

**COUNCIL STUDY SESSION
MEETING**

City Hall Council Chambers
November 24, 2025

AGENDA



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- 1. Call to Order - 6:30 p.m.**
 - 2. Council Miscellaneous Discussion Items**
 - 3. City Manager Miscellaneous Discussion Items**
 - a. Concept Review (Planning and Zoning): 5840 Lilac Drive North
Consider proposals for reuse of the Subject Property located at 5840 Lilac Drive North and provide feedback.
 - 4. Adjournment**

Council Regular Meeting

DATE: 11/24/2025
TO: Council Study Session
FROM: Ginny McIntosh, Planning Manager
THROUGH: Jesse Anderson, Community Development Director
BY: Ginny McIntosh, Planning Manager
SUBJECT: Concept Review (Planning and Zoning): 5840 Lilac Drive North

Requested Council Action:

Consider proposals for reuse of the Subject Property located at 5840 Lilac Drive North and provide feedback.

Background:

Susan Obwaya of Fortunate Homes LLC (the “Property Owner”) purchased 5840 Lilac Drive North (the “Subject Property”) in August 2025. Prior to submitting an offer, the now Property Owner met with City staff and indicated an interest in perhaps maintaining the church (“Place of Religious Assembly”) use, converting the building to a DHS Recuperative Care facility registration, a long-term care facility (e.g. MDH Assisted Living licensure), or potentially co-locating more than one use on the Subject Property.

City staff advised the Property Owner at that time, both in person and via email, what uses were permitted in the zoning district the Subject Property is located in and that, as the existing church use is considered a “non-conforming” use within the zoning district it is located, it would need to either be continued, or the use would no longer be permitted as a use.

In September 2025, City staff was contacted by Jillian Kalogerson of RISE Collaborative Development, who indicated she was working with the Property Owner as her Owner’s Representative and indicated the Property Owner wanted to increase the height of the building to two or three stories to accommodate a 30-50 bed transitional care/DHS Recuperative Care facility. In further discussions, the Property Owner indicated a preference for establishing Transitional Care Unit (TCU) beds with an integrated dialysis department, or, as alternative considerations, a DHS Recuperative Care facility, or a mixed-use model incorporating both uses.

The most recently provided project narrative identifies a potential “Assisted Living” or similar facility (e.g. DHS Recuperative Care facility) with plans to take the existing building down to the foundation and construct a two-story facility with 21 separate living units, a limited common space, and a kitchenette located on each floor. The plans provided identify and outdoor amenity space with pergola and patio facing Knox Avenue North.

In discussions with the Owner’s Representative, they indicated the Property Owner was hoping to gain clearer direction from the City Council and a, “feel for what Brooklyn

Center needs/wants for this type of facility, as the client has a lot of experience in both fields.” The Property Owner is hoping for direction as to whether the City would find their proposed use of the Subject Property acceptable and that the building design would meet the City’s needs and wants before preparing full architectural plans and navigating the Planning Commission process.

Concept Review for 5840 Lilac Drive North

The concept review process is an opportunity for the City Council to review a development concept prior to a formal Planning Commission proposal from an applicant, and to provide comments, ask questions, and indicate whether or not the City would generally be open to the project. Concept reviews also provide insight to City staff and the applicant as to the City Council’s level of interest, and any specific concerns related to a potential project. No matter the feedback provided by City Council, it is within the rights of an applicant to submit a Planning Commission application and proceed through the Planning Commission process if they so choose.

The Subject Property has long served as a place of religious assembly and was constructed in 1954. In reviewing City records, it appears the property has also served as a medical clinic (Northbrook Clinic) over the years. In 1967, Planning Commission requests resulted in the approval of a building addition for the then clinic. The existing one-story building, as it stands today, is approximately 3,500-square feet in size and was rezoned from C1 (Service/Office) District to R5 (High Density Residential) District in 2023.

The Subject Property is located on approximately 0.74 acres and sits on multiple frontages facing Logan Avenue North, 59th Avenue North, and Knox Avenue North. The Subject Property is adjacent to another R5-zoned property (the Lilacs Apartments) and an R1 (Low Density Residential) District property to the south. R1 District properties are located to the east along Knox Avenue North (single family homes) and to the north (Brooklyn Center Elementary), with Highway 100 to the west.

As numerous potential uses have been proposed for City Council consideration, City staff will briefly summarize the two main proposed uses, how they fall within the City’s Unified Development Ordinance (UDO) given the limited information provided, and potential considerations with respect to their operations and the Subject Property.

DHS Recuperative Care Facility (Registration)

Recuperative Care facilities provide support for people experiencing homelessness to prevent hospitalization or provide medical care and support services when they are unable to recover from a physical illness when living in a shelter or are otherwise unhoused. Typical stays are up to 21 days; however, providers can request an extension for longer stays of up to a maximum of 60 days. Typical supports provided include: basic nursing care, wound care, medication support, patient education, housing support, food, transportation, and access to other services like primary care and behavioral health.

In order to operate as a Recuperative Care facility, 24-hour access to a bathroom with a shower, sink, and toilet must be provided, along with access to three (3) meals per day, which may be delivered. Access to environmental services (cleaning), a telephone, and a secure place to store MCHP member belongings must be provided. Staff are required to conduct a wellness check a minimum of once every 24 hours. Recuperative care health services must be supervised by an advanced practice provider enrolled with Minnesota Health Care Programs (MHCP), such as an advanced practice registered nurse (nurse practitioner and clinical nurse specialist, physician, or physician assistant, and services must be provided by registered nurses (RN), licensed practical nurses (LPNs), social workers, and community health workers, as defined by MN Statutes 256B.0625, subdivision 49.

DHS Recuperative Care facilities are newer to the state of Minnesota with provider enrollment having resumed on January 1, 2025. In reviewing the City's Unified Development Ordinance (UDO) and following a review of Recuperative Care facility operations taking place out of Suburban Studios (2701 Freeway Boulevard) earlier this year, City staff determined the closest use would be that of a "Care and Convalescent Home," which is defined as, "housing for dependent persons including personal nursing care, meal preparation in a common dining hall, hygiene services, laundry, etc."

This use would be permitted in the R5 zoning district where the Subject Property is located as a conditional use and would need to meet the Conditional Use Permit criteria as outlined under Section 35-7703.

MDH Assisted Living Facility (Licensure)

There have been numerous changes to the Assisted Living Facility license category over the past few years. There are two main categories of Assisted Living, which are regulated under MN Statutes Section 144G: Assisted Living and Assisted Living with Dementia Care. MDH Assisted Living Facilities are licensed residential settings that provide: housing, meals, and a range of personal care services for older adults and people with disabilities (e.g. bathing, dressing, grooming, housekeeping, medication management, transportation).

An Assisted Living licensure may be staffed by licensed health professionals and nurses or unlicensed personnel who have completed a training and competency evaluation. An Assisted Living Facility must employ an assisted living director licensed by the Minnesota Board of Executives for Long Term Services and Supports (BELTSS) under MN Statutes 144G.08, Subdivision 6 and MN Statutes 144G.10, Subdivision 1a. Some MDH Assisted Living facilities serve DHS Customized Living service clients, which are funded by Elderly Waiver (EW), Brain Injury Waiver (BI), and Community Access for Disability Inclusion (CADI) Waivers to those 55 and older.

As of November 18, 2025, 130 (13.29%) of Hennepin County's 978 Assisted Living facilities are located in the City of Brooklyn Center.

Due to the changes in MDH's Assisted Living licensure over the past few years and its

transition from Housing with Services Establishments registrations, the Assisted Living licensure would either be categorized as an “Assisted Living” use, or a “Licensed Residential Facility — 7 and greater persons.”

Both uses are considered permitted in the R5 zoning district where the Subject Property is located as a conditional use and would also need to meet the Conditional Use Permit criteria as outlined under Section 35-7703.

Other Considerations

City staff conducted a high-level review of the submitted conceptual interior layout, exterior building plan, and architectural site plan for the Subject Property located at 5840 Lilac Drive North.

Building Setbacks

The R5 zoning district requires a minimum 35-foot setback along primary and secondary streets, along with a minimum 10-foot setback for the side-interior setback. City staff would need to confirm via survey, but it appears the existing footprint of the building may just meet the minimum 35-foot setback requirements. If it does not, City staff will need to review the building and proposed expansion against the City and State non-conformity provisions.

If the building exceeds 25 feet in height, the setback from an abutting R1 district property shall be no less than equal to the height of the building, unless the building steps down to no greater than 24 feet on the side abutting the R1 or R2 District property. A 15-foot-wide buffer strip on the side abutting an R1 or R2 District property shall be provided and not used for parking, garage, driveways, off-street loading, or storage and shall contain an opaque fence. The Subject Property abuts an R1 district property on the south; however, it appears sufficient distancing would be provided. City staff would require a survey and civil plans to confirm setbacks and proposed site improvements.

Exterior Amenity Space

The Property Owner should perhaps consider relocation of the exterior amenity spaces dependent on the size of the facility and any proposed programming as the proposed amenity space would be located facing the R1 (Low Density Residential) properties along Knox Avenue North.

Building Materials

Although not a major focus at this point in the review process, the Property Owner identifies the use of EFIS or metal panels for the primary exterior building composition. While some EFIS and metal panel products may be used, the primary composition of the building would need to meet the City’s exterior building requirements as outlined under 35-5203.

Parking, Access, and Deliveries

City staff does not have enough information with respect to beds and staffing to

determine potential parking needs. At this time, the Subject Property appears to provide 18 parking spaces along Logan Avenue North and a designated drop-off area along Knox Avenue North. As proposed, the conceptual site plan identifies 16 on-site parking spaces along Logan Avenue North and the removal of the drop-off area, although the driveway off Knox Avenue North would remain. City staff would request removal of the driveway off Knox as it appears to provide no functionality for the site.

Depending on the use, the Property Owner should take into consideration any needs and dedicated area for delivery drop-offs. With the proposed use of kitchenettes instead of a full commercial kitchen, it is assumed that the Property Owner may contract with a meal delivery service, which may require drop-offs up to three (3) times per day. Additionally, sufficient access may be needed for any medical van or emergency personnel visits.

In the City of Brooklyn Center, “group homes,” which may include MDH Assisted Living and DHS Community Residential Setting license types, generate an average of 25.79 calls for emergency services vs. 3.39 calls for service for non “group homes.” The Property Owner should take into consideration access needs with the proposed one-way drive aisle along Logan Avenue North to accommodate police, fire, and ambulance services.

The existing parking lot provides no curbing and would need to meet current requirements for surfacing, drainage, and curbing as outlined under Section 35-5507 of the City’s UDO.

Depending on the use classification and upon further analysis, the following parking needs might be required:

Licensed Residential Homes: 3 parking spaces for every 5 beds offered for residential purposes for adult resident.

Nursing Care Homes: 1 space for every 4 beds plus 1 space for every 2 employees and 1 space for each staff doctor.

Stormwater

Given the age of the existing site improvements, the Property Owner will need to meet certain minimum SWPPP requirements as outlined within the Shingle Creek and West Mississippi Watershed Rules.

Lighting (Photometric) and Landscaping

As part of any future Planning Commission application submittal, the Property Owner would need to provide full lighting and landscape plans as the Subject Property does not comply with current City UDO provisions.

Council Considerations

Although most planning and zoning concept reviews have a more direct “ask,” the

Property Owner is asking the City Council for direction with respect to community needs for certain facility types licensed by the Minnesota Department of Health (MDH) and Department of Human Services (DHS).

1. City staff realize limited information has been provided at this time; however, does the City Council have any particular concerns or considerations with respect to the proposed MDH Assisted Living licensure and DHS Recuperative Care facility registration that the Property Owner should take into consideration and in the context of the Conditional Use Permit criteria the use would need to meet? The City Council is unable to grant a Conditional Use Permit unless all the following criteria have been satisfied per Section 35-7703:
 1. The conditional use will be in accordance with the general objective, or with any specific objective of the City's Comprehensive Plan and the UDO;
 2. The establishment, maintenance, or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals, or comfort;
 3. The conditional 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;
 4. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 5. 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;
 6. Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses; and
 7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
2. Although preliminary and subject to change dependent on the use, are there any aspects of the site layout, architecture, or form of the presented site plan for 5840 Lilac Drive North (Subject Property) that are concerning to the Council?

City staff is including a copy of Section 35-7700 (*Conditional Use Permits*), which contains the criteria for issuing a Conditional Use Permit under Section 35-7703, a brief project narrative, and conceptual interior and exterior renderings reflecting a potential redevelopment of the Subject Property located at 5840 Lilac Drive North.

Budget Issues:

None to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

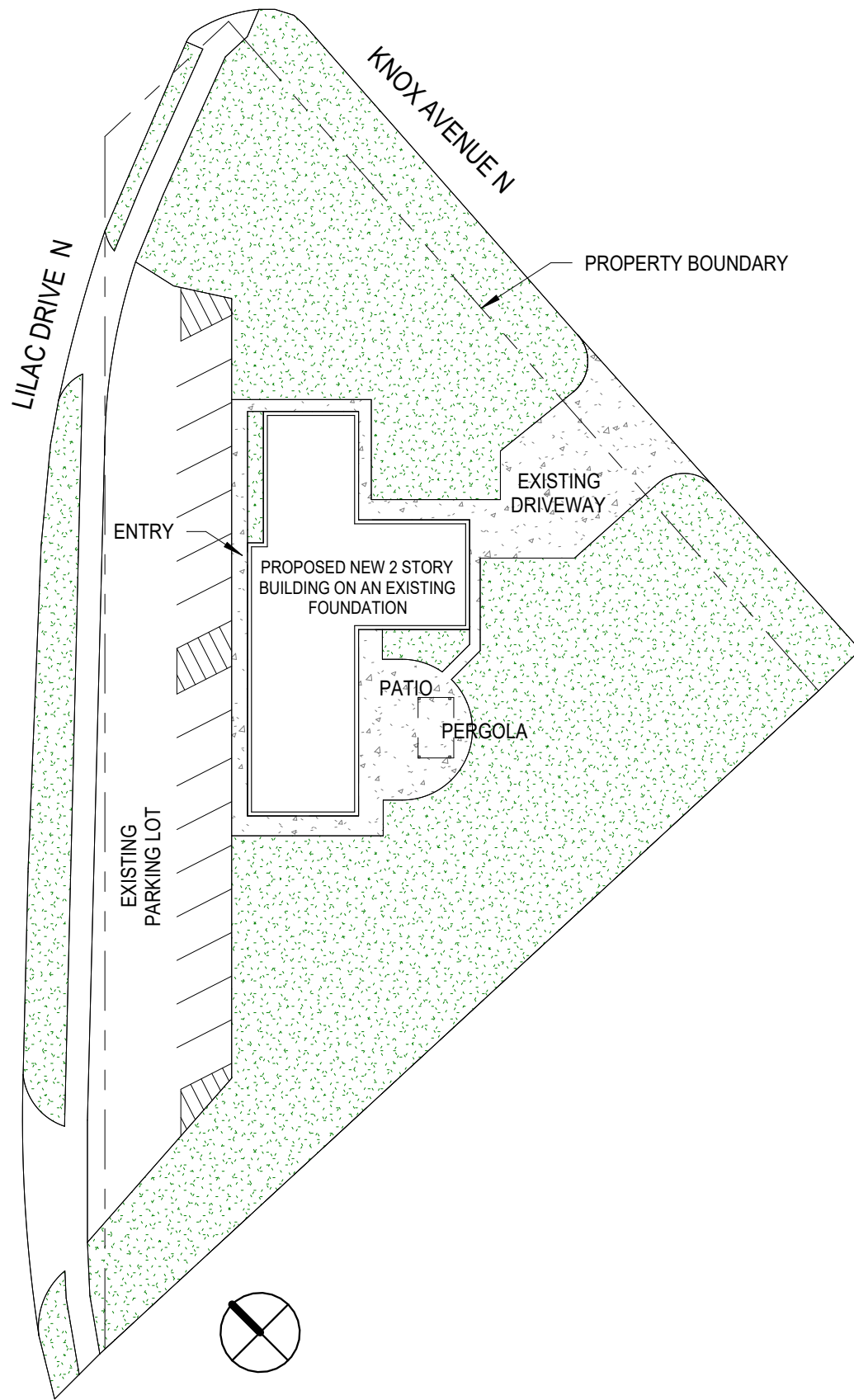
Strategic Priorities and Values:

ATTACHMENTS:

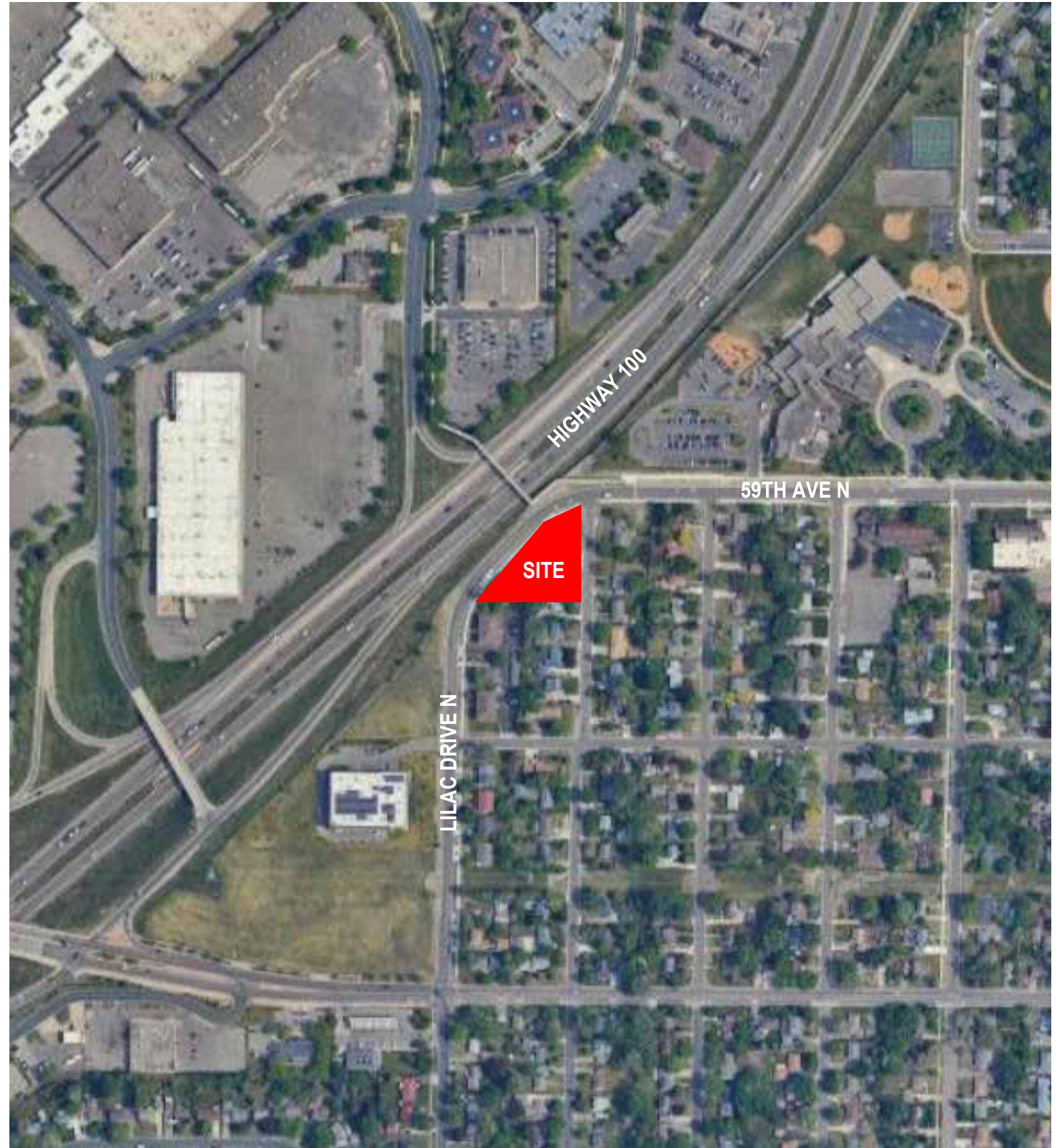
1. 5840 Lilac Drive N-Fortunate Homes-Project Narrative
2. 5840 Lilac Drive N-Fortunate Homes-Interior and Exterior Renderings
3. Section 35-7700-Conditional Use Permits-BC UDO

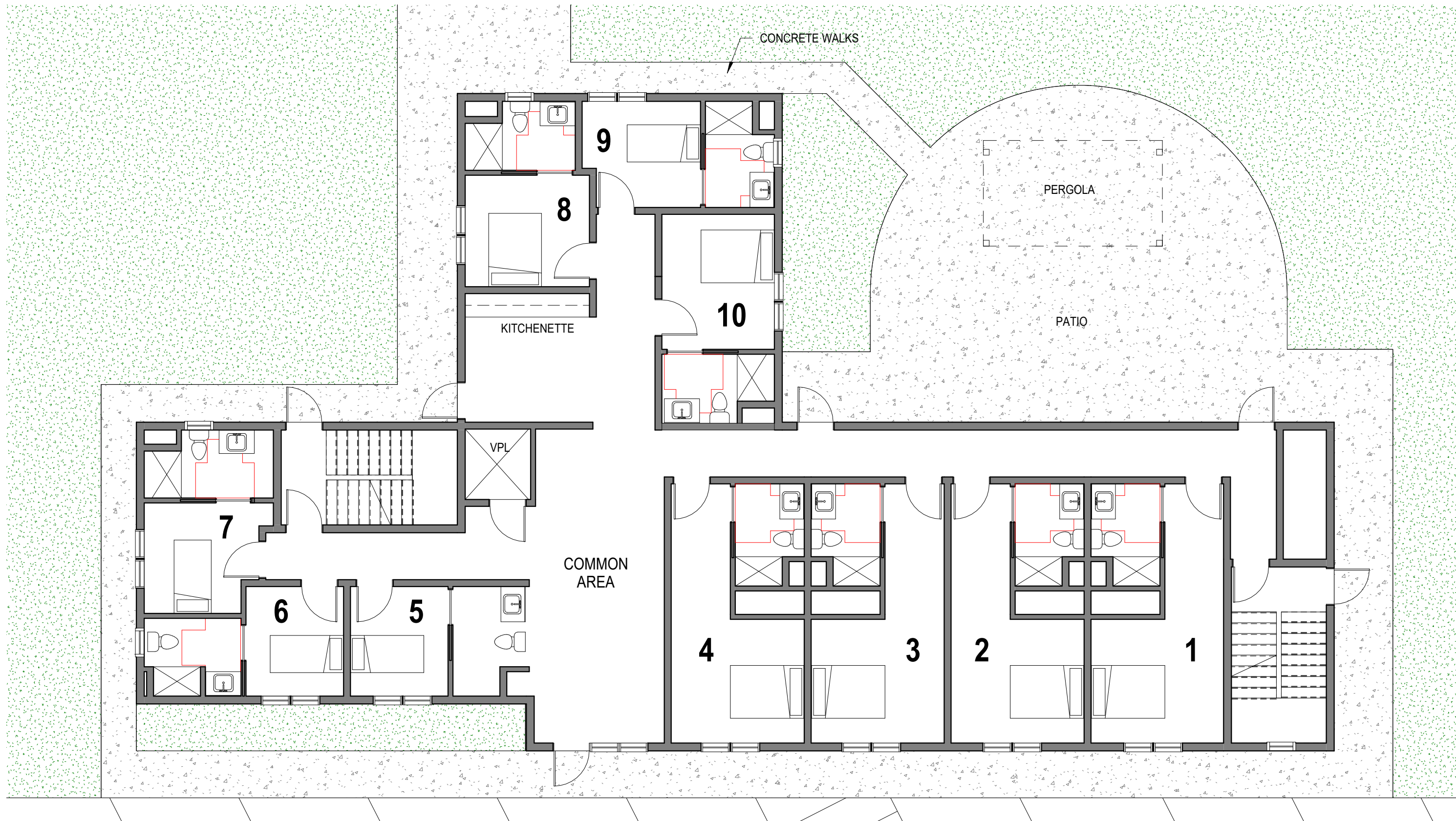
Fortunate Homes – Brooklyn Center

The project at 1500 Lilac Drive N., is a change of use from a worship space to an assisted living or similar facility. The existing space would be demolished while keeping the foundation. The foundation would be raised a few courses of CMU and further excavated for a portion where it is currently just a crawlspace. The building would be brought to two stories structural steel with steel stud infill, covered in metal panels or efis. This space would house 21 separate living units with a limited common space and a kitchenette. This space would be fully sprinkled and have a VPL to accommodate ADA requirements.

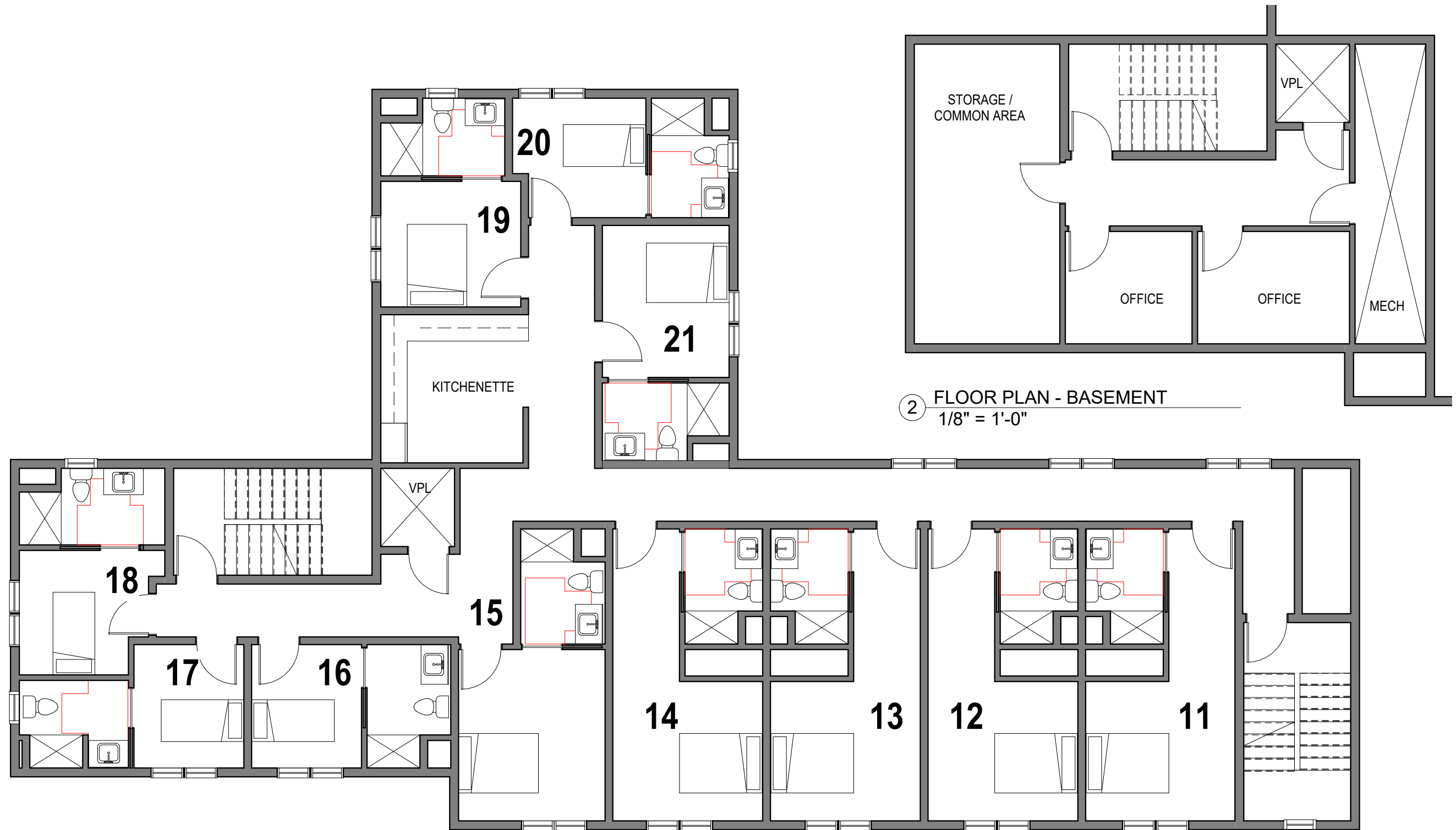


1 SITE PLAN
1" = 40'-0"





1 FLOOR PLAN - MAIN LEVEL
1/8" = 1'-0"



2 FLOOR PLAN - BASEMENT
1/8" = 1'-0"



VIEW FROM LILAC DRIVE LOOKING SOUTH



VIEW FROM LILAC DRIVE LOOKING NORTH

- 3) Any reduction in the original approved setbacks from property lines if adjacent to one- or two-family residential property;
- 4) 20 percent or greater change in the ground area covered by the project;
- 5) 20 percent or greater change in the number of residential units; and
- 6) 20 percent or greater change in the number of parking spaces provided or required.

The review of major amendments shall follow the procedure set forth above for the issuance of a new site and building plan approval.

Section 35-7606. EFFECT OF SITE AND BUILDING PLAN APPROVAL.

- a. Site and building plan approval shall expire one year from the date of approval unless the applicant has applied for and received a building permit.
- b. The applicant may request an extension of the expiration date in writing to the Zoning Administrator. The City Council may approve one extension of not more than one year. Such written request shall include the following:
 - 1) An explanation of what, if any, good faith efforts have been made to complete the site plan process; and
 - 2) The anticipated completion date.
- c. If required as a condition of approval of the site and building plan, the applicant shall sign a development agreement with the City with a supporting financial guarantee that the subject property will be constructed, developed, and maintained in conformance with the applicable plans, specifications and standards.

Section 35-7700. CONDITIONAL USE PERMITS.

Section 35-7701. APPLICABILITY. Conditional uses are those uses which have been identified, because of their nature, operation, location, special requirements or characteristics, and that may only be allowed in a particular zoning district after submittal of an application, review, and recommendation by the Planning Commission, and approval by the City Council. The Conditional Use Permit process regulates the location, magnitude, and design of conditional uses consistent with the Comprehensive Plan, and the regulations, purposes, and procedures of this Unified Development Ordinance.

Section 35-7702. PROCEDURE.

- a. APPLICATION SUBMITTAL. The applicant shall submit an application, in accordance

with Section 35- 7400 of this UDO, to the Zoning Administrator.

- b. REVIEW BY THE ZONING ADMINISTRATOR AND CITY STAFF. The Zoning Administrator may consult with other City staff on the application. The Zoning Administrator shall provide the applicant with comments and changes that are required to be in compliance with the provisions of this UDO. The applicant shall be required to submit revised plans and documents incorporating the required changes prior to the Planning Commission meeting.
- c. NOTICE AND PUBLIC HEARING. After determining that an application contains all the necessary and required information, the Zoning Administrator shall place the application on the Planning Commission agenda, schedule a public hearing on the proposed request, and notify the public pursuant to Section 35-7500 of this UDO.
- d. PREPARATION OF STAFF REPORT. The Zoning Administrator or City staff shall prepare a staff report providing an analysis of the proposal and a recommendation. The report shall consider comments from other City staff in formulating the recommendation. The written report shall be forwarded to the Planning Commission for its consideration.
- e. RECOMMENDATION BY PLANNING COMMISSION. The Planning Commission shall hear and make a recommendation on the application. If the Planning Commission so desires, it may continue the public hearing and/or table the item to allow for further review, so long as such action is in accordance with Minnesota Statutes, Section 15.99. The Planning Commission shall consider the applicable decision criteria of this UDO and shall recommend approval, recommend approval with conditions, or recommend denial of an application, citing the specific reasons therefor.
- f. ACTION BY THE CITY COUNCIL. The City Council shall consider and make the final decision on the application, acting to approve the request, approve with conditions, or deny the request, citing the specific reasons therefor. The City Council shall adopt findings and shall act upon the application in accordance with Minnesota Statutes, Section 15.99.
- g. The applicant or their agent shall appear at each meeting of the Planning Commission and City Council during which the application is considered. Furthermore, each applicant shall provide the Planning Commission or the City Council the maps, drawings, plans, records, or other information requested for the purpose of assisting the recommendation or determination of the application.
- h. The City Council may conduct a public hearing and take final action on an application without a recommendation from the Planning Commission if the Planning Commission does not conduct a public hearing or forward a recommendation on an application to the City Council with sufficient time to allow the City Council to consider and act on the application within the applicable statutory timeline.
- i. The City Clerk, following the City Council's action upon the application, shall give the applicant a written notice of the action taken. A copy of this notice shall be kept on file as

a part of the permanent record of the application.

- j. APPEALS. The decision of the City Council is appealable to the district court within 30 days after the date of the decision.

Section 35-7703. **CONDITIONAL USE PERMIT CRITERIA.** A conditional use permit may not be granted by the City Council unless the following criteria have been satisfied:

- a. The conditional use will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Plan and this UDO;
- b. The establishment, maintenance, or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort;
- c. The conditional 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;
- d. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
- e. 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;
- f. Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses; and
- g. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Section 35-7704. **STANDARDS FOR CONDITIONAL USE PERMITS IN THE FLOODPLAIN (FP), SHORELAND (SL) AND MISSISSIPPI RIVER CRITICAL CORRIDOR AREA (CA).**

- a. Specific standards for conditional uses in the Floodplain (FP) overlay district are found in Sections 35-3101(d)(3), 35-3101(d)(4), 35-3101(f)(3), and 35-3101(j)(4).
- b. Specific standards for conditional use permits in the Shoreland (SL) overlay district are found in Section 35-3102(c)(5).
- c. Specific standards for conditional use permits in the Mississippi River Critical Corridor Area (CA) are found in Section 35-3103(c)(4).

Section 35-7705. **CONDITIONS AND RESTRICTIONS.** The Planning Commission may recommend, and the City Council may impose, such conditions and restrictions

upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary for the protection of the public interest and to secure compliance with requirements specified in this Unified Development Ordinance. In all cases in which conditional use permits are granted, the City Council may require such evidence and guarantees as it may deem necessary as part of the conditions stipulated in connection therewith.

Section 35-7706. AMENDMENTS. Approved conditional use permits may only be amended upon the review of the proposed amendment as follows:

- a. MINOR AMENDMENTS. A minor amendment may be granted for proposed changes or modifications which are determined by the Zoning Administrator to not have a significant effect on required parking, required yards, floor area ratios, ground floor area ratios, signage, building height, density, covenants or agreements required by the original conditional use permit.
- b. MAJOR AMENDMENTS. Major amendments shall include all changes that are not classified as minor amendments above and shall require an amended conditional use permit and all procedures shall apply as if a new permit were being issued.

Section 35-7707. REVOCATION.

- a. A violation of any condition set forth in a conditional use permit shall be a violation of this UDO, and failure to correct said violation within the time period established by the City Council or no later than thirty (30) days of written notice from the Zoning Administrator may result in the revocation of the permit.
- b. Prior to revoking a conditional use permit, the City Council shall provide the permittee at least ten (10) days' written notice of a hearing to be held by the City Council regarding the revocation of the conditional use permit.
- c. If, at the conclusion of the hearing, the City Council determines the violation or violations have not been corrected, it may revoke the conditional use permit and record notice of the revocation against the affected property. As an alternative to immediately revoking the conditional use permit, the City Council may issue a corrective order that, if not fully complied with by the date or dates set out in the order, shall cause the conditional use permit to be revoked without further action by the City Council. The City shall provide the permittee written notice of a revocation or a copy of a corrective order if one is issued. Once revoked, all uses allowed by the conditional use permit shall immediately cease.

Section 35-7708. FILING AND RECORDING OF APPROVED CONDITIONAL USE PERMIT. The resolution approving a conditional use permit or an amended conditional use permit shall include the legal description of the property for which the permit was issued and a list of any conditions set forth by the City Council as part of the approval of the conditional use permit. A certified copy of the resolution shall be filed and recorded by the applicant with the Hennepin County Recorder-Registrar of Titles within 60 days of approval of the resolution.

Section 35-7709. RESUBMISSION. No application for a conditional use permit which has been denied by the City Council shall be resubmitted for a period of twelve (12) months from the date of the final determination by the City Council; except that the applicant may set forth in writing newly discovered evidence of change of condition upon which they rely to resubmit at an earlier time.

Section 35-7710. EXISTING USES. All uses existing at the time of adoption of this UDO that now require a conditional use permit may continue in the same manner of operation as the use did upon the effective date of this UDO. Any enlargement, structural alteration or intensification of use shall require a conditional use permit as provided for above. Additional reasonable conditions may be imposed for the continuation of such use in accordance with the hearing provisions as set forth in Section 35-7500 of this UDO.

Section 35-7711. EFFECT OF CONDITIONAL USE PERMIT APPROVAL.

- a. A conditional use permit shall authorize a particular conditional use on a specific parcel for which it was approved. A change of use from one permitted conditional use to another shall require a new application and approval pursuant to this Section.
- b. If a site plan was approved as part of the conditional use permit, the permit shall expire one year from the date of approval unless the applicant has applied for and received a building permit. The applicant may request an extension of the expiration date in writing to the Zoning Administrator. The City Council may approve one extension of not more than one year. Such written request shall include the following:
 - 1) An explanation of what, if any, good faith efforts have been made to complete the site plan process; and
 - 2) The anticipated completion date.
- c. An approved conditional use may continue in operation, regardless of ownership or ownership changes, provided the use meets all the standards and conditions of approval.

Section 35-7800. INTERIM USE PERMITS.

Section 35-7801. APPLICABILITY. Interim uses are allowed temporarily by an interim use permit which is subject to certain conditions and expiration on a particular date, until the occurrence of a particular event, or until this UDO no longer allows the use. A use allowed by an interim use permit shall be consistent with the City's Comprehensive Plan and be compatible with surrounding uses. Conditions may be applied to the issuance of the permit and a periodic review of the permit may be required. Upon the expiration of a permit, all activities associated with the use allowed by the permit shall cease until a new permit is applied for and granted by the City.