City Council did not allow it.

Mayor Elliott requested clarification regarding the occupancy requirements for one building. Ms. Beekman stated occupancy was calculated for one level of the three-level office building, with the assumption that the upper level would be converted to assembly use. She added, for religious uses, the occupancy of the entire building is calculated, so the maximum for one service is 346 attendees. She noted a minimum of 58 onsite parking spaces would be required if there are two separate services or 116 spaces for one service.

Mayor Elliott stated the Board of Brookdale Christian Center provided a letter that grants parking without limitation in terms of duration. He asked how transportation would be handled from the church parking lot to the mosque.

Imam Dukuly stated the mosque has four vans that will transport people to the mosque, and parking lot attendants will ensure that the existing parking is used for carpools only.

Councilmember Butler asked whether the applicant has looked into putting a fence along the railroad and whether they have a quote. Imam Dukuly stated they knew that a fence would be required because of the location of the property. He added the Planning Commission told them to contact the railroad and electric facility about adding a fence around the property. He noted they were planning on doing that anyway.

Mayor Elliott stated the parking agreement between the church and the mosque provides a clear plan for transporting people to the mosque. He added it makes sense to conditionally approve this request, but make sure that a plan stays on file with the City.

Mr. Gilchrist stated, as a procedural note, no resolution for approval is currently under consideration. He recommended a motion be made to direct City Staff to provide a resolution to approve or deny the request that would be reviewed again at the City Council's March 23, 2020 meeting.

Councilmember Graves asked whether the parking management plan would be included in the Findings of Fact. Ms. Beekman stated a condition of approval would be a requirement that a parking management plan would be provided to be kept on file at the City.

Councilmember Graves moved and Councilmember Butler seconded to direct Staff to prepare a Resolution to include Findings of Fact for the Approval of Planning Commission Application No. 2020-001 for the Issuance of a Special Use Permit and Parking Variance to Operate a Mosque and Community Center at 4900 France Avenue North.

Motion passed unanimously.

Mr. Boganey stated another motion may be required if the City Council intends to include conditions.

Mr. Gilchrist stated the conditions were discussed when the Planning Commission reviewed this application. He added conditions proposed earlier will be combined with the Findings of Fact and included in the Resolution to be reviewed at the City Council's next meeting. He noted it is not necessary to review conditions unless the City Council intends to provide additional direction.

Mayor Elliott requested that City Council provide comments regarding any conditions for approval.

Councilmember Lawrence-Anderson stated approval should reflect that the worship services would be separated to reduce the number of individuals and the impact of parking.

10. COUNCIL CONSIDERATION ITEMS

10a. APPOINTMENT OF INDIVIDUALS TO SERVE ON CITY COMMISSIONS

Mayor Elliott stated the proposed appointee to the Planning Commission is Peter Omari.

Mayor Elliott stated, about the City's Commissions, the City Council commits to consider Commissioner appointments based on the geographical distribution as well as the make-up of the Commission in terms of gender, religion, ethnicity, race, age, disability, and so forth.

Mayor Elliott stated Peter Omari, a supervising attorney for Mid-Minnesota Legal Aid, has lived in the City of Brooklyn Center for 8 years. He invited Mr. Omari to address the City Council.

Peter Omari stated he was born in Nairobi and grew up in India, and lived near Brooklyn Center for 10 years, on 49th Avenue and Dupont Avenue. He added he now lives at 72rd Avenue and Dupont Avenue. He noted he is very happy to be a resident of Brooklyn Center, and he is looking forward to getting involved in City government.

Mr. Omari stated he lives very near to Highway 252 and is very concerned about that project. He added he looks forward to creating a sustainable City. He stressed the importance of considering infrastructure that takes into consideration everyone in the community, including those that are less privileged. He noted many residents come from areas that are not life-friendly, and they should feel welcome and have the opportunity to find a place to call home and be treated with respect. He thanked the City Council for the opportunity to serve on the Planning Commission.

Mayor Elliott stated Mr. Omari will bring a new, wider lens to the Planning Commission, based on the intersection of all of his experiences, in particular, his housing background.

Mayor Elliott moved and Councilmember Butler seconded to appoint Peter Omari to the Planning Commission.

Motion passed unanimously.

Councilmember Graves asked whether other Commissioners have been re-appointed.

Mayor Elliott stated there are Commissioners whose terms have lapsed, but they will continue to serve until he analyzes the requirements he previously noted regarding the make-up of Commissions. He added there will be more appointees. He noted he will not take the approach of re-appointing people who are already Commissioners.

Councilmember Graves asked whether Mayor Elliott is doing personal recruitment of new Commissioners.

Mayor Elliott stated he makes announcements when he speaks publicly to certain community organizations, asking residents to consider applying for Commissions.

Councilmember Graves stated she fully supports more diversity in the City's Commissions. She added, however, many Commissioners have been serving the City for many years and have expressed their willingness to continue to serve but have not been re-appointed. She expressed concern that they should not feel un-appreciated, which is the message that is sent as they are put on hold while the Mayor tries to find somebody better.

Mayor Elliott stated he has expressed his gratitude to the Commissioners for their service. He added some Commissioners have served the City for 30-40 years. He noted he has expressed his appreciation to them personally. The intention of meeting these other objectives should not be construed as a lack of appreciation of current Commissioners.

Councilmember Graves asked how many other Commission positions are still open, that have current Commissioners who have not been re-appointed.

Mayor Elliott stated the City's policy is that Commissioners whose term expires will continue to serve until they are re-appointed or until someone else is appointed to their Commission seat. He added the Financial Commission has 1 vacancy; the Housing Commission has 1 vacancy, and the Park and Recreation Commission has 1 vacancy.

Councilmember Graves asked whether any of the Commissioners who are currently serving have been re-appointed. Mayor Elliott stated he has not re-appointed any existing Commissioners, but that does not mean that he will not do so. He added he hopes to strike a balance within the Commissions that are reflective of the diverse population of Brooklyn Center.

Councilmember Graves stated she supports that goal as well. She added, however, there are many reasons why some groups may not be represented, due to a lack of trust in government, conflicts in schedules, or issues related to childcare or transportation. She stressed the importance of not delaying the re-appointment of Commissioners who have served and continue to serve without being re-appointed.

Councilmember Lawrence-Anderson agreed. She added there are volunteer Commissioners who continue to serve although their terms expired in December 2019. She added the Charter stipulates that they can legally do so until they are re-appointed or replaced. She noted these Commissioners have been in limbo since December 2019, and at the very least, deserve to know what the Mayor's intentions are.

Councilmember Lawrence-Anderson stated she has been contacted by a Commissioner who is very upset about this situation. Councilmember Graves confirmed that she received a couple of phone calls as well.

Councilmember Graves asked Mr. Gilchrist whether there are legal implications associated with Commissioners that have not been re-appointed but continue to sit on Commissions and make recommendations.

Mr. Gilchrist stated there is a provision in City Code for carryover, but it is safe to say that it is not intended to be ongoing, but rather a temporary situation until there is an appointment. He added there is a point at which the legitimacy of the person who has not been appointed to a position could be questioned.

Councilmember Graves asked if there is anything she can do to help fill the vacancies. She added she has encouraged the Youth Council to get involved, as they are a very important and diverse group. She noted she completely understands and supports what the Mayor is trying to accomplish, and she knows it is not an easy task.

Councilmember Graves reiterated her concern about honoring, acknowledging and re-affirming those volunteers who have stepped up and have been willing to serve for many years, but who are unsure whether they will be re-appointed. Councilmember Lawrence-Anderson agreed.

Mayor Elliott stated he understands that Councilmember Graves supports these same goals. He added he acknowledges her concerns about those who have already been serving as Commissioners. He noted he has had conversations about involving the City's youth and has reviewed a model from the City of Northfield for involving youth and younger people in City organizations and commissions.

Mr. Boganey stated, in the last weekly update, he included information relevant to this discussion, about a Brooklyn Bridge Alliance initiative based on the Northfield model. He added City Staff intends to provide an additional review at a City Council meeting in the not too distant future.

10b. RESOLUTION NO. 2020-35 EXPRESSING SUPPORT FOR CONVERTING HIGHWAY 252 FROM AN AT-GRADE EXPRESSWAY TO A GRADE SEPARATED FREEWAY

Mayor Elliott stated he would like the City Council to table this Resolution. He added important discussions have occurred. Additionally, he attended a meeting at the State Capitol last week with City Manager Boganey that included County Commissioner Opat; State Representatives and Senators that represent Brooklyn Center and Brooklyn Park; representatives of Minnesota Department of Transportation; Brooklyn Park Mayor Jeff Lunde and Brooklyn Park's City Engineer, as well as three members of the Minneapolis City Council. Elected officials representing Minneapolis are proposing a bill that would mandate the provision of Bus Rapid Transit (BRT) within the 252 Corridor plan.

Mayor Elliott stated Brooklyn Center will be included in this transit discussion, and a City Council review is required to determine what additional language should be included in a Resolution that would indicate support for the plan. He added he is proposing that this Resolution be tabled for further discussion and consideration.

City Attorney Troy Gilchrist stated, as a reminder of rules for tabling motions when a motion is made and seconded, it is not debatable and must go to a vote. He added tabled motion without a specific time frame must come back to the next consecutive regular meeting, or a specific date can be included. He added a Resolution that is tabled indefinitely cannot be put back on the agenda without majority approval by the City Council.

Councilmember Graves requested clarification regarding Mayor Elliott's initial comments and explanation, and how that specifically relates to the proposed Resolution.

Mayor Elliott stated the Task Force gave a presentation earlier in the meeting and presented information that studies show that, based on the increase in traffic, the 252 Corridor will have the highest levels of asthma and pollution-related illnesses. He added this statistic includes Brooklyn Center and Minneapolis. He noted traffic will be traveling from Anoka County into Brooklyn Center and on to Minneapolis.

Mayor Elliott stated the Resolution, which expresses support for conversion of 252 from a highway to a freeway, would also indicate support for the increased speed and the number of cars it will represent, as well as an increase in the number of individuals with related respiratory conditions. He added he suggests including an indication that those issues will be addressed before we can support an increase in the amount of traffic.

Councilmember Graves asked how the recent meeting referenced by Mayor Elliott is connected to the transit aspect of the project.

Mayor Elliott stated including transit would reduce the number of cars.

Councilmember Graves stated transit options are already included as part of the plans for conversion from a highway to freeway.

Mayor Elliott stated the City of Brooklyn Center's current plan does not include consideration of BRT. He added North Minneapolis has a study that indicates that transit is warranted.

Councilmember Graves asked whether the discussion at last week's meeting at the State Capitol related to the conversion of 252 to a freeway, or whether the purpose of the meeting was to ensure that transit is included as part of the conversion.

Mayor Elliott stated concerns were expressed about widening the road because that would mean more cars. He added there are general concerns about converting 252 to a freeway. He noted the City Council should have a conversation regarding conversion of 252 to a freeway and what that will mean for Brooklyn Center and adjacent communities.

Mr. Boganey stated the net result of the conversation at last Friday's meeting was that there was a general agreement that it is important to assure that provisions will be made to include mass

transit opportunities as part of the 252 design. He added this type of provision will help to mitigate issues related to an increase in vehicles and carbon emissions. He noted the attendees agreed to work together to ensure that the design is sufficiently robust to allow for future mass transit options.

Councilmember Graves stated the City Council has already reviewed the information, provided by the Task Force and representatives from various agencies who have been working on this project for years, that mass transit, and the assurance that community members will have access to opportunities, is a very important concern.

Councilmember Graves stated, at its last meeting, the City Council unanimously agreed to address this Resolution at tonight's meeting.

Councilmember Graves moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2020-35 Expressing Support for Converting Highway 252 from an At-Grade Expressway to a Grade Separated Freeway to the City Council's next meeting.

Mayor Elliott and Councilmember Butler voted against the same. Motion failed.

Mr. Gilchrist stated the initial Resolution has not been disposed of, as the motion failed. He recommended a Resolution should be brought by an adopted motion.

Councilmember Graves stated she would like to make a motion to table until the full City Council is present to vote.

Mayor Elliott stated the motion should be continued indefinitely, and the City Council can review it again at a later date.

Mr. Gilchrist stated if the matter is tabled indefinitely, it shall not be rescheduled without at least a majority approval of the City Council. He added the City Council could agree to schedule this for their next meeting.

Mayor Elliott stated this should be tabled indefinitely, to give the City Council time to have a work session. He added discussions and developments are underway that would be useful for the City Council to understand.

Councilmember Lawrence-Anderson stated she does not support an indefinite tabling of this item. She added a specific meeting date should be stated, and she would like to see this Resolution on the City Council's next meeting agenda.

Mayor Elliott stated, before last Friday, the City Council was not aware that Minneapolis was engaged in a discussion regarding this project. He added their elected officials have put forth a bill about this project. He noted he has spent a lot of time reviewing this issue, including the

meeting on Friday as well as follow-up conversations, and the City Council should allow time to fully digest before a resolution is proposed. He noted there should be enough time to subsume the information before this item is placed on a meeting agenda.

Councilmember Lawrence-Anderson stated if all pertinent information is provided to the City Council with 2 weeks to review and prepare before the next City Council meeting, that is sufficient. She requested that all information be submitted to the City Council as soon as possible to prepare for consideration at the next meeting. Councilmember Graves agreed.

Mayor Elliott stated some are privy to more information that has been reviewed in the last week than others. He added the City Council must consider all the benefits and consequences to the community, and in the end, make the right set of choices as a City Council.

Councilmember Lawrence-Anderson requested that Mayor Elliott share any information that he may have that the City Council does not have. She reiterated that all information should be provided for the City Council's review if the Mayor is privy to additional information.

Mayor Elliott stated the information he has is based on the meeting he attended last week, and subsequent conversations. He added he will do his best to get the additional information to the City Council.

Councilmember Graves stated Mayor Elliott mentioned a bill that was being introduced. She asked for the name of the bill. Mayor Elliott stated he is unsure.

Mr. Boganey stated he has a copy of the bill that he will provide for the City Council. He added the bill states that funding for the project should not go forward unless there is a requirement that bus rapid transit will be provided.

Councilmember Graves asked what other officials the Mayor has been having conversations with, so she can reach out to them for updates. She added she has spoken with Commissioner Opat.

Mayor Elliott stated he spoke with Minneapolis Councilmember Cunningham, and also Councilmember Ellison. Mr. Boganey stated the Council President was also present. Councilmember Graves stated she would reach out to those three individuals.

Councilmember Graves moved and Councilmember Lawrence-Anderson seconded to table consideration of RESOLUTION NO. 2020-35 Expressing Support for Converting Highway 252 from an At-Grade Expressway to a Grade Separated Freeway to the City Council's next meeting.

Motion passed unanimously.

11. COUNCIL REPORT

The City Council agreed to forego Council Reports in the interests of time.

12. ADJOURNMENT

Councilmember Graves moved and Councilmember Lawrence-Anderson seconded adjournment of the City Council meeting at 8:45 p.m.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF BROOKLYN CENTER)

ss. Certification of Minutes

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Regular Session of the City Council of the City of Brooklyn Center held on March 9, 2020.
2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.
3. That the City Council adopted said minutes at its March 23, 2020, Regular Session.

Barbara Suciu, City Clerk

Mike Elliott, Mayor

Council Regular Meeting

DATE: 3/23/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Alix Bentrud, Deputy City Clerk

SUBJECT: Approval of Licenses

Background:

The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees.

Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

-

MECHANICAL LICENSE

K & H Heating, Air Conditioning & Plumbing Inc	4205 Hwy 14 W Rochester 55901
KB Service CO	430 Cty Rd D East Little Canada 55117

-

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	5/7/2019	Backup Material
3-23-2020 Rentals	3/17/2020	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 on March 23, 2020								
Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
6813 Noble Ave N	2 Family 1 Unit	Initial	Janee Garrison & Jerome English	1	II	N/A	II	
3501 62nd Ave N	Single	Initial	Doreen Kalema / Butterfly Bound Care	6	III	N/A	III	
1344 68th Ln N	Single	Initial	Syewon Weah	6	III	N/A	III	
7101 Girard Ave N	Single	Initial	Sesan Ogunnuran / EE&J Investment LLC	6	III	N/A	III	
3212 Quarles RD	Single	Initial	HPA US1 LLC / Pathlight	0	II	0	II	
5329-33 Brooklyn Blvd	2 Family 2 Units	Renewal	Tech P Ung	5	II	0	II	I
6835 Noble Ave N	2 Family 1 Unit	Renewal	Robert Berglund	2	I	0	I	I
4506 65th Ave N	Single	Renewal	Virginia Lazo - missing CPTED	3	II	0	III	III
1900 Brookview Dr	Single	Renewal	IH3 Property Illinois LP	2	I	0	I	II
6725 Bryant Ave N	Single	Renewal	Vong Duong - missin CPTED	0	I	0	IV	IV
5834 Camden Ave N	Single	Renewal	FYR SFR Borrower LLC	13	IV	0	IV	II
5959 Camden Ave N	Single	Renewal	Todd Havisto & Dave Baumann	2	I	0	I	II
6342 Dupont Ave N	Single	Renewal	Cerberus SFR Holdings - missing CPTED	17	IV	0	IV	IV
5228 Ewing Ave N	Single	Renewal	IH3 Property Illinois LP - met action plan	5	II	0	II	IV
7007 James Ave N	Single	Renewal	Infinite Property	0	I	0	I	I
4207 Lakeside Ave #138	Single	Renewal	Patrick Hall	3	II	0	II	II
4207 Lakeside Ave #224	Single	Renewal	Marina Feldman	0	I	0	I	II
7212 Lee Ave N	Single	Renewal	Qiang Fang	7	III	0	III	II
5322 Logan Ave N	Single	Renewal	Mary Jo Schwartz - met action plan	3	II	0	II	III
7141 Newton Ave N	Single	Renewal	IH3 Property Illinois LP	2	I	0	I	I
5814 Pearson Dr	Single	Renewal	IH3 Property Illinois LP	1	I	0	I	II
6736 Perry Ave N	Single	Renewal	Mark Coville - missing CPTED	7	III	0	IV	IV
7243 Riverdale Rd	Single	Renewal	IH3 Property Illinois LP - missing CPTED	1	I	0	III	III

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

** License Type Being Issued

*** Initial licenses will not show Type I = 3 Year Type II = 2 Year Type III = 1 Year

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 3/23/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Barb Suciu, City Clerk

SUBJECT: Support for the City Clerk to Apply for the MCFOA Region IV Director Position

Background:

The City Clerk, Barb Suciu has expressed interest in applying for the Region IV Director for the Municipal Clerks and Finance Officers Association of Minnesota. Part of the application process is the support of their city to serve in this position with written affirmation of City Council support.

Please consider supporting the City Clerk in this great opportunity.

Budget Issues:

- None

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

Council Regular Meeting

DATE: 3/23/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

BY: Ginny McIntosh, City Planner / Zoning Administrator

SUBJECT: Resolution Approving Planning Commission Application No. 2020-001 for a Special Use Permit and Parking Variance (Located at 4900 France Avenue North)

Background:

The Applicant, Masjid Al-Ansar Islamic Community Center, is seeking issuance of a Special Use Permit and parking variance to open a mosque and community center at 4900 France Avenue North. The proposed uses for the Subject Property include worship space, gathering and event space (e.g. small wedding or “Nikkah” ceremonies, board meetings), and office space. The Applicant has also stressed that Masjid Al-Ansar Islamic Community Center is committed to the engagement of youth through a variety of educational, social, and recreational activities, and would therefore require classroom space.

As City staff and the Planning Commission were unable to offer a recommendation of either approval or disapproval of the aforementioned requests, City staff requested City Council direct staff to prepare a resolution for the approval or denial of Planning Commission Application No. 2020-001 for issuance of a Special Use Permit and parking variance to operate a mosque and community center at 4900 France Avenue North at their meeting on March 9th. Following review of the item, City Council directed City staff to prepare a resolution approving the Special Use Permit and parking variance with findings of fact and conditions of approval. City Council indicated that they would review the resolution at their next meeting on March 23rd and would provide feedback as to whether any changes or additions should be made to the provided resolution.

Attached for your review is a copy of the Planning Commission Staff Report and exhibits dated February 14, 2020, and updated for the March 9, 2020, City Council meeting, as well as a copy of the aforementioned resolution, which outlines conditions of approval intended to mitigate negative impacts on neighboring properties and the surrounding neighborhood

Budget Issues:

None to consider at this time.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
PC Staff Report-4900 France Avenue North-SUP and Parking		

Variance	3/17/2020	Backup Material
PC Staff Report Exhibits-4900 France Avenue North-SUP and Parking Variance	3/17/2020	Backup Material
Resolution-Recommended Approval of SUP and Parking Variance for Mosque and Community Center (4900 France Avenue North)	3/17/2020	Resolution Letter



Planning Commission Report

Meeting Date: February 13, 2020

Updated for March 9, 2020 City Council Meeting

- Application Filed: 01/14/2020
- Review Period (60-day) Deadline: 03/14/2020
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Application No. 2020-001
Applicant: Masjid Al-Ansar Islamic Community Center
Request: Special Use Permit for a Religious Institution and Community Center in the I-2 (General Industry) District

REQUESTED ACTION

Imam Dukuly, on behalf of Masjid Al-Ansar Islamic Community Center ("the Applicant"), is requesting review and consideration for the issuance of a Special Use Permit to operate a mosque and community center at 4900 France Avenue North ("the Subject Property"). A public hearing notice was published in the Brooklyn Center *Sun Post* on January 30, 2020 (Exhibit A). Notices were also mailed to surrounding property owners per City Code requirements.

BACKGROUND

The Applicant initially approached the City of Brooklyn Center in July 2019, as they were required to relocate from space previously leased in an office building located at 5637 Brooklyn Boulevard following a change in building ownership. The C1 (*Service/Office*) District, where the property is located, allows religious institutions as a permitted use by right.

The Applicant emphasized a desire to remain in Brooklyn Center as their community is largely based within the Brooklyn Center and Brooklyn Park areas; however they noted issues in locating adequate accommodations to move their mosque and community center to. It was around this time they came upon 4900 France Avenue North, which is an I-2 (*General Industry*) District property located at the southern terminus of France Avenue North.

At the time of the Applicant's initial discussions with the City, assembly-type uses, including but not limited to churches, mosques, synagogues, movie theaters, event centers and the like, were not an allowed use in the I-2 District given that this is the City's most intense industrial district; however, the City ultimately brought forward a request to amend the I-2 District to allow for religious uses on a case-by-case basis through issuance of a Special Use Permit (SUP). The request to amend the Zoning Code was ultimately adopted on October 28, 2019 and went into effect on November 23, 2019 under Ordinance No. 2019-12.

The Applicant, Masjid Al-Ansar Islamic Community Center, is now seeking approval of a Special Use Permit to open a mosque and community center at 4900 France Avenue North. The uses identified for the Subject Property include worship space, gathering and event space (e.g. small wedding or "Nikkah" ceremonies, board meetings), and office space. The Applicant has also stressed that Masjid Al-Ansar Islamic Community Center is committed to the engagement of youth through a variety of educational, social, and recreational activities, and would therefore require classroom space.

The Subject Property has been for sale or lease for at least two years, but was previously used as a pet groomer and veterinary clinic, which are permitted uses in the I-2 District. This particular I-2 District property is unique in its vacancy, in part due to the age and nature of the structures on site, which are not typical of surrounding industrial uses. The Subject Property is comprised of two structures: a newer, split level office building, and a second circular shaped structure. Each structure is approximately 4,000-square feet in size.

The Applicant believes that the property would meet their needs and is interested in purchasing it to convert for their use. As part of their due diligence, the group met with City staff on multiple occasions to inquire as to the process necessary to allow for use of the Subject Property as a place of worship and community center and to obtain clarification on the health, life, and safety improvements that would need to be in place prior to occupying the building(s).

Places of worship generally fall into a category of uses considered “assembly.” These are uses where there are generally large numbers of people that may congregate or assemble at one time. Other similar uses might include theaters, auditoriums, mortuaries, dance halls, arenas, or certain places of entertainment.

Federal law protects religious land uses in that it requires cities to regulate them the same way in which it regulates other similar uses, and to treat them equally and fairly when making land use regulations as well as land use decisions regarding them.

Example: a city would need to provide a fact-based reason that it might allow a movie theater in a particular zoning district, *but not* a religious use since the land uses are similar.

Site Data

2040 Land Use Plan:	Industrial/Utility
Neighborhood:	Twin Lake
Current Zoning:	I-2 (General Industry) District
Site Area:	0.73 Acres

Surrounding Area

Direction	2040 Land Use Plan	Zoning
North	Industrial/Utility (Horizon Roofing)	I-2 (General Industry) District
South	RR ROW (Railroad Right-of-Way)	
East	(Highway 100)	
West	Business-Mixed Use (Xcel Energy Substation)	I-2 (General Industry) District

Existing Site and Area Conditions

As mentioned previously, the Subject Property is comprised of two approximately 4,000-square foot buildings, along with a parking lot and outdoor trash enclosure. The main building, known as 4900

France Avenue North, previously functioned as a pet grooming business. The second, circular building, known as 4902 France Avenue North, previously functioned as an animal hospital, and is the original building, having been constructed in 1963.



Image 1. 4900 France Avenue North (left) and 4902 France Avenue North (right).



Image 2. Extent of Parking Lot—Taken from Southeast Edge of Parking Lot Adjacent to Trash Enclosure.



Image 3. In Parking Lot—Facing Southwest Towards Caribou Coffee Headquarters and Adjacent Railroad Tracks.



Image 4. Facing North on France Avenue North Cul-de-Sac—In Entrance to Driveway Access for Subject Property.

SPECIAL USE PERMIT

Proposed Operation

The Applicant provided a narrative regarding the intended operation of the mosque and community center (Exhibit B). As proposed, the mosque and community center would be open seven days per week. As indicated by the Applicant, the highest use is intended to occur on Fridays between the hours of noon and 2 p.m., during which two separate 30-minute prayer services would take place. Currently, the mosque meets at the Brooklyn Center Community Center for one Friday prayer service and typically sees between 120 and 150 attendees total. The intent is to split the 120 to 150 person membership into two Friday prayer services.

The Applicant notes the following proposed hours of operation for the mosque and community center:

Days of Hours of Operation

- **Monday through Thursday**- Nominally Open 6AM-10PM(but people are barely would come during this time)
- **Friday-12:00PM-2:00PM**(Friday Services-doors open at noon)
- **Weekend**-
 - Saturday 11:00AM-2:00PM(Islamic and Cultural classes)
 - Sunday 11:00AM-2:00PM(Islamic and Cultural classes)
- **Occasional uses**
 - Weddings
 - Community board meetings
- **During Ramadan**
 - Iftar Dinner 9:00PM
 - Taraweeh(Late Night Prayers)

The Applicant has indicated plans to eventually utilize both buildings on the Subject Property, but would initially locate into the office building (4900 France Avenue North). As of the date of this staff report, the office building (4900 France Avenue North) has been declared unfit due to water damage and would require repairs to be made and all minimum necessary Building Code and ADA improvements implemented before a new Certificate of Occupancy could be issued. The circular building (4902 France Avenue North) could not be occupied until all minimum necessary Building Code and ADA improvements are implemented (e.g. installation of a fire sprinkler system).

Parking and Access Demands

Assembly uses, such as religious institutions, tend to have higher parking demands than other types of uses due to the nature of their visitors. Industrial uses by contrast tend to have low parking demands relative to their square footage because these uses generally have lower employment densities.

For example, religious and other “places of public assembly” uses, such as theatres, auditoriums (other than school auditoriums), mortuaries, stadiums, arenas, and dance halls, require **one parking space for every three seats**, or attendees in this case, per Section 35-704.4.a of the City’s Zoning Code.

To give perspective, “Industry and Wholesale” type uses require **one space for every two employees based upon maximum planned employment during any work period or one space for each 800 square feet of gross floor area (whichever is greater)** is required. In the event the latter requirement is greater, adequate land area shall be provided for the required off-street parking area, but improved spaces need only be provided according to the employee ratio. In cases where there is an office component to an industrially-zoned building, minimum on-site parking requirements are based on the total gross floor area utilized for the use.

City staff requested that the Applicant have a traffic study and parking demand management plan prepared as part of their submittal packet given that this is the first religious use seeking to relocate into the City’s heavy industrial district, and to address parking and traffic concerns relating to their request for issuance of Special Use Permit. The provided traffic and parking study was prepared by Alliant Engineering and is based off the assumption that 32 on-site parking spaces would be available on the Subject Property.

It should be noted that the current parking lot’s striping is degraded and, assuming the parking lot was constructed in accordance with the approved plans, would have 27 parking spaces at best as the

previously approved site plan from 1998 indicated a “proof” of a five (5) additional parking spaces. In order to achieve 32 on-site parking spaces, the parking lot would need to be expanded, and the existing accessible route (sidewalk) to 4902 France Avenue North and existing trash enclosure would need to be relocated/re-constructed (Exhibit C). The Applicant did not submit their own site plan drawings but indicated plans to follow the previously approved 1998 site plan.

The provided traffic and parking study outlines trip generation data based off the current assumed attendance at the one Friday prayer service, which is currently held at the Brooklyn Center Community Center. Although the Applicant indicated a higher than typical attendance, Alliant Engineering utilized this data for the purposes of calculating trip generation. Alliant Engineering identified the presence of 70 vehicles in the parking lot during their period of review that could be “attributed to members of the Masjid Al-Ansar Islamic Community Center.”

Although one prayer service is currently held on Fridays at the Community Center, the intent is to hold two prayer services between the hours of noon and 2 p.m. Assuming the attendance at each prayer service is equally distributed and no one prayer service is more popular than the other, there could potentially be 75 attendees at each service. Section 3.3 of the provided study (Exhibit B) indicated the potential for 70 vehicles to be on-site during the overlap in services (12:30 to 1:30 p.m.), which could result in a 40-space deficit in parking.

City staff finds this to be a flawed approach to calculating trip generation as the submitted traffic study was based off the current membership when City staff feels it should have been based off the maximum number of attendees the Subject Property can support. The Subject Property contains two buildings totaling approximately 8,000-square feet, which could easily hold more than 150 attendees.

Assuming three people were in each vehicle and each prayer service had no more than 75 attendees, each car held three (3) people, and all vehicles left immediately following the first service, a minimum of 25 on-site parking spaces would need to be provided for each service per the City Zoning Code requirement. Assuming the 70-vehicle figure identified in the study, a minimum of 35 on-site parking spaces would be required if Friday prayers were split into two services. The aforementioned minimum parking requirements assume: **(1)** perfect conditions in which mingling does not occur after the first 30-minute prayer service, and **(2)** no plans for future growth in membership at the mosque and community center. It should be noted that the narrative provided by the Applicant (Exhibit B) states that the mosque and community center began in 2015 with a few people and has since “grown exponentially into a community into a significant size.”

Following discussions regarding the provided traffic and parking study, Imam Dukuly, representing Applicant Masjid Al-Ansar Islamic Community Center, clarified that each prayer service lasts no longer than 30 minutes and indicated there would be a 30-minute gap between Friday prayer services.

The traffic and parking study proposes the following alternatives as a means to address on-site parking deficiencies within the provided Parking Management Plan (Section 3.3.1 of Exhibit B):

1. Provide greater separation between the two Friday prayer services to allow greater time to clear the parking lot.

Response: City staff discussed this option with Imam Dukuly who noted that the prayer services could not be separated any further; therefore, this is not an option.

2. Utilize a shuttle van service, comprised of four minivans (maximum total seating of 6 persons per minivan or 24 attendees total), which would pick up from the K&G Fashion Superstore located at 5425 Xerxes Avenue North in Brooklyn Center and be located a 5 minutes' drive (1.1 miles) from the Subject Property.

Response: As of the date of this report, City staff has not received any formal documentation representing a formal agreement for use of K&G's parking lot by the Applicant. Additionally, no formal plan was provided outlining how the shuttle service would operate.

3. With the exception of the required ADA parking stalls, sign the majority of Subject Property parking lot to allow for "carpool" only.

Response: The Applicant has not provided a plan for how this would be enforced other than utilization of a designated parking lot attendant and the study provided only notes that single occupant drivers should be encouraged to use the shuttle service. Considering the intended prayer times of noon to 2 p.m. it can be assumed by City staff that some attendees will be utilizing their lunch hour to attend prayer and the necessity of a shuttle van may not be attractive or feasible for some.

4. Allow on-street parking along the west 210 feet of France Avenue North, south of 50th Avenue North, as it appears vehicles already illegally park there, and utilize on-street parking within the surrounding two to three block radius.

Response: City staff held conversations with the Public Works Department regarding the current parking restrictions along the cul-de-sac portion of France Avenue North. The existing road width is 30 feet wide per as-builts on file with Public Works. Assuming a 9 foot wide parallel parking space along France Avenue North, the remaining roadway would be 21 feet in width.

For perspective, the typical width of a two-way parking lot is 24 feet wide and Fire Code requires a minimum of 20 feet in width for a fire access road. In addition, the adjacent property to the north requires use of heavy truck equipment, including semi-trucks and boom trucks as they are a roofing company; therefore, the minimum required turn radius to exit their property (4912 France Avenue North) is wider than your average passenger vehicle.

Public Works would *not* allow for the parking restrictions to be removed. The Applicant cannot rely on-street parking to address their parking deficiencies.

Other Considerations

There are certain barriers that need to be considered in retrofitting industrial or office type buildings for "assembly" type uses as they require higher fire suppression standards than other types of uses due to the congregation of people that occurs within buildings. The Applicant met with City staff in advance of amending the Zoning Code to discuss the full implications of what would be required to acquire and/or convert an industrial or office use type building.

Building and Fire Review

Conversion of the buildings located on the Subject Property would constitute a change of use from the

perspective of the Building and Fire Code, and thus would trigger the installation or expansion of a Fire suppression and alarm system if not present. Per discussions with City staff, the office building (4900 France Avenue North) appears to possess a suppression system, but the circular building (4902 France Avenue North) may not. Additionally, the following requirements may be triggered:

- a. Installation of ADA requirements (e.g. parking lot striping and signage, ingress/egress, bathrooms, installation of elevator/lift);
- b. Sewer Accessibility Charge (Met Council) determination for change in use and associated fee; and
- c. Any other Fire and Building Code requirements.

The Applicant indicated in person and in writing their plans to remodel the interior of the two buildings and remove walls in the main level of the office building to allow for prayer services, however; no updated interior plans were submitted. As City staff was in possession of the 1998 interior plans for the office building (4900 France Avenue North), the Building Official provided a rough breakdown of potential maximum occupancy load of the 4900 building assuming an assembly use on the main level and the potential use of the basement for office, educational/classroom, or assembly uses.

Please note that the following estimate occupant loads are contingent on a number on a number of other factors, including stair and exit door widths, number of exits and travel distance, installation of an elevator/lift, etc. The following estimate numbers were calculated:

Main Level Maximum Occupancy of 4900 France Avenue North—Assembly Use (5 SF per person-standing): Approximately 346 occupants

(Note: Maximum occupancy numbers noted above would be slightly less as separate area for shoes is required so as to not cause tripping hazards or block path of exit)

Lower Level Maximum Occupancy of 4900 France Avenue North—Office, Education, or Assembly Use:

Office Use (100 SF per person): Approximately 16 occupants

Education Use (20 SF per person): Approximately 80 occupants

Assembly Use (5 SF per person-standing, or 7 SF per person-chairs): Approximately 321 or 229 occupants

As the City does not have copies of the interior for the 4902 France Avenue North (circular building) on file and has not been inside the building to assess its condition, the Building Official provided a breakdown of potential maximum occupancy for the building assuming the same uses in the 4900 France Avenue North building and square footage as noted on the approved 1998 site plans.

Main Level Maximum Occupancy of 4902 France Avenue North—Assembly Use (5 SF per person-standing, or 7 SF per person-chairs): Approximately 475 or 339 occupants

Lower Level Maximum Occupancy of 4902 France Avenue North—Office, Education, or Assembly Use:

Office Use (100 SF per person): Approximately 23 occupants

Education Use (20 SF per person): Approximately 118 occupants

Assembly Use (5 SF per person-standing, or 7 SF per person-chairs): Approximately 475 or 339 occupants

The Applicant has expressed eventually utilizing both buildings with the issuance of a Special Use Permit; however, the Applicant has also noted that despite using both buildings, the occupancy between across both buildings would never exceed 150 members. City staff is not in the position to monitor membership numbers, but City staff assumes membership at the mosque and community center may very well grow, particularly given the approximately 8,000-square feet of space between the two buildings on-site.

Engineering Review

Assistant City Engineer Andrew Hogg noted in his memorandum dated February 10, 2020 (Exhibit D) that the Applicant would need to re-stripe and conduct alterations to the Subject Property in order to achieve the 32 on-site parking spaces as outlined in the provided traffic and parking study from Alliant Engineering. Additionally, he indicates that the study doesn't provide a clear understanding of the parking needs for the site. The report provides only an estimate of service attendees at each service. Staff estimates of occupancy loads of the building after the remodeling exceeds the number provided in the draft traffic plan—refer to the calculations above.

He further notes that,

“In discussions with the applicant, it was implied that after the completion of each service the parking lot will empty entirely, providing a clean slate for the next service. With the nature of the site and the indication that the site is planned to function as community center it seems unreasonable to expect that this will occur. If the occupancy loads match the estimation within the traffic study, only under ideal conditions will the site be able to meet the required number of parking stalls and the site will be under-parked. If those numbers are greater, then parking and traffic could have major impacts on the neighborhood.”

The memorandum further details that Public Works would not be in a position to remove on-street parking restrictions in the immediate area to allow overflow parking for the Applicant's use of the Subject Property and emphasizes the need to address the potential for attendees to park on adjacent private property. **It is summarized that Public Works is therefore unable to offer a recommendation in support of the submitted traffic study as submitted.**

Site Plan Review

As the Applicant has indicated plans to adhere to the previously approved 1998 site plan for the Subject Property, the parking lot and identified five (5) spaces of proof of parking will need to be constructed as outlined in the plans dated February 5, 1998. The existing outdoor trash enclosure will need to be relocated, likely just north of the existing turnaround west of the office building (4900 France Avenue North). The Applicant will need to comply with City Code requirements by constructing an enclosure that fully screens any dumpsters and recycling bins with opaque fencing or other materials that are complementary to the buildings on site.

As a landscape plan was approved as part of the 1998 approvals, the Applicant will need to bring the landscaping back into compliance by removing any overgrown vegetation and replacing any missing plantings. Should the Applicant desire installation of a different species of planting, all requests will need to be documented and approved by the City Planner.

Finally, City staff is concerned about the immediate access to the railroad tracks, which are located just

feet from the southern perimeter of the Subject Property parking lot. The Applicant will need to address with City staff how a buffer can be created between the Subject Property and railroad tracks, particularly given the Applicant's intent to provide youth engagement on site. The Applicant may need to contact ownership of the tracks to identify any requirements or restrictions for fencing.

Special uses are those in which may be required for the public welfare in a given district but which are, in some respects, incompatible with the permitted uses in the district. Before a building or premises is devoted to any use classified as a special use, a Special Use Permit would need to be granted by City Council. In reviewing Special Use Permits, an Applicant would need to demonstrate the following (staff responses *italicized*):

- a. The establishment, maintenance or operation of the special use will promote or enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort.

The Subject Property has been vacant and on the market for lease or sale for at least two years; therefore, re-occupancy of the buildings located on the Subject Property is desired. Re-occupancy of the buildings on-site would result in additional eyes on the neighborhood given their intent to utilize the buildings at varying hours seven days per week. The Subject Property is adjacent to Highway 100, a railroad, and an Xcel Energy substation, with the only immediate neighbors being a roofing company located immediately to the north.

City staff expressed concerns of having so many individuals and particularly youth in proximity to an active rail line. There is no fencing or barrier on-site to prohibit individuals from accessing the rail line, which lies just feet from the parking lot. Given the layout of the Subject Property driveway and a gravel roadway that spurs off from the driveway and runs parallel to the rail line, City staff is unable to determine how a safe perimeter could be established as it is assumed access to the gravel roadway must be maintained. The Subject Property driveway is in immediate proximity to an electrical tower, which is not fenced, and an Xcel Energy substation, which was fully enclosed in fencing a couple years ago. A fence currently runs along the eastern perimeter of the Subject Property and Highway 100, which is located below the Subject Property.

- b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Religious uses were recently added to the list of uses permitted through issuance of a Special Use Permit in the I-2 (General Industry) District; however, City staff has concerns relating to the limitations of the Subject Property including the lack of on-site parking, constrained access, and adjacent existing uses, of which include unrestricted access to the railroad tracks along the south portion of the Subject Property, an Xcel Energy substation located just off property, and the industrial uses, including a roofing company located just to the north.

Despite the low levels of traffic presented in the study, City staff is aware of parking issues for the adjacent industrial properties located along the France Avenue cul-de-sac and along the south side of 50th Avenue North as the building structures in this area comprise the majority of each site and therefore result in limited on-site parking options.

- c. The establishment of the special use will not impede the normal and orderly development and

improvement of surrounding property for uses permitted in the district.

The immediate area is currently developed with a mix of older 1950s era industrial development along the east side of the France Avenue North cul-de-sac and south side of 50th Avenue North; small 1950s and 1960s era apartment buildings; a large 1960s era industrial building; an Xcel Energy substation; and a mix of townhomes and single family homes on the north side of 50th Avenue North. The major concern of the proposed Special Use is that the parking demands for the mosque and community center may restrict the ability for the neighboring industrial uses to come and go from their respective sites during their respective business weeks.

There are additional concerns that attendees may utilize the neighboring parking lots (e.g. Xcel Energy substation lot, 3800 50th Avenue North) or property (e.g. gravel road running parallel to rail line) for off-site parking needs if on-street parking isn't an option and to avoid having to shuttle to the Subject Property. Despite the Applicant offering to assign a parking attendant to address the limited on-site parking, there is still the issue of the Subject Property being located on a dead end cul-de-sac, which would require drivers to back up and/or turn around. Drivers may also decide drop off attendees at the Subject Property before leaving to find parking elsewhere, or they may choose to queue up along France Avenue North for when an on-site space opens on the Subject Property between services. All of the aforementioned possibilities could have direct implications on the normal and orderly development and operation of the surrounding businesses and homes.

- d. Adequate measures have been or will be taken to provide ingress, egress and parking so designed as to minimize traffic congestion in the public streets.

While numerous conversations were held with the Applicant regarding the intended operation of the use on the Subject Property, the provided traffic and parking study indicate that while the surrounding streets will likely maintain their levels of service, there is a potentially large deficiency in on-site parking. While the Applicant and Alliant Engineering, who prepared the traffic and parking study, outline a series of potential options for addressing parking congestion, the reality is that the Subject Property is located on a dead-end cul-de-sac and has notable limitations for ingress, egress, and parking.

Although religious uses are now permitted in the I-2 District through issuance of a Special Use Permit and are not required to be located on an arterial or collector street, it should be noted that religious uses elsewhere in the City require the main entrance to be served by a collector or arterial street—the France Avenue cul-de-sac is not, which limits ingress, egress, and overall flow to and from the Subject Property.

Despite the Applicant suggesting a shuttle service to address the parking issues, no paperwork has been provided as of the date of the staff report to detail the agreement between K&G Fashion Superstore and the Applicant, and no additional information has been provided as to how the shuttle service would operate (e.g. call for pickup, scheduled pick up and drop off times).

In reviewing the current operation and parking accommodations for the Friday prayer service at the Brooklyn Center Community Center, City staff noted that multiple cars had more than one occupant per vehicle. It is to staff's assumption that, rather than driving five minutes each way to the K&G Fashion Superstore, many of the attendees will likely drop off their occupants and park

in the adjacent neighborhood given the identified shuttle service consists of four minivans with seating only for 6 individuals each. Additional concerns were raised regarding the timing of the prayer services (noon to 2 p.m.) and the anticipated number of attendees who might be utilizing their Friday lunch hour to make the drive to and from prayer service.

FINDINGS

City staff understands the desire to have the Applicant (Masjid Al-Ansar Islamic Community Center) remain in the community given that a majority of their attendees are residents from the Brooklyn Center and Brooklyn Park areas; however, City staff has significant concerns regarding the intended use at this particular location in consideration of the site's limitations and substantial upgrades that would need to take place before the buildings could be occupied. Although City staff is unable to specifically determine the scope of the traffic issues that may result from the identified parking deficiency at the site, the concerns associated with the lack of parking and the resulting negative impacts raise serious questions about the appropriateness of the use on this site.

While the two buildings on the Subject Property offer a combined total of approximately 8,000-square feet, the maximum occupancy would be capped to no more than 150 individuals at any one time and as proposed would likely not exceed 75 people at any one time (as proposed for the Friday prayer service), which would effectively result in a major underutilization of the buildings.

The primary reason for the Community Center, as expressed in the Applicant's narrative is to, "use the center to build valuable and stronger relationship between all humankind. We reach out and present Islam through educational and cultural activities. We believe that this holistic cultural and inter-faith presence is consistent with the teachings and principles of Islam. Our center also serves as a springboard for religious dialogues and a home for the needy."

The Applicant acknowledges in their provided narrative that since the inception of Masjid Al-Ansar Islamic Community Center, they have seen "exponential growth." By issuing a Special Use Permit for the Subject Property, the Applicant would be placed in a situation where they would have no room to grow assuming a cap of 150 members for the use on the Subject Property. Prohibiting further growth of the Masjid Al-Ansar Community Center at this location would appear to only be making the best out of a bad situation and City staff is unsure as to how long the mosque and community center could function at this location before they would need to look elsewhere.

Regarding the parking needs, the City has historically only issued allowances (variances) for lesser parking in instances where the Applicant has been able to **(1)** provide a traffic and parking study outlining the actual needs, **(2)** provide data from other apartment buildings under the same ownership by an Applicant outlining unit counts and parking calculations during different times and days, or **(3)** shown a "proof of parking" that proves that, should the parking needs be greater than anticipated, the parking lot can be expanded on-site to address those needs.

The Subject Property was approved in 1998 with a "proof of parking;" however, only five additional spaces were provided for and the constraints of the Subject Property, barring the demolition of one of the buildings, could not offer any more than is currently on site. It should also be recognized that by granting a variance in parking for the proposed use, **this would set a precedent for allowing on-site parking deficiencies to occur for any similar proposals that might come forward in the future.**

Finally, as the Applicant is requesting issuance of a Special Use Permit, Section 35-220 (*Special Use Permits*) of the City's Zoning Code requires that any approved special use shall, "expire without further action by the Planning Commission or the City Council **unless the Applicant or his assignee or successor commences work upon the Subject Property within one year of the date of special use permit is granted, or unless before the expiration of the one year period the applicant shall apply for an extension.**"

It should be noted that the building the Applicant intends to move into has been declared "unfit" and will require a new Certificate of Occupancy and any identified Building and Fire Code requirements will need to be implemented before a new Certificate of Occupancy can be issued for the 4900 France Avenue building given the current unfit conditions and change in use.

RECOMMENDATION

City staff is unable to provide a recommendation requesting that a motion be made to either approve or deny the issuance of a Special Use Permit to operate Masjid Al-Ansar Islamic Community Center at the Subject Property location at 4900 France Avenue North. Therefore, the Planning Commission and City Council will need to make a determination as to whether a:

- 1) Motion to approve a Resolution denying that the City Council issue a Special Use Permit for the Masjid Al-Ansar Islamic Community Center for the operation of a mosque and community center at the Subject Property and a parking variance for the intended use, based on the above outlined findings of fact, be recommended; or*
- 2) Motion to approve a Resolution that the City Council issue a Special Use Permit for the Masjid Al-Ansar Islamic Community Center for the operation of a mosque and community center at the Subject Property and approval of a parking variance for the intended use, based on the above outlined findings of fact, be recommended.*

Should a recommendation be made to approve the issuance of a Special Use Permit, a parking variance would need to be granted as the Applicant and Alliant Engineering, who prepared the traffic and parking study, note that the parking needs for the use will not be met through on-site parking. In addition, City staff is recommending the following additional conditions be attached to any favorable approval of the requested Special Use Permit:

1. A parking variance granted allows the proposed use of the Subject Property without needing to strictly comply with the parking requirements in the City's Zoning Ordinance. The Applicant shall develop a Parking Plan for approval by the City Planner and Zoning Administrator to accommodate the anticipated parking needs for the approved use. The Applicant shall be required to implement, and remain in compliance with, the approved Parking Plan.
2. The majority of the parking lot shall be signed for "carpool use" only in accordance with approved Parking Plan.
3. Attendees shall not utilize private property or areas designated as "no parking" (e.g. France Avenue North cul-de-sac) for their parking needs. These prohibited parking areas shall be designated in the approved Parking Plan.

4. Any major changes or modifications made to the Subject Property and previously approved plans can only be made either through the City's Building Permit process or through formal Site and Building Plan review by the City.
5. The Applicant shall not occupy either building located on the Subject Property until:
 - a. A new Certificate of Occupancy is issued by the City Building Official for the unfit building (4900 France Avenue North); and
 - b. The Applicant obtains City permits and completes all minimum required interior and site improvements for the proposed use as per the City Building Official and Fire Inspector.
6. The Applicant shall bring the Subject Property into conformance with the approved site plan prepared by Blumentals Architecture and dated February 5, 1998, including, but not limited to the following improvements:
 - a. Re-striping and expansion of Subject Property parking lot to provide minimum of 32 on-site parking spaces;
 - b. Relocation and/or reconstruction of outdoor trash enclosure per City Code requirements, and as approved by City Planner; and
 - c. Relocation of existing accessible route for second building on Subject Property (4902 France Avenue North).
7. The approved Landscape Plan identified on the site plan prepared by Blumentals Architecture and dated February 5, 1998 shall be brought back into compliance and any overgrown vegetation removed. Any requests for alternate plantings shall be reviewed by the City Planner.
8. The Applicant shall install a fence along the south perimeter of the Subject Property to create barrier between parking lot and active rail line. The Applicant shall work with the ownership of the abutting railroad to determine allowances for fencing. The Applicant shall forward plans for fencing to the City Planner and Building Official and a Building Permit submitted for review and approval if required.
9. The Applicant shall comply with all comments outlined in the memorandum prepared by Assistant City Engineer Andrew Hogg on February 10, 2020.
10. The Applicant/Property Owner shall ensure the fire sprinkler system is maintained and monitored.
11. The Applicant shall furnish a copy of an agreement to the City Planner for the off-site shuttle lot, to be located at the K&G Fashion Superstore property (5425 Xerxes Avenue North) with a proposed method of operation for the shuttle.
12. The Applicant shall ensure a parking lot attendant is in place between Friday prayer services and any other events generating parking needs beyond the amount available on-site of the Subject Property. The attendant shall be located on the Subject Property and shall not direct traffic from City Right-of-Way or adjacent private property.

ATTACHMENTS

Exhibit A— Public Hearing Notice, published in the Brooklyn Center *Sun Post*, dated January 30, 2020.

Exhibit B— Planning Commission Application No. 2020-001 Submittal Packet dated January 14, 2020, and Traffic and Parking Study, prepared by Alliant Engineering and dated January 9, 2020.

Exhibit C— Previously Approved Site Plan with Landscaping and Preliminary Grading and Utility Plan, prepared by Blumentals Architecture, and dated February 5, 1998.

Exhibit D— Memorandum prepared by Assistant City Engineer Andrew Hogg, dated February 10, 2020.

**CITY OF
BROOKLYN CENTER
NOTICE OF PUBLIC
HEARING**

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold a public hearing on **Thursday, February 13, 2020**, at approximately 7:00 p.m., at Brooklyn Center City Hall, located at 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUEST: Special Use Permit for a Religious Institution and Community Center in the I-2 (General Industry) District

PETITIONER: Masjid Al-Ansar Islamic Community Center

PROPERTY OWNER:

William Dudley

PROPERTY ADDRESS: 4900 France Avenue North, Brooklyn Center, MN 55429

PROPERTY ID:

10-118-21-13-0069

LEGAL DESCRIPTION: Lot 9, Block 5, Brooklyn Manor Addition, Hennepin County, Minnesota

BRIEF STATEMENT OF CONTENTS OF PETITION: The Applicant is requesting review and consideration for the issuance of a Special Use Permit to operate the Masjid Al-Ansar Islamic Community Center at 4900 France Avenue North, which is comprised of two approximately 4,000-square foot buildings on 0.73 acres. Approval of the request would allow for the buildings on the property to be utilized as a mosque and community center with a focus on youth engagement.

Questions, comments, statements of support or objections should be directed to City Planner/Zoning Administrator Ginny McIntosh at (763) 569-3319 or email to gmcintosh@ci.brooklyn-center.mn.us.

Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at (763) 569-3300 to make arrangements.

Respectfully,

Ginny McIntosh

City Planner/Zoning Administrator

Published in the

Sun Post

January 30, 2020

1017383



For Office Use Only

Date Received: 1/14/2020
 Date Application Complete: _____
 Letter of Completeness: 1/31/2020
 PC App No. 2020-001

2019 Planning Commission Application

Applicant Information:

Name: MASJID AL-AWSAR ISLAMIC COMMUNITY CENTER
 Address: 4900 & 4902 France Ave. N, Brooklyn Center, MN 55429
 Office Phone: N/A Cell: 612-386-5370
 Email: prince.daniyal@gmail.com FAX: N/A

Property Owner Information* (if different from Applicant):

Name: William N. Dudley
 Property Owner Address: 4900 France Ave. N, Brooklyn Center, MN 55429
 Office Phone: 763-537-4405 Cell: 763-537-4405
 Email: William.dudley@gmail.com FAX: N/A

Project Information:

Provide a general description of your project and request(s): Special Use permit to allow our religious organization to operate at this property.

Address/Location of Property: 4900 & 4902 France Avenue North
 Legal Description of Property: PID #: 10-118-21-13-0069

Application Type (Mark all that Apply)

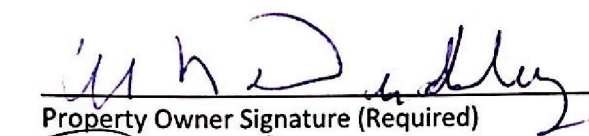
☐	Comprehensive Plan Amendment	\$1,050	☐	Appeal	\$200
☐	Rezoning	\$1,050	☐	Zoning Code Text Amendment	\$500
☒	Special/Interim Use Permit	\$250	☐	Special/Interim Use Permit Amendment	\$150
☐	Site and Building Plan Review	\$750	☐	Variance	\$200
☐	Planned Unit Development	\$1,800	☐	Planned Unit Development Amendment	\$700
☐	Preliminary Plat	\$400	☐	Final Plat	\$200

IMPORTANT: All applications may be subject to additional fees for reimbursement of costs incurred by the City for filing, reviewing, and processing applications in the form of an escrow to the City.

Application Fee: \$ _____ Escrow Amount: \$ _____ Receipt No: _____

Acknowledgement and Signature:

The undersigned acknowledges that they understand that before a Planning Commission application can be deemed complete, all required fees and escrows must be paid to the City. By signing and submitting this application, the Applicant agrees to pay to the City of Brooklyn Center the actual costs incurred for expenses reasonably and necessarily required by the City for the review, filing, and processing of the application. Such costs will be in addition to the application fee described herein. Withdrawal of the application will not relieve the applicant of the obligation to pay costs incurred prior to withdrawal. Any administrative fees paid as part of the submission of this application are nonrefundable.



Property Owner Signature (Required)



Applicant Signature (If different than Property Owner)

10 - 16 2019
Date

12/9/2019
12/9/2019
Date

Masjid Al-Ansar (Mosque)

Islamic Community Center (In the name of Allah the Most Gracious, the Most Merciful)

Background

Masjid Al-Ansar (Mosque) is a faith based community and cultural organization. The primary Mission of Al-Ansar is to provide a space of worship and cultural education ("A Community Center"). Our Objective for the Center is to provide not only a space for worship, but also where our children can come to gain the proper knowledge of their religion, learn to be responsible citizens.

Our Center is the most diverse and the first recognized Islamic community (mosque) which is without any national or linguistic distinction in the North West suburbs. Our center was opened on January 09, 2015. The Community Center started at 5637 Brooklyn Boulevard, Brooklyn Center. It started with a few people. Today, we have grown exponentially into a community into a significant size. We are now nearly 120 to 150 attendees in the Friday congregational prayers.

Secondarily, our primary reason is to use the center to build valuable and stronger relationships between all humankind. We reach out and present Islam through educational and cultural activities. We believe that this holistic cultural and inter-faith practice is consistent with the teachings and principles of Islam. Our center also serves as a springboard for religious dialogues and a home for the needy.

Summary of Operation

The Center's daily routines are on Fridays between 12: pm to 2:00 pm (mainly Friday prayer services). On the weekends, we run Islamic and cultural classes between 11: am and 2:00 pm. However, as a community center, we open our doors throughout the week; conducting five daily prayer services, although only few people attend these services during the week. On the weekends, parents only drop off their children at 11: 00 AM and pick them up at 2.00 pm.

Masjid Al-Ansar is also civically engaged in working with the neighboring communities to better their lifestyle according to the teachings of Islam. We have created programs that serve both the Muslim communities and various other communities in our broader society around us. For example, programs such as charitable giving, diverse religious and non-religious educational programs, interfaith outreach and civic responsibility classes, are examples of how the Center has made our organization stronger and trustworthy.

Additionally, part of our Center's mission and objectives include but not limited to providing a culturally competent environment for our youth as well as our visitors to acquire knowledge about different cultures and traditions. We are a welcoming community and consider Brooklyn Center our home.

Our Center sees the need for the protection of our young people from the influences of drugs, alcohol, prostitution, and violent extremism. In order to safeguard the future and the legacies we are putting together as a community and society, we must have institutions that would address these foreseeable problems and guarantee the future we all dream of every day for our kids. We cannot wish these problems away without taking the necessary action that will safeguard and protect our youth.

At Masjid Al-Ansar, we believe in the teachings and principles of Islam. We also believe that Islam strictly condemns religious extremism and use of violence against innocent lives. We believe that there is no justification in Islam for extremism or terrorism.

○ **Youth and Islam**

The Masjid (Mosque) has been the heart of the Muslim Community. At Masjid Al-Ansar, we strive to involve the youth of all ages and genders in our daily activities to build a better future full of great leadership skills for our kids. For example, the head of Mosque project is a professional woman who serves an inspiration for daughters. For this reason, we are making every possible effort to bring the youth close to the Masjid with the help of the parents and the different community leaders.

Masjid Al-Ansar is committed to engaging youth in our community through a variety of educational, social, and recreational activities within an Islamic context. We aim to empower the youth by:

- increasing the consciousness of Allah (SWT) in every aspect of our children's lives
- creating an Islamic social environment where youth can meet and socialize with other youths
- Establishing and preserving Muslim identity
- Building and developing leadership skills
- Developing skills and confidence to cope with peer pressure

Days of Hours of Operation

- **Monday through Thursday-** Nominally Open 6AM-10PM(but people are barely would come during this time)
- **Friday-12:00PM-2:00PM**(Friday Services-doors open at noon)
- **Weekend-**
 - Saturday 11:00AM-2:00PM(Islamic and Cultural classes)
 - Sunday 11:00AM-2:00PM(Islamic and Cultural classes)
- **Occasional uses**
 - Weddings
 - Community board meetings
- **During Ramadan**
 - Iftar Dinner 9:00PM
 - Taraweeh(Late Night Prayers)

Rezoning Proposal

As Brooklyn Center is not only our Center's original home, but most of our members are residents of the City. We recognize and have enjoyed the unusual diverse nature of the City of Brooklyn Center. This diversity and tolerance has attracted most of our members to live and invest in the City. Therefore, we propose to the City Council to amend the Zoning Ordinance and re zone for religious and cultural community uses the following locations (buildings):

- 1) 4900 and 4902 France Avenue North, Brooklyn Center, MN

Finally, without this action, activities of our Community Center, which is currently displaced, will remain disrupted. We will have nowhere to have our children learn and grow.

MINDER ENGINEERING CO., INC.

ENGINEERS AND SURVEYORS

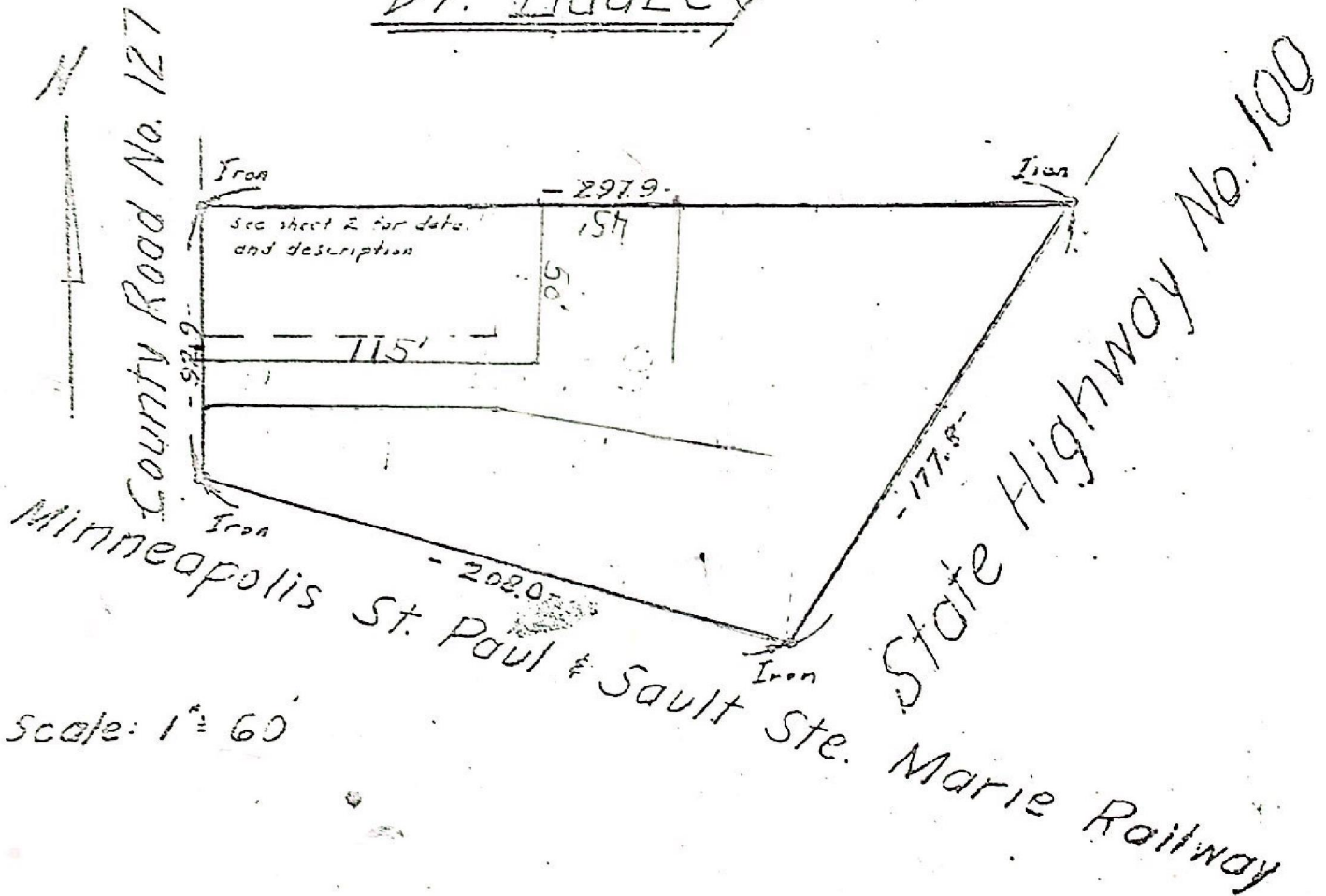
LAND SURVEYING
CIVIL & MUNICIPAL ENGINEERING

SOILS TESTING
LAND PLANNING

6418-56TH AVENUE. N.
MINNEAPOLIS 27. MINN.
KE 7-3637

Certificate of Survey

for: Dr. Dudley



Lot 9, Block 5 - Brooklyn Manor

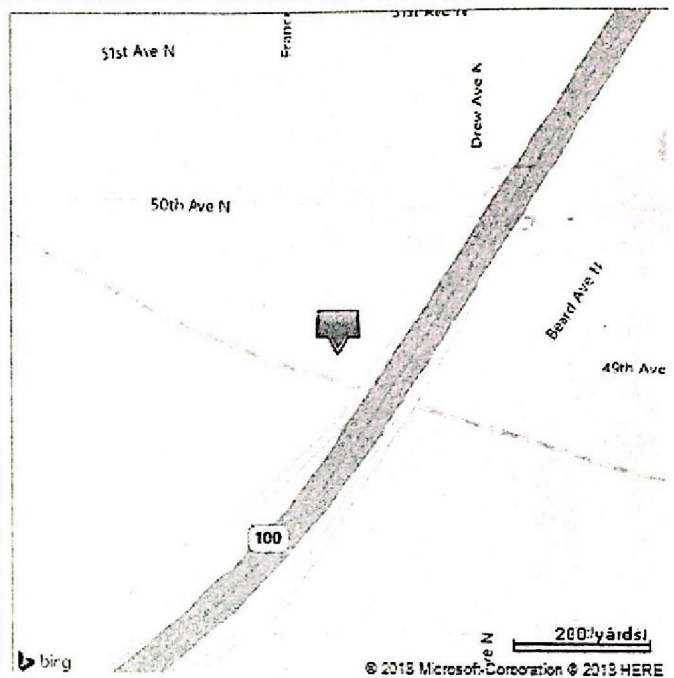
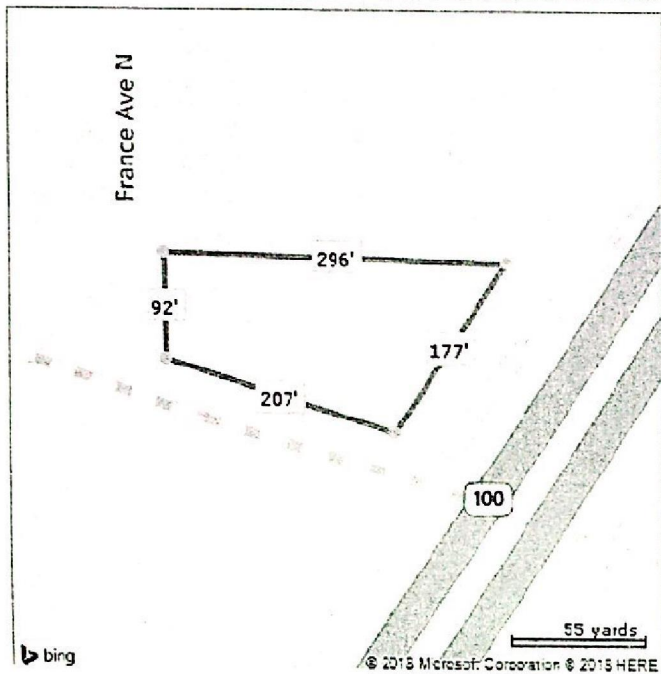
WE HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY OF THE BOUNDARIES OF THE LAND ABOVE DESCRIBED AND OF THE LOCATION OF ALL BUILDINGS, IF ANY, THEREON, AND ALL VISIBLE ENCROACHMENTS, IF ANY, FROM OR ON SAID LAND.

DATED THIS 2ND DAY OF March 1939

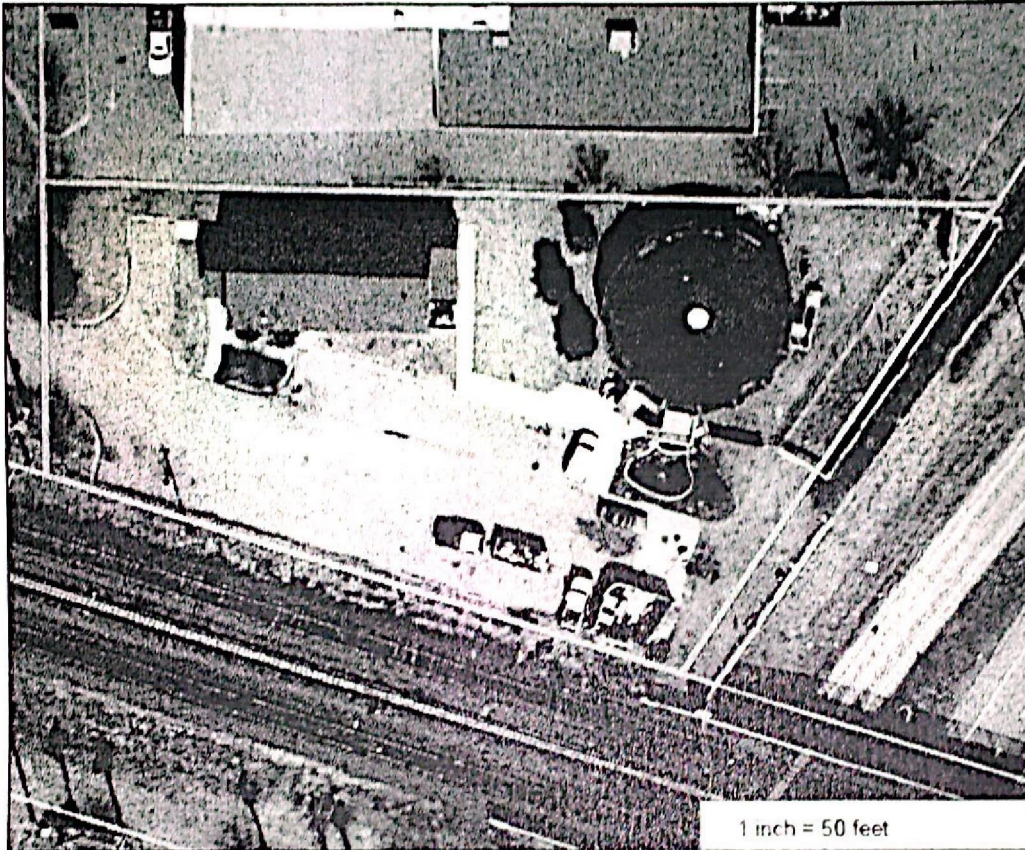
MINDER ENGINEERING CO., INC.
ENGINEERS AND SURVEYORS

DESCRIPTION OF SUBJECT PROPERTY- PLAT MAPPING

Property map



DESCRIPTION OF SUBJECT PROPERTY- PLAT MAPPING



PARCEL ID: 1011821130069

OWNER NAME: William N Dudley

PARCEL ADDRESS: 4900 France Ave N,
Brooklyn Center MN 55429

PARCEL AREA: 0.72 acres, 31,279 sq ft

A-T-B: Torrens

SALE PRICE:

SALE DATA:

SALE CODE:

ASSESSED 2016, PAYABLE 2017
PROPERTY TYPE: Commercial-Preferred
HOMESTEAD: Non-Homestead
MARKET VALUE: \$487,000
TAX TOTAL: \$19,256.88

ASSESSED 2017, PAYABLE 2018
PROPERTY TYPE: Commercial-preferred
HOMESTEAD: Non-homestead
MARKET VALUE: \$516,000

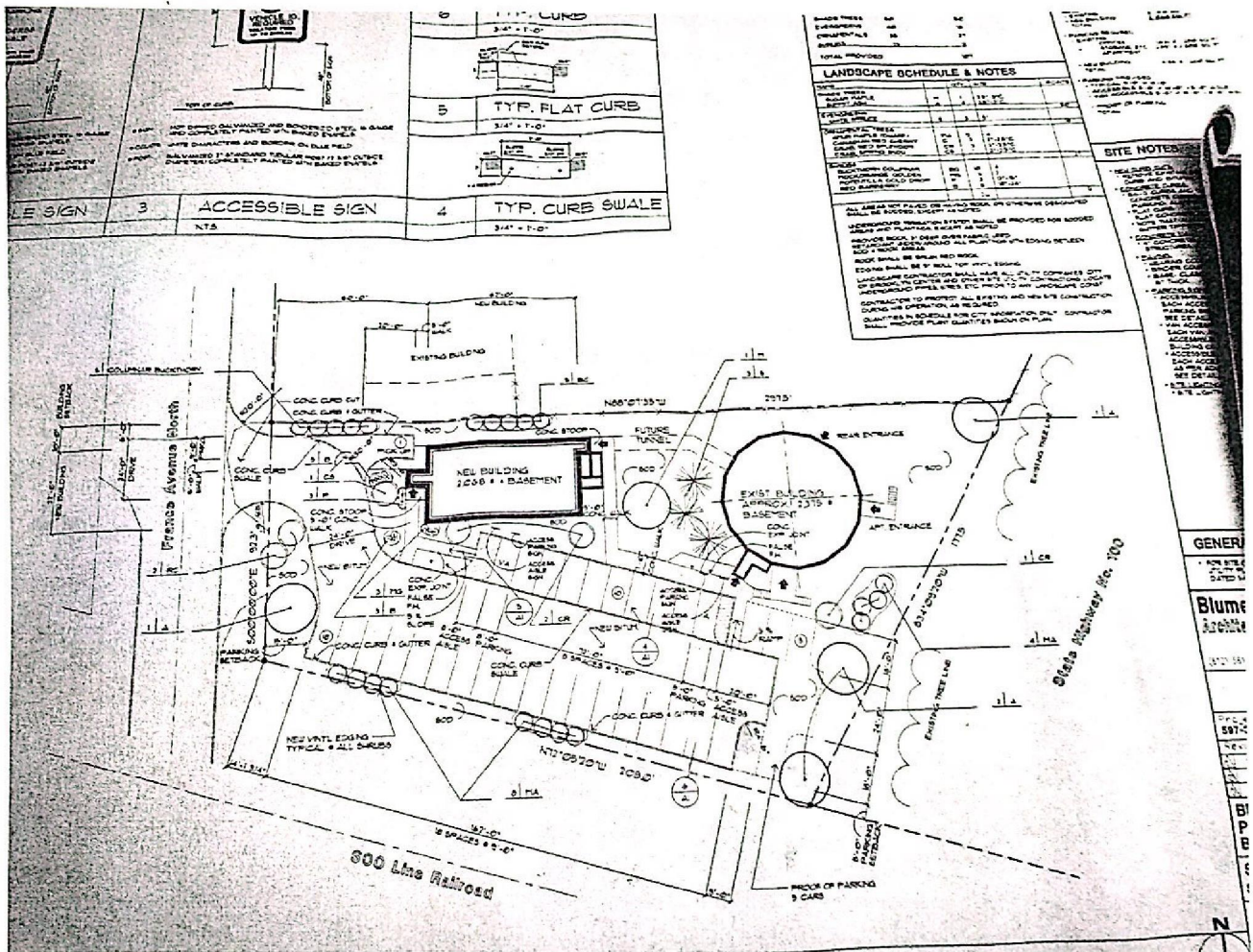
Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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DESCRIPTION OF SUBJECT PROPERTY- BUILDING DRAWING

The appraisers were supplied with the entire set of blueprints. The overview of both buildings is supplied with- in this report only.



Brooklyn Center Mosque Traffic & Parking Study

Brooklyn Center, MN

Prepared For:

Masjid Al-Ansar Islamic Community Center

Prepared By:

Jordan Schwarze, PE
Hannah Johnson

Alliant Engineering, Inc.
733 Marquette Avenue, Suite 700
Saint Paul, MN 55402

January 9, 2020
DRAFT Report



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1.0 Introduction

Alliant Engineering has completed a traffic and parking study for a proposed mosque to be located at 4900 France Avenue N in Brooklyn Center, MN. The currently unoccupied subject property is zoned I2 – General Industrial but would be rezoned for the purpose of the mosque (see **Figure 1: Project Location**). The objectives of this study are to evaluate existing traffic and parking characteristics within the area, document the anticipated impacts related to the proposed lane use change, and recommend mitigation measures to address potential impacts. The following provides the assumptions, analysis, and conclusions/recommendations offered for consideration.

2.0 Existing Conditions

The existing conditions were reviewed to establish a baseline to identify any future impacts associated with the proposed mosque. The evaluation of existing conditions includes turning movement counts, parking observations, and an intersection operations analysis.

2.1 Study Area Intersections

The following intersections were evaluated for the study:

- Lakebreeze Avenue & Azelia Avenue
- France Avenue & 50th Avenue
- France Avenue & 53rd Avenue
- 53rd Avenue & Drew Avenue

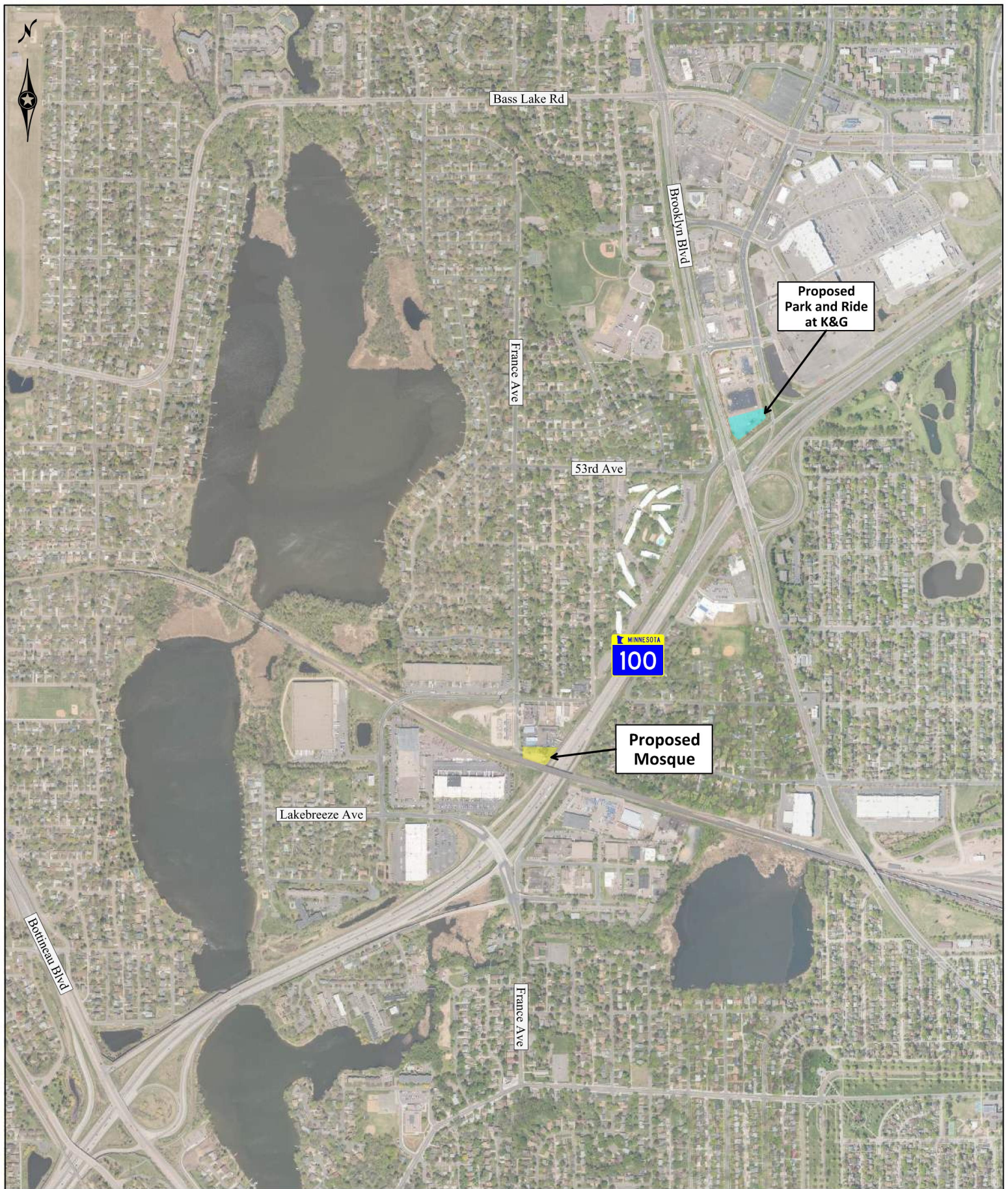
2.2 Data Collection

2.2.1 Traffic Volumes

To document existing conditions, intersection turning movement counts were collected by Alliant Engineering on Friday, December 20, 2019 from 11:30 a.m. to 3:30 p.m. It should be noted that the traditional Friday prayer service, the most significant regularly occurring traffic generator for the Masjid Al-Ansar Islamic Community Center, takes place within this timeframe.

2.2.2 Roadway/Intersection Characteristics

Roadway/intersection characteristics within the study area (i.e. lane geometry and traffic controls/volumes) were observed and are shown in **Figure 2: Existing Conditions**. While the Masjid Al-Ansar Islamic Community Center currently holds a single Friday prayer service from 1:00-2:00 p.m., two Friday services are planned at the proposed mosque: 12:00-1:00 p.m. and 1:00-2:00 p.m. Therefore, the 12:30-1:30 p.m. timeframe was analyzed to ensure overlapping traffic from each service was covered.

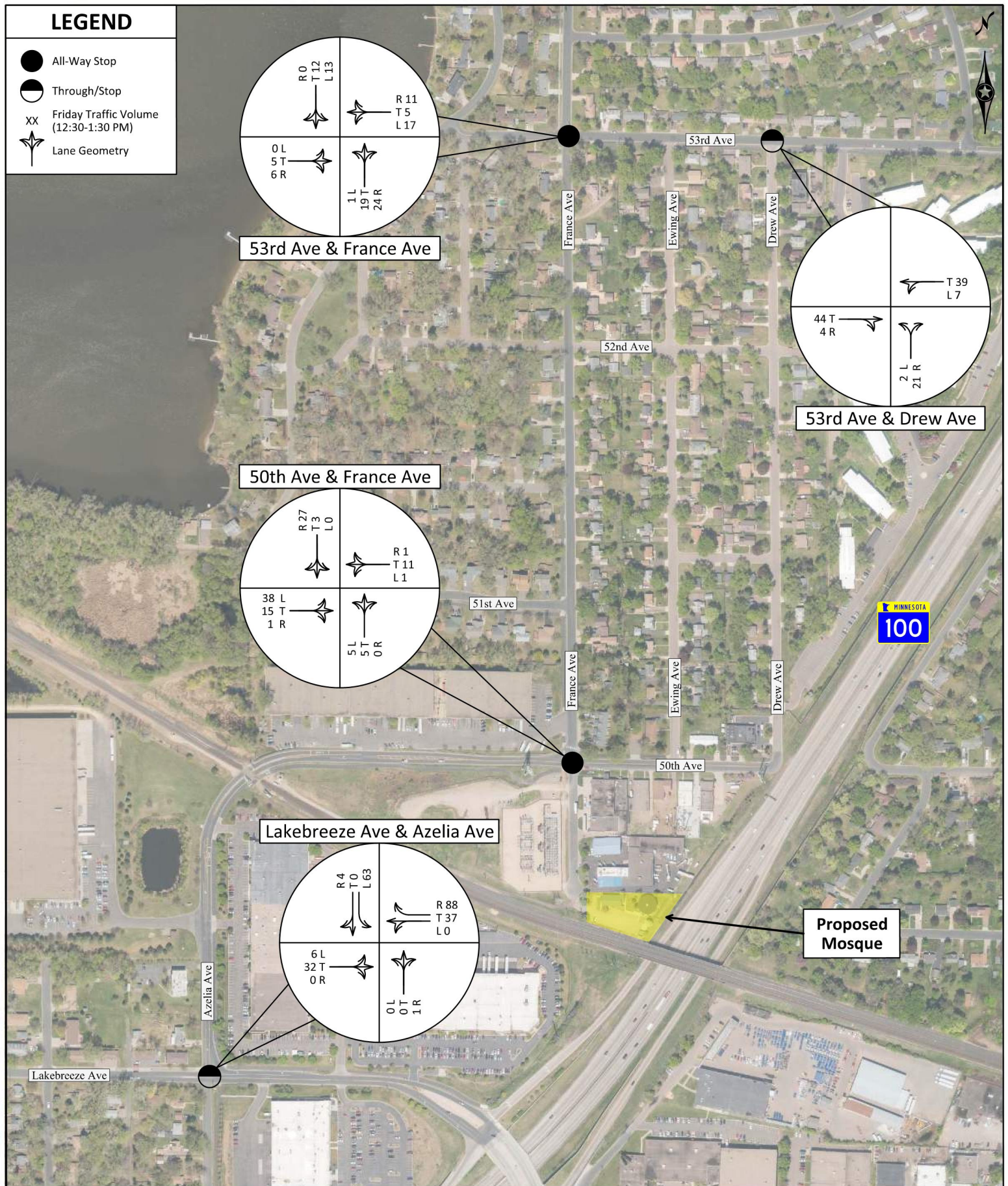


Brooklyn Center Mosque Traffic & Parking Study

*Figure 1
Project Location*



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Brooklyn Center Mosque Traffic & Parking Study

Figure 2
Existing Conditions



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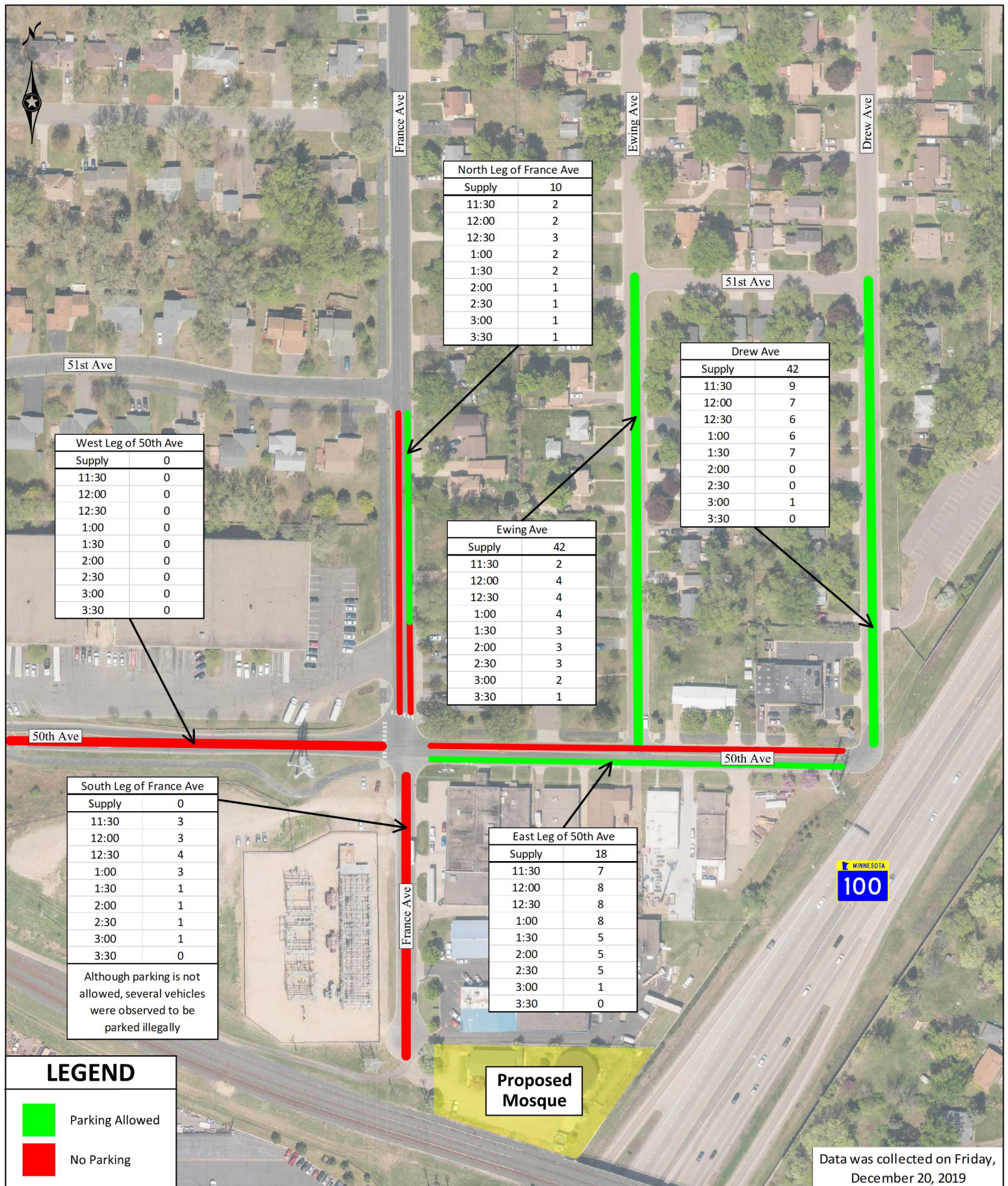
2.2.3 Parking Observations

A review of existing parking restrictions and demand/capacity (Friday 11:30 a.m. to 3:30 p.m.) near the proposed mosque site was completed to understand potential impacts to the adjacent on-street parking network. A summary of study area parking observations is documented in **Figure 3: Existing Parking Observations**. The parking observations reveal that no parking is allowed on France Avenue south of 50th Avenue (the block adjacent to the proposed mosque site), though a number of vehicles were viewed to be parked illegally on this block.

A small supply of on-street parking was available one block from the proposed mosque site along the south side of 50th Avenue east of France Avenue. During the four hours of Friday observations, approximately 10-18 on-street parking spaces were available along this segment of 50th Avenue. However, it should be noted that no pedestrian facilities exist between 50th Avenue and the proposed mosque site. In the residential neighborhood further north, abundant on-street parking was available on France Avenue, Ewing Avenue, and Drew Avenue.

In addition to existing parking observations near the proposed mosque site, parking demand was observed at the Brooklyn Center Community Center where the Friday prayer service of the Masjid Al-Ansar Islamic Community Center is currently held. A parking lot count was collected both during the Friday prayer service and approximately one hour after conclusion of the service. The post-service count revealed 72 fewer vehicles in the Community Center parking lot as compared to the count during the service. Given limited observed use of other meeting space, exercise, and pool facilities within the Brooklyn Center Community Center both during and after the Friday prayer service, the majority of the 72-vehicle difference can be attributed to members of the Masjid Al-Ansar Islamic Community Center.

With an observed service attendance of approximately 150 people, a rate of 2.1 people/vehicle can be derived. Discussions with leaders of the Masjid Al-Ansar Islamic Community Center indicate that service attendance is typically lower and that normal vehicle occupancy is likely closer to 3.0 people/vehicle. Mosque leaders cite college-age members being back from winter break during the Friday, December 20, 2019 observations as the probable cause for the atypical numbers. However, the observed numbers were carried forward in the analysis to conservatively estimate a worst-case scenario for future conditions.



2.3 Intersection Operations Analysis

An existing intersection operations analysis was completed using Synchro/SimTraffic software to establish a baseline condition to which future traffic operations could be compared.

2.3.1 Level of Service and Queuing

Operations analysis results identify a Level of Service (LOS), which indicates the quality of traffic flow through an intersection. Intersections are given a ranking from LOS A to F. The LOS results are based on average delay per vehicle, which correspond to the delay threshold values shown in **Table 1**. LOS A indicates the best traffic operation, with vehicles experiencing minimal delays. LOS F indicates an intersection where demand exceeds capacity, or a breakdown of traffic flow.

Table 1. Level of Service Criteria

Level of Service	Description	Delay per Vehicle (seconds)	
		Signalized Intersection	Unsignalized Intersection
A	Free Flow: Low volumes and no delays.	0 - 10	0 - 10
B	Stable Flow: Speeds restricted by travel conditions, minor delays.	> 10 - 20	> 10 - 15
C	Stable Flow: Speeds and maneuverability closely controlled due to higher volumes.	> 20 - 35	> 15 - 25
D	Stable Flow: Speeds considerably affected by change in operating conditions. High density traffic restricts maneuverability, volume near capacity.	> 35 - 55	> 25 - 35
E	Unstable Flow: Low speeds, considerable delay, volume at or slightly over capacity.	> 55 - 80	> 35 - 50
F	Forced Flow: Very low speeds, volume exceed capacity, long delays with stop and go traffic.	> 80	> 50

Source: Highway Capacity Manual, 2010 Edition, Transportation Research Board, Exhibits 18-4 & 19-1.

Results of the existing intersection operations analysis shown in **Table 2** indicate that all study intersections currently operate at overall LOS A during the Friday analysis hour. In addition, no significant side-street delay or queuing issues were observed in the field or traffic simulation. Detailed operations and queuing analysis results are presented in **Appendix A**.

Table 2. Existing Intersection Operations Analysis

Intersection	Existing	
	LOS	Delay (s)
Lakebreeze Ave & Azelia Ave	A / A	1.5 / 4.5
France Ave & 50th Ave	A / A	4.4 / 5.6
France Ave & 53rd Ave	A / A	4.0 / 5.0
53rd Ave & Drew Ave	A / A	1.0 / 2.7

Overall Intersection LOS / Worst Approach LOS

Overall Intersection Delay / Worst Approach

3.0 Future Conditions

To determine potential impacts, a traffic operations analysis was completed for future conditions.

3.1 Proposed Mosque

The Masjid Al-Ansar Islamic Community Center is expected to repurpose existing building structures (approximately 2,400 and 2,800 square feet each) at the 4900 France Avenue N site. The existing site access at the southern end of a cul-de-sac on France Avenue south of 50th Avenue is expected to be reutilized. The existing parking lot at the proposed mosque site, which is anticipated to be restriped, is expected to provide a maximum of 32 parking stalls of typical width (8.5 feet). It should be noted that the size of the existing building structures may limit the potential attendance of any particular prayer service; however, the worst-case scenario in which all members are onsite at one time was conservatively analyzed.

3.2 Intersection Operations Analysis

A future conditions intersection operations analysis was completed using Synchro/SimTraffic software to estimate the traffic impacts of the proposed mosque.

3.2.1 Background Growth

Significant background traffic volume growth at the study intersections is not expected in the near future, as the study area is fully developed with limited potential for redevelopment that would produce significantly increased traffic volumes.

3.2.2 Trip Generation

The *ITE Trip Generation Manual, 10th Edition* was referenced to estimate the trip generation potential of the proposed mosque. However, very limited data related to a mosque is available. Therefore, a trip generation based on existing Friday prayer service observations was utilized to provide a more reliable analysis. As noted previously, approximately 70 vehicles at the current Friday prayer service site could be attributed to members of the Masjid Al-Ansar Islamic Community Center. Consequently, approximately 70 trips both to and from the proposed mosque could be expected. While the proposed mosque is expected to offer two back-to-back prayer services between 12:00 p.m. and 2:00 p.m., the potential exists for one of the services to be more popular than the other. Therefore, to provide a worst-case estimate of future conditions, all 70 potential trips were assumed to exit the proposed mosque site within the Friday analysis hour.

3.2.3 Directional Distribution and Trip Assignment

The distribution of site-generated trips was estimated based on existing traffic volumes/patterns and engineering judgement. The resultant directional distribution, shown in **Figure 4: Directional Distribution**, was applied to estimated site-generated trips. The resultant forecast of future conditions, in which all 70 potential site-generated trips exit the proposed mosque within the Friday analysis hour, is shown in **Figure 5: Future Conditions**.

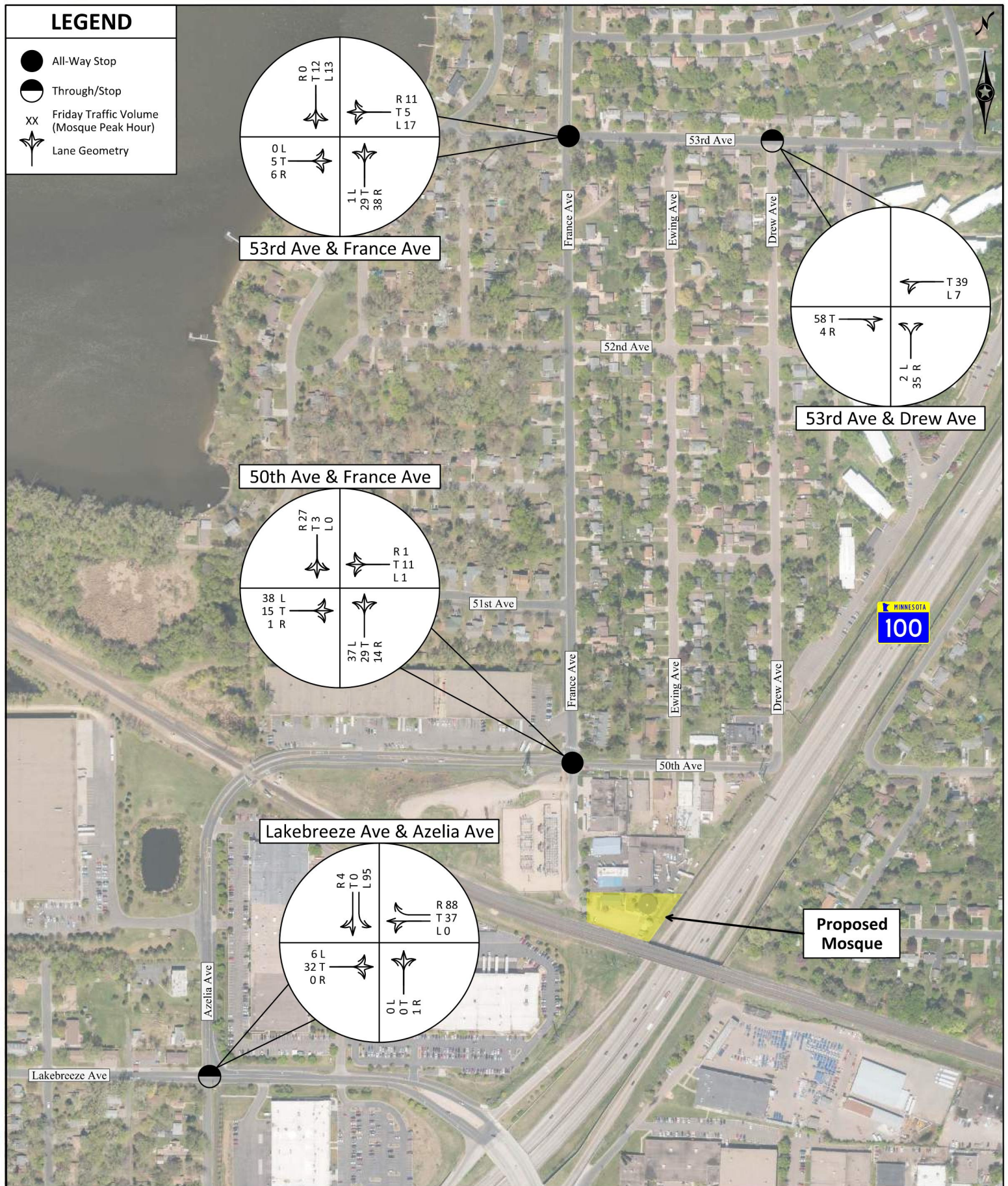


Brooklyn Center Mosque Traffic & Parking Study

Figure 4
Directional Distribution



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Brooklyn Center Mosque Traffic & Parking Study

Figure 5
Future Conditions



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3.2.4 Level of Service and Queuing

Results of the future intersection operations analysis, shown in **Table 3**, indicate that all study intersections are expected to continue operating at overall LOS A during the Friday analysis hour. In addition, no significant side-street delay or queuing issues were observed in the traffic simulation. Therefore, no issues related to the proposed mosque are anticipated from a traffic operations perspective. Detailed operations and queuing analysis results are presented in **Appendix A**.

Table 3. Intersection Operations Analysis Comparison

Intersection	Existing		Future	
	LOS	Delay (s)	LOS	Delay (s)
Lakebreeze Ave & Azelia Ave	A / A	1.5 / 4.5	A / A	1.9 / 4.7
France Ave & 50th Ave	A / A	4.4 / 5.6	A / A	4.8 / 5.5
France Ave & 53rd Ave	A / A	4.0 / 5.0	A / A	4.5 / 5.2
53rd Ave & Drew Ave	A / A	1.0 / 2.7	A / A	1.1 / 2.7

Overall Intersection LOS / Worst Approach LOS

Overall Intersection Delay / Worst Approach

3.3 Parking Management

Despite anticipated back-to-back prayer services between 12:00 p.m. and 2:00 p.m., the potential still exists for approximately 70 vehicles to be onsite during the overlap between services in the 12:30-1:30 p.m. timeframe. Considering an estimated maximum of 32 parking stalls onsite, the potential exists for a parking deficit of nearly 40 stalls. Therefore, the Masjid Al-Ansar Islamic Community Center is planning to provide four shuttle vans (7-passengers each) to move members between the proposed mosque site and an offsite park and ride location. It should be noted that the study area was observed to have sufficient on-street parking capacity within two to three blocks of the proposed mosque to accommodate the entire membership. However, a significant portion of this available on-street parking capacity lies in the residential neighborhood north of 50th Avenue. The combination of the existing parking lot, available on-street parking, and the planned shuttle service has the potential to effectively manage the anticipated parking demand of the proposed mosque.

For the offsite park and ride location, an arrangement has been made with K&G Fashion Superstore (located approximately one mile northeast of the proposed mosque at 5425 Xerxes Avenue N and shown previously in **Figure 1**) to provide parking in the underutilized back parking lot of the store. The back parking lot at K&G has a capacity of more than 100 parking stalls with little associated demand based on a review of satellite imagery over the past 10 years. With shuttle vans running continuously before and after services, the potential exists for the shuttle service to significantly reduce parking demand on and near the site of the proposed mosque.

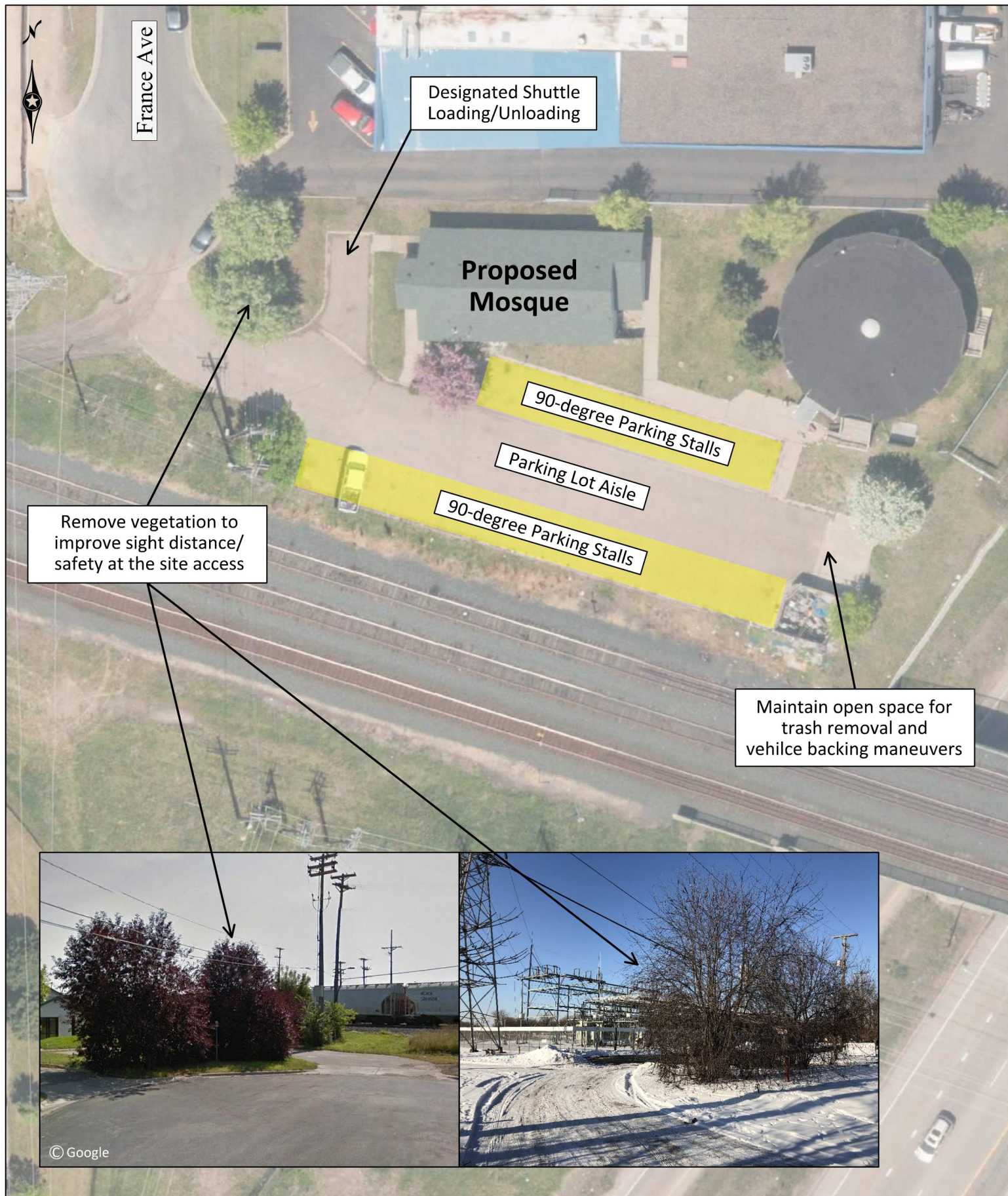
3.3.1 Parking Management Plan

The potential exists for parking demand to significantly exceed the anticipated parking supply on the site of the proposed mosque at 4900 France Avenue N in Brooklyn Center. Therefore, the following measures are recommended to minimize the potential for parking demand associated with the proposed mosque to overrun the parking supply onsite and spill onto adjacent streets and into the residential neighborhood north of 50th Avenue:

- If possible, separate the two anticipated prayer services by at least one hour to limit the potential for the entire membership to be onsite during the overlap between services.
- Actively promote the use of the planned shuttle service among members of the Masjid Al-Ansar Islamic Community Center.
 - The shuttle service is expected to offer an abundance of parking at a location only a 5-minute drive from the proposed mosque site (K&G Fashion Superstore).
 - In one trip, the four shuttle van fleet could transport up to 24 people excluding van drivers (equivalent to 11 parked vehicles at the observed rate of 2.1 people/vehicle).
 - Stagger shuttle van departures to minimize the potential for more than one van loading/unloading passengers simultaneously on the proposed mosque site.
- Excluding the required number of designated stalls for handicap accessible, mosque leadership, and shuttle parking, sign the majority of the remaining parking lot stalls as carpool only.
 - Encourage single occupancy drivers to utilize the planned shuttle service.
 - Designate the single parking stall immediately adjacent to the west building entrance for shuttle van loading/unloading. This location will help minimize the potential for vehicle/pedestrian conflicts within the parking lot and allow shuttle vans the space needed to perform a backing maneuver.
 - Designate a parking lot monitor to actively enforce carpool rules and post a sign at the site access when the parking lot is full. These actions will maintain an orderly parking lot and help minimize the potential for vehicle/vehicle and vehicle/pedestrian conflicts.
- Given that vehicles were already observed to park illegally along France Avenue south of 50th Avenue and minimal heavy truck activity, the City of Brooklyn Center could consider allowing on-street parking along the west side of this one-block segment. Approximately 210 feet of uninterrupted curb is available along the west side of France Avenue, south of 50th Avenue and north of the cul-de-sac which provides access to the proposed mosque. This length of uninterrupted curb has the potential to provide approximately 10 on-street spaces that could be utilized for short-term parking.

3.3.2 Parking Layout

To minimize the potential for vehicle/vehicle and vehicle/pedestrian conflicts onsite, the parking layout shown in **Figure 6** is recommended. It should be specifically noted that removing overgrown vegetation near the site access is recommended to improve sight distance/safety.



4.0 Conclusions/Recommendations

The following study conclusions/recommendations are offered for consideration:

- Results of the existing intersection operations analysis indicate that all study intersections currently operate at overall LOS A during the Friday analysis hour. In addition, no significant side-street delay or queuing issues were observed in the field or traffic simulation. After the Masjid Al-Ansar Islamic Community Center occupies the existing building structures at 4900 France Avenue N in Brooklyn Center, all study intersections are expected to continue operating at overall LOS A during the Friday analysis hour. Additionally, no significant side-street delay or queuing issues are anticipated under the future conditions. Therefore, no issues related to the proposed mosque are anticipated from a traffic operations perspective.
- Despite anticipated back-to-back prayer services between 12:00 p.m. and 2:00 p.m., the potential still exists for approximately 70 vehicles to be onsite during the overlap between services in the 12:30-1:30 p.m. timeframe. Considering an estimated maximum of 32 parking stalls onsite, the potential exists for a parking deficit of nearly 40 stalls. Therefore, the Masjid Al-Ansar Islamic Community Center is planning to provide four shuttle vans (7-passengers each) to move members between the proposed mosque site and an offsite park and ride location only a 5-minute drive away.
 - It should be noted that the study area was observed to have sufficient on-street parking capacity within two to three blocks of the proposed mosque to accommodate the entire membership. However, a significant portion of this available on-street parking capacity lies in the residential neighborhood north of 50th Avenue. The combination of the existing parking lot, available on-street parking, and the planned shuttle service has the potential to effectively manage the anticipated parking demand of the proposed mosque.
- To minimize the potential for parking demand associated with the proposed mosque to overrun the parking supply onsite and spill onto adjacent streets and into the residential neighborhood north of 50th Avenue, the actions presented in **Section 3.3.1: Parking Management Plan** are recommended.

Appendix A – Detailed Operations and Queueing Analysis

Existing Conditions

Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lakebreeze Ave & Azelia Ave	Movement Delay (sec/veh)	2.4	0.1	0.0	0.0	0.1	0.2	0.0	0.0	2.8	4.7	0.3	2.2	1.5
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	8	8	8	0	0	0	0	0	10	45	15	15	
	Approach Delay (sec/veh)	0.5			0.2			2.8			4.5			
	Approach LOS	A			A			A			A			

Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
France Ave & 50th Ave	Movement Delay (sec/veh)	4.2	5.7	1.9	3.2	6.2	1.4	4.2	5.7	0.0	0.0	3.7	3.7	4.4
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	37	37	37	22	22	22	30	30	0	18	18	46	
	Approach Delay (sec/veh)	4.5			5.6			5.0			3.7			
	Approach LOS	A			A			A			A			

Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
France Ave & 53rd Ave	Movement Delay (sec/veh)	0.0	5.9	2.7	4.6	1.7	2.6	4.2	5.5	3.7	4.2	5.8	0.0	4.0
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	33	33	33	43	43	43	49	49	49	43	43	43	
	Approach Delay (sec/veh)	3.9			3.0			4.5			5.0			
	Approach LOS	A			A			A			A			

Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
53rd Ave & Drew Ave	Movement Delay (sec/veh)	0.0	0.6	0.4	2.0	0.1	0.0	3.9	0.0	2.6	0.0	0.0	0.0	1.0
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	0	0	0	5	5	0	13	0	39	0	0	0	
	Approach Delay (sec/veh)	0.6			0.4			2.7			0.0			
	Approach LOS	A			A			A			A			

Future Conditions

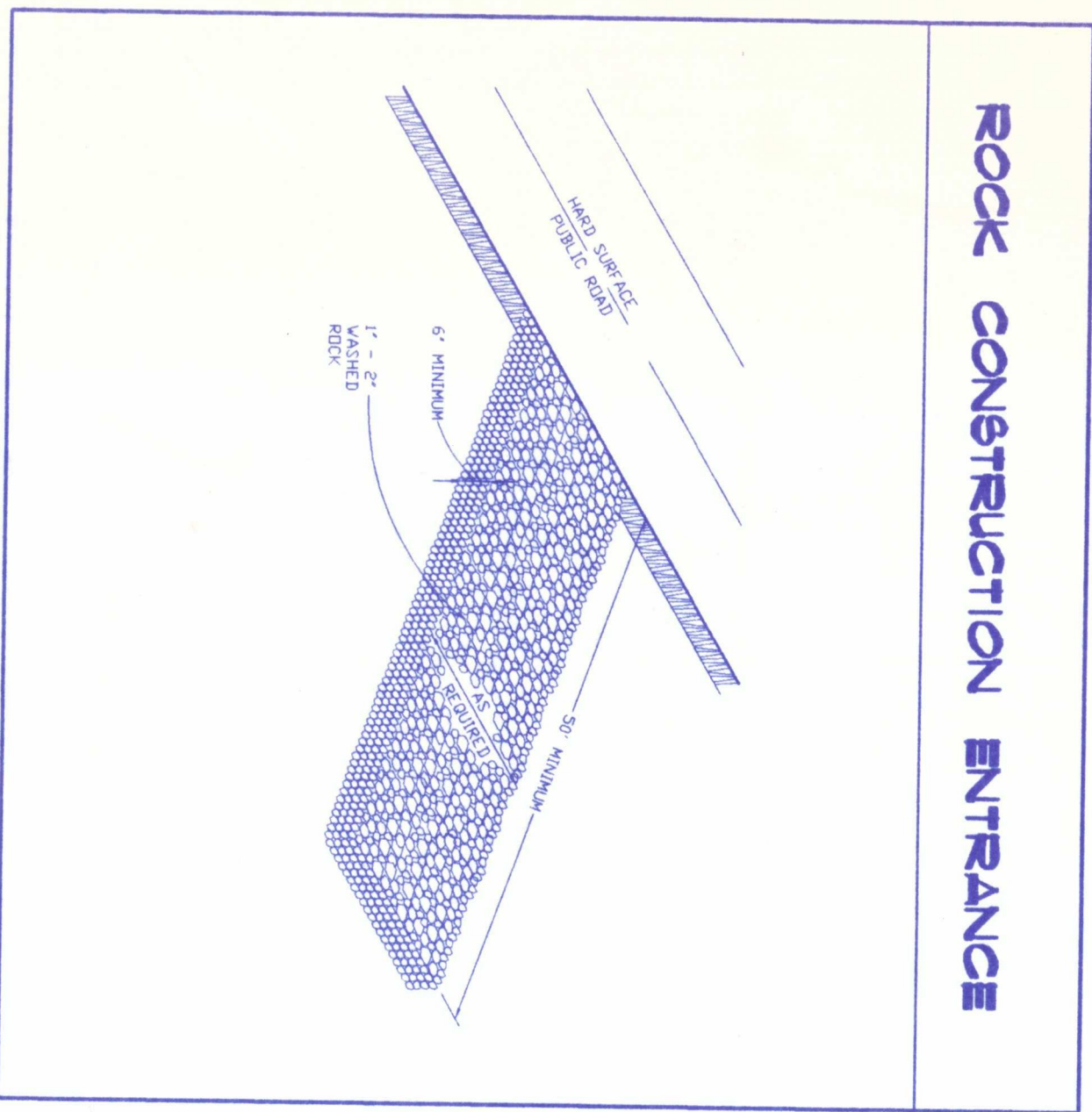
Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lakebreeze Ave & Azelia Ave	Movement Delay (sec/veh)	2.1	0.1	0.0	0.0	0.1	0.2	0.0	0.0	0.0	4.8	0.1	2.6	1.9
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	8	8	8	0	0	0	0	0	4	48	14	14	
	Approach Delay (sec/veh)	0.5			0.2			0.0			4.7			
	Approach LOS	A			A			A			A			

Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
France Ave & 50th Ave	Movement Delay (sec/veh)	4.3	5.6	1.5	4.1	5.9	1.8	5.0	6.5	3.1	0.0	3.3	3.9	4.8
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	39	39	39	23	23	23	54	54	36	19	19	45	
	Approach Delay (sec/veh)	4.6			5.5			5.2			3.8			
	Approach LOS	A			A			A			A			

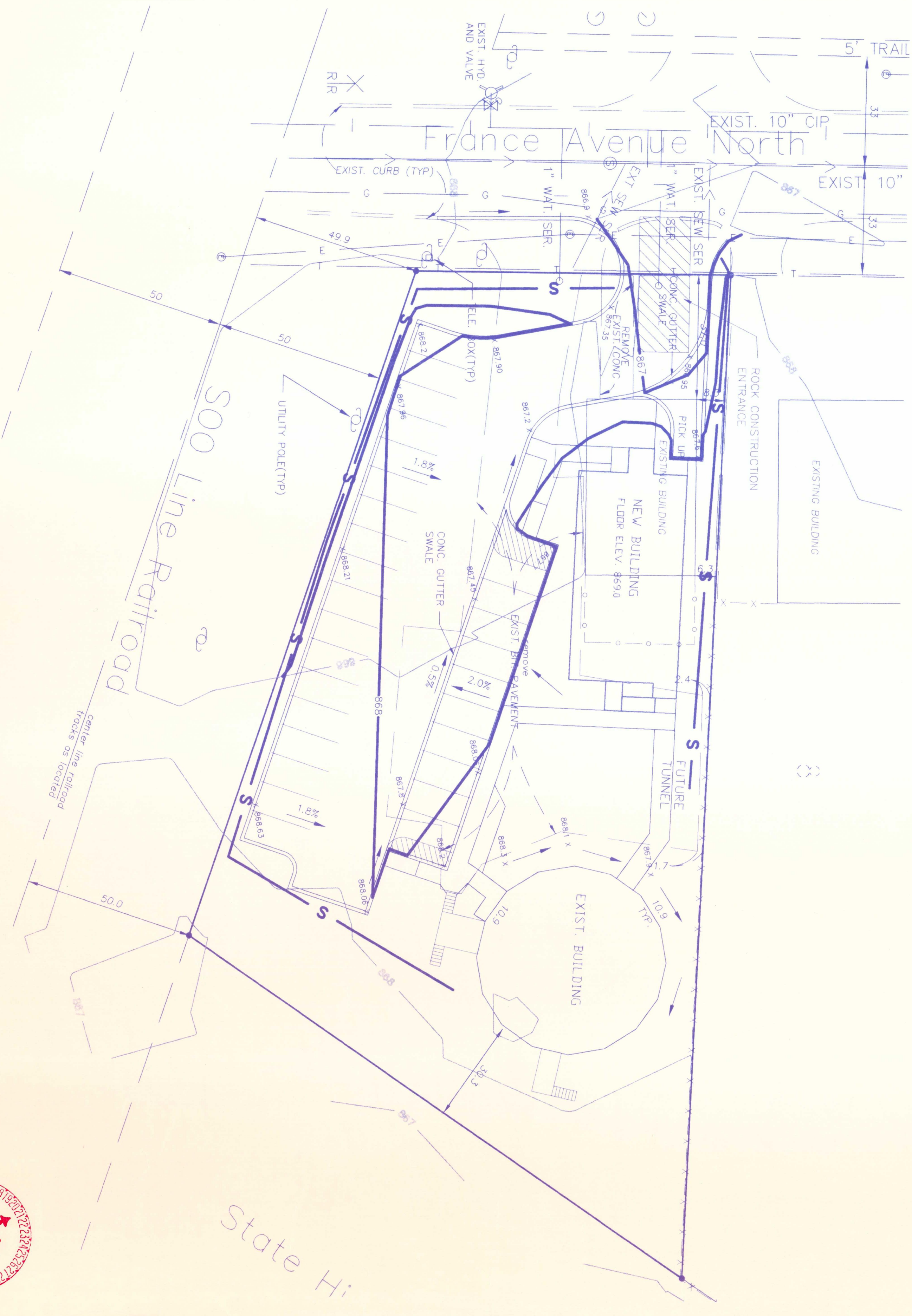
Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
France Ave & 53rd Ave	Movement Delay (sec/veh)	0.0	5.9	2.3	4.5	1.7	2.5	4.2	6.6	4.3	4.6	5.7	0.0	4.5
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	29	29	29	43	43	43	53	53	53	43	43	43	
	Approach Delay (sec/veh)	3.7			3.0			5.2			5.2			
	Approach LOS	A			A			A			A			

Intersection	MOE	Eastbound Approach			Westbound Approach			Northbound Approach			Southbound Approach			Intersection Total
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
53rd Ave & Drew Ave	Movement Delay (sec/veh)	0.0	0.5	0.5	2.1	0.1	0.0	4.8	0.0	2.6	0.0	0.0	0.0	1.1
	Movement LOS	A	A	A	A	A	A	A	A	A	A	A	A	A
	Movement 95th Queue (ft)	0	0	0	10	10	0	11	0	44	0	0	0	
	Approach Delay (sec/veh)	0.5			0.5			2.7			0.0			
	Approach LOS	A			A			A			A			

PRELIMINARY GRADING AND UTILITY PLAN
FOR
PET CARE CENTER
BROOKLYN PARK, MINNESOTA



- NOTES:
1. SPOT ELEVATIONS GUTTER LINE OR BIT. SURFACE UNLESS NOTED OTHERWISE.



DESIGNED	REVISIONS
C.W.P.	
DRAMAN	
H.N.A.	
CHECKED	
C.W.P.	

SITE PLANNING

ENGINEERING

CHARLES W. PLOWE CONSULTING ENGINEER

9180 LEXINGTON AVENUE N.E.
CIRCLE PINES, MN 55014

(612) 785-1043

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered professional engineer under the laws of the State of Minnesota.

Charles W. Plowe

DATE: 1-6-98 REG. NO. 18337

PREPARED FOR:

WILLIAM N. DUDLEY

4902 FRANCE AVE. SO.

BROOKLYN CENTER, MN 55429



MEMORANDUM

DATE: Feb 10, 2020

TO: Ginny McIntosh, City Planner/Zoning Administrator

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Site Plan Review – 4900 France

Public Works Department staff reviewed the following documents submitted for review on Jan 20, 2020 for 4900 France Ave N:

- Planning Commission Submittal Packet dated Jan 20, 2020

Subject to final staff Site Plan approval, the referenced plans must be revised in accordance with the following comments/revisions and approved prior to issuance of land alteration permit:

Site Plan

1. The traffic study and parking demand management plan and Applicant note an intent to re-stripe the parking lot and relocate the existing outdoor trash enclosure so as to meet the previously approved site plan prepared by Blumentals Architecture and last revised February 5, 1998. The Applicant did not provide an updated site plan. The location of the trash enclosure shown on the approved site plan is different than the existing trash enclosure's current location and would need to be relocated in order to allow for installation of additional parking. The applicant shall restripe the parking to match the previously approved site plan and will need to accommodate for minimum ADA parking requirements.
2. The applicant shall remove the overgrown vegetation at the entrance to improve sight lines when entering and exiting the site.
3. Site accessibility shall comply with ADA standards.

Miscellaneous

4. The applicant is not proposing to disturb the site above the threshold for review; no project review is required for the West Mississippi Watershed Commission and an NPDES permit is not required.
5. The City has received a draft traffic study, dated January 9, 2020. The study doesn't provide a clear understanding of the parking needs for the site. The report provides only an estimate of service attendees to each service. Staff estimates of occupancy loads of the building after the remodeling exceeds the number provided in the draft traffic plan.

In discussions with the applicant, it was implied that after the completion of each service the parking lot will empty entirely, providing a clean slate for the next service. With the nature of the site and the indication that the site is planned to function as community center it seems unreasonable to expect that this will occur. If the occupancy loads match the estimation within the traffic study, only under ideal conditions will the site be able to meet the required number of parking stalls and the site will be under-parked. If those numbers are greater, then parking

and traffic could have major impacts on the neighborhood.

The Public Works department will not recommend changing any of the city on-street parking regulations for the local city streets to accommodate on-street parking for the site, which is suggested in the provided traffic study and parking demand management plan. The cul-de-sac portion of France Avenue North shall not be used for on-street parking as street dimensions do not allow for the movement of industrial traffic and vehicles in conjunction with on-street parking. The traffic study discusses the use of a staff member directing traffic, preventing vehicles from entering the site once the on-site parking is full, however, the study doesn't discuss how the traffic will be directed to prevent on-street parking in the neighborhood or what steps will be taken to prevent queuing in the streets as cars wait for parking.

The applicant shall take steps to prevent parking on private property, unless the applicant can provide an agreement with a private property owner for the purposes of additional parking. In addition, the study refers to an agreement with the K&G property at 5425 Xerxes Ave N as a location for additional parking with a shuttle service (i.e. 4 minivans). The study doesn't detail how the shuttle service will work, nor does the PC submittal packet include an agreement with K&G for use of their property. City staff has not received enough information nor does the traffic report lend clarity to the parking issues and concerns. In regards to the traffic study, Public Works is unable to provide a recommendation in support of the traffic study as proposed.

Anticipated Permitting:

6. Other permits not listed may be required and is the responsibility of the developer to obtain and warranted.
7. Copies of all required permits must be provided to the City prior to issuance of applicable building and land disturbance permits.

The aforementioned comments are provided based on the information submitted by the applicant at the time of this review. Other guarantees and site development conditions may be further prescribed throughout the project as warranted and determined by the City.



City of Brooklyn Center Beautification & Public Art Plan 2020-2025

UPDATED DRAFT 2/6/20

Prepared by Forecast Public Art

Intro and Overview

City of Brooklyn Center hired Forecast to develop a Beautification & Public Art Master Plan

Why a Plan?

- Re-create a sense of identity, enhance community image, grow civic pride
- Establish policies, procedures, governance systems, management and administrative systems and sustainable funding mechanisms Coordinate public and private beautification efforts
- Guide efforts to enhance public improvements and private development efforts
- Advance resident economic stability
- Engage residents and businesses throughout the City in meaningful ways
- Interests and priorities change over time

Why Public Art?

Public art is vital to building a dynamic and equitable city for everyone; it encourages dialogues across difference, inspires viewers and participants to engage more fully in their communities and fosters civic pride and stewardship.

What does Public Art and Beautification in Brooklyn Center look like in Five Years?

The range of public art resulting from the city's program will likely be as varied and diverse as the Brooklyn Center community; the city's multicultural residents will be able to see themselves represented in public spaces. There are many ways public art can happen in the future, including:

- Commissioned art as part of a public improvement project, such as a streetscape, a new playground, renovation of a public building, etc.
- Private developers commission art to incorporate into their housing, retail or commercial developments.
- Residents, community groups and businesses develop art projects in public-facing spaces, independently or with start-up support from the City through a micro-grant program.
- All types of artists living in Brooklyn Center will be offered information and training opportunities to learn how to engage with neighbors in creating meaningful projects.
- Artists are embedded in the Parks Department's Rec on the Go program, in the Rec Center, in schools (engaging youth), in new housing developments, at the library, etc.
- Community members are invited to plan and participate in cultural events and festivals.
- Artists and residents build functional amenities, such as benches, shade structures, trash can holders, etc. in neighborhoods and along walking trails to increase physical activity of residents.

A Shared Vision for Brooklyn Center

Brooklyn Center is where diverse community members can see themselves in the art that's part of their daily lives, in *their* city; where residents and businesses thrive, are actively engaged in cultural activities and enjoy their quality of life. Brooklyn Center is known for its inclusive, equitable, people-powered beautification program focused on improving health, wellbeing and

thoughtful design serving the entire city. Effectively governed, adequately funded and professionally managed, Brooklyn Center's forward-thinking public art initiatives are recognized nationally as high quality, meaningful and impactful.

Process Steps and Key Preliminary Findings

- Discovery, Listening and Community Engagement Phase
 - Touring and Viewing, Mapping Exercises, Community Engagement Workshops
 - Three Task Force groups: Community, City Team and City Council
 - Surveys (online and on-site), focus groups, interviews and meetings (in person and via telephone)
 - Note: A concerted effort to seek and obtain diverse perspectives and input throughout the planning process was critical to the plan's efficacy.
 - Demonstration project (230 street banners featuring youth, adults and elders)
- Preliminary Findings
 - Mapping exercises helped identify areas of concern or needing attention, such as the Transit Center, vacant lots, empty buildings, etc. as well as places of value, including the library, parks, trails, Centennial Park, etc.
 - Overall, the response from participants engaged in the planning process regarding the plan's goals and the concept of the City developing a program has been very positive.
 - Establishing a new program within the City will be a challenge, since it involves taking some risks and it requires an investment of time, people and money.
 - There are not been many artists or arts organizations in the city—no galleries, theaters, or cultural centers (except the Brookdale Library). It is critical to identify and grow a base of local talent able to actively and professionally participate in public art, community engagement and beautification; it is likewise critical to grow the number of arts and cultural facilities, venues, work spaces, etc.
 - A majority of local residents and workers in the city are unaware of contemporary public art; community-wide education and awareness-building is needed to grow awareness, understanding, appreciation and support.
 - There are numerous efforts underway or planned throughout the city that offer excellent opportunities for incorporating public art and beautification projects, including in schools, parks, new developments, transit improvements and more.
- Drafting of the full plan document, including overlay maps focused on corridors and key areas of the city, will be followed by an online vetting process inviting review and input from the broader community, leading to review and acceptance by the City Council.

About Public Art & Healthy City Strategies

- The Plan will include an overview of the public art field, including examples, recent trends and critical issues.
 - There are many types of public art, and many different functions it can serve.
 - There's a wide range of possible outcomes, including temporary/fixed, visual/performance, social engagement, cultural festival, community meals and more.
 - There are many ways public art can address individual, community and social health objectives.
 - Beyond placing art in public places; public art is increasingly about the process of meaningful engagement experiences, efforts that bridge difference, build social cohesion and promote cross-sector collaborations.
 - Growing evidence points to benefits derived from engaging citizens in creating the physical and social ecology they desire; allowing disenfranchised residents to see themselves in the art they experience in their daily lives.

Challenges

- City has made limited investments in arts and culture; it's a new thing that's untested; the street banner project offers a valuable demonstration that can help inform future efforts.
- City's efforts with community engagement have left some interviewees wanting more bottom-up strategies; not simply responding to City-generated ideas.
- There are several blighted or abandoned areas, and evidence of undesirable behaviors.
- It's difficult keeping trashed areas clean; businesses don't always cooperate.
- City's staff capacity is strained, limiting what's possible in terms of staff time.
- City staff are fairly risk averse and somewhat conservative.
- City has limited resources and there are many competing priorities.

Opportunities

- City has numerous assets upon which to build a meaningful, impactful program:
 - Partnerships (County, Metro Transit, Brooklyn Youth Alliance, Three Rivers Parks, Schools, Earl Brown Heritage Center, Brookdale Library, developers and others).
 - Programs that have made an impact in terms of community engagement (including Rec on the Go, Saturday Market, Centennial Park and stage, parks and trails, and others).
 - Street banner demonstration project provides a good example of community-engaged public art that builds civic pride; creating and sharing this story can raise awareness.
 - Future public improvements and private developments can host public art projects.
- Positioning program around theme of "Healthy City" with deep, authentic community engagement, combined with city's noteworthy demographics could attract funding/investment.
- Program aligns with key goals and values of City.
- Program is new and not confined; starting from a "blank slate" offers numerous options.

Program Guiding Principles

- Places of beauty and places that encourage positive social interactions contribute to our health.
- Engaging diverse cultural communities in co-creating the built and social environments in which they can thrive contributes to civic pride and stewardship of public spaces.
- To ensure new City program is successful, it should start small, build on the assets and partnerships already in place, and grow from there.
- Art and artists play an important role in developing and revitalizing cities, promoting economic development, generating pride, and building community.
- Cultural development is as important as economic development; this initiative should be viewed as part of a larger arts and cultural program long-term, helping the City reduce disparities and advance its equity, diversity and inclusion goals.
- Beautification can elevate property values and attract businesses, artists and creative industries.
- People enjoy living in a community where they make new friends and learn new things.
- It's critical to incorporate maintenance and conservation funding into all capital projects.

Long-Term Goals

- Foster civic pride and community health by:
 - Creating and activating meaningful public gathering places
 - Enhancing connective trails and parks, and increasing usage by all
 - Nurturing a vibrant cultural life that encourages cross pollination and community building
 - Offering family-oriented arts and entertainment and high quality public art experiences
- Grow number of residents who become active stewards of Brooklyn Center, and feel inclined to care for the city's public spaces.

- Increase number of volunteer community members who seek out fun and impactful beautification projects. For example:
 - Painting safety crosswalks, creating neighborhood-themed benches, planting roadside flowerbeds, clean-up projects that result in found-object sculptures, etc.
- Grow number of residents desiring engagement in public art activities that enhance their quality of life, especially immigrant communities, those living in multi-family dwellings and youth.
- Increase participation and leadership by locally based artists, residents and businesses.
- Attract outside grants and partnership support to warrant expansion of program.
- Grow program long-term to support cultural development (cultural center, studio space, etc.).

Short-Term Strategic Operations Work Plan (2020+2021)

- Build program intentionally, and iteratively over time with informed decision-making, taking into account the following strategies:
 - a) Pop up opportunities (treatment of eyesores, surprise interventions, etc.).
 - b) Leverage current projects (public improvements, private developments, etc.).
 - c) Demonstration projects (street banners, light projections, temporary murals, etc.).
 - d) Strategic, long-range efforts (4-5 years out, with time to generate larger sums of funding, etc.).
 - e) Encourage businesses, schools, community groups, developers and others to initiate independent or partnership public art and beautification projects.
- Consider range of funding mechanisms, such as percent-for-art out of CIP and general fund.
 - (List of various funding mechanisms to be provided).
- Reference Overlay Maps to consider corridor development and identify areas of opportunity.
- Take advantage of efforts the city—and others—are doing or plan to do, such as Transit Center remodeling by Metro Transit, Hennepin County Public Health's effort with Hmong community, and others.
- Establish an Arts and Culture Commission to guide further planning, advise City on investments, opportunities, demonstration projects, etc.
- Involve community members to help develop and adopt an "evaluation scorecard" to measure impacts of projects and build a system for decision-making and record-keeping.
- Maintain City Team as a resource to assist with program incubation and development with representatives from City department offering support, ideas and coordination.
- Consider a micro-grants strategy to support artists partnering with community members to generate bottom-up ideas and projects with technical assistance from City staff.
- Host educational events, training sessions and social activities for local talent and help them learn about program and how they can participate.
- Identify locally-embedded cultural liaisons who can assist with community engagement efforts.
- Develop community education strategies to broaden awareness, understanding and appreciation of contemporary public art and beautification efforts, especially ones that enhance livability; start by telling story of the Street Banner Project, with quotes from participants and observers, followed by a story about how and why the city is working to develop a program to build on such efforts.

Recommendations to Actualize Plan

In summary, the City should start small and grow its beautification and public art program iteratively over time as the program takes root and becomes embedded into the culture of City government.

Program Funding

- Determine priority options to establish sustainable funding mechanisms to support program annually.

- Percent of annual budget—for engagement, programs and events; and CIP budget—for capital projects.
- Identify resources needed to help city staff take advantage of opportunities (cash and in-kind).
 - Project coordinators, artists, local cultural liaisons
 - Production expenses
 - Public relations and communications
 - Documentation and evaluation
 - Continuing education and professional development
 - Leverage private investment (fundraising, sponsorship procurement, etc.)

Governance

- Establish a Brooklyn Center Arts and Culture Commission with a council member liaison.
- Maintain City Team as a group to help guide and nurture program, increase connection and collaboration amongst departments.

Management

- Overseen by Deputy City Manager with help from key staff members, until contracted project management support and eventually staff manager is available.
 - Implement, wherever practical, modestly-scaled projects and measure outcomes.
 - Establish communications protocols—internal and external—to build awareness and generate support for future efforts.

Project possibilities include, but are not limited to:

- Temporary murals wrapping around and re-envisioning City Hall entrance.
- Visual and performing arts enhancements to the Saturday Market (street painting, interactive projects, colorful banners, live performances, etc.).
- Changing art along trails that run through neighborhoods, inspiring repeat visits.
- Artists engaging community members to inform enhancements to new playgrounds.
- Art incorporated into public improvements and private developments, and artists-in-residence in new housing developments and apartment buildings.
- Artist embedded in *Rec on the Go* program.
- Artist-in-residence in schools, library and community garden projects.
- Micro-grants offered to artists partnering with residents/businesses and cultural liaisons from local cultural communities and neighborhood groups.
- Community-driven Cultural Festival featuring diverse youth talent (using multiple venues, such as Earle Brown Heritage Center, Centennial Park, Brookdale Library, etc.).
- Rethink interim uses for vacant buildings (consider a Festival of Nations-type venue, a co-working studio, cultural showcase, event space, etc.).
- Showcase local culture at Transit Center (using video monitor and sound system for music, etc.).
- Explore with Hennepin County facilities expanding Brookdale Library's function as a cultural center.

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO.

RESOLUTION REGARDING THE RECOMMENDED APPROVAL OF PLANNING COMMISSION APPLICATION NO. 2020-001 SUBMITTED BY MASJID AL-ANSAR ISLAMIC COMMUNITY CENTER FOR ISSUANCE OF A SPECIAL USE PERMIT TO OPERATE A MOSQUE AND COMMUNITY CENTER AND APPROVAL OF A PARKING VARIANCE (LOCATED AT 4900 FRANCE AVENUE NORTH)

WHEREAS, Planning Commission Application No. 2020-001 submitted by Masjid Al-Ansar Islamic Community Center (“the Applicant”) requests review and consideration for the issuance of a Special Use Permit to operate a mosque and community center at 4900 France Avenue North (“the Subject Property”); and

WHEREAS, the Subject Property is situated in the I-2 (General Industry) District, where religious uses are permitted only through issuance of a Special Use Permit under City Code Section 35-331.3; and

WHEREAS, the Applicant has submitted an application to the City of Brooklyn Center for official consideration under Planning Commission Application No. 2020-001; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota held a duly noticed and called public hearing on February 13, 2020, whereby a planning staff report was presented and public testimony regarding the Special Use Permit were received; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota determined that the identified potential deficiency in on-site parking would have minimal impacts on the surrounding neighborhood and uses if the Applicant provides an off-site shuttle van service, utilizes an on-site parking attendant to direct traffic during higher trafficked services and events, and designates the majority of the parking lot located on the Subject Property for “carpool use” only; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota considered the Special Use Permit request in light of all testimony received, the guidelines and standards for evaluating this Special Use Permit contained in Section 35-220 (*Special Use Permit*) of the City’s Zoning Ordinance, and the request complies with the general goals and objectives of the City’s 2040 Comprehensive Plan;

WHEREAS, the City Council finds as follows regarding Planning Commission Application No. 2020-001, submitted by Masjid Al-Ansar Islamic Community Center:

- a) The Planning Commission Report related to this request, which was updated for the City Council on March 9, 2020, is incorporated herein by

RESOLUTION NO.

reference.

- b) The rectangular building on the Subject Property is located at 4900 France Avenue North (“Rectangular Building”), is currently unfit for human occupancy due to water damage, and is the building the Applicant intends to occupy first.
- c) The circular building on the Subject Property is located at 4902 France Avenue North (“Circular Building”), has been vacant for a number of years, and its condition is unknown.
- d) The establishment, maintenance, or operation of the special use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals, or comfort.
- e) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- f) The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- g) Adequate measures have been or will be taken to provide ingress, egress and parking so designed as to minimize traffic congestion in the public streets. Based on the information presented by the Applicant, the Subject Property does not contain sufficient parking on-site to comply with the parking requirements in the City’s Zoning Ordinance. Therefore, in order to allow the proposed use on the Subject Property, a parking variance needs to be granted.
- h) The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota that it hereby approves Planning Commission Application No. 2020-001 and issues a special use permit, together with a parking variance, for the Subject Property conditioned on compliance with all of the following:

1. The parking variance granted herein allows the proposed use of the Subject Property without needing to strictly comply with the parking requirements in the City’s Zoning Ordinance. The Applicant shall develop a Parking Plan for approval by the City Planner to accommodate the anticipated parking needs for the approved use. The Applicant shall

RESOLUTION NO.

be required to implement, and remain in compliance with the approved Parking Plan.

2. To minimize parking concerns, the Applicant shall separate its on-site gatherings by a minimum of 30 minutes to allow for the clearing of the parking lot.
3. The majority of the parking lot shall be signed for “carpool use” only in accordance with approved Parking Plan.
4. Attendees shall not utilize private property or areas designated as “no parking” (e.g. France Avenue North cul-de-sac) for their parking needs. These prohibited parking areas shall be designated in the approved Parking Plan. This prohibition does not apply to parking secured through a written parking agreement with the property owner.
5. Any major changes or modifications made to the Subject Property and previously approved plans can only be made either through the City’s Building Permit process or through formal Site and Building Plan review by the City.
 - a. Architectural plans shall be furnished to the City for any proposed renovations to either the Rectangular Building or Circular Building.
6. The Applicant shall not occupy the Rectangular Building located on the Subject Property until:
 - a. A new Certificate of Occupancy is issued by the City Building Official for the structure for the intended uses; and
 - b. The Applicant obtains City permits and completes all minimum required interior and site improvements for the proposed uses as per the City Building Official, Fire Inspector, City Planner, and Assistant City Engineer.
7. The Applicant shall not occupy the Circular Building located on the Subject Property until:
 - a. A new Certificate of Occupancy is issued by the City Building Official for the structure, if required;
 - b. The Applicant obtains City permits and completes all minimum required interior and site improvements for the proposed uses as per the City Building Official, Fire Inspector, City Planner, and Assistant City Engineer; and
 - c. The existing apartment located in the Circular Building shall not be occupied for residential purposes as it is a discontinued non-conforming use that has not been in possession of a rental license for over two years.
8. The Applicant shall bring the Subject Property into conformance with the approved site plan prepared by Blumentals Architecture and dated February 5, 1998, including, but not limited to the following improvements:
 - a. Re-striping and expansion of Subject Property parking lot to provide minimum of 32 on-site parking spaces;

RESOLUTION NO.

- b. Relocation and/or reconstruction of outdoor trash enclosure per City Code requirements, and as approved by City Planner; and
 - c. Relocation of existing accessible route for second building on Subject Property (4902 France Avenue North).
- 9. The approved Landscape Plan identified on the site plan prepared by Blumentals Architecture and dated February 5, 1998 shall be brought back into compliance and any overgrown vegetation removed, including near fire access points. Any requests for alternate plantings shall be reviewed by the City Planner.
- 10. The Applicant shall install a fence along the south perimeter of the Subject Property to create a barrier between parking lot and active rail line. The Applicant shall work with the ownership of the abutting railroad to determine allowances for fencing. The Applicant shall forward plans for fencing to the City Planner and Building Official and a Building Permit submitted for review and approval if required.
- 11. The Applicant shall comply with all comments outlined in the memorandum prepared by Assistant City Engineer Andrew Hogg on February 10, 2020.
- 12. The Applicant/Property Owner shall ensure the fire sprinkler system is maintained and monitored.
- 13. The Applicant shall furnish a copy of an agreement to the City Planner for the off-site shuttle lot(s) with a proposed method of operation for the shuttle, and its location. No shuttle lots shall be approved for within the City of Brooklyn Center that cannot provide sufficient minimum off-street parking for the on-site use, and the Applicant shall notify the City Planner with any changes to the off-site shuttle lot.
- 14. The Applicant shall ensure a parking lot attendant is in place between Friday prayer services and any other events generating parking needs beyond the amount available on-site of the Subject Property. The attendant shall be located on the Subject Property and shall not direct traffic from City Right-of-Way or adjacent private property.

RESOLUTION NO.

March 23, 2020

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: 3/23/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Doran Cote, P.E., Director of Public Works

SUBJECT: Resolution Expressing Support for Converting Highway 252 From an at-grade Expressway to a Grade Separated Freeway

Background:

On February 10, 2020, the City Council discussed the current status of the Highway 252 Environmental Review. At the meeting, City Manager Boganey noted the most critical issue at this point is providing a consensus regarding the City Council/EDA's commitment to the conversion of Highway 252 into a freeway. The meeting minutes of the February 10, 2020, City Council Work Session indicated that "The majority consensus of the City Council/EDA was to change Highway 252 from a highway to a freeway, but the City Council/EDA is not committed to any of the proposed plans."

Budget Issues:

There are no budgetary issues with the proposed action.

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	2/28/2020	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION EXPRESSING SUPPORT FOR CONVERTING HIGHWAY 252 FROM AN AT-GRADE EXPRESSWAY TO A GRADE SEPERATED FREEWAY

WHEREAS, Highway 252 was constructed as an at-grade expressway in 1985 and 1986; and

WHEREAS, Highway 252 began to experience operational and safety as traffic volumes increased through the 1980s and 1990s; and

WHEREAS, in the early to mid-2000s the cities of Brooklyn Park and Brooklyn Center began more intensive discussions with MnDOT regarding the congestion and safety on Highway 252; and

WHEREAS, several corridor studies and technical analysis have concluded that Highway 252 would be a safer, less congested roadway if converted from an at-grade expressway to a freeway; and

WHEREAS, the meeting minutes of the February 10, 2020 City Council Work Session indicated that “The majority Consensus of the City Council/EDA was to change Highway 252 from a highway to a freeway, but the City Council/EDA is not committed to any of the proposed plans.”

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the majority Consensus of the City Council/EDA is to change Highway 252 from an expressway to a freeway.

March 9, 2020

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.