Council Study Session
City Hall Council Chambers
November 13, 2023

AGENDA

1. **City Council Discussion of Agenda Items and Questions - 6 p.m.**
2. **Miscellaneous**
3. **Discussion of Work Session Agenda Item as Time Permits**
4. **Adjourn**

CITY COUNCIL MEETING
City Hall Council Chambers
November 13, 2023

AGENDA

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

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

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

2. Invocation - Butler - 7 p.m.

3. Call to Order Regular Business Meeting

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

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- Motion to approve the following meetings:

- *10/23/23 Study Session*
- *10/23/23 Regular Session*

b. Approval of Licenses

- Motion to approve the licenses as presented.

c. Resolution regarding Planning Commission Application No. 2023-006, Submitted by AWC Holdings LLC, for Conversion of an Existing Two-Tenant Building to an Approximately 10,200-Square Foot Restaurant and Bar (Nightclub) and 704-Square Foot Outdoor Patio (5927 John Martin Drive)

(i) Motion to adopt a resolution regarding Planning Commission Application No. 2023-006, submitted by AWC Holdings LLC, for approval of a variance for a 59-space parking deficiency and conditional use permit

that would allow for the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio at 5927 John Martin Drive, based on the submitted findings fact, and as amended by the conditions of approval in the resolution.

d. Resolution Declaring November 25, 2023, as Small Business Saturday in the City of Brooklyn Center

- Motion to approve a resolution declaring November 25, 2023, as Small Business Saturday in Brooklyn Center.

e. Resolution Establishing 2024 Street and Storm Drainage Special Assessment Rates

- Motion to approve a resolution establishing the 2024 street and storm drainage special assessment rates for street and utility improvement projects.

f. Resolution Establishing Interest Rate for 2024 Special Assessments

- Motion to approve a resolution establishing interest rate for 2024 special assessments.

g. Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2024-01, Orchard Lane East Improvements

- Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2024-01, Orchard Lane East Improvements.

7. Presentations/Proclamations/Recognitions/Donations

a. 2024 Random Acts of Kindness City Council Presentation

2024 Presentation recognizing nominators and nominees of Random Acts of Kindness.

Council Members can take turns reading the nominations.

8. Public Hearings

9. Planning Commission Items

a. Planning Commission Application No. 2023-007, Submitted by 7100 Brooklyn Blvd LLC, for Conversion of a Former Credit Union and Office Building into a 17-Unit Multi-Family Residential Building and Related Improvements (7100 Brooklyn Boulevard)

City Council is being asked to consider <u>two alternatives</u> regarding Planning Commission Application No. 2023-007:

1 . Approval of Site and Building Plan (Major Amendment) for 7100 Brooklyn Boulevard

Motion to direct staff to prepare a resolution <u>approving the site and building plan (major amendment)</u> as outlined in Planning Commission Application No.

2023-007, which would convert a former credit union and office building to a 17-unit multi-family residential building, subject to the outlined conditions of approval.

2 . Approval of Site and Building Plan (Major Amendment) for 7100 Brooklyn Boulevard

Motion to direct staff to prepare a resolution denying the site and building plan (major amendment) as outlined in Planning Commission Application No. 2023-007 with outlined findings of fact.

10. Council Consideration Items

a. Follow Up from Special Assessment Hearing for Proposed Special Assessments for Administrative Fines/Citation Costs

- Motion to approve a resolution reducing the certified special assessments for certain properties for administrative fines and citation cost from the Hennepin County Tax Rolls

b. Resolution Approving the Grant Administration Policy

Motion to approve a resolution adopting the Grant Administration Policy located in the City Code of Policies; Financial Policies Section 2.25

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the following meetings:*
  - *10/23/23 Study Session*
  - *10/23/23 Regular Session*

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:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
10.23 Study Session	11/7/2023	Backup Material
10.23 Regular Session	11/7/2023	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
OCTOBER 23, 2023
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor April Graves at 6:05 p.m.

ROLL CALL

Mayor April Graves, Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Fiscal and Support Services Angela Holm, Director of Public Works Elizabeth Heyman, Community Development Director Jesse Anderson, Planner and Zoning Administrator Ginny McIntosh, Police Chief Kellace McDaniel, Director of Community Prevention, Health and Safety LaToya Turk, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Jason Hill.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Jerzak inquired about the discussion of the proposed Public Safety Act Meeting dates prior to the proposed resolution adoption of the traffic stop and consent search policies.

Mayor Graves noted that the dates are focused on the permanent advisory committee rather than the resolution.

Councilmember Jerzak noted that he believes there was a misunderstanding as it was his impression the resolution would be reviewed before discussing the passing of it.

Mayor Graves stated she didn't believe it was the best use of time to go over the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act line by line. Some of the items have already been implemented. The fifth item from the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act has not been implemented, so staff has put together recommendations based on the recommendations of the Implementation Committee regarding traffic stop and consent search policies.

Councilmember Jerzak noted his understanding was the Council needed to discuss the second item as well. Mayor Graves stated there could be more discussion on the second item of the Act, but it won't change the recommendations the Council has already received.

Councilmember Lawrence-Anderson stated she hasn't received a document from the League of Minnesota Cities and the City Attorney to ensure Brooklyn Center is in compliance with everything. She pointed out she was also under the impression the Council would meet with the Implementation Committee before voting on anything. Also, the Council hasn't heard anything from the Police Chief on the traffic stops and consent searches.

Mayor Graves stated Police Chief Kellace McDaniel presented on consent searches and traffic stops with Director of Community Prevention, Health and Safety LaToya Turk a few months ago, which accounted for the staff presentation. Dr. Edwards confirmed staff was instructed to return to Council with a policy reflecting the staff recommendations made during the presentation by Chief McDaniel and Ms. Turk, which is Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda.

Councilmember Lawrence-Anderson requested the two policies be separated for voting consideration. Mayor Graves asked Dr. Edwards why the policies were in one motion when it was the recommendation of staff to have two separate policies.

Dr. Edwards stated there are two separate policies, but there is one resolution to adopt the two policies. Mayor Graves asked if the Council only wanted to approve one of the policies. Dr. Edwards stated the resolution can be separated if that is the preference of the Council.

Councilmember Jerzak pointed out that the Council isn't allowed to talk about the settlement related to the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. He asked how that can be reconciled with the policies.

Dr. Edwards stated the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act came before the settlement, so the settlement is not the final decider on the outcome of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. There are separate decisions made for each document.

Councilmember Lawrence-Anderson noted the Council hasn't discussed the consent search and traffic stops as a body. Mayor Graves stated they discussed the topic after the staff presentation. Councilmember Lawrence-Anderson stated there are some aspects of each policy she is uncomfortable with. Mayor Graves stated the Council can discuss the policies after the presentation on the agenda.

Mayor Graves explained the Council has received a presentation from the Implementation Committee and had a discussion, received a presentation from staff and had a discussion, and will receive another staff presentation. Also, each Councilmember has had the opportunity to review the policies and meet with Staff on their own time.

Councilmember Lawrence-Anderson pointed out that two members of the Council didn't vote on the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act originally and have requested to review the document.

Mayor Graves asked why the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act is more important than the subsequent policies. Councilmember Lawrence-Anderson stated the policies are a product of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. The traffic stops and consent searches are part of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act, and all stakeholders need to be in consensus.

Mayor Graves stated Councilmember Lawrence-Anderson could make a motion to remove the item from the agenda if she wished.

Councilmember Jerzak stated not all parties have had everyone at the table and had a robust discussion. There needs to be consensus in order for there to be buy-in. It is unsettling to be forced into a vote that he is uncomfortable with.

Mayor Graves stated she thought the Council was ready to vote on it. She asked who else the Council wants to hear from. Councilmember Jerzak stated he wants to hear from law enforcement about any hesitations they have, particularly from the Police Chief.

Dr. Edwards pointed out Chief Kellace will be presenting Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda.

Mayor Graves stated the item about the traffic stops and consent searches is on the agenda, and it is the policy that public commenters don't comment on Council Consideration Items from the agenda. She asked the Council for their opinion on waiving the policy for the evening.

Councilmember Lawrence-Anderson stated she isn't opposed to public comment as long as there are time restrictions. She noted her preference for removing the item from the agenda due to the lengthy agenda.

Councilmember Jerzak noted his agreement with Councilmember Lawrence-Anderson. Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda deserves robust discussion.

Councilmembers Butler and Kragness agreed they were open to public comment on the item. Councilmember Kragness added she would have liked more information on Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda and would like to hear directly

from the Police Chief. As it stands, she is not comfortable voting on the item with the current information available to her.

Mayor Graves pointed out the staff recommendations have been reviewed and approved by the Police Chief. Councilmember Kragness stated she hasn't heard directly from the Police Chief, although he did co-present previously.

Mayor Graves stated she wants to keep the item on the agenda as it is the same set of staff recommendations just in policy form. The Police Chief has already presented the item, and the Council has already had opportunities to ask questions of the Police Chief, both at the aforementioned presentation and outside of Council meetings. She asked what questions remain unanswered for the rest of the Council.

Councilmember Lawrence-Anderson stated the Council has not discussed the different types of traffic stops nor the conflicting language with the settlement the Council is unable to openly discuss. Mayor Graves pointed out, as did Dr. Edwards, that the settlement is separate from the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act.

Councilmember Lawrence-Anderson stated she has read the settlement and understands its differences from the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. However, the language used in the proposed policies is different from the language used in the settlement.

Councilmember Jerzak stated he wants to hear directly from the Chief that police officers have provided input into the policies and are committed to the process. He wants to hear the information from Chief Kellace alone without a co-presenter. Councilmember Jerzak stated he wants the policies to pass, but he cannot make a well-informed decision without hearing the potential concerns of the parties who will enforce the policies.

Mayor Graves asked if the Council could table the item after the planned presentation. City Attorney Jason Hill confirmed the item can be tabled after the presentation and prior to any vote approving or opposing the item.

Mayor Graves noted it was the consensus of the Council to allow public comment regarding Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department. She stated the public comment period would begin at 6:30 p.m. to allow for more commenters.

ADJOURNMENT

Mayor Graves called for a brief recess prior to the Regular Meeting. Hearing no objection, Mayor Graves adjourned the Study Session at 6:26 p.m.

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
OCTOBER 23, 2023
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 April Graves at 6:33 p.m.

ROLL CALL

Mayor April Graves, Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Fiscal and Support Services Angela Holm, Director of Public Works Elizabeth Heyman, Community Development Director Jesse Anderson, Planner and Zoning Administrator Ginny McIntosh, Police Chief Kellace McDaniel, Director of Community Prevention, Health and Safety LaToya Turk, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Jason Hill.

Mayor April Graves opened the meeting for the purpose of Informal Open Forum.

Lori B. stated research has shown consent searches are not beneficial. She explained her two sons are of driving age and have similar demographics as Duante Wright and Kobe Dimock-Heisler. Complying with law enforcement doesn't ensure safety for people of color. She read a poem about taking other people's perspectives into consideration and violence against people of color, particularly at the hands of law enforcement.

Amity D. thanked the Council for allowing for comments on traffic stops and consent searches. A majority of people supported the initial passing of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. People from all over applauded Brooklyn Center and its efforts. In the time since then, many parties have wasted their time and been met with barriers by the City. The Council cannot say they don't have enough information after two years of discussions and presentations. She encouraged the Council to approve the proposed policies as the City cannot continue to shut down the Dimock family, the Wright family, and the Brooklyn Center community.

John T. noted his best friend Philando Castille was murdered in 2016 by law enforcement, and there was a community response asking for change. However, the same things keep happening even in 2021 with Duante Wright. Kim Potter has already gotten out of jail, but the City hasn't

made any significant changes. He addressed Councilmembers Lawrence-Anderson and Jerzak and noted he remembered who pointed out Emmett Till and who hung him.

Katie W. pointed out she was optimistic coming into the meeting. However, the discussion by the Council during the Study Session was discouraging. The Implementation Committee did an immense amount of work and research in recent years. They have answered every question asked of them while maintaining their own full-time jobs and lives. Even the new Councilmembers cannot claim they don't know what's going on in the community.

Katie W. listed a number of people of color who have been murdered by law enforcement during traffic stops. She stated that there should be more than enough information for the Council to make a change.

Toshira G. shared a story of a loved one's experience with St. Paul law enforcement in 2009. The person is a man of color named Justin Teigen who was brutally beaten by law enforcement and found in a dumpster. Katie Wright and Amity Dimock lost their sons but still dedicated time to the Implementation Committee and making changes in the community. She called for the Council and Staff to consider the Black men of color in each of their lives that could be the next Duante Wright or Kobe Dimock-Heisler.

Michelle G. introduced herself as the president of Communities United Against Police Brutality and stated the organization sent a letter to the Council. She noted it is difficult to follow up such emotional commentary, but she would stick to policy recommendations. As for the consent search policy proposal, it must be noted that asking for a consent search means that there isn't probable cause. However, law enforcement is not on equal footing as the people they are asking consent from, which doesn't make it legitimate consent.

Michelle G. pointed out Brooklyn Center Police Department is the deadliest law enforcement entity in the State based on its size. The Minnesota Department of Human Rights decree with Minneapolis bans consent searches. The consent decree also bans equipment stops entirely.

Zoe C. noted she has been stopped for driving while Black multiple times. Her car is tinted and is stopped regularly for that as well. It is insulting to see Brooklyn Center moving backward rather than forward. She added the police need to be educated on how to interact with people of color rather than the other way around.

Julie B. explained when she applied to be part of the Implementation Committee, she had no idea how long the process would take. It took extensive research, collaboration, time, and discussions to develop a response everyone could be supportive of.

Councilmember Butler returned to the meeting at 7:00 p.m.

Julie B. pointed out everyone wants to be safe in the community. One way to do that is to decrease interactions between law enforcement and the public, particularly with traffic stops. The Implementation Committee has worked diligently with law enforcement and other staff to create

a shared concept to move forward with related to traffic stops and consent searches. Chief McDaniel has previously expressed concerns with certain recommendations made by the Implementation Committee, but those have been removed. Chief Kellace McDaniel is in full support of the proposed policies.

Julie B. added community members have shown their concern for public safety time and time again. She implored the Council to approve the policies to promote community safety. The decision process isn't an easy one, but the Council has the responsibility to show up for what is right and do better.

Councilmember Jerzak moved and Councilmember Lawrence-Anderson seconded to close the Informal Open Forum at 7:02 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Lawrence-Anderson shared a quote from William Faulkner, "Never be afraid to raise your voice for honesty and truth and compassion against injustice and lying and greed. If people all over the world would do this, it would change the earth."

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor April Graves at 7:02 p.m.

4. ROLL CALL

Mayor April Graves, Councilmembers Marquita Butler Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Fiscal and Support Services Angela Holm, Director of Public Works Elizabeth Heyman, Community Development Director Jesse Anderson, Planner and Zoning Administrator Ginny McIntosh, Police Chief Kellace McDaniel, Director of Community Prevention, Health and Safety LaToya Turk, Assistant City Manager and City Clerk Barb Suciu, and City Attorney Jason Hill.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

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

6a. APPROVAL OF MINUTES

1. October 9, 2023 – Study Session
2. October 9, 2023 – Regular Session
3. October 9, 2023 – Work Session

6b. LICENSES

MECHANICAL

Season Control Mechanical Division, Inc.	6225 Cambridge St. #29, St. Louis Park 55416

RENTAL

INITIAL (TYPE IV – six-month license)

6220 France Avenue N	Ewing Square Acquisition Partners, LP

INITIAL (TYPE II – two-year license)

7218 Oliver Avenue N	Na Vang

RENEWAL (TYPE IV – six-month license)

5112 70th Avenue N	Ih3 Property Minnesota Lp
6225 Unity Avenue N	HPA CL2 LLC
6749 Humboldt Avenue N	Patrick Nguyen

RENEWAL (TYPE III – one-year license)

201 65th Avenue N	Riverwood LLC
6331 Beard Avenue N	Ccfi Holdings Llc
6915 Humboldt Avenue N	Lynwood Pointe Llc
3312 64th Avenue N	Buildup Assets 64th Ave Llc
3800 Burquest Lane	HENNEPIN RP FUNDING LLC
3906 Janet Lane	E Anderson & K Knoepke
5207 Boulder Lane	Herman Capt Partners V Llc
6000 Bryant Avenue N	Rto Investments Llc
6218 Unity Avenue N	ISHMAEL KOMARA

6800 Bryant Avenue N	Peter Nguyen
RENEWAL (TYPE II – two-year license)	
4819 Azelia Avenue N	Third Street/Azelia Prop Llc
5415 69th Avenue N	Phs Maranatha Inc
509 61st Avenue N	Timothy Martin Daniel
2812 Ohenry Road	Patrick Meier
3125 65th Avenue N	Hp Minnesota I Llc
3819 61st Avenue N	Fred Hanus Llc
5333 Bryant Avenue N	Badikambudi Helene Kazadi
5336 Sailor Lane	T J Agene & O E Agene
5415 Emerson Avenue N	Mnsf Ii W1 Llc
5443 Logan Avenue N	Imani Rock Group Llc
5814 Pearson Drive	Ih2 Property Illinois Lp
5937 Vincent Avenue N	Jack Johnson
7148 Morgan Avenue N	FRED HANUS LLC
RENEWAL (TYPE I – three-year license)	
6012 Kyle Avenue N	James R Hager
7037 Humboldt Avenue N	Gao Qiang Liu

6c. RESOLUTION AUTHORIZING THE AMENDMENT TO EASEMENTS FOR LOT 1, BLOCK 1, JOSLYN SECOND ADDITION, HENNEPIN COUNTY, MINNESOTA

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

8. PUBLIC HEARINGS

8a. PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR NUISANCE ABATEMENT COSTS, ADMINISTRATIVE FINES/ CITATIONS, TALL GRASS AND WEED ABATEMENT COSTS, AND DEAD DISEASE TREE ABATEMENT COSTS

City Manager Reggie Edwards introduced the item and invited Community Development Director Jesse Anderson to make the staff presentation.

Community Development Director Jesse Anderson explained Minnesota law allows cities to recover costs of certain types of services through special assessment of the property. The City incurs costs associated with these public service programs and activities. If unpaid, the costs may be specially assessed to the property. A public hearing is required.

Mr. Anderson noted there are four Public Hearings scheduled for October 23, 2023, to consider certification of proposed special assessments. The Notice of Public Hearing was posted in the City's official newspaper, *Sun Post*, on September 28, 2023. All potentially affected property owners have been notified by mail of the date of the Public Hearing and the amount of the proposed special assessments. As of October 16, 2023, no formal appeals have been received by City staff.

Mr. Anderson stated in instances where properties are found to be in violation of the Code, a written compliance notice is provided to the owner of record. In addition to notifying the owner of record, in certain cases, properties may be posted or other responsible parties may be notified. A follow-up inspection is conducted to verify that the property was brought into compliance with the code. If compliance has not been achieved, then the City will send additional notices or staff take corrective actions to remove the public nuisance or hazard, depending on the nature of the issue.

Mr. Anderson pointed out that in the case of an abatement, the City bills the owner of record for the portion of costs the City incurred directly related to the abatement action. A service charge is applied to help recover administrative costs associated with the abatement process such as time spent on inspections, notifications, invoicing, overhead, and the like. The costs of the abatements are recorded as pending special assessments and this information is available to the public.

Mr. Anderson pointed out there is an increased enforcement on unlicensed rental properties. Administrative citations were issued for operating without a rental license. For administrative citations and fines, an appeal process is prescribed by City Ordinance Chapter 18. Information about the appeal process and timeframes is provided with the citation.

Mr. Anderson explained once an assessment roll is adopted by the Council, the owner of each property has two options. The first is to pay the entire amount of the special assessment, without interest, between October 24, 2023 and November 27, 2023. If payments are made with property taxes, the first payment will be due with taxes in 2024. The total principal will be payable in annual installments for the period stated on the levy roll and as indicated below. Interest of 3.5 percent is accrued on the unpaid balance. Based on feedback from the City Council, staff had a discussion with Hennepin County staff regarding partial payments. The County has stated that after an assessment is certified partial payments can't be accepted. However, they have granted Brooklyn

Center permission to accept partial payments prior to the assessments being certified to Hennepin County.

Mr. Anderson noted these fees help recover some costs the City incurs related to services provided to specific properties. For accounting purposes, special assessment fees are included in the general fund as revenue. It is anticipated that these costs recovered through special assessments will be received in 2024, and are therefore included in the 2023 budget. The levy roll for administrative fines/citations totals $183,050. The levy roll for weed destruction totals $15,410. The levy roll for dead/diseased tree removal totals $27,157. Also, the levy roll for abatements totals $47,982.36.

Mayor Graves moved and Councilmember Jerzak seconded to open the Public Hearings concurrently.

Motion passed unanimously.

Carol L. explained he was speaking on behalf of her ill son. She and her family have always lived in Brooklyn Center. Her son leased his property through his ex-fiancé's mom and went to live with Carol L. The leasing agent isn't allowing the son to check in on the rental property. Since then, Carol L.'s son has been assessed with administrative and weed abatement. The leasing agent has been hiding the notices from Carol L.'s son. She asked the Council why Brooklyn Center and its Staff are being unhelpful. Ultimately, it is unfair for her son to be held responsible for the abatements.

Mayor Graves asked for Carol L. to provide her contact information to Dr. Edwards. Carol L. noted she had left a voicemail for Mayor Graves that was unreturned. She thanked the Council for their time.

Matt F. stated he has a special assessment for tall grass and an inoperable vehicle. The fine doubles if the violation isn't handled after the first violation. He explained he was going through a difficult time due to debt and his house was in foreclosure. The home was inherited from his mother after she passed. He acknowledged he understood the initial citation, and he had been saving up to address the concerns. However, the doubling of fines is burdensome, and his fines are around $9,000.

Matt F. added an ex-girlfriend had left the inoperable car in his driveway. He has been unable to get in touch with her to obtain the title to do anything with the vehicle. He is still trying to find a solution to address the inoperable car. As for the grass, it has been maintained in recent months. Mayor Graves asked Matt F. to provide his contact information to the staff.

An attorney on behalf of Matt F. pointed out that the assessed amount tripled in 23 days. October 3, 2023, there was a fee of $3,000. The next citation was for $6,000, and it is unclear if the total fee was then $6,000 or $9,000.

Mayor Graves asked if the tripling of the fine is a common practice. Mr. Anderson explained fees typically start at $125 or $300. There would be two letters followed by a citation. After 30 days, the fee increases. The fees increase up to $2,000 per violation.

Mayor Graves asked for the Council to be sent a list of the fees and for a Work Session to be scheduled to review the citation process. Mr. Anderson stated the fines are part of the fee schedule, and the new fee schedule will be up for discussion prior to approval in the coming weeks.

Councilmember Kragness asked if there is a way to stop the additional citations if the recipient contacts staff after receiving an earlier one to set up a payment plan. Mr. Anderson stated the citations aren't issued due to nonpayment, and there aren't any late fees. The citation is issued if the violation is still occurring. Staff typically grants extensions if requested.

Alfreda stated she has heard concerns from other community members regarding the financial burden of the fees. COVID-19 has further crippled resident's financial capacity. Also, businesses have been unable to afford the required maintenance. People are calling staff daily for help, and they are not receiving any assistance. She asked if the City offers resources to help with the cost burden or if staff could sit down with residents to explain the process and help.

Councilmember Kragness moved and Councilmember Jerzak seconded to close the concurrent Public Hearings.

Motion passed unanimously.

Mayor Graves pointed out the City has a program regarding home maintenance. She asked the staff if there were other resources available. Mr. Anderson stated the City offers a grant program to help with home maintenance, but it has a very long waiting list. Another program is where the City partners up with an agency to offer a home repair loan with a lower interest rate. External organizations offer assistance such as handyman repairs. The information is all available on the City's website.

Councilmember Lawrence-Anderson moved and Councilmember Jerzak seconded to adopt Resolution No. 2023-95 Certifying Special Assessments for Administrative citations to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

Councilmember Jerzak moved and Councilmember Butler seconded to adopt Resolution No. 2023-96 Certifying Special Assessments for Diseased Tree Removal Costs to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

Councilmember Kragness moved and Mayor Graves seconded to adopt Resolution No. 2023-97 Certifying Special Assessments for Weed Removal Costs to the Hennepin County Property Tax

Rolls.

Motion passed unanimously.

Councilmember Butler moved and Councilmember Jerzak seconded to adopt Resolution No. 2023-98 Certifying Special Assessments for Abatements Costs to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

Councilmember Lawrence-Anderson asked for the City Council to be updated on conversations with Carol L. and Matt F.

8b. RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT 2023 PUBLIC UTILITY SERVICE ACCOUNTS TO THE HENNEPIN COUNTY PROPERTY TAX ROLLS

City Manager Reggie Edwards introduced the item and invited Director of Fiscal & Support Services Angela Holm to make the staff presentation.

Director of Fiscal & Support Services Angela Holm explained Minnesota law allows cities to recover costs of certain types of services through special assessment to the property. The City incurs costs of providing public utilities, typically recovered through user charges. If the user charges remain unpaid, the costs may be assessed to the property. A public hearing is required for the assessment.

Ms. Holm pointed out that the City of Brooklyn Center certifies delinquent utility bills to Hennepin County annually. The certified bills become assessments on the property owner's property tax bill for the following year.

Ms. Holm stated this process starts with a letter to the customer notifying them that their account is past due and that the amount will be certified against their property taxes. It is balances of $400 or more that are past due as of July 12, 2023. The letter details the process and the legal authority for certification. Recipients of this letter are advised they may dispute the charges at a public hearing. The date, time, and location of the public hearing was published in the official newspaper of the City. Customers who have not paid by the cut-off date in the letter, which is November 22, 2023, are included in the final assessment roll submitted to the County.

Ms. Holm noted once an assessment roll is adopted by the Council, the owner has two options. First, the customer can pay the entire amount of the assessment without interest by November 22, 2023. Alternatively, the customer can pay the assessment with taxes in 2024 with interest accrued from December 1, 2023. The total principal and total interest is due in 2024.

Current unpaid charges amount to $582,021.22. There are 597 unpaid accounts. 86 percent of certifications are under $1,000. The amount is similar to the numbers in 2021. 2022 was much

higher in terms of unpaid charges and accounts.

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

Motion passed unanimously.

Melissa T. explained she has been facing economic issues since COVID-19 and is a single parent of children who are also struggling with financial and mental health issues. She asked if there were resources available, similar to resources for heat utilities. Mayor Graves asked for Melissa T. to provide her contact information to Staff for them to follow up.

Devon W. asked if he could speak directly with staff regarding his concerns. Mayor Graves asked for the commenter to provide his contact information to Staff for them to follow up.

Councilmember Jerzak moved and Councilmember Kragness seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Lawrence-Anderson moved and Mayor Graves seconded to adopt Resolution No. 2023-99 Certifying Special Assessments for Delinquent Public Utility Service Accounts to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

8c. RESOLUTION ORDERING IMPROVEMENTS AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT NO. 2024-01, ORCHARD LANE EAST IMPROVEMENTS

City Manager Reggie Edwards introduced the item and invited Director of Public Works Elizabeth Heyman to make the staff presentation. Director of Public Works Elizabeth Heyman introduced Principal Engineer Lydia Ener to continue the presentation.

Principal Engineer Lydia Ener showed a slide with the schedule of the process thus far and an image of the project area. The projects include partial street reconstruction which includes full-depth pavement replacement, miscellaneous repairs of concrete curb and gutter and driveway aprons, boulevard restoration, replacing catch basin castings as necessary within the project areas, and replacing or repairing catch basins and laterals where deteriorated or impacted by other utility work, replacing most of the main, along with the valves and hydrants, and lining of the sanitary sewer main, with spot replacements as necessary.

Ms. Ener showed images of some of the streets. The pavement was last reconstructed in 1996. Roadway widths will remain at 30 feet. The curb was inspected, and there will be spot replacement as necessary. The existing storm sewer pipes are six inches to 12 inches and were constructed

between 1956 and 1996. The existing lighting is owned by Xcel and exists at intersections and mid-blocks at approximately every 700 feet.

Ms. Ener stated water main components were installed between 1956 and 1996 and existing pipes are six inches to 12 inches. Proposed improvements for the water main are replacing the older sections and hydrant and gate valve replacement.

Ms. Ener noted the sanitary sewer was installed between 1956 and 1996 and existing pipes are eight inches to 12 inches, with some larger collector pipes. Condition surveys were taken of sewers and manholes. The recommended sanitary sewer improvements include lining of the main, with spot replacements as necessary.

Ms. Ener pointed out there will be some tree impacts from the project. The impacts have been reviewed by the City's forester. There will be removals of diseased trees and ash trees and some impacted by utility construction. Root cutting will be done where possible. Otherwise, there will be a one-to-one replacement of all removed trees.

Ms. Ener added other impacts including driveway impacts. This will be determined by utility improvements and curb replacement. There will be saw-cutting for bituminous driveways, and removal to the nearest joint for concrete. Also, sodding will be added to impacted areas.

Ms. Ener explained to gather information from the public on the project prior to feasibility, a neighborhood open house was held on August 3, 2023. Invitations for the meeting were mailed to properties and signboards were placed in the neighborhood prior to the meeting. The goal of the meeting was to provide project information to property owners and residents and gain input from the public on potential project upgrades. Each attendee was able to discuss how the project would impact their home. Some voiced concerns about driveway access during construction. Miscellaneous questions were asked about private utilities and the assessment process. All attendees seemed satisfied with having their questions answered, and many expressed interest in personal follow-up when construction begins.

Ms. Ener stated in addition to the neighborhood meeting, surveys regarding the project and existing conditions were mailed to residents and made available online. The majority of survey responses indicated the properties had not had issues with flooding, sanitary services, or water services. Overall, the resident responses were not in favor of additional sidewalks or street lighting.

Ms. Ener pointed out second neighborhood meeting was scheduled for Thursday, October 19th. Property owners were mailed invitations to the meeting. This meeting was a presentation style and provided additional information on action taken by the Council approving the Feasibility Report, the current progress of design, and will be an opportunity to provide more specific property impacts. In addition, the assessments included in the Feasibility Report were available to discuss with residents or answer questions. Questions were primarily on the assessment process, construction access, impacts, and timing.

Ms. Ener stated the preliminary project is estimated to cost $11.8 million. About $1.5 million will

come from assessments. The rest of the funding is from utility fees and the street reconstruction plan. She noted corner lots are not assessed twice.

Ms. Ener stated a majority of the properties fall under R1 and R2, and the assessment rate will be set at the November 13, 2023 meeting. The rate is based on the construction cost index. A typical R1 and R2 property will be assessed at approximately $4,015 per property. This was a 5.5 percent increase from the 2023 rate and accounts to $35 to $56 in monthly payments. The interest rate will be 5.5 percent, which is based on the City bonding.

Ms. Ener added R4, R5, R6, R7, commercial, and industrial properties costs are determined by project costs. The interest rate will be 5.5 percent, which is based on the City bonding.

Ms. Ener pointed out options are to pay in full before September 30, 2024, pay in full or partial payment from October 1, 2024, to November 17, 2024, with interest starting on October 1, 2024, or to pay in installments with property taxes over a ten-year period starting in 2025, which would be with a 5.5 percent interest rate.

Councilmember Butler asked what the City's responsibility is for the sod. Ms. Ener stated a sod letter will be sent to the homeowner with more information and best practices. The City is responsible for the first 30 days of the sod. There is an inspection of the sod at the end of the 30 days to ensure the installation was done correctly.

Mayor Graves noted Brooklyn Boulevard looks very terrible due to the dead sod. She asked who is responsible for that sod. Ms. Ener offered for Staff to look into the warrant period.

Ms. Heyman noted Brooklyn Boulevard is a County road. The City did take on maintenance responsibilities with the reconstruction project. She offered for staff to look into options.

Councilmember Lawrence-Anderson asked if someone could pay a partial amount and then choose to have the rest added to the tax roll. Ms. Ener confirmed that was correct. The partial payment option is new to the process.

Councilmember Lawrence-Anderson asked what the previous interest rate was. Ms. Ener stated the previous interest rate was 3.5 percent.

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

Motion passed unanimously.

Adam stated everyone would like a copy of the presentation to review. He asked if the assessment could be higher than the $4,015 projection. Ms. Ener stated it is a conservative assessment, so it won't be higher than $4,015. Once the amount is set, it won't be changed based on bids received or market conditions. She added the presentation would be added to the project website.

Councilmember Lawrence-Anderson asked for the presentation to be added to the City website. Ms. Ener stated the project website is within the City website. Councilmember Lawrence-Anderson asked for information on how to access the project website to be included in future notification letters. Ms. Ener stated the letters have and will continue to have a QR code to access the project website.

Councilmember Jerzak read an email from concerned parties Carl and Morgan K. as they were unable to attend the Council meeting. They expressed their disagreement with assessments for basic City infrastructure as the tax dollars should already be allotted for such critical updates. They pointed to poor financial planning and urged the Council to find funding within the budget.

Mayor Graves asked for the presentation to be sent to Carl and Morgan K.

Councilmember Jerzak moved and Councilmember Kragness seconded to close the Public Hearing.

Mayor Graves moved and Councilmember Jerzak seconded to adopt Resolution No. 2023-100 Ordering the Orchard Lane East Improvements, Improvement Project No. 2024-01, and Authorizing Preparation of Project Plans and Specifications.

Motion passed unanimously.

RECESS AND RECONVENE

Mayor Graves called for a short recess at 8:13 p.m. The meeting reconvened at 8:22 p.m.

9. PLANNING COMMISSION ITEMS

9a. RESOLUTION FOR PLANNING COMMISSION APPLICATION NO. 2023-006, SUBMITTED BY AWC HOLDINGS LLC, FOR CONVERSION OF AN EXISTING TWO-TENANT BUILDING TO AN APPROXIMATELY 10,200-SQUARE FOOT RESTAURANT AND BAR (NIGHTCLUB) WITH 704-SQUARE FOOT OUTDOOR PATIO (5927 JOHN MARTIN DRIVE)

Dr. Edwards introduced the item and invited Planner and Zoning Administrator Ginny McIntosh to continue the staff presentation.

City Planner Ginny McIntosh reviewed a request for review and consideration of a proposal that would convert the existing New King Buffet and former Tires Plus located at 5927 John Martin Drive into an approximately 10,200-square foot restaurant and bar with approximately 1,200-square foot outdoor patio. Jambo Africa, of which the applicant is associated, is a restaurant and bar currently located at 1601 Freeway Boulevard in Brooklyn Center that specializes in African cuisine. As is noted in their narrative, they note that they will be transferring, “all restaurant operations from the current location, 1601 Freeway Blvd, to the new location, 5927 John Martin Drive.”

Ms. McIntosh showed images of the site. The site is approximately 1.36 acres and is currently zoned for transit-oriented development.

Ms. McIntosh stated the property originally received site and building plan approval in 1979 under Planning Commission Application No. 79035 for what was originally a Berger Brothers sporting goods shop. As originally contemplated, the building was to primarily serve as an approximately 8,820-square foot retail shop, with a proximately 1,425-square feet of storage area. At the time, the Subject Property was zoned C2 (Commerce) District, which allowed for retail uses, and contemplated 85 on-site parking spaces for the retail store.

Ms. McIntosh noted that in 1991, the formerly single-use retail building received a proposal to convert into a two-tenant building when Tires Plus auto shop expressed interest in locating on the Subject Property and following the closure of Berger Brothers. Tires Plus ultimately took approximately 3,700 square feet of the west side of the property with the remaining approximately 6,500 square feet left available for a new user. The current Property Owner, Lin Shuang LLC, purchased the property in 2007. Tires Plus closed their location at the site last year and the property was listed for sale shortly thereafter.

Ms. McIntosh stated the property is centrally located within the City's designated approximately 80-acre Opportunity Site. A draft Opportunity Site Master Plan has been underway for a number of years and at present the plans are to move toward a final adoption by the end of this year. In July 2021, the City of Brooklyn Center City Council adopted an Infrastructure Framework for the Opportunity Site, which is intended to serve as a proactive, guiding document and focused on four core components within the 80-acre Opportunity Site. While the framework is intended to help inform decision-making, it was also designed to provide certain flexibilities and dependent upon market conditions.

Ms. McIntosh noted in 2022, an approximately 16-acre Phase I redevelopment of the Opportunity Site was approved by the City Council under Planning Commission Application No. 2022-003—this phase is located south of the property. A proposed Garden Street is contemplated to run approximately between the property and 5939 John Martin Drive, which is owned by the City's Economic Development Authority (EDA), and south through additional lands owned by the City's EDA before connecting to a proposed public roadway extension approved as part of Phase I.

Ms. McIntosh pointed out that the Infrastructure Framework specifically denotes John Martin Drive, which the Subject Property fronts, as a future "Main Street." While dependent on market conditions and receptivity of existing land owners, the Infrastructure Framework calls out a potential future road running in proximity to the existing driveway curb cut, which serves both the Subject Property and 5939 John Martin Drive, which is owned by the EDA.

Ms. McIntosh stated staff initially met with the applicant in July 2023, at which time the building reflected a restaurant and bar use. Conversion triggers a Major Site and Building Plan Amendment process under Section 35-7605 because there would be a 25 percent or greater change in the floor area of the structure.

Ms. McIntosh noted the staff had a follow-up meeting with the applicant to discuss the application and planned submittal materials. Following the submittal of plans, City Staff determined the building would be considered a nightclub use, which requires a CUP. On August 16, 2023, the applicant's architect confirmed the use and began the CUP process.

Ms. McIntosh stated on September 9, 2023, Staff formally requested the applicant apply for a parking variance, address concerns and revisions, and a 60-day application extension. The variance application, fee, and supplemental information were received by staff on September 13, 2023. On September 14, 2023, a public hearing was held for the building plan and CUP, but there was a request to continue the public hearing to October 12. There was proper publishing completed for the public hearing, which was held on October 12, 2023.

Ms. McIntosh stated applicant outlines in their narrative that they would remodel the existing approximately 10,200-square foot building for a restaurant and bar with a nightclub. There are no plans to alter the exterior of the building other than the removal of an existing loading door on the south elevation, and the existing overhead bay doors used previously by Tires Plus on the west elevation, but those would be replaced with glass. This elevation would also feature an approximately 1,200-square foot outdoor patio that would project approximately 17 feet out and be located just under 8 feet from the property line shared with 5939 John Martin Drive, which is owned by the City's EDA.

Ms. McIntosh pointed out that access to the Subject Property is limited to the single shared curb cut located off John Martin Drive. As proposed, the existing curb cut and parking layout would remain. The only area proposed for modification, which would impact the existing site circulation is the west elevation where the bay doors to the former Tires Plus are located. The installation of the permanent patio would ultimately shift any vehicular traffic onto neighboring 5939 John Martin Drive, which is owned by the City's EDA. City Code outlines a minimum of 24 feet in width for drive aisles accommodating two-way traffic, and a minimum of 20 feet is required under Minnesota Fire Code for fire access.

Ms. McIntosh noted the determination of use and overall business function is crucial as it informs actual peak parking demands. Section 35-5502 (Off-Street Parking Requirements) provides that, "off-street parking and loading spaces shall be provided in all multi-family residential, mixed-use, commercial, and industrial districts in accordance with the requirements of this Unified Development Ordinance." City Staff relayed concerns early on as to whether all minimum parking needs would be met on-site given the use and size of the establishment and the Applicant inquired about potential options for parking off-site, including surrounding EDA-owned property.

Ms. McIntosh stated there are provisions within the City Code that allow for a development to reduce the required off-street parking spaces by up to fifty percent when it can be demonstrated, in a parking-traffic study, and prepared consistent with City standards, and through the use of transit or demand management programs, noted special characteristics, etc. A parking traffic study was not provided as part of the submittal. Section 35-5503 allows for a portion of required parking spaces to be located on an adjacent property if the parking area complies with the standards and as authorized in accordance with the approval of a Conditional Use Permit (CUP). Although shared

parking is encouraged in instances where it may be mutually beneficial for multiple users, the City Code requires a burden of proof for a reduction in the total number of parking spaces.

Ms. McIntosh added the property is surrounded on three sides by City EDA-owned property (5939 and 5915 John Martin Drive, and approximately 5.5 acres of 5910 Shingle Creek Parkway). HealthPartners Dental Clinic is located to the south; however, the majority of its on-site parking is located on yet another City EDA-owned property located at 5900 Shingle Creek Parkway via a driveway and parking easement.

Ms. McIntosh noted the applicant inquired as to whether off-site parking might be an option at the strip mall located to the northwest of the site and located at 6000 and 6050 Shingle Creek Parkway; however, these properties are part of a Reciprocal Easement Agreement with the neighboring former Target, located at 6100 Shingle Creek Parkway and also owned by the City's EDA. Said agreement provides shared parking and access between parcels with the majority of parking located on the Target site.

Ms. McIntosh explained, as proposed, that no alterations would be made to the existing parking lot other than select re-striping. The submitted plans denote 80 available on-site parking spaces on the Subject Property. The original site and building plan approvals, as contemplated under Planning Commission Application No. 79035, identified 85 parking spaces; however, it appears five parking spaces were removed to accommodate a trash enclosure located at the southeast corner of the building and intended for the current restaurant use.

Ms. McIntosh noted that City staff and the applicant were not in agreeance as to the determination of minimum parking needs for the Subject Property. The applicant's architect had operated under the assumption that the entirety of the use would have parking calculated assuming an "Assembly" calculation, which would assume a minimum of one parking space for every three seats per person, including any staff. In reviewing the provided occupancy load calculations for the space, a maximum occupant load of 240 persons would indeed require a minimum of 80 parking spaces; however, the occupant load numbers were adjusted with respect to the dining, patio, and dance floor areas to calculate occupancy based off the provided layout of the tables and seating, as opposed to the occupant load as calculated under Minnesota Building Code.

Ms. McIntosh concluded assuming 80 on-site parking spaces, City staff ultimately determined that the property is likely deficient by 74 parking spaces and would therefore require a parking variance. A site plan is provided; however, no dimensions are provided that note parking space dimensions, drive aisle widths, and alterations. As noted in the Assistant City Engineer's memo, it also appears that ADA parking is insufficient. Should additional ADA loading spaces be required, this may increase the overall parking deficiency.

Ms. McIntosh pointed out photometric plan was submitted with the application submittal; however, the originally provided plan does not provide the detailing necessary to determine whether it meets the code provisions as outlined under Section 35-5400. In response to a request for revised plans, the applicant provided an updated photometric plan and fixture specification on September 13, 2023.

Ms. McIntosh noted with that said, any photometric plan provided shall clearly demonstrate consistent levels of illumination across the existing open-air parking lot and avoid pockets of very high or low levels of illumination. Spot illuminations shall be provided to clearly demonstrate adherence to minimum and maximum illumination levels, as well as uniformity, and a fixture schedule provided.

Ms. McIntosh added City staff had previously conveyed to the applicant that the existing pole and wall lighting on the property is non-conforming with respect to City Code requirements. Detail sheets were also requested of the applicant to demonstrate enhanced illumination overall primary building entrances or exits and any pedestrian pathways as outlined under Section 35-5401.m.2.

Ms. McIntosh stated there are no plans to alter the exterior of the building, with the exception of adjustments to openings on the west and south elevations. As proposed, and as noted above, an existing loading dock door would be removed and patched to match the existing exterior. While the provided site plan notes this removal and patching, a detail sheet would be required for submittal as part of any building permit process.

Ms. McIntosh pointed out that the west elevation currently features a series of garage bay doors that formerly served Tires Plus. As proposed, four of the garage bay doors would be removed and replaced with smaller, transom-style windows. The remaining sections below will be patched. Although this elevation notes the use of a "squared" concrete block to match the existing material, it appears the building material that this elevation is predominately comprised of is split rib or fluted concrete. City staff would request confirmation as it appears there is a squared or scored concrete block located in the section of the south elevation of the building.

Ms. McIntosh explained the remaining two garage bay doors would be replaced with operable glass doors that would lead out onto a proposed 1,200-square foot outdoor patio. Said patio would be surrounded by an eight-foot-high fence. City staff question the functionality of the proposed outdoor patio, as it appears the only access would be via the garage door. Additional safety concerns were raised in the letter addressed to the applicant on September 9, 2023, regarding the identified gates for exiting, as they would open out onto the parking lot and drive aisles.

Ms. McIntosh stated the project submittal includes a landscape plan and detail sheet; however, no inventory of existing plantings and species or types was provided and City staff was unable to conduct a full review. City Staff did make a formal request to the Applicant for this additional information as part of a letter dated September 9, 2023. City staff provided the Applicant with copies of the original and last revised landscape plans on file and as included with the preceding Planning Commission and City approvals on record from 1979 and 1991.

Ms. McIntosh explained following a review of these plantings, which were all outlined on the original 1979 landscape plan schedule, City staff requested the Applicant replace the Japanese green leaf barberry with an alternate shrub, as the Minnesota DNR notes "Japanese Barberry" as a restricted planting with the propagation and sale of its numerous cultivars, including green barberry, noted as prohibited within the state of Minnesota.

Ms. McIntosh added no specific signage requests were made as part of the Application submittal. Any new signage would be required to comply with the provisions outlined within Section 35-6000.

Ms. McIntosh stated James Soltis, Assistant City Engineer, reviewed the submitted site plan and provided a memorandum dated September 5, 2023. The memo was most recently revised on October 5, 2023. There were questions regarding MN ADA compliance and potential impacts to the overall site circulation and safety considerations for safely exiting off the patio.

Ms. McIntosh added Building Official Dan Grinsteinner conducted a cursory review of the proposal and worked with City staff through a determination of outlined and expected occupancy loads for the building and patio and with respect to the minimum required parking. A fire sprinkler and monitoring system is required for installation and is to be maintained at all times, and sufficient fire hydrants shall be provided. Additional detailing will be required to provide access to a fire sprinkler room or wall connections.

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

Ms. McIntosh stated they need to coordinate with the Minnesota Pollution Control Agency (MCPA) to address the abandonment of flammable interceptors as well as any potential regulations for conversion of use. City staff noted open permitting for above-ground tanks, per the MPCA website.

Ms. McIntosh reiterated when City staff initially met with the applicant, where it was conveyed that the applicant intended to open a restaurant and bar at the property; however, the applicant's architect has come to agree with City staff's interpretation that there was a "nightclub" component and clarifying that, under building code, restaurants and nightclubs were in the same occupancy type category. They further agreed to apply for a Conditional Use Permit.

Ms. McIntosh explained Conditional Use Permits, as outlined under Section 35-7700, are those uses that 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.

Ms. McIntosh pointed out that in order to qualify for a CUP, the conditional must be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Plan and this UDO. The site is within Transit-Oriented Development (TOD) and meets the objectives.

Ms. McIntosh stated the establishment, maintenance, or operation of the conditional use must promote and enhance the general public welfare and will not be detrimental to or endanger the

public health, safety, morals, or comfort of other establishments. Similarly, the conditional use can 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.

Ms. McIntosh added the CUP requires the use will not impede on the normal and orderly development and improvement of surrounding property for uses permitted in the district. Adequate measures will have to be taken to provide ingress, egress, and parking to minimize traffic congestion in the streets. Impacts such as noise, hours of activity, and exterior light must be sufficiently addressed to mitigate negative impacts on nearby uses. Lastly, the conditional use must confirm to applicable regulations of the district.

Ms. McIntosh explained variances may only be granted when the Applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Pursuant to Minnesota Statutes Section 462.357, subdivision 6, the City Council may only grant approval of a variance where "practical difficulties" exist as to the strict compliance with the City's Unified Development Ordinance (UDO) and each of the criteria are satisfied.

Ms. McIntosh pointed out that the criteria include that the variance is in harmony with the general purposes and intent of the City's Unified Development Ordinance, is consistent with the Comprehensive Plan, the property owner proposes to use the property in a reasonable manner not permitted by this Unified Development Ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, variance if granted, will not alter the essential character of the locality.

Ms. McIntosh noted the public hearing notice was published in the Sun Post on August 31, 2023, for the site and building plan and conditional use permit requests and September 28, 2023, for the variance requests. Mail notifications were sent out to taxpayers and physical properties located within 350 feet of the property. The public hearing notice was also published on the City website as a link.

Ms. McIntosh stated based on the findings, and given the request by City staff in a letter to the applicant dated September 9, 2023, to apply for a parking variance, provision of additional information and revised plans, and the requested application extension.

Ms. McIntosh pointed out that at the October 12, 2023, public hearing, the applicant and supporters of the project were present. City staff did not receive other public comments. The Planning Commission engaged in a lengthy discussion of the proposed use. First, there was concern about the alignment of the proposed use with the City's Opportunity Site plans and adopted Infrastructure Framework, as the property is centrally located within the designated area. General inquiries were presented as to whether the applicant is on the same page with where the City is headed and if the applicant considered other locations. The Planning Commission expressed concerns relating to the proposed use already being and technically beyond capacity along with the inability for future expansion.

Ms. McIntosh stated next, there were concerns about ADA parking deficiencies, as identified by Staff, and the justification for using Uber and Lyft to offset parking needs. There weren't details about where the services would be staged. Although staff noted the 58-spot parking space deficiency, it was later determined the provided site plan falls short of minimum ADA-required parking. MN Accessibility Code requires a minimum of four ADA spaces rather than the two spaces presented. Ultimately, this results in a deficiency of 59 spots to accommodate a shared ADA loading space.

Ms. McIntosh added the Planning Commission had concerns about snow removal and storage plans for the property given the property is built out. The winter months would only exacerbate the parking deficiencies. Also, there was a lack of any proposed investment into the exterior of the existing building other than some wall patching and two glass garage doors. The building is more than 40 years old, and there needs to be consideration for the accelerated deterioration of the building in the last few years.

Ms. McIntosh stated there were safety concerns relating to the egress and the proposed outdoor patio. Commissioner comments referenced past instances of restaurants and nightclubs where stampeding occurred during an emergency and if there was proper egress provided. The Commission made inquiries to Staff as to whether they were comfortable with the plans.

Ms. McIntosh noted there were inquiries on the categorization of the "nightclub" use and questions relating to whether the proposed use would confirm to the City's noise regulations. Questions were also raised related to the two glass doors that would need to remain open to allow for patio access.

Ms. McIntosh pointed out the Planning Commission had concerns about the overall business operations and considerations for trash, safety, security, and sufficient lighting. Lastly, the Commissioners asked the City Attorney how tedious a process of revocation would be for a CUP.

Ms. McIntosh stated following the close of the public hearing, the Planning Commission elected to recommend (3-2) City Council approval of the requested site and building plan, DUP, and parking variance.

Ms. McIntosh stated there are three options for the Council to consider. First, is approval of the variance, CUP, and site and building plan. Second, is the approval of the variance but denial of the CUP and site and building plan. Lastly, the Council can deny all components.

Mayor Graves asked why the process was different than normal. City Attorney Jason Hill stated staff wanted to avoid resolution of denial or approval due to the tightness of the vote. Staff didn't want any resolutions to reflect that a decision had already been made. He noted he has done a similar process in other cities. Also, the Council may have suggestions for items to add to the resolution. In short, the alternative process is for the sake of efficiency and clarity.

Mr. Hill stated the variance must be approved in order for the other items to be approved due to the requirements of the variance. Mayor Graves asked what would happen if the second choice was the decision of the Council. Mr. Hill stated denying the CUP and site and building plan would

trigger a variance to be denied. Mr. Hill stated there are three applications at hand for the Council to consider. For the creation of a record and for legal purposes, there is a difference between the second and third options although the outcome is similar.

Councilmember Butler stated the alternative process is unnerving as it is new and the negative comments from the meeting were shared. Also, the Planning Commission approved it. It seems like the staff is trying to get the Council to approve the measure and isn't giving the applicant a fair shake. She asked if staff had worked with the applicant to work out the concerns expressed by the Planning Commission.

Ms. McIntosh stated staff first became aware of the project in July 2023. It was originally a restaurant use which triggered a site and building plan requirement. Once the plan turned more into a nightclub use, then the process for a CUP was triggered. That created more discussion between staff and the applicant about several components.

Ms. McIntosh pointed out the applicant did reduce the size of the patio which also improved the parking deficiency. There isn't room to add more parking unless a trash enclosure is removed, which would allow for five more spots.

Ms. McIntosh agreed she shared the concerns of the Planning Commission, but she also shared the consistently positive comments during the public hearing. There is a lot of reliance on staff figuring out issues along the way. For example, the lighting plan is lacking but staff would work with the applicant to bring the lighting in alignment with the Code.

Ms. McIntosh added it is extremely unusual to have such a close vote.

Councilmember Jerzak summarized his previous professional experience working with the applicant and the building owner. He requested that he abstain from the vote in the interest of fairness. Mr. Hill stated there is no legal or financial obligation for Councilmember Jerzak to abstain from the vote, but it is his prerogative to abstain. Councilmember Jerzak confirmed he would abstain from the vote and the discussion.

Councilmember Lawrence-Anderson asked what the purpose of the glass door was. Ms. McIntosh stated the glass garage door is for patio access. Councilmember Lawrence-Anderson stated the door is concerning due to the climate of Minnesota.

Councilmember Lawrence-Anderson pointed out two Commissioners were absent. Ms. McIntosh pointed out there were six Commissioners present throughout the discussion, but only five were present for the vote.

Councilmember Lawrence-Anderson asked if the item could be returned to the Planning Commission to allow for a full vote. Mr. Hill stated it is not recommended the item be returned to the Planning Commission meeting, but the Council has the option to table the item for further consideration by the Council.

Councilmember Lawrence-Anderson stated she would like to review the Planning Commission recording to have a better understanding of the discussion. She asked how many restrooms are in the facility. Ms. McIntosh stated the bathrooms have to meet Code requirements for the proper capacity.

Councilmember Lawrence-Anderson agreed she had concerns about the alignment of the proposal with the Opportunity Site, similar to the concern expressed by the Planning Commission.

Councilmember Kragness asked if staff recommendation was in line with the vote of the Planning Commission. Mayor Graves stated staff is not making a recommendation either way.

Ms. McIntosh pointed out there are comments about Code and City regulations throughout the proposal document made by staff, but the staff is not making a recommendation either way. She noted it is typical for items such as a photometric plan to be commonly missing from the process. However, staff pointed it out due to the nighttime use of the facility.

Mayor Graves asked what the issues are with the lighting. Ms. McIntosh stated two photometric plans have been submitted, but the style has not been seen by staff before. Therefore, staff doesn't have a great understanding of the lighting plan. Additionally, there are newer lighting requirements in Brooklyn Center due to recent Code changes.

Mayor Graves moved and Councilmember Butler seconded to adopt Resolution No. 2023-101 Approving a Variance, Site, Building Plan, and Conditional Use Permit as outlined in Planning Commission Application No. 2023-006 at 5927 John Martin Drive, with photometric plan and lighting issues being addressed to be in compliance.

Councilmember Lawrence-Anderson pointed out she doesn't want to interfere with the vision of the Opportunity Site.

Councilmember Lawrence-Anderson voted against the same. Councilmember Jerzak abstained from the vote. Motion passed.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION APPROVING AN AMENDMENT TO THE COMMERCIAL LEASE AGREEMENT WITH PHU BIA LIMITED LIABILITY COMPANY FOR PROPERTY LOCATED AT 1350 SHINGLE CREEK CROSSING

Dr. Edwards introduced the item and invited Community Development Director Jesse Anderson to make the staff presentation.

Mr. Anderson explained 1350B Shingle Creek Crossing was a vacant shell space the City constructed when the municipal liquor store was built. The intent of the shell space was to provide brick-and-mortar space for small business owners while maintaining commercial affordable in Brooklyn Center. The EDA has approved a $70,000 commercial build-out loan to Phu Bia Produce

LLC with the condition of executing a lease agreement between Phu Bia Produce LLC and the City of Brooklyn Center. The project scope consisted of new flooring, painted walls, walk-in cooler, a brand-new bathroom. Prior to Phu Bia, the shell space was empty and under-utilized.

Mr. Anderson stated the City of Brooklyn Center is charging a base rate of fifteen dollars a square foot. Gross rent area is 3,500. The monthly rent collected from Phu Bia Produce LLC is $4,375. Rent payment is due on the first of each month. Rent payments were to start on August 1, 2022. In lieu of no build-out allowance on the shell space, six and a half months were granted to Phu Bia Produce LLC in order to support cash flow and minimize startup expenses.

Mr. Anderson pointed out Phu Bia was not able to open according to schedule due to equipment availability at that time, contractor issues, and limited knowledge of navigating the health department and city process. Phu Bia recently received its certificate of occupancy and is now ordering products from their store. They've built out the empty shell space that the City owned and received a certificate of occupancy. Without an operating business, they have had a hard time paying rent and loan payments. Now that they are close to opening they anticipate being able to pay for their loan and lease going forward.

Mr. Anderson noted as of October 17, the business owes $65,625 in back rent, $2,250 in late fees. They did make a payment of $6,105 towards their loan. The past due balance on the loan is $6,956.40. During a recent discussion with Mai Y Lor, owner of the business, Staff was notified that Phu Bia do not have the funds to pay the back rent and past due loan payments. Also, Ms. Lor does not foresee the ability to add any additional monthly expenses in the near future. Therefore, Staff have prepared a resolution modifying the loan and lease in order to address the past due balance. If the items is approved they are to start making lease payments on November 1, 2023.

Mr. Anderson added City staff spoke with the City Attorney regarding actions that could be taken if the Council would prefer to not amend the lease and loan. According to the City Attorney, the following are potential actions that the City could take if there was no amendment. First, the lessee is in default for not paying rent. The City would provide at least 15 days-notice of default, and if not cured, the City can declare the lease terminated. The notice should include notice that personal property, equipment and fixtures must also be removed without damaging the premises.

Mr. Anderson noted the City can immediately take possession of the premises, including personal property, equipment and fixtures. The City can commence an eviction action if the tenant remains on the premises. The City can bring suit against the lessee for amounts owed. The City can immediately make the premises ready for a new tenant, which includes removal of personal property, equipment and fixtures. If the City has to commence legal action, the lessee may be required to pay the City's attorney's fees.

Councilmember Jerzak acknowledged the plight of the business, particularly ones out of control of the business owner. It appears to be a fragile business. There is no promise that Phu Bia will be able to pay the new agreement, and such an action could just be delaying the inevitable. Additionally, by waiving the outstanding $65,000, it would negatively impact other small businesses who would be able to access the funds through City programs. He doesn't want different

businesses to be treated differently.

Councilmember Jerzak pointed out there has been staff turnover, and there may be an issue with the City not intervening sooner or offering more resources to the business. He cited issues with requirements due to proximity with the Walmart building. Ultimately, it is a non-performing asset for the City.

Councilmember Lawrence-Anderson asked what the buildout cost was for the shell. Dr. Edwards stated the shell was an opportunity to subsidize startup micro BIPOC businesses.

Councilmember Lawrence-Anderson stated her understanding was the shell was built to offset the costs for building the liquor store, which was under Mayor Wilson. Mayor Graves noted her agreement with Councilmember Lawrence-Anderson.

Councilmember Lawrence-Anderson stated she is not comfortable forgiving $65,000 of taxpayer's money.

Dr. Edwards stated subsidizing startup micro BIPOC businesses doesn't mean the revenue won't benefit the prior construction costs of the Liquor Store. Councilmember Lawrence-Anderson reiterated that the shell was built to offset the costs for building the liquor store.

Councilmember Lawrence-Anderson noted she would consider a forbearance but not outright forgiveness.

Councilmember Butler noted her agreement with Dr. Edwards' recollection of the purpose of the shell building. It seems like the City is setting the business up for failure, and it would be irresponsible of the City to move forward with the current tenant.

Councilmember Kragness pointed out there is no ensured positive outcome if the City retains the current tenant.

Councilmember Jerzak asked if the business is able to stop investing more money. Also, he suggested a settlement be reached regarding buyout of the lease that is amicable to both parties. Mr. Anderson stated there are products on the shelves, but he isn't sure what they can or cannot get out of purchasing. The owner also has a permit and has purchased coolers.

Mayor Graves agreed this is a tough issue, and she has received a number of emotional calls from the owner. There may have been some issues with language barriers and understanding the process to open a business. Not to mention, there were issues where the owner was taken advantage of throughout the construction process by third parties.

Mayor Graves stated the shell space is a great idea and a wonderful opportunity for the City to promote small businesses. She added the City can do more to better support small businesses, such a Phu Bia, and noted Brooklyn Center has lost staff that could have helped in the situation.

Councilmember Jerzak moved and Councilmember Lawrence-Anderson seconded to not adopt a resolution approving an amendment to the commercial lease agreement with Phu Bia limited liability company for property located at 1350 Shingle Creek Pkwy and direct staff to enter into discussions with the business owner regarding a settlement.

Motion passed unanimously.

10b. RESOLUTION DIRECTING THE ADOPTION OF TRAFFIC STOP AND CONSENT SEARCH POLICIES FOR THE BROOKLYN CENTER POLICE DEPARTMENT

Dr. Edwards introduced the item and invited the Director of the Office of Community Prevention, Health and Safety LaToya Turk and Police Chief Kellace McDaniel to make the staff presentation.

Ms. Turk explained in May 2021, the City Council of the City of Brooklyn Center adopted Resolution No. 2021-73, a resolution adopting the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Since February 28, 2022, the Implementation Committee has conducted regular meetings, and working with experts to gather data and consider City Code amendments, ordinances, resolutions, policies, and guidelines with regard to public health-oriented approaches to community safety. In September of 2022, the Committee developed and prepared policy recommendations regarding traffic stops and consent searches.

Ms. Turk pointed out that in June 2023, staff made recommendations to the City Council regarding traffic stops and consent searches based upon a review of the recommendations made earlier by the Implementation Committee. Following the staff's presentation, the Council directed staff to bring back a resolution adopting a policy for traffic stops and consent searches based upon Council discussion consensus during the June meeting.

Ms. Turk stated it was the consensus of staff to separate traffic stops and consent searches in the subject matter. Also, it was determined regulation for traffic stops and consent searches by controlled by policy rather than ordinance.

Ms. Turk noted the traffic stop policy states law enforcement officers will use alternative traffic enforcement for original causes as the sole reason for minimum and moderate safety risk traffic stops. However, officers may stop a vehicle for original causes as the sole reason alone that they are high-risk traffic stops.

Chief McDaniel showed a table of traffic stop safety ratings. He stated when the police department was given this exercise he and the Commanders put them in categories and talked about the minimum, moderate, and maximum safety ratings.

Chief McDaniel stated it is difficult for a Chief to tell his officers not to enforce certain State laws, as this policy would force him to do. He added he does discipline every day based on the actions of the officers. He stated he would continue the presentation, but he is not comfortable implementing these policies. He added there are ways to do a teaching aspect for alternative traffic

enforcement, but the ultimate training of law enforcement is to keep the community safe.

Mr. Hill stated that based on findings and studies conducted by the Committee and City staff, the recommended regulation of the initiation of traffic stops and consent searches is in accordance with the goals of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. The regulations should be enacted through the adoption of policies rather than ordinances, and standalone policies should be incorporated into the Brooklyn Center Police Department Policy Manual. In order to allow for training and education timing, the effective policy date would begin in March 2024. The proposed resolution also requires any amendments to the policy to be made by the Council.

Councilmember Lawrence-Anderson stated she would like Chief McDaniel to be present when the Council meets with the Implementation Committee. She explained she supports most of the components, but a joint conversation with all parties is required for negotiations. She would like the City Council, Implementation Committee, Community, and Police Department. The Implementation Committee has worked very hard, and she wants to make sure the policies are properly written and implemented.

Councilmember Jerzak noted his agreement with Councilmember Lawrence-Anderson. He noted his preference to table the item until the Council meets with the Implementation Committee and to allow for the Council to better understand the concerns of the Police Chief.

Councilmember Jerzak pointed out he would prefer for the restrictions be made at the State level to allow for consistency in conduct by all law enforcement agencies.

Councilmember Butler stated she isn't opposed to allowing Councilmembers more time to consider the recommendation, though it is disappointing to hear that some Councilmembers aren't ready to implement the recommendation. She noted her appreciation of the comments made by Chief Kellace. Brooklyn Center has the opportunity to reimagine what public safety looks like. At the start of the process, the City was praised for its innovation, but it has failed to come to fruition thus far. Growing pains are to be expected, but the Council must make the tough calls. The process has already taken too long.

Councilmember Kragness stated she isn't comfortable with the recommendations due to the hesitancy noted by Chief McDaniel. She added that she has empathy for the community but does not want to be forced into making a decision that she doesn't feel is the right decision.

Councilmember Jerzak asked if the Council could have a consensus on a hard date of when the decision is going to be made. The process has taken a long time, and the Council needs to respect the Implementation Committee. Mayor Graves stated the present meeting was meant to be the hard date for a decision.

Mayor Graves pointed out there are some things the Council isn't going to agree upon. Similarly, the community likely has a very different perspective on policies than law enforcement does. She explained how the consent decree was implemented in Minneapolis. She would like to see a

pretextual stop policy more similar to the one created in Minneapolis in conjunction with the Department of Human Rights.

Mayor Graves read a quote from the *Stanford Law Review* regarding pretextual stops and racial profiling. Pretextual stops are not a violation of the Fourth Amendment. Data shows a statistically significant disparity in pretextual stops between White people and BIPOC. However, the burden of proof is on the victim to show that law enforcement targeted someone based on race rather than traffic violations.

Mayor Graves asked if it is generally safer for someone with a broken taillight to drive around or for someone to potentially be racially profiled. She stated she and her loved ones have experienced racial profiling. The City has the opportunity to do better.

Mayor Graves stated some law enforcement may be hesitant, but that is to be expected when people are told to do something they are not used to. It seems as though the argument may be about power and control rather than safety.

Mayor Graves read the Fourth Amendment aloud. The presentation by staff was a compromise between multiple parties. The policy prohibits people from being harassed, and it doesn't prohibit law enforcement from enforcing actual safety concerns.

Mayor Graves read another quote about warrants, probable cause, and consent to expose one's privacy. Many people do not know they have a Constitutional right to deny consent searches. Consent searches are very likely to be coerced. Probable cause gives permission for law enforcement to search based on the likelihood of productivity. Consent searches have no well-founded justifications for a search. Law enforcement should be promoting the Fourth Amendment rather than trying to get around it.

Mayor Graves stated she isn't going to call for a vote because it doesn't sound like the policy will pass based on the previous comments of the Council. It is unlikely that law enforcement will compromise more than they already have. The staff's presentation is the product of countless conversations among staff, Council, and community members.

Dr. Edwards noted the consensus of the Council was to not take a vote. He suggested tabling the item until after the Council has an opportunity to meet with the Implementation Committee.

Mayor Graves pointed out the community is clear on its preference. The lack of clarity is from law enforcement's support of the policy. She stated the Council needs to speak directly with law enforcement leadership.

Dr. Edwards stated staff can vet the policy more and bring it back to the Council, but the staff feels as though it has already completed that step.

Councilmember Lawrence-Anderson stated she wants to be present in the room where the discussions are happening because she is a decision-maker.

Councilmember Jerzak noted his agreement with the comments of Councilmember Lawrence-Anderson. He stated he was taken aback by the comments made by Chief Kellace during that evening's meeting. Councilmember Jerzak pointed out he has no desire to kill the policy, but he needs to hear the concerns of law enforcement directly.

Mayor Graves pointed out she has consistently kept her door open to meet with law enforcement. She hasn't felt welcome to do the same with law enforcement. The matter is meant to improve safety for all and not be adversarial.

Dr. Edwards stated there is a process for the Council to engage with the various Departments, which is for the Council to make requests of staff and for staff to return to the Council with the request completed. He offered to facilitate a conversation between the Council and all relevant staff. He stated he would gather the availability of the staff and Implementation Committee and return to the Council with potential meeting dates. He pointed out the entire Council won't be back together again until mid-December.

Mayor Graves requested the meeting have proper representation from law enforcement leadership.

Mayor Graves moved and Councilmember Butler seconded to table consideration of a resolution adopting traffic stop and consent search policies for the Brooklyn Center police department.

Motion passed unanimously.

11. COUNCIL REPORT

None.

12. ADJOURNMENT

Councilmember Lawrence-Anderson moved and Mayor Graves seconded the adjournment of the City Council meeting at 10:00 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Barb Suciu, Assistant City Manager/City Clerk
BY: Shannon Pettit, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve the licenses as presented.*

Background:

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

Mechanical

AJ Mechanical LLC
8939 Kirkwood Cir N, Maple Grove 55369
Vu Pham Inc.
12409 Midway Cir NE, Blaine 55449

Sign Hanger's

Apparently Graphic, LTD
8870 Zealand Ave N, Brooklyn Park 55445
Vision Sign Company LLC
704 11th Ave SW, Isanti 55040

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	6/20/2023	Backup Material
Rental Properties	11/7/2023	Backup Material

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

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

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

Location Address	License Subtype	Renewal/Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type**	Previous License Type***	Consecutive Type IV's
1510 69th Ave N	Multiple Family 1 Bldg 4 Units	Initial	Julius Cochran	5 = 1.25 per unit	Type II	N/A	Type II	N/A	N/A
922 53rd Ave N	Single	Initial	CASA VERDE LLC	2	Type I	N/A	Type II	N/A	N/A
3815 Oak St.	Single	Initial	D & T Properties, LLC	24	Type IV	N/A	Type IV	N/A	0
5124 66th Ave N	Single	Initial	Dominic T Minor	28	Type IV	N/A	Type IV	N/A	0
4210 Lakebreeze Ave N	Multiple Family 1 Bldg 4 Units	Renewal	Simons Revocable Trust	11 = 2.75 per unit	Type III	0	Type III	Type I	N/A
7200 Camden Ave N	Multiple Family 5 Bldgs 80 Units	Renewal	Namaka Evergreen, LLC Did not meet requirements No CFMH, CPTED or plan	384 = 4.8 per unit	Type IV	0	Type IV	Type III	0
2307 54th Ave N	Two Family	Renewal	James J Johnson	2	Type I	0	Type I	Type I	N/A
4207 Lakeside Ave N, #339	Condo	Renewal	Nathan J Greiner	0	Type I	0	Type I	Type I	N/A
707 69th Ave N	Single	Renewal	HP MINNESOTA I LLC	11	Type IV	0	Type IV	Type II	0
1300 72nd Ave N	Single	Renewal	Scott & Marinela Selseth Did not meet requirements No CFMH, CPTED or plan	7	Type III	0	Type III	Type III	N/A
1519 Humboldt Pl N	Single	Renewal	Johnson Organization Inc	3	Type II	0	Type II	Type II	N/A
1525 Humboldt Pl N	Single	Renewal	Johnson Organization Inc	3	Type II	0	Type II	Type II	N/A
1543 Humboldt Pl N	Single	Renewal	Peter Imasuen	4	Type II	0	Type II	Type II	N/A
1549 Humboldt Pl N	Single	Renewal	Johnson Organization Inc	7	Type III	0	Type III	Type II	N/A
1555 Humboldt Pl N	Single	Renewal	Johnson Organization Inc	2	Type I	0	Type I	Type II	N/A
1600 69th Ave N	Single	Renewal	Hieu C Vo Met Requirements	1	Type I	0	Type I	Type IV	N/A
2806 65th Ave N	Single	Renewal	A-jelil Abdella & N Said Met Requirements	9	Type III	0	Type III	Type III	N/A
3101 61st Ave N	Single	Renewal	Janice K Leonard Rev Trust	7	Type III	0	Type III	Type II	N/A
3819 Burquest La	Single	Renewal	Amir Chaboki	2	Type I	0	Type I	Type I	N/A
4506 71st Ave N	Single	Renewal	Obafemi Oladeji Did not meet requirements No rental plan	0	Type I	0	Type III	Type III	N/A

5006 France Ave N	Single	Renewal	A&m Estate Services Llc	15	Type IV	0	Type IV	Type II	N/A
5301 France Ave N	Single	Renewal	Juniper Land Trust Llc Did not meet requirements No CFMH or CPTED	0	Type I	0	Type IV	Type IV	3
5312 Queen Ave N	Single	Renewal	Renee Anoje	2	Type I	0	Type I	Type I	N/A
5348 70th Cir	Single	Renewal	Xin Zhou	2	Type I	0	Type I	Type I	N/A
5351 Irving Ave N	Single	Renewal	Cel Monton Llc	9	Type III	0	Type III	Type II	N/A
5352 72nd Cir	Single	Renewal	Alkis Michaelides	0	Type I	0	Type I	Type I	N/A
5410 Girard Ave N	Single	Renewal	Cel Monton Llc	17	Type IV	0	Type IV	Type II	0
5447 4th St. N	Single	Renewal	Infinite Property LLC	2	Type I	0	Type I	Type II	N/A
5661 Northport Dr	Single	Renewal	Allan Kemboi Did not meet requirements No CFMH, CPTED or plan	21	Type IV	0	Type IV	Type IV	3
5640 Fremont Ave N	Single	Renewal	Cel Monton Llc Met Requirements	5	Type II	0	Type II	Type IV	N/A
5700 Camden Ave N	Single	Renewal	Danmark Properties Llc Met Requirements	0	Type I	0	Type I	Type III	N/A
5821 Ewing Ave N	Single	Renewal	Ih2 Property Illinois Lp Met Requirements	1	Type I	0	Type I	Type IV	N/A
5949 Vincent Ave N	Single	Renewal	Royal Priesthood Llc	18	Type IV	0	Type IV	Type II	0
6001 Admiral Pl	Single	Renewal	IH2 PROPERTY BORROWER LP	7	Type III	0	Type III	Type I	N/A
6113 Quail Ave N	Single	Renewal	SFR ACQUISITIONS 3 LLC Did not meet requirements No CPTED or plan	16	Type IV	0	Type IV	Type IV	2
6116 Aldrich Ave N	Single	Renewal	BRIDGE SFR IV SEED BWR LLC	7	Type III	0	Type III	Type II	N/A
6131 Bryant Ave N	Single	Renewal	Jun Wang & Jinxiu Wang Did not meet requirements No CFMH, CPTED or plan	11	Type IV	0	Type IV	Type IV	2
6349 Halifax Ave N	Single	Renewal	Qiang K Fang Met Requirements	6	Type III	0	Type III	Type IV	N/A
6413 June Ave N	Single	Renewal	Cel Monton Llc	15	Type IV	0	Type IV	Type II	0
6418 Major Ave N	Single	Renewal	V Summers & J Summers Did not meet requirements No rental plan	15	Type IV	0	Type IV	Type III	0
6701 Scott Ave N	Single	Renewal	Royal Priesthood Llc	13	Type IV	0	Type IV	Type II	N/A

6725 Bryant Ave N	Single	Renewal	Vong Duong & Ngoc-Kieu Huynh Did not meet requirements No CPTED or plan	15	Type IV	0	Type IV	Type IV	3
6800 Fremont Pl N	Single	Renewal	Sharon Mcgary Met Requirements	4	Type II	0	Type II	Type IV	N/A
6800 Quail Ave N	Single	Renewal	Emmanuel Williams Met Requirements	14	Type IV	0	Type IV	Type IV	2
6912 Logan Ave N	Single	Renewal	Hpa Borrower 2017 1 Llc Met Requirements	6	Type III	0	Type III	Type IV	N/A
6912 Unity Ave N	Single	Renewal	Geri L Williams	25	Type IV	0	Type IV	Type I	0
7110 Riverdale Rd	Single	Renewal	Acr Alta Vista Inc	1	Type I	0	Type I	Type I	N/A
7212 Lee Ave N	Single	Renewal	Qiang K Fang	4	Type II	0	Type II	Type I	N/A

*CFS = Calls for Service for renewal licenses only (Initial licenses are not applicaple to calls for service, and will be listed as N/A)

**License type being issued

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

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Jesse Anderson, Community Development Director
BY: Ginny McIntosh, City Planner and Zoning Administrator

SUBJECT: Resolution regarding Planning Commission Application No. 2023-006, Submitted by AWC Holdings LLC, for Conversion of an Existing Two-Tenant Building to an Approximately 10,200-Square Foot Restaurant and Bar (Nightclub) and 704-Square Foot Outdoor Patio (5927 John Martin Drive)

Requested Council Action:

(i) Motion to adopt a resolution regarding Planning Commission Application No. 2023-006, submitted by AWC Holdings LLC, for approval of a variance for a 59-space parking deficiency and conditional use permit that would allow for the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio at 5927 John Martin Drive, based on the submitted findings fact, and as amended by the conditions of approval in the resolution.

Background:

On October 23, 2023, City Council made a motion to direct staff to prepare a resolution approving a variance as outlined in Planning Commission Application No. 2023-006 for a 59-parking space deficiency associated with related site and building plan and conditional use permit requests that would allow for the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio at 5927 John Martin Drive, and subject to outlined conditions of approval.

A copy of the Planning Commission Report for Planning Commission Application No. 2023-006, originally dated September 14, 2023, and last revised October 12, 2023 is included, as well as the Council memo provided for the October 23, 2023 meeting. A draft resolution recommending approval of Planning Commission Application No. 2023-006 is also attached for Council consideration.

Budget Issues:

None to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Regarding Recommended Approval of Planning Commission Application No. 2023-006	11/7/2023	Resolution Letter
October 23, 2023 Council Memo - PC Application No. 2023-006	11/7/2023	Backup Material
Staff Report and Exhibits - 5927 John Martin Drive - Revised (October 12,2023)	11/7/2023	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION REGARDING THE RECOMMENDED APPROVAL OF PLANNING COMMISSION APPLICATION NO. 2023-006 FOR THE CONVERSION OF AN EXISTING TWO-TENANT BUILDING TO AN APPROXIMATELY 10,200-SQUARE FOOT RESTAURANT AND BAR (NIGHTCLUB) WITH 704-SQUARE FOOT OUTDOOR PATIO (LOCATED AT 5927 JOHN MARTIN DRIVE)

WHEREAS, Planning Commission Application No. 2023-006, submitted by AWC Holdings LLC ("the Applicant") requests review and consideration of an application requesting site and building plan approval for the conversion of an existing two-tenant building located at 5927 John Martin Drive ("the Subject Property") to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio; and

WHEREAS, Section 35-7605 (*Amendments*) of the City Code stipulates that a major amendment to an approved site and building plan is triggered in situations where there is a 25-percent (%) or greater change to the floor area of any one structure, and the proposal, as contemplated under the submitted application, exceeds this threshold; and

WHEREAS, the Subject Property is situated in the City's TOD (Transit-Oriented Development) District, where uses similar to nightclubs, such as, "banquet, event, and conference facilities," and as outlined under Section 35-4103 (*Allowed Use Table*), are considered conditional uses in the TOD District where the Subject Property is located; and

WHEREAS, outdoor dining for eating establishments may be permitted as a permanent use with a conditional use permit and subject to Section 35-4409 (*Temporary Uses and Structures)*; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota held a duly noticed and called public hearing on September 14, 2023, whereby a planning staff report was presented and public testimony regarding the site and building plan and conditional use permit were received; and

WHEREAS, City staff, in consultation with the City Attorney, requested the public hearing be continued to the October 12, 2023 Planning Commission meeting to allow the time necessary for review of a 59-parking space deficiency and the variance deemed necessary to forward the application and a second public hearing notice required for publication and notification to property owners and residents; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota convened at the October 12, 2023 meeting, whereby an updated planning staff report and additional revised material was presented regarding the site and building plan, conditional use permit, and

variance requests, and public testimony regarding the aforementioned requests were received; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota considered the conditional use permit and variance requests in light of all testimony received, the guidelines and standards for evaluating the conditional use permit contained in Section 35-7700 (*Conditional Use Permit*) and variance contained in Section 35-71000 (*Variance*) of the City Code, the City's 2040 Comprehensive Plan, and the Opportunity Site Infrastructure Framework, as well as information provided by the Applicant with respect to the proposed use's operations, and the request generally satisfies the criteria as outlined within the above Sections; and

WHEREAS, in accordance with Section 35-7604 of the City Code, the City Council finds as follows regarding Planning Commission Application No. 2023-006, submitted by AWC Holdings, LLC:

a) The site and building plan fully complies with all applicable requirements of Chapter 35 of the City Code, subject to the variance approved herein;
b) The site and building plan adequately protects residential uses from the potential adverse effects of a non-residential use;
c) The site and building plan is consistent with the use and character of surrounding properties; and
d) The site and building plan provides safe conditions for pedestrians or motorists and prevents the dangerous arrangement of pedestrian and vehicular ways.

WHEREAS, in accordance with Section 35-7703 of the City Code, the City Council finds as follows regarding Planning Commission Application No. 2023-006, submitted by AWC Holdings LLC:

a) The conditional use, as proposed, will be in accordance with the general objectives of the City's Comprehensive Plan and the City's Unified Development Ordinance;
b) The establishment, maintenance, or operation of the conditional use will promote or 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 taken to provide ingress, egress, and parking so designated as to minimize traffic congestion in the public streets;
f) Impacts such as noise, hours of activity, and exterior light will be addressed to mitigate impacts on nearby uses; and
g) The conditional use will conform to the applicable regulations of the district in

which it is located; and

WHEREAS, in accordance with Section 35-71003 of the City Code and pursuant to Minnesota Statutes Section 462.357, subdivision 6, the City Council further finds as follows:

a) The variance is in harmony with the general purposes and intent of the City's Unified Development Ordinance;
b) The variance is consistent with the City's 2040 Comprehensive Plan;
c) The Applicant proposes to use the Subject Property in a reasonable manner not permitted by the City's Unified Development Ordinance;
d) The plight of the Applicant is due to circumstances unique to the Subject Property and the parking issues are not created by the Applicant; and
e) The variance would not alter the essential character of the locality 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. 2023-006 for the requested site and building plan, conditional use permit, and variance that would allow for the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio for the Subject Property located at 5927 John Martin Drive, conditioned on compliance with all of the following:

1. The 59-parking space variance granted herein allows the proposed use of the Subject Property without needing to strictly comply with the parking requirements in the City's Unified Development Ordinance. Under no circumstances shall customers or staff be permitted to park off-site on private property or on public streets.
2. A violation of any condition set forth as part of the approval of the conditional use permit (nightclub) or variance shall be a violation of the City's Unified Development Ordinance and subject to Sections 35-7707 (*Revocation*) and 35-71005 (*Conditions*).
3. Any major changes or modifications made to this site and building plan, and as outlined within the City Code, can only be made by an amendment to the approved site and building plan as approved by the City Council.
4. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits, and with respect to the cursory review comments provided in the Building Official's memorandum dated October 2, 2023.
5. The Applicant shall work to ensure all applicable Minnesota Fire Code requirements have been met as part of any site plan approval and with respect to the proposed modifications to the building.
6. A fire sprinkler system is required to be installed and shall be maintained on a consistent basis per City Code requirements.

7. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council and any associated fees paid at time of any permit issuance for the building and outdoor patio uses.
8. Application to and approval from the Hennepin County Health Department for the intended restaurant and bar use.
9. The Applicant shall provide any final site and building plans to City staff for a CPTED review and make alterations as necessary prior to permit release.
10. A revised landscape plan and detailing shall be submitted to ensure compliance with the originally approved landscape plan (1979) and last revised landscape plan (1991), which contemplate a minimum required 108 landscape points for the Subject Property.
    a. Revise landscape schedule to provide inventory of existing landscape plantings.
    b. Replace proposed Japanese Barberry with alternate shrubs, to be approved by the City Planner.
11. The Applicant shall ensure an irrigation system is in place or install a new system where necessary to facilitate maintenance of site landscaping and green areas, and irrigation shop drawings for review and approval prior to installation.
12. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and a detail sheet provided.
    a. The existing trash enclosure located at the southwest corner of the Subject Property shall be removed and the area restored.
13. The Applicant shall furnish a plan indicated proposed areas or plans for snow removal and/or storage that does not increase the identified parking deficiency or constrain drive aisles and circulation within the site.
14. The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's review memorandum, originally dated September 5, 2023, and revised October 5, 2023.
15. The Applicant shall work with the property owner located at 5939 John Martin Drive (Economic Development Authority of the City of Brooklyn Center) to determine necessity of an amendment or creation of a new covenant and easement for storm sewer, driveway purposes and pedestrian use, and development agreement and covenants for the construction and maintenance of the aforementioned storm sewer and driveway, and with respect to the proposed permanent outdoor patio.
16. Coordinate with the Minnesota Pollution Control Agency (MPCA) for abandonment and/or removal of the sand and oil interceptor, any trench drains, and any remediation efforts that may be required given the former auto shop use.
17. Application and approval of a City liquor license.
18. Application and approval of a City live entertainment license.
19. The Applicant shall submit a Sign Permit Application for any proposed signage

RESOLUTION NO.

(e.g., wall, freestanding) and receive issuance of a permit prior to any installation. All signage shall conform to City requirements.

November 13, 2023
Date

Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE:	10/23/2023
TO:	City Council
FROM:	Dr. Reggie Edwards, City Manager
THROUGH:	Jesse Anderson, Community Development Director
BY:	Ginny McIntosh, City Planner and Zoning Administrator
SUBJECT:	Resolution for Planning Commission Application No. 2023-006, Submitted by AWC Holdings LLC, for Conversion of an Existing Two-Tenant Building to an Approximately 10,200-Square Foot Restaurant and Bar (Nightclub) with 704-Square Foot Outdoor Patio (5927 John Martin Drive)

Requested Council Action:

City Council is being asked to consider three alternatives regarding Planning Commission Application No. 2023-006:

Approval of Variance, Conditional Use Permit, and Site and Building Plan for 5927 John Martin Drive

1. Motion to direct staff to prepare a resolution approving a variance as outlined in Planning Commission Application No. 2023-006 for the 59-space parking deficiency associated with the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio at 5927 John Martin Drive, and subject to the outlined conditions of approval.

2. Motion to direct staff to prepare a resolution approving the site and building plan and conditional use permit as outlined in Planning Commission Application No. 2023-006, which would convert an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio located at 5927 John Martin Drive, and subject to the outlined conditions of approval.

Approval of Variance and Denial of Conditional Use Permit and Site and Building Plan for 5927 John Martin Drive

1. Motion to direct staff to prepare a resolution approving a variance as outlined in Planning Commission Application No. 2023-006 for the 59-space parking deficiency associated with the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio at 5927 John Martin Drive, and subject to the outlined conditions of approval. An approval of the variance is conditioned upon the approval of the site and building plan and conditional use permit.

2. Motion to direct staff to prepare a resolution denying the site and building plan and conditional use permit as outlined in Planning Commission Application No. 2023-006, which would convert an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio located at 5927 John Martin Drive, and subject to the outlined conditions of approval.

Denial of Variance, Conditional Use Permit, and Site and Building Plan for 5927 John Martin Drive

1. Motion to direct staff to prepare a resolution denying a variance as outlined in Planning Commission Application No. 2023-006 for the 59-space parking deficiency associated with the conversion of an existing two-tenant building to an approximately 10,200-square foot restaurant and bar (nightclub) with 704-square foot outdoor patio at 5927 John Martin Drive, and subject to the outlined conditions of approval.

By voting for denial, the parking deficiency (variance) of 59 parking spaces would be denied and due to the denial of the variance, the request for the site and building plan and conditional use permit would be denied because the use, in accordance with the site and building plan and conditional use permit, would not be in compliance with City Code.

Background:

AWC Holdings LLC ("the Applicant") is requesting review and consideration of a proposal that would convert the existing New King Buffet and former Tires Plus building located at 5927 John Martin Drive ("the Subject Property") into an approximately 10,200-square foot restaurant and bar (nightclub) with approximately 704-square foot outdoor patio (originally contemplated as an approximately 1,200-square foot patio in the September 14, 2023 report). The Applicant is associated with Jambo Africa, which is a restaurant and bar currently located at 1601 Freeway Boulevard in Brooklyn Center that specializes in African cuisine.

The Subject Property is located within the City's Opportunity Site and is surrounded on three sides by properties owned by the City's Economic Development Authority and intended for the future build out of the Opportunity Site.

In order to proceed, the Applicant requires approval of all three of their requests: site and building plan approval, a conditional use permit (for the nightclub use), and a variance that would grant a 59-parking space deficiency.

As part of the application process, a public hearing notice was submitted to the Brooklyn Center *Sun Post* for the site and building plan and conditional use permit (nightclub) requests on August 31, 2023 and notifications mailed to those properties and owners located within 350 feet of the Subject Property (12 properties total—including the current owners of the Subject Property and four properties owned by the City's Economic Development Authority).

On September 9, 2023, City staff, in consultation with the City Attorney, formally requested the Applicant file for a parking variance, in addition to the previously requested site and building plan and conditional use permit, and further requested an extension to the 60-day review period, as outlined under Minnesota Statutes Section 15.99, which was intended to provide the additional time necessary to review the variance and revised application materials, as well as submit a second public notice for the variance.

The Planning Commission held a public hearing for the site and building plan and conditional use permit requests at their meeting on September 14, 2023 as the hearing had been noticed, and per City request, the hearing was continued to October 12, 2023. The second public hearing notice was published in the Brooklyn Center *Sun Post* on September 28, 2023. Mail notifications were again sent to those properties and owners located within 350 feet of the Subject Property.

The Applicant, their development team, and supporters associated with the Applicant and current Jambo Africa establishment were present for the public hearing on October 12, 2023. City staff was not in receipt of any public comment otherwise. As part of the public hearing process, the Planning Commissioners engaged in a lengthy discussion regarding the proposed use of the Subject Property and outlined the following concerns:

1. Alignment of the proposed use with the City's Opportunity Site plans and adopted Infrastructure Framework, as the Subject Property is centrally located within this designated area, and considerations for the nightclub use assuming buildout of the Opportunity Site. General inquiries were presented as to whether the Applicant is on the same page with the City as to where it is headed, and if the Applicant sought out other locations as options.

2. Concerns relating to the proposed use already being at and technically beyond capacity and the inability for any future expansion on the Subject Property.

3. ADA parking deficiencies identified by City staff and justification in using Uber and Lyft to offset parking needs—where might these services stage on-site? Although the staff report noted a 58-parking space deficiency, it was later determined the provided site plan falls short of minimum required ADA parking. MN Accessibility Code requires a minimum of four (4) ADA spaces rather than the two spaces presented, which would ultimately result in a 59-parking space deficiency to accommodate a shared ADA loading space.

4. Snow removal and storage plans for the Subject Property given the Subject Property is built out and the potential for greater parking deficiencies during the winter months.

5. Lack of any proposed investment into the exterior of the existing building other than patching of select walls and two glass garage doors. The building is over 40-years old at this time and concerns were expressed as to the accelerated deterioration of the building within the last few years.

6. Safety concerns relating to egress and particularly relating to the proposed outdoor patio, which would open out into the parking lot and drive aisle shared with neighboring 5939 John Martin Drive, which is owned by the City's Economic Development Authority. Commissioner comments referenced past instances of restaurants and nightclubs where stampeding occurred during an emergency and whether proper egress was provided.

7. Inquiries of City staff as to whether they were comfortable with the plans, documentation, and information presented regarding the proposal and whether all outstanding comments would be adequately addressed as part of any approval.

8. General inquiries on the categorization of the "nightclub" use and questions relating to whether the proposed use would conform to the City's noise regulations. Questions were further raised as they relate to the two glass garage doors that would need to remain open for access to the outdoor patio.

9. Additional concerns were noted as they relate to the overall business operations and considerations for trash, safety, security, and sufficient lighting given there are no real neighbors at this time.

10. Inquiries with the City Attorney as to how tedious a process of revocation would be for a conditional use permit and authority/oversight granted for conditional use permit and variance requests.

Following close of the public hearing, the Planning Commission elected to recommend (3-2) City Council approval of the requested site and building plan, conditional use permit (nightclub), and parking variance for the Subject Property located at 5927 John Martin Drive and as contemplated under Planning Commission Application No. 2023-006. It should be noted that while one of the Planning Commissioners requested the meeting minutes be included as backup material for City Council, time constraints did not allow for the minutes to be included with this item. The comments provided above have been compiled by City staff following a review of the recording for the October 12, 2023 Planning Commission meeting.

A copy of the Planning Commission Report for Planning Commission Application No. 2023-006, originally dated September 14, 2023, and last revised October 12, 2023 is included. City staff requests City Council review and consideration of the provided materials and the recommended adoption of a motion that would direct City staff to prepare a resolution for final action and adoption at the November 13, 2023 City Council meeting.

Budget Issues:

None to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Staff Report and Exhibits - 5927 John Martin Drive - Revised (October 12,2023)	10/18/2023	Backup Material

Planning Commission Report
Original Meeting Date: September 14, 2023
Revised Meeting Date: October 12, 2023

- Application Filed: 08/23/2023
- Review Period (60-day) Deadline: 10/22/2023
- Extension Declared: Yes
- Extended Review Period Deadline: 12/23/2023

Application No.	2023-006
Applicant:	AWC HOLDINGS LLC
Property Owner:	Lin Shuang LLC
Location:	5927 John Martin Drive, Brooklyn Center, MN 55430
Requests:	Site and Building Plan, Conditional Use Permit, and Variance



Map 1. Subject Property Location.

Requested Action

AWC Holdings LLC ("the Applicant") is requesting review and consideration of a proposal that would convert the existing New King Buffet and former Tires Plus located at 5927 John Martin Drive ("the Subject Property") into an approximately 10,200-square foot restaurant and bar (nightclub) with approximately 704-square foot outdoor patio (originally contemplated as an approximately 1,200-square foot patio in the September 14, 2023 report)—Refer to Exhibit A. Jambo Africa, of which the Applicant is associated with, is a restaurant and bar currently located at 1601 Freeway Boulevard in Brooklyn Center that specializes in African cuisine. As is outlined in their narrative, they would transfer, "all restaurant operations from the current location, 1601 Freeway Blvd, to the new location, 5927 John Martin Drive."

City staff initially became aware of the proposal following a request by the Applicant to apply for a plumbing permit. Following discussion on the reasonings for the permit, City staff was made aware of the Applicant's intent to open a new restaurant at 5927 John Martin Drive (Subject Property). City staff held an in-person meeting with the Applicant and other representatives on July 19, 2023 to discuss their plans, at which time they reiterated plans to purchase the Subject Property and convert the existing two-tenant building into what would be an approximately 10,200-square foot restaurant and bar use. Based on information provided at the time, City staff determined the approval of a new site and building plan would be required to forward the proposal, as the renovation of the existing restaurant space and expansion into the adjacent former Tires Plus space would require a major site and building plan amendment under Section 35-7605 (*Amendments*) of the City Code, which is triggered by a 25-percent (%) or greater change in the floor area of any one structure.

On August 15, 2023 (Planning Commission Application deadline), City staff held a follow up meeting with the Applicant to discuss the application and submittal materials. Although the plans were discussed, no hardcopy plan sets or .pdfs were provided to City staff in advance of or at this time. City staff ultimately reviewed the application materials submitted at the end of the day and determined that the proposal had changed from what was initially conveyed as a restaurant and bar use to a nightclub (i.e. VIP area and back entry, stage, DJ, green room). This is noteworthy as there are additional requirements (i.e. conditional use permit) and considerations as part of any approval under City Code.

City staff expressed their confusion as to the changes in an email to the Applicant on August 15, 2023 and noted the Applicant would need to apply for a conditional use permit in addition to the site and building plan as uses similar to "banquet, event, and conference facilities" are considered conditional uses in the TOD (Transit-Oriented Development) District where the Subject Property is located.

On August 16, 2023 the Applicant's architect confirmed that the proposal, as contemplated under Planning Commission Application No. 2023-006, should be classified as a "nightclub" and indicated they would revise their plans and provide additional information addressing the criteria for conditional use permits and as outlined under Section 35-7700 (*Conditional Use Permits*) and 35-7703 (*Conditional Use Permit Criteria*).

As part of the application process, a public hearing notice was submitted to the Brooklyn Center *Sun Post* for publication on August 31, 2023 (Exhibit B), and notices were mailed to property owners and actual locations within 350 feet of the Subject Property. A link to the public hearing notice was also published on the City's website. It should be noted that while this area is largely under-developed, the Subject Property is located within the City's designated Opportunity Site.

Following an initial review of the Planning Commission application submittal, City staff determined there was a notable parking deficiency, which is detailed later in the staff report. Based on this, and in consultation with the City Attorney, City staff requested the Applicant subsequently file for a parking variance, in addition to the previously requested site and building plan and conditional use permit. As a public hearing notice was already published in the Brooklyn Center *Sun Post* for the site and building plan and conditional use permit requests, a separate application request for the variance and public hearing notice was deemed necessary to forward the application submittal. City staff requested the Applicant confirm their intent to file for the aforementioned variance no later than September 13, 2023, provide all necessary fees, address the variance criteria as outlined under Section 35-7103, and provide additional detailing and revised plans based on the review conducted to date.

The City Attorney advised City staff that all application requests (i.e. site and building plan, conditional use permit, and variance) be reviewed at the same meeting. City staff also requested an extension to the 60-day review period, and as outlined under Minnesota Statutes Section 15.99, which provided the additional time necessary to review the variance and revised materials—refer to Exhibit C. With that said, City staff initially prepared a staff report based on all information and plans provided as of August 23, 2023, which was presented at a public hearing scheduled for September 14, 2023. It was at that meeting that City staff requested the Planning Commission continue the public hearing to October 12, 2023 to allow the time necessary for a second public hearing notice to be published in the newspaper for the variance and all requests to be contemplated under a revised staff report.

A public hearing notice for the variance request was published in the Brooklyn Center *Sun Post* on September 28, 2023.

Existing Conditions











Image 1. Existing Site Conditions at Subject Property.

Background

The Subject Property originally received site and building plan approval in 1979 under Planning Commission Application No. 79035 for what was originally a Berger Brothers sporting goods shop. As originally contemplated, the building was to primarily serve as an approximately 8,820-square foot retail shop, with approximately 1,425-square feet of storage area. At the time, the Subject Property was zoned C2 (Commerce) District, which allowed for retail uses, and contemplated 85 on-site parking spaces for the retail store.

In 1991, the formerly single use retail building received a proposal to convert into a two-tenant building when a Tires Plus auto shop expressed interest in locating on the Subject Property and following closure of Berger Brothers. Tires Plus ultimately took approximately 3,700-square feet of the west side of the Subject Property's building, with the remaining approximately 6,500-square feet left available for a new user. In reviewing City records, it appears a Certificate of Occupancy was issued for the short-term storage of merchandise for Kohl's (1994) and another restaurant/buffet appears to have occupied the space in the late 1990s, and prior to New King Buffet taking on the other space.

The current Property Owner, Lin Shuang LLC, purchased the property in 2007, and Tires Plus closed their location at the Subject Property last year, which left New King Buffet as the sole occupant. The Subject Property was listed for sale shortly thereafter.

The Subject Property is centrally located within the City's designated approximately 80-acre Opportunity Site. A draft Opportunity Site Master Plan has been underway for a number of years and at present the plans are to move towards final adoption by end of this year. In July 2021, the City of Brooklyn Center City Council adopted an Infrastructure Framework for the Opportunity Site, which is intended to serve as a proactive, guiding document and is focused on four core components (stormwater, access and connectivity, parks and open space, and land use) within the Opportunity Site. While the Framework is intended to help inform decision making, it was also designed to provide certain flexibilities dependent upon market conditions.

In 2022, an approximately 16-acre Phase I redevelopment of the Opportunity Site was approved by City Council under Planning Commission Application No. 2022-003—this phase is located south of the Subject Property. As part of the Opportunity Site Infrastructure Framework, a proposed Garden Street is contemplated to run approximately between the Subject Property and 5939 John Martin Drive, which is

owned by the City's Economic Development Authority (EDA), and south through additional lands owned by the City's EDA (approximately 5.5 acres of 5910 Shingle Creek Parkway) before connecting to a proposed public roadway extension approved as part of Phase I. The below map is intended to convey areas of the Opportunity Site that would be covered by the approved semi-regional stormwater ponding located within the Phase I development; however, it also lays out general block patterns and new roadway connections.

The Infrastructure Framework specifically denotes John Martin Drive, of which the Subject Property fronts, as a future "Main Street." While dependent on market conditions and the receptivity of existing land owners, the Infrastructure Framework calls out a potential future road (Garden Street—Refer to Image 3 below) running in proximity to the existing driveway curb cut, which serves both the Subject Property and 5939 John Martin Drive (City EDA).

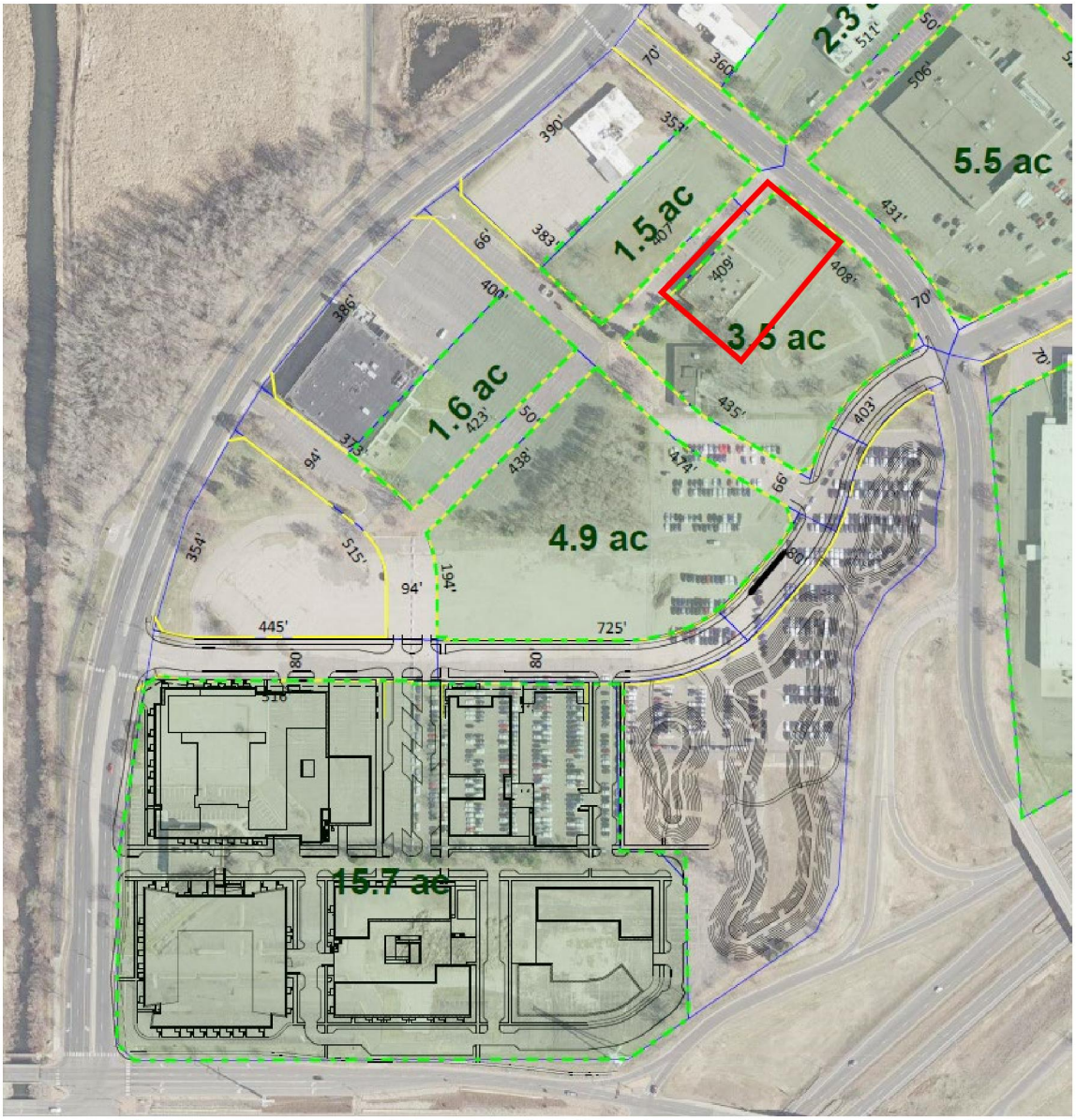


Image 2. Aerial Map Noting Location of Subject Property (in red) in Relation to Infrastructure Framework for Connectivity.

Framework



Image 3. Access and Connectivity Framework for the Opportunity Site (Subject Property—in red).

Site Data:

2040 Land Use Plan:	Transit-Oriented Development (TOD)
Neighborhood:	Centennial
Current Zoning:	Transit-Oriented Development (TOD) District
Site Area:	Approximately 1.36 acres

Surrounding Area:

Direction	2040 Land Use Plan	Zoning	Existing Land Use
North	C-MU (Commercial Mixed Use)	MX-C (Commercial Mixed-Use)	Commercial (Restaurant Depot | Strip Mall)
South	TOD (Transit-Oriented Development)	TOD | PUD/TOD (Planned Unit Development/Transit-Oriented Development)	Office (Brooklyn Center Community Schools Administrative Offices | Brooklyn Center Early College Academy | Centaur Beginnings Childcare) | Undeveloped (City of Brooklyn Center EDA)
East	TOD (Transit-Oriented Development)	TOD	Undeveloped (City of Brooklyn Center EDA/former Perkins site)
West	TOD (Transit-Oriented Development)	TOD	Undeveloped (City of Brooklyn Center EDA/former St. Louis Park Clinic) | Office (Jani-King)

REQUESTS

SITE AND BUILDING PLAN

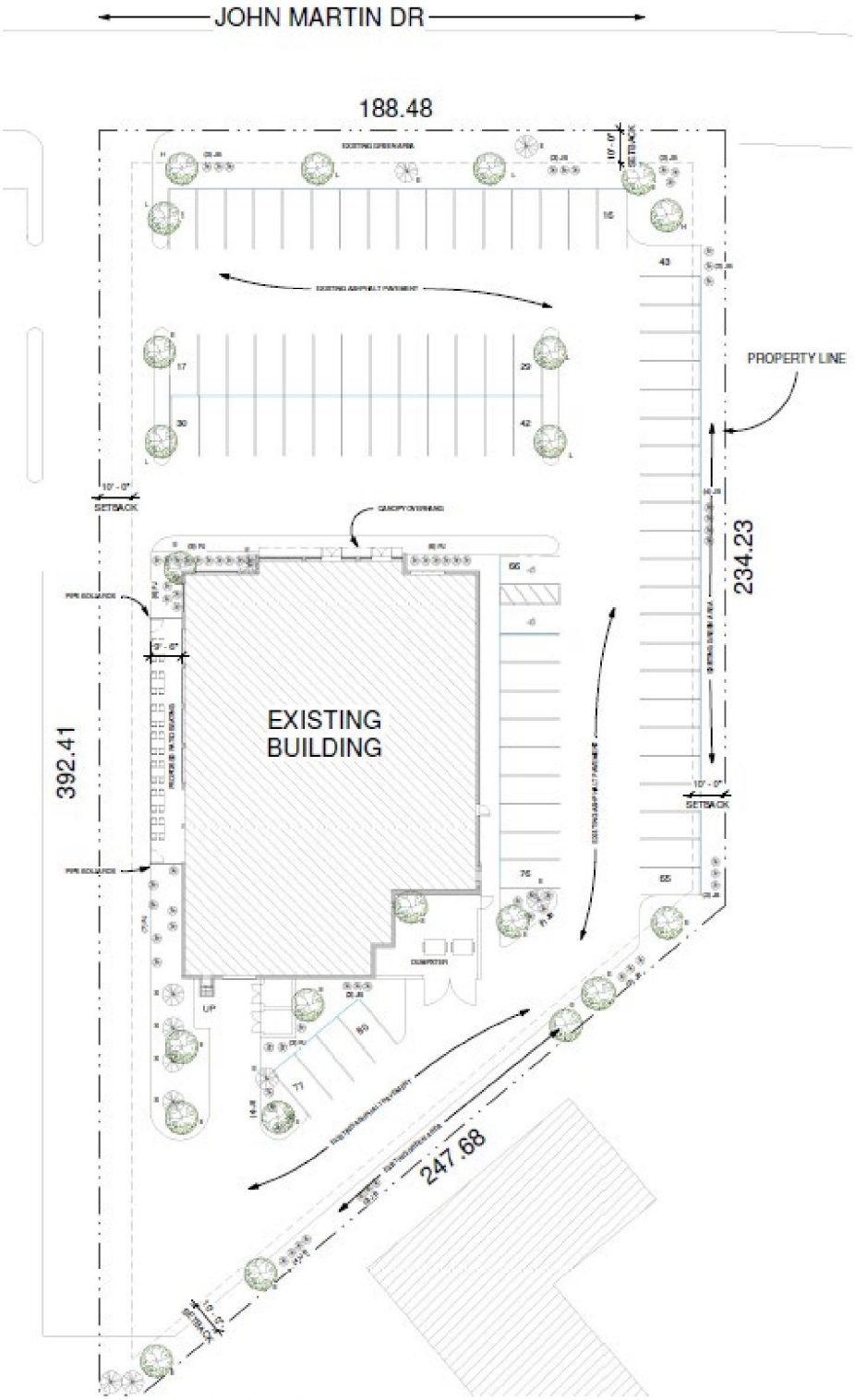


Image 4. Revised Site Plan for Subject Property.

Site Design

As was noted in the *Background*, the Applicant originally sought out information on the process to apply for plumbing permits; however, it was later determined that the Applicant's intent to convert the existing New King Buffet and former Tires Plus into an approximately 10,200-square foot restaurant and bar would trigger a major site and building plan amendment under Section 35-7605 (*Major Amendments*), which notes that, "the review of major amendments shall follow the procedure set forth above for the issuance of a new site and building plan approval."

The Applicant outlines in their narrative that they would remodel the existing approximately 10,200-square foot building for a restaurant and bar with nightclub. There are no plans to alter the exterior of the building other than the removal of an existing loading door on the south elevation, and the existing overhead bay doors used previously by Tires Plus on the west elevation—these areas would be repaired to match the adjacent wall materials with select transom glass and two retractable glass garage doors. This elevation would also feature an outdoor patio, which was modified between the plans originally reviewed at the September 14, 2023 Planning Commission meeting and this staff report from approximately 1,200-square feet to approximately 704-square feet. This patio would be surrounded by an 8-foot fence (wall) with two exit gates.

In reviewing the original approvals under Planning Commission Application No. 79035, it appears the Subject Property and neighboring 5939 John Martin Drive, now owned by the City's Economic Development Authority (EDA) but formerly home to a St. Louis Park Medical Clinic location, were to share a 30-foot wide common driveway/curb cut that was to be divided evenly between properties down the drive aisle. The report references common roadway agreements that would be necessary to forward the project at the time.

City staff reviewed the records on file and did identify documentation outlining a covenant intended to create easements for storm sewer, ingress and egress for driveway purposes, and pedestrian use. No mention is made either in the Planning Commission report or covenants and agreements for any kind of shared parking situation; therefore, it is City staff's interpretation that all available parking is limited to what is available on the Subject Property, with no rights to the neighboring EDA-owned property's parking areas.

Traffic | Access |Circulation | Connection

Access to the Subject Property is limited to the single shared curb cut located off John Martin Drive. As proposed, the existing curb cut and parking layout would remain. The only area proposed for modification, which could potentially impact the existing site circulation in the future is the west elevation where the bay doors to the former Tires Plus are located. The original submittal initially contemplated an approximately 1,200-square foot outdoor patio. This patio has since been revised down to approximately 704-square feet to align with the existing curb. The patio's width has also been altered, which minimizes, but does not eliminate impacts on the adjacent EDA-owned property. It should be noted that the revised patio provides approximately 16 feet of drive aisle clearance before reaching the existing property line.

Although this is a shared drive, installation of the permanent patio would permanently shift any vehicular traffic onto neighboring 5939 John Martin Drive, which is owned by the City's EDA. Although this is not currently a concern as the site is not actively under development, there will likely be constraints to consider when it redevelops and in consideration of the Infrastructure Framework, which outlines a proposed road in proximity to this drive. City Code outlines a minimum of 24-feet in width for drive aisles accommodating two-way traffic, and a minimum of 20 feet is required under Minnesota Fire Code for fire

access purposes. There have been examples of roadways with less width; however, this is conditioned upon sufficient fire coverage being provided for a building. The Applicant has requested that this section of drive aisle be considered as "one-way" drive.

Under City Code, permanent outdoor seating for eating establishments may be permitted as a permanent use in conjunction with a conditional use permit. In situations where no grade separation is provided between vehicular traffic and the outdoor dining area, permanent railings or fencing shall be provided around the dining area—the Applicant notes the installation of an 8-foot fence (wall) as part of their proposal. City staff did note that the proposed gates open inward as opposed to outward, which requires revision. Assuming the gate swing was adjusted, and in case of an emergency, the gates would open out into the drive aisle, with no protection for those exiting from any vehicular traffic. These areas should be revised to allow for an area of refuge and to comply with any code requirements.

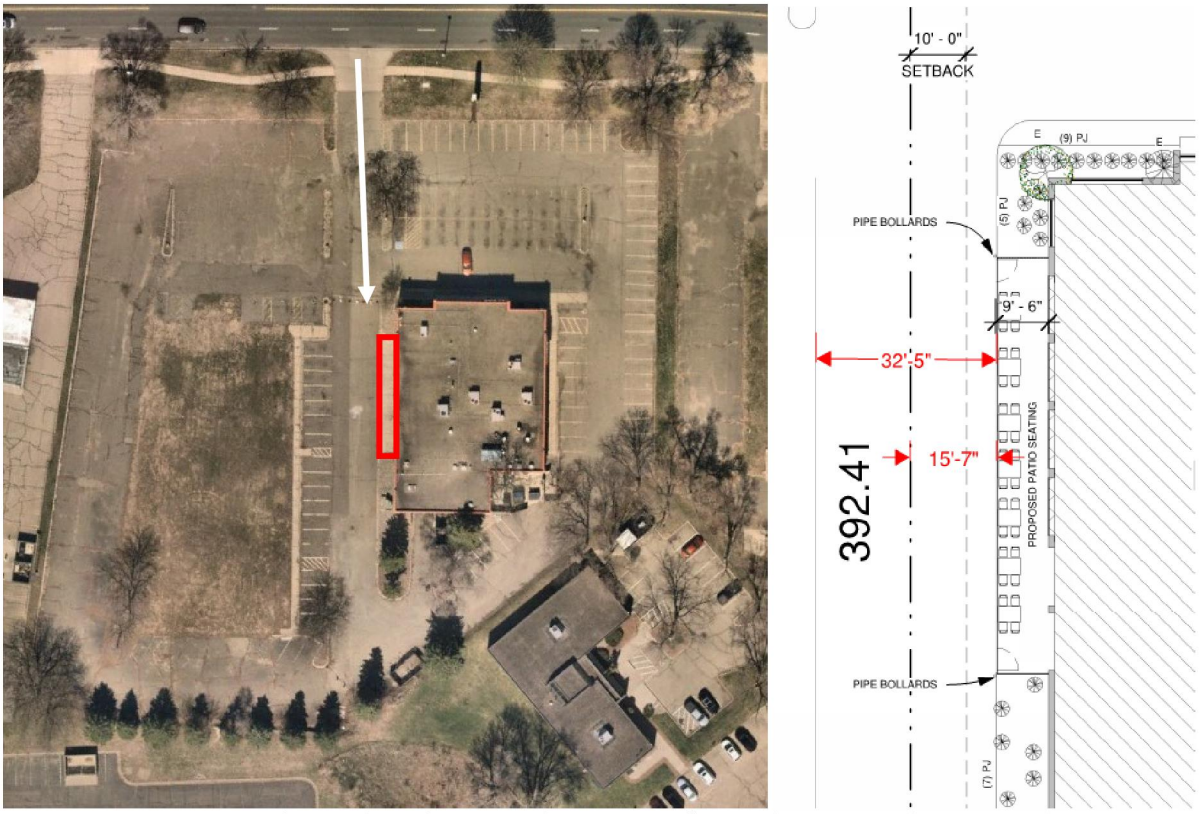


Image 5. Existing Access, Parking, and Circulation on Subject Property | Revised Approximately 704-SF Outdoor Patio.

Parking

When City staff initially met with the Applicant, the Applicant conveyed a proposed restaurant and bar use; however, upon further review of the provided plan sets, it was later determined that the proposal would also function as a nightclub. Clear determination of use and overall business function is crucial as it informs actual peak parking demands. Section 35-5502 (*Off-Street Parking Requirements*) provides that, "off-street parking and loading spaces shall be provided in all multi-family residential, mixed-use, **commercial**, and industrial districts in accordance with the requirements of this Unified Development Ordinance." City staff relayed concerns early on as to whether all minimum parking needs would be met on-site given the use and size of establishment and the Applicant's inquiries on potential options for parking off-site, including surrounding EDA-owned property.

There are provisions within City Code that allow for a development to reduce the required off-street parking spaces by up to fifty percent (50%) when it can be demonstrated in a parking-traffic study prepared consistent with City standards, and through the use of transit or demand management programs, noted special characteristics, etc. A parking-traffic study was not provided as part of the submittal.

Section 35-5503 (*Shared Parking*) allows for a portion of required parking spaces to be located on an adjacent property if the parking area complies with the standards and as authorized in accordance with approval of a conditional use permit (CUP). Although shared parking is encouraged in instances where it may be mutually beneficial for multiple users, City Code requires a burden of proof for a reduction in the total number of parking spaces and only in instances where:

1) A sufficient number of spaces is provided to meet the highest demand of the participating uses;
2) Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of the zoning administrator, documenting the nature of uses and the times when the individual uses will operate so as to demonstrate the lack of potential conflict between them;
3) The shared parking spaces will not be located in excess of 800 feet from the further most point of the space to the front door, or other viable building entrance as approved by the zoning administrator, of the use they are intended to serve;
4) Accessory off-site parking shall be located such that pedestrian traffic will not be required to cross a major thoroughfare as defined in Section 35-9200;
5) A shared parking agreement is submitted and reviewed as to form by the city attorney and addressing the provisions outlined under Section 35-9200.5;
6) The approved shared parking agreement shall be filed with the application for a zoning certificate or site plan and shall be recorded at Hennepin County in a manner as to encumber all properties involved in the shared parking agreement;
7) No zoning certificate will be issued until proof of recordation of the agreement is provided to the zoning administrator; and
8) Site improvements to ensure adequate lighting and pedestrian access between the shared parking and primary use may be required as a condition of approval by the City Council.

The Subject Property is surrounded on three sides by City EDA-owned property (5939 and 5915 John Martin Drive, and approximately 5.5 acres of 5910 Shingle Creek Parkway). HealthPartners Dental Clinic (5901 John Martin Drive) is located to the south; however, the majority of its on-site parking is located on yet another City EDA-owned property located at 5900 Shingle Creek Parkway via a driveway and parking easement. This parcel is also part of the Phase I Opportunity Site redevelopment.

The Applicant inquired as to whether off-site parking might be an option at the strip mall located to the northwest of the Subject Property and located at 6000 and 6050 Shingle Creek Parkway; however, these properties are part of a Reciprocal Easement Agreement (REA) with the neighboring former Target, located at 6100 Shingle Creek Parkway and also owned by the City's EDA. Said agreement provides shared parking and access between parcels with the majority of parking located on the Target site.

Although the Economic Development Authority (EDA) of the City of Brooklyn Center ultimately makes final decisions on the usage of land under ownership of the EDA, these lands have specifically been acquired in anticipation of the Opportunity Site redevelopment and historically, EDA lands have been conveyed for uses that will provide for the highest and best use given a particular zoning district and in alignment with the City's guiding documents and strategic policies.

The above information is addressed if only to convey that there appear to be limited opportunities for off-site parking and to accommodate the Applicant's identified parking needs. While there may be future opportunities for on-street parking as part of the Opportunity Site buildout and Main Street concept outlined in the adopted Infrastructure Framework, there are no known plans for this in the near future. The parking requirements are further detailed later under the *Variance* request portion of this report.

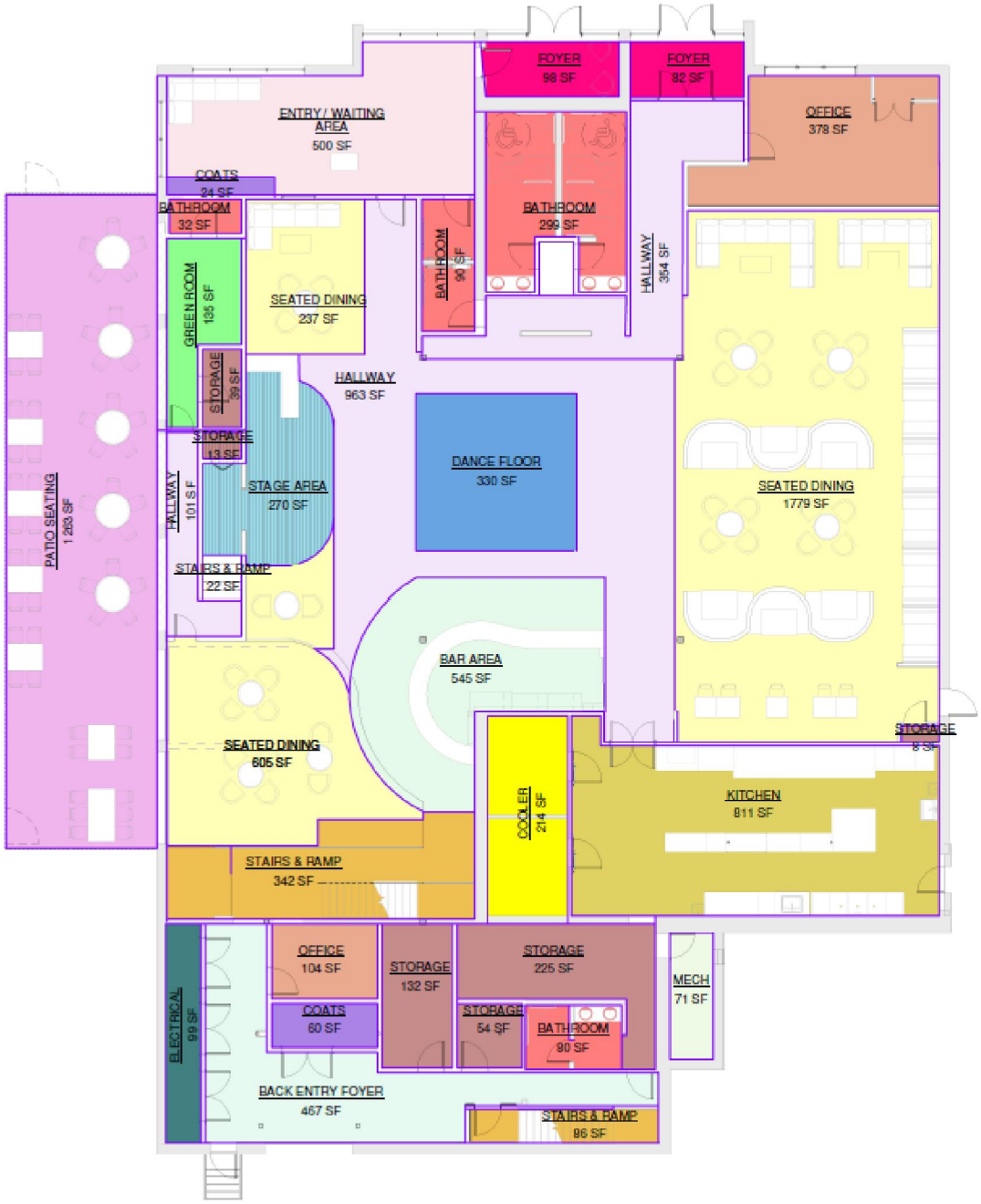


Image 6. Submitted Sheet A1-300 (Square Footage Allocations for Proposed Use).

As proposed, no alterations would be made to the existing parking lot other than select re-striping. The submitted plans denote 80 available on-site parking spaces on the Subject Property. The original site and

building plan approvals, as contemplated under Planning Commission Application No. 79035, identified 85 parking spaces; however, it appears five (5) parking spaces were removed to accommodate a trash enclosure located at the southeast corner of the building and intended for the current restaurant use.

The Applicant originally provided an occupancy load breakdown for the proposed restaurant and bar (nightclub) use and noted the following:

SCOPE OF WORK:	BUILDING REMODELING FOR A 1 STORY RESTAURANT & BAR (NIGHTCLUB) WITH MEZZANINE		
OCCUPANT LOAD: (MBC 1004.5)	MAIN LEVEL SEATED DINING: 2621 SF / 15 = 175 OCC (ACTUAL MAIN LEVEL SEATING PER PLAN) =		93 OCC
	PATIO (SEASONAL): 1263 SF / 15 = 83 OCC (ACTUAL PATIO SEATING PER PLAN) =		55 OCC
	DANCE FLOOR:	330 SF / 15 =	66 OCC
	(NOTE: OCCUPANTS ON DANCE FLOOR ARE AMONG THOSE SEATED)		
	DJ:	37SF	1 OCC
	STAGE:	160 SF / 15 =	11 OCC
	KITCHEN:	811 SF / 200 =	4 OCC
	BAR (SERVICE ONLY):	213 SF / 50 =	4 OCC
	OFFICE:	380 SF / 150 =	3 OCC
	STORAGE (MEZZANINE):	1204 SF / 500 =	3 OCC
	TOTAL:		**240 (MAX) OCC**

With the reduction in size of the outdoor patio, the occupant loads were updated slightly from the original 240 occupants to **213 occupants (see below)**:

OCCUPANT LOAD: (MBC 1004.5)	MAIN LEVEL SEATED DINING: 2621 SF / 15 = 175 OCC (ACTUAL MAIN LEVEL SEATING PER PLAN) =		93 OCC
	PATIO (SEASONAL): 704 SF / 15 = 46 OCC (ACTUAL PATIO SEATING PER PLAN) =		28 OCC
	DANCE FLOOR:	330 SF / 15 =	66 OCC
	(NOTE: OCCUPANTS ON DANCE FLOOR ARE AMONG THOSE SEATED)		
	DJ:	37SF	1 OCC
	STAGE:	160 SF / 15 =	11 OCC
	KITCHEN:	811 SF / 200 =	4 OCC
	BAR (SERVICE ONLY):	213 SF / 50 =	4 OCC
	OFFICE:	380 SF / 150 =	3 OCC
	STORAGE (MEZZANINE):	1204 SF / 500 =	3 OCC
	TOTAL:		**213 OCC**

City staff and the Applicant were not in agreeance as to the determination of minimum parking needs for the Subject Property. The Applicant's architect had operated under the assumption that the entirety of the use would have parking calculated assuming a nightclub or "Assembly" calculation, which would assume a minimum of one (1) parking space for every three (3) seats/persons, including any staff. In reviewing the provided occupancy load calculations for the space, a maximum occupant load of 240 persons would have indeed require a minimum of 80 parking spaces; however, it appears the occupant load numbers were adjusted with respect to the dining, patio, and dance floor areas to calculate occupancy based off the provided layout of the tables and seating, as opposed to the occupant load as calculated under Minnesota Building Code.

In calculating minimum parking requirements, it should be noted that rarely is the occupant load used as the only source for calculating parking in assembly scenarios. City staff reviewed the architect's calculations for occupancy load (including assumed staffing), requested a separate calculation of occupancy load by the City Building Official, and asked the Applicant to provide a narrative and answer the conditional use permit criteria questions (as outlined later in this report) to gain a better understanding as to how the business might operate, peak usage based on potential events, etc. Additional staffing information is provided as part of the newly provided business summary and variance criteria questions in Exhibit A.

City staff also reached out to a neighboring municipality (Brooklyn Park) for a second opinion. They too confirmed that they would calculate the proposed use based on function because it would ultimately provide the best estimate with respect to the actual demand for parking, rather than utilizing the most restrictive calculation for the entirety of the space.

Occupant Areas	Eating Establishment (1:2)	Assembly (1:3)
Main Level Seating	93-175 occupants	
Patio (Seasonal)—Revised	28-47 occupants	
Dance Floor		66-107 occupants
DJ/Stage		12-18 occupants
Kitchen Staff	4 occupants	
Bartenders (Service Only)	4 occupants	
Bar (Standing)		17 occupants
Office | Entry | Mezzanine	6 occupants	
TOTAL	135-236 occupants	95-142 occupants
Minimum Parking Range	68-118 spaces (93)	32-48 spaces (45)

Table 1. Revised Interpretation of Occupancies and Use Areas to Determine Minimum Parking on Subject Property.

In reviewing the provided plan sets, City staff noted the plans assumed no one would be standing at the bar and that the bar would be for service (4 bartenders) only; however, in calculating occupancy and even determining potential Met Council Sewer Availability Charges (SAC), this area is to be accounted for. Further, in reviewing the operation of the use, it was presumed that those on the dance floor, who might not have dedicated seating in the dining areas/VIP seating would likely walk up to the bar to place their drink order. The Building Official measured the bar area and presumed 17 occupants at 1 person for every 5 square feet, which is the calculation used for standing.

City staff noted only a small area appeared to be dedicated for the dance floor (330 square feet or 66 occupants). The plans represent a large amount of square footage dedicated to hallway area (which does not count towards occupancy), and there appears to be a general disconnect from the stage area. City staff re-measured the area with the assumption that a minimum 36-inch hallway corridor be maintained on either end of the stage and seated dining/VIP seating areas and ultimately calculated an approximately 750-square foot dance floor. The Building Official assumed 7 square feet per person given the dancing area, hence a max occupancy of 107 in the above Table 1. It should be noted that in the newly provided business summary that they plan to use a "dance floor made up of digital floor panels," hence their determination that all dancing would be limited to the noted 330 square feet.

With respect to the proposed patio and dining areas, City staff noted an occupant load was provided; however, an assumption of occupancy was made given the seating plan (tables and chairs) provided. While this can serve as a good gauge of occupancy, it is also dependent upon several factors, including

whether the seating is fixed or not. Given this, Table 1 above notes a bottom range that assumes the architect's seating plans and a top range based off building occupancy load for these areas. In determining minimum parking needs, City staff assumed a mid-range for calculating the dining and outdoor patio areas.

The provided narrative notes that Jambo Africa offers full-service, dine-in, take out, and delivery via several online entities such as Uber Eats, Chow-Now, and Doordash. They also provide off-site catering.

Hours of operation are provided in the narrative and note the following:

Monday-Wednesday *11 a.m. to midnight*
Thursday-Sunday *11 a.m. to 2 a.m.*

City staff requested additional information regarding business operations, which was provided in the business summary (Exhibit A). The Applicant notes the provision of a security team that is to be on-site for all nightly activities, Thursday through Sunday. It should be noted that security staffing is not accounted for in the above Table 1 under staffing, and although the Applicant notes they utilize a "carpool policy" for their staff, no information is provided as to how security staff (estimated at between 4-7 staff) arrives. As no breakdown of operations was provided for the restaurant and nightclub, and as the designated dining area is also noted as a "VIP seating" area, City staff assumed both areas would be open to customers during these times.

Assuming 80 on-site parking spaces, City staff initially determined in the original submittal, which contemplated the approximately 1,200-square foot outdoor patio, that the Subject Property was likely deficient by 74 parking spaces and would therefore require a parking variance. City staff conferred with the City Attorney as a public hearing was published for the site and building plan and conditional use permit requests in the August 31, 2023 *Sun Post* edition. City staff was directed to issue a letter outlining any missing information, the necessity and request for a variance, and an additional request to extend the 60-day review period for an additional 60-days as provided for under Minnesota Statutes Section 15.99—Refer to Exhibit C.

In reviewing the revised plan submittal with the reduced outdoor patio of approximately 704-square feet, it appears the Subject Property is deficient by **58 parking spaces**, which would still require the necessity of a parking variance. It should be noted that neither determination considers any parking needs for security staff and does not contemplate the Applicant's "car pool policy" as the City does not have language within its Unified Development Ordinance (UDO) to account for such. This area is fairly isolated and while there is public transit, the closest stop is local (722 line). Additional service routes are available off Shingle Creek Parkway and Bass Lake Road (County Road 10) or at the Transit Center. It is more likely customers would either use a ride-share service (e.g. Uber, Lyft) or carpool.

A site plan is provided (Sheet A1-100); however, no dimensions are provided that note parking space dimensions, drive aisle widths and alterations (assuming the proposed outdoor patio). As noted in the Assistant City Engineer's memo, it also appears the ADA parking is insufficient. Should additional ADA loading spaces be required, this may increase the overall parking deficiency. The Applicant noted in their revised responses that ADA parking requirements are not outlined in the City Unified Development Ordinance; however, these are and have always been calculated using the Minnesota Accessibility Code.

Lighting

A photometric plan was submitted with the application submittal; however, the originally provided plan did not provide the detailing necessary to determine whether it meets the code provisions as outlined under Section 35-5400 (*Exterior Lighting*). In response to a request for revised plans, the Applicant did provide an updated photometric plan and fixture specification on September 13, 2023; however, this plan still does not meet the City's requirements.

With that said, any photometric plan provided shall clearly demonstrate consistent levels of illumination across the existing open-air parking lot and avoid pockets of very low or high levels of illumination. Spot illuminations shall be provided to clearly demonstrate adherence to minimum and maximum illumination levels, as well as uniformity, proposed mounting heights for wall and parking lot lighting. The Applicant did provide fixture specifications; however, no detailing is provided as to the mounting heights, locations on the property, etc. The submitted wall fixtures, unless installed near the rear (south) loading and service areas, do not comply with City Code and will require revision. City staff had previously conveyed that wall-packs were not permitted.

Detail sheets were also requested of the Applicant to demonstrate enhanced illumination over all primary building entrances/exits and any pedestrian path ways as outlined under Section 35-5401.m.2 (*Lighting Standards*).

Given the intended hours of operation (Monday through Wednesday-11 a.m. to midnight, and Thursday through Sunday-11 a.m. to 2 a.m.) and the related conditional use permit request for the nightclub use, City staff is cognizant of potential safety concerns surrounding the existing lighting on-site and as this area is fairly isolated. The Subject Property abuts three vacant parcels of land owned by the City's Economic Development Authority (EDA), and the other users within proximity operate primarily in the daytime hours (i.e. HealthPartners Dental Clinic, Brooklyn Center School District administrative offices, Early College Academy and Centaur Beginnings Childcare, Jani-King, and Restaurant Depot).

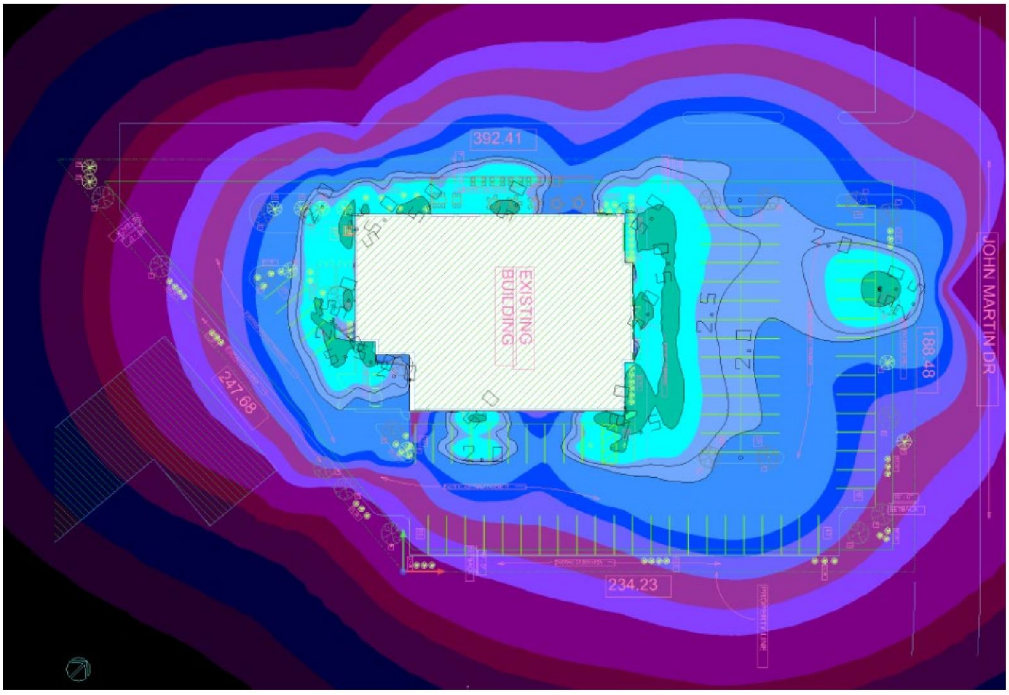


Image 7. Revised Photometric Plan for the Subject Property.

Following a review of the revised photometric plan in Image 7 above, City staff noted areas of high illumination along the building where existing wall-packs are located (in green and blue colors), and in the general area of an existing freestanding sign, which has a spotlight attached and oriented toward the parking lot.

The darker colors (dark blue, red, and purple colors) denote areas of lower illumination levels. This is likely due in part to the Subject Property not have any existing pole lights in the parking lot, with the exception of two, non-conforming globe lights on the north end of the Subject Property—refer to Image 8 below.



Image 8. Existing Non-Conforming Lighting on Subject Property (circled in red).

Trash | Screening

No trash plans were provided with the proposal. There is currently a trash enclosure located at the southeast corner of the building that is intended to serve the existing New King Buffet restaurant space. This enclosure also appears to hold an above ground grease tank. This area was originally approved for five (5) parking spaces, but with the transition from a sole tenant to two tenant use, separate trash enclosures were installed. The other existing trash enclosure is located at the southwest corner of the Subject Property and is not currently utilized given the closure of Tires Plus, which occupied the other tenant space. This trash enclosure appears to be in poor condition and is likely unnecessary with a proposed conversion back to a single use; therefore, City staff would request its removal—Refer to Image 9 below.



Image 9. Existing Trash Enclosures—New King Buffet (Left) and Former Tires Plus (Right).

There appear to be additional enclosures located off the former Tires Plus space, which were likely for

used tire storage. The submitted plans denote no plans to remove the enclosures, although the south loading door (as depicted in Image 8 below) would be patched to match the existing concrete exterior.



Image 10. Existing Enclosures for Former Tires Plus—to Remain.

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

Architectural Materials

There are no plans to alter the exterior of the building, with the exception of adjustments to openings on the west and south elevations. As proposed, and as noted above, an existing loading dock door would be removed and patched to match the existing exterior. While the provided site plan notes this removal and patching, a detail sheet would be required for submittal as part of any building permit process.

The west elevation currently features a series of garage bay doors that formerly served Tires Plus. As proposed, four (4) of the garage bay doors would be removed and replaced with smaller, transom-style windows. The remaining sections below would be patched. Although this elevation notes the use of "squared" concrete block to match the existing material, it appears the building material that this elevation is predominately comprised of is split rib or fluted concrete. City staff would request confirmation as it appears there is squared or scored concrete block located in section of the south elevation of the building—refer to Image 10 above.

The remaining two (2) garage bay doors would be replaced with operable (retractable) glass garage doors that would lead out onto a revised 704-square foot outdoor patio. Said patio would be surrounded by an 8-foot high fence (wall). Refer to Image 11 below. City staff question the functionality of the proposed outdoor patio, as it appears the only access would be via the garage door (with no separate side door access). Additional safety concerns were raised in the letter addressed to the Applicant on September 9, 2023 regarding the identified gates for exiting, as they would open out onto the parking lot and drive aisles.

Although the patio size has since been reduced in size, it appears the two gates open inward as opposed to outward and directly into the drive aisle and parking areas, which is a safety concern.

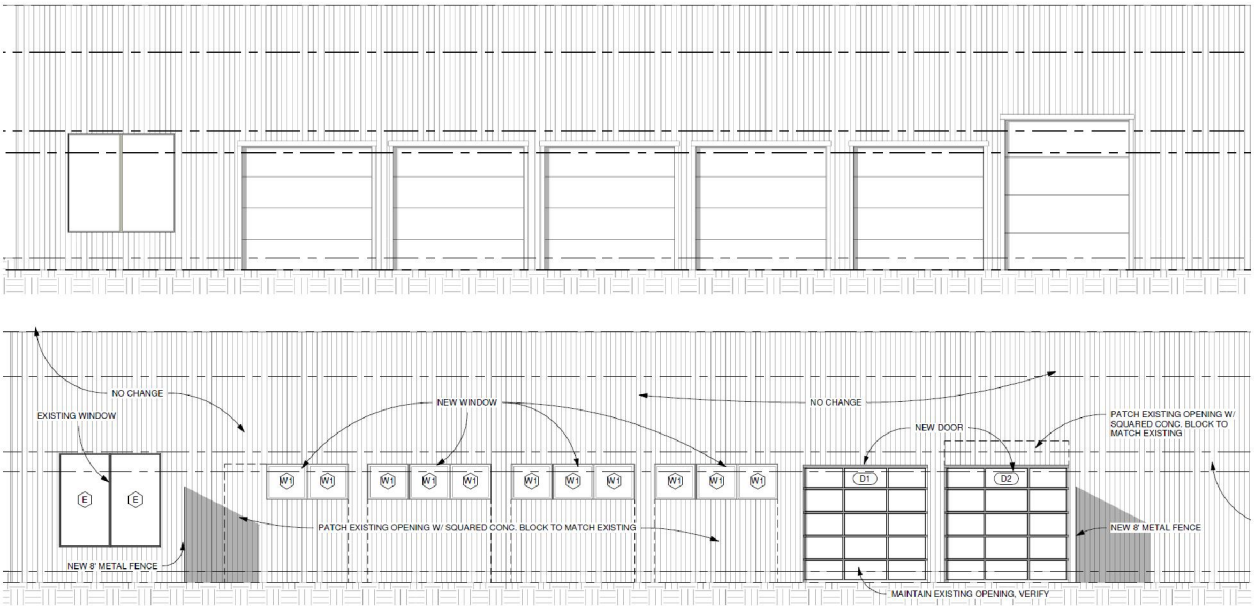


Image 11. Existing and Proposed Alterations to the West Elevation of the Subject Property Building.

City Code requires no less than 60-percent face brick, natural or colored stone, pre-colored or factory stained or stained on site textured pre-cast concrete panels, textured concrete block, stucco, glass, fiberglass, or similar materials. As proposed, this requirement would likely be met, although City staff requests an elevation-by-elevation percentage breakdown of materials for record purposes.

Landscaping

The project submittal includes a landscape plan and detail sheet; however, no inventory of existing plantings and species/types was provided and City staff was unable to conduct a full review. City staff did make a formal request to the Applicant for this additional information as part of a letter dated September 9, 2023. City staff provided the Applicant with copies of the original and last revised landscape plans on file and as included with the preceding Planning Commission and City approvals on record from 1979 and 1991. These plans denote a minimum required 108 landscape points, which shall be satisfied by the Applicant. City staff also reviewed the provided landscape plan against the City's Unified Development Ordinance and specifically Section 35-5600 (*Landscaping, Screening, and Fences*).

LANDSCAPE SCHEDULE

LEDGEND	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	POINTS	REMARKS
H	2	HACKBERRY	CELTIS OCCIDENTALIS	2 1/2" - 3"	10/30	ADD NEW
L	6	SKYLINE LOCUST	GLEDITSIA TRIACANTHOS 'SKYLINE'	2 1/2" - 3"	10/110	ADD NEW
S	6	BLACK HILLS SPRUCE	PICEA GLAUCA DENSATA	3 1/2" - 4"	6/48	ADD NEW
PJ	30	PFITXEN JUNIPER	JUNIPER CHINENSIS PFITXERIANA	18" - 24"	5/9.5	ADD NEW
JB	42	JAPANESE GREEN LEAF BARBERRY	BERBERIS THUNBERGI	18" - 24"	5/19	ADD NEW
E	19					EXISTING

NOTE: VERIFY ALL EXISTING LANDSCAPING. EXISTING PLANTS TO REMAIN. ADD NEW PLANTS PER PREVIOUSLY APPROVED PLAN.

Image 12. Provided Landscape Schedule for the Subject Property.

It appears there are 19 existing plantings on the Subject Property at this time. As proposed, the Applicant would replace missing black hills spruce, skyline (honey) locust, and hackberry trees, all of which appear to be native to Minnesota, on the Subject Property. For shrubs, the Applicant proposes to replace missing juniper and Japanese green leaf barberry. Following a review of these plantings, which were all outlined on the original 1979 landscape plan schedule, City staff requests the Applicant replace the Japanese green leaf barberry with an alternate shrub, as the Minnesota DNR notes "Japanese Barberry" as a restricted planting with the propagation and sale of its numerous cultivars, including green barberry, noted as prohibited within the state of Minnesota.

A revised landscape plan was submitted to City staff on October 10, 2023; however, staff has not had time to review the revised plans. Review and approval of the landscape plan would be a requested condition of any City approval.

Although City staff has directed the Applicant to work off the originally approved and last revised landscape plans, which were reviewed on a point basis, the Applicant might also use the opportunity to explore opportunities to promote species diversity and resilience. The new landscaping requirements, which became effective in 2023, outline that no more than 40-percent of the total number of trees may be of the same species and that any landscape vegetation should utilize native and resilient plant types where possible in order to promote landscape resiliency and reduce site maintenance requirements. As has long been required, underground irrigation is also required for installation and maintenance.

Signs

No specific signage requests were made as part of the Application submittal. The Subject Property currently has existing wall signage and one (1) freestanding sign located on the Subject Property at this time. Any new signage would be required to comply with the provisions outlined within Section 35-6000 (*Signs*).

Engineering Review

James Soltis, Assistant City Engineer, initially reviewed the submitted site plan and provided a memorandum dated September 5, 2023. This memo has since been revised to reflect the updated plans—this revised memo is dated October 5, 2023 (Exhibit D). Memo comments addressed include deficiencies in available accessible parking, and additional detailing with respect to the proposed safety considerations for the patio in relation to the adjacent drive aisle.

Building Review

Building Official Dan Grinsteinner conducted a cursory review of the proposal in a memorandum dated October 2, 2023 (Exhibit E) and worked with City staff through a determination of outlined and expected occupancy loads for the building and patio and with respect to the minimum required parking.

A fire sprinkler and monitoring system is required for installation and is to be maintained at all times, and sufficient fire hydrants shall be provided. Additional detailing will be required to provide access to a fire sprinkler room or wall connections.

The Applicant will also need to meet any minimum ADA requirements with regard to the building and site improvements, and prior to issuance of any building permits, a SAC determination shall be submitted to the Metropolitan Council and any associated fees shall be paid at time of permit issuance. Given the restaurant use, City staff conversed with the Applicant on any proposed plans for a grease interceptor, as it does not appear the existing building has one. Per the provided memorandum, a grease interceptor will

be required to prevent any potential future blocking of City sanitary lines.

The Applicant will also need to coordinate with Hennepin County Health Department for any approvals for the restaurant use, and with the Minnesota Pollution Control Agency (MPCA) for the abandonment of any flammable interceptors.

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

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

Other Considerations
As is noted above, the Applicant would need to coordinate with MPCA to address any abandonment of any flammable interceptors/oil and sand separators, City staff requests the Applicant coordinate with MPCA regarding any regulations they might have and given the proposed improvements. In reviewing the MPCA's "What's in my Neighborhood?" map, which is a publicly accessible map, it appears there is an active item for "aboveground tanks" (MPCA ID: TS0055275) associated with the former Tires Plus, which was located on the Subject Property.

CONDITIONAL USE PERMIT
As noted in the beginning of the staff report, City staff initially met with the Applicant, where it was conveyed that the Applicant intended to open a restaurant and bar at the Subject Property; however, at time of initial application submittal (August 15, 2023) and upon a cursory review of the interior renovations City staff determined that the restaurant and bar layout contained a dance floor, large stage, green room, and dedicated DJ area. The original plans also denoted "VIP seating" on certain plan sheets and a "VIP back reception" off the rear entrance, which is now noted as a "back entry foyer."

At the time, the plan sets also only contemplated the main level dining area seating, outdoor patio, kitchen, bar (bartenders only, not service), office, and VIP back reception areas for occupancy purposes, but assigned no occupancies for the dance area, bar (service area), or stage/green room areas for a total of 160 occupants. These occupancies have since been revised.

City staff emailed the Applicant the same day the plans were received with respect to the use and proposed occupancies and received a response on August 16, 2023 from the Applicant's architect, agreeing with City staff's interpretation that there was a "nightclub" component and clarifying that, under building code, restaurants and nightclubs were in the same occupancy type category. They further agreed to update the submitted plans to reflect updates to the occupancies to better evaluate minimum parking needs and apply for a conditional use permit.

Conditional use permits, as outlined under Section 35-7700, 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.

A conditional use permit ***may not*** be granted by the City Council unless the following criteria have been satisfied (**Note:** Applicant responses transcribed from submitted narrative—Exhibit A):

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.

Applicant Response: Certainly. We would not operate without being in full accordance with City Plans.

City Staff Response (Finding): The Subject Property is located within the City's new Transit-Oriented Development (TOD) District, and is also future guided as Transit-Oriented Development under the City's 2040 Comprehensive Plan. The TOD zoning district and future land use designation of TOD are brand new to the City as of 2023 and 2019, respectively.

The purpose of the TOD District, as outlined under the City's Unified Development Ordinance (Section 35-2304), is to, "support opportunities for dense, transit-supportive and transit-oriented development. The TOD District requires intensities and patterns of development that support vibrant pedestrian activity, and discourages land uses and development patterns that could decrease walkability or interfere with future growth of transit-oriented development and transit ridership. The District intends to promote sustainable urban places that include places to live, work, shop, and recreate, reduce reliance on automobiles, and encourage the use of public transit. The District intends to foster job creation and economic growth in near-proximity to transit, and provides citizens with new housing and lifestyle choices with a high level of amenities and spaces for social interaction."

Although the Subject Property contains an existing building with no plans for building expansion/alteration, the building and design standards for the TOD District emphasize overall pedestrian friendliness (e.g. placement of buildings towards the property lines to promote pedestrian access, provision and placement of parking to promote density, minimum heights, provision of gathering spaces).

As the Subject Property is located within the City's designated Opportunity Site, City staff reviewed the Opportunity Site Infrastructure Framework, which was adopted by City Council in July 2021 under City Council Resolution No. 2021-90. This Framework is a foundational component to the Opportunity Site Master Plan process, which is anticipated to wrap up by the end of 2023, and outlines guidance regarding land use, road network, public space network, and stormwater systems. Adoption of this Framework was critical to preserving and progressing the Opportunity Site Master Plan process because absent cohesive, site-wide policy guidance, the City would be severely limited in its ability to *align private property reuse or redevelopment in the Opportunity Site with city and community goals through a development review process.* Further, it lays out site-wide infrastructure planning, including future proposed road connections, and in general, this Framework supports implementation of the City of Brooklyn Center's 2040 Comprehensive Plan, upon which the Master Plan has been based.

With respect to the proposed outdoor patio, outdoor seating for eating establishments may be permitted as a permanent use with approval of a conditional use permit. As such, certain

additional restrictions are outlined under Section 35-4409.g.3 (*Temporary Uses and Structures—Outdoor Seating for Cafes or Restaurants).* These standards specifically note that, "an outdoor dining area may be allowed accessory and incidental to a restaurant with indoor eating area on the same site provided that the outdoor eating area shall comply with the parking requirements in this UDO."

If no grade separation is provided between vehicular traffic and the outdoor dining area, such as in this case, permanent railings or fencing shall be provided around the dining area. The Applicant intends to install an 8-foot fence, which would actually be considered a wall under code. Although City staff is supportive of gathering spaces and particularly within the TOD District, concerns were identified as they relate to potential negative impacts and additional constraints to 5939 John Martin Drive, which is owned by the City EDA, and the locations of proposed egress, which would ultimately open out directly into the parking lot and shared drive aisle. While the patio has since been revised from 1,200-square feet to 704-square feet, the gates (egress) still open out into the adjacent drive aisle and parking areas, with no real buffer or area of refuge.

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.

Applicant Response: Absolutely. We are already active in the community, and we have a channel to help us reach out to the under-privileged.

City Staff Response (Finding): City staff spoke to the Applicant and requested additional information concerning the proposed operation of the use as the narrative and provided conditional use permit criteria responses are brief in nature. Although the Applicant provided additional information on September 13, 2023, City staff still notes a significant parking deficiency. With no opportunities to expand parking, and given that this would not truly be in alignment with the purpose and function of the TOD district, City staff requested the Applicant look at ways to reduce their parking needs and overall intensity of use. While the Applicant reduced the size of their outdoor patio (74 parking space deficiency to 58 parking space deficiency), no other areas of the building were adjusted to reduce the overall intensity of use.

As City staff requested the Applicant file for a variance in addition to the site and building plan and conditional use permit requests, the Applicant will need to also address the practical difficulties criteria, which is a three-factor test (all of which must be satisfied). This test is as laid out under Minnesota State Statutes 462.357, subdivision 6 and notes that, "variances may be granted when the applicant for a variance establishes that there are practical difficulties in complying with the zoning ordinance." The requested conditional use permit would ultimately be conditioned upon the Applicant obtaining approval of a variance.

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.

Applicant Response: Wholly agree. As we know, maintaining good relationships with your neighbors is very important and can be made or broken simply by whether or not you keep your lot clean. For instance, we have made it a point since 2017 to regularly clean our parking lot, and

we extend the trash pickup to the surrounding businesses, including two hotels and the FBI building, and the curbs along Freeway Blvd.

City Staff Response (Finding): As noted above, the Applicant would need to provide additional information as part of the variance request to assuage any concerns that the proposed use might be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. While the hours of operation may not impact current businesses, there are potential issues of liability if the proposed use expands onto other neighboring properties. These include potential issues of parking off-site by patrons, trash, and general noise considerations. The closest active uses to the Subject Property are the HealthPartners Dental Clinic, which is just over 50 feet away, and the Brooklyn Center School District office, Early College Academy, and Centaur Beginnings Child Care, which is located less than 500 feet away, and Jani-King, which is located a little over 200 feet away. Restaurant Depot is located a little over 300 feet away; however, is positioned across John Martin Drive.

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.

Applicant Response: That is correct. We don't even have a clue how to go about impeding orderly development.

City Staff Response (Finding): The Subject Property is surrounded on three sides by properties owned by the City's Economic Development Authority (EDA), which are intended for the future creation of new, walkable blocks and development within the Opportunity Site. As is contemplated in the Council-adopted Infrastructure Framework (2021), John Martin Drive, on which the Subject Property abuts, is identified as a future "Main Street" and the Framework identifies a future potential Garden Street that would run perpendicular to John Martin Drive and generally between the Subject Property and EDA-owned 5939 John Martin Drive. These properties are currently served by a single, shared driveway.

As proposed, the Applicant would build a revised 704-square foot outdoor patio with an 8-foot fence (wall). Although City staff appreciates the adjustment in patio size, there are still likely consequences in that traffic would ultimately be pushed onto the EDA property—this assumes redevelopment of the EDA property (5939 John Martin Drive) and the provision of minimum 20-foot lanes to provide minimum fire access.

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.

Applicant Response: Certainly. Our personnel have measures in place (tracking the number of vehicles into the lot, traffic redirection) to allow for safe entrance and exiting.

City Staff Response (Finding): As noted above, the Subject Property and neighboring EDA-owned 5939 John Martin Drive share a common driveway off John Martin Drive. No secondary access points are available for either property at this time. Based on the narrative provided by the Applicant, the peak traffic demand for the Subject Property use would likely be generated in the evening or nighttime hours and on weekends. Considering the EDA-owned property is vacant, City staff is unable to determine potential traffic congestion issues in the public streets at this time.

As the parking at 5939 John Martin Drive was left in place, City staff has some concerns there may be spillover onto the EDA property for parking purposes and as it is relatively convenient to the main entrance and proposed outdoor patio. Although the impacts may be negligible in the interim, the future vision of this and the other surrounding EDA properties are to redevelop to the highest and best use possible and in alignment with the currently underway Opportunity Site Master Plan.

As the proposed use is a restaurant/bar and nightclub, it is assumed there may be an exodus of customers at bar close, which is noted as 2 a.m. Thursdays through Sundays. The neighboring, existing users along John Martin Drive (i.e. HealthPartners Dental Clinic, Jani-King) are fairly low traffic uses and will likely not be impacted given their opposing hours of operation. The highest intensity use during the daytime is likely Restaurant Depot (5925 Earle Brown Drive), which is located to the north of the Subject Property.

f. Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses.

Applicant Response: Absolutely. Our business hours of operations will have no more of a negative impact on the area than any other business. Our after-hours processes and procedures are in place to expedite a safe and complete exit once business closes.

City Staff Response (Finding): To City staff's knowledge, the surrounding brick and mortar businesses operate during the daytime hours; whereas, the peak demand for the proposed new Jambo Africa will likely be into the evening and nighttime hours. The Applicant notes in their narrative that they also offer "full-service dine-in, takeout, and delivery via several online entities such as Uber Eats, Chow-Now, and Doordash," and "provide off-site catering."

City staff concerns regarding potentially negative impacts to nearby uses primarily relate to an outlined deficiency in on-site parking, based on the original plans provided. City staff reviewed the provided occupant loads and "actual" occupant loads given by the Applicant's architect and compared them to occupancy load numbers calculated by the City Building Official. City staff also reviewed the provided narrative to further determine potential maximum activity on the property. It was from these numbers City staff was able to break down the eating establishment (restaurant) areas and assembly (nightclub) areas for parking calculation purposes. Based on this, it appears the Subject Property is at least 58 parking spaces short.

Other potential future concerns may be as they relate to noise during the evening hours given the proposed late-night hours, outdoor patio with garage doors (e.g. potential noise from the stage and DJ if open), and any mingling in the parking lots upon bar close.

g. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Applicant Response: Yes, certainly, Jambo Africa is committed to the conformation of all regulations.

City Staff Response (Finding): While the use (restaurant and bar with nightclub) are permitted through issuance of a conditional use permit, the Applicant does not conform to the applicable

regulations of the district in which the Subject Property is located with respect to parking. As is outlined in the site and building plan review portion of this report, there appear to be no alternatives to satisfy this parking deficiency at this time. Although the future buildout of the Opportunity Site may present opportunities for on-street parking, which was approved for as part of the Phase I development, this is likely years from coming to fruition.

VARIANCE

Variances may only be granted when the Applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Pursuant to Minnesota Statutes Section 462.357, subdivision 6, the City Council may only grant approval of a variance where "practical difficulties" exist as to the strict compliance with the City's Unified Development Ordinance and **each of the following criteria are satisfied (Note:** Applicant responses transcribed from submitted narrative—Exhibit A):

1. The variance is in harmony with the general purposes and intent of the City's Unified Development Ordinance.

   Applicant Response: We believe that the variance meets the intent of the Unified Development Ordinance. The existing drive lane along the west of the building is adjacent to an abandoned parking lot and separated by a narrow green space.

   City Staff Response (Finding): The variance request is centered around the necessity of a parking variance, of which City staff determined to be approximately 58 parking spaces short of the minimum requirements outlined for eating and drinking places and assembly uses. This is of further concern as the Transit-Oriented District (TOD) in which the Subject Property is located, is intended to support, "vibrant pedestrian activity and discourages land uses and development patterns that could decrease walkability or interfere with future growth of transit-oriented development and transit ridership."

   While City staff recognizes the Subject Property is non-conforming with respect to the building's location (setbacks) and parking, there are potential negative factors to be considered given the intended use comes in advance of any build out of this portion of the Opportunity Site, which would likely require structured and on-street parking to meet the purpose of both the TOD District and Opportunity Site. The "abandoned parking lot" and half of the drive lane the Applicant references above is owned by the City's Economic Development Authority and is intended for future redevelopment; therefore, it cannot be assumed it will remain in this condition.

2. The variance is consistent with the Comprehensive Plan.

   Applicant Response: Our request for a variance is so we can use an existing concrete slab for seasonal outdoor dining which is beneficial for patrons during the short summer months.

   City Staff Response (Finding): The request for an outdoor patio is not the sole contributor to the necessity of a parking variance—although it contributes, the indoor usage and intensities are the greatest factor as to why the parking variance is needed.

   The City's 2040 Comprehensive Plan designates this area with a future land use designation of "Transit-Oriented Development (TOD)" and the City's Future Land Use Plan is intended to demonstrate how the City intends to create a, "dynamic, sustainable, and integrated community

long-term." It further contemplates how the City might grow and change and breakdown future land uses in such a way as to create a, "balanced, and well-integrated land use pattern." This includes the incorporation of a "central spine" that encourages a diverse, and integrated mix of uses that promotes transit and walkability.

The TOD future land use designation is a new land use designation under the 2040 Comprehensive Plan that is planned for a mix of residential, commercial, office, and retail uses. Land is generally within a ½ mile of the Brooklyn Center Transit Station and is intended to provide these areas with frequent, and efficient bus/transit services and connections to the broader region. A minimum of 75-percent (%) of the land within this designation is planned for higher-density residential development, with the remainder developed for supporting retail, office, and commercial uses. This area would ultimately create a walkable, bikeable, and vibrant core in the City.

The City acknowledges that redevelopment will not happen overnight and notes there should be thoughtful approaches as to how new development can incorporate and integrate existing uses into redevelopment efforts to achieve incremental improvements; however, it would also be irresponsible to approve a use that does not appear to have the current infrastructure to support it.

3. The property owner proposes to use the property in a reasonable manner not permitted by this Unified Development Ordinance.

Applicant Response: We believe it is reasonable for the success of our business and an amenity for our patrons to provide an outdoor space for seasonal dining.

City Staff Response (Finding): A request to offer outdoor dining space within the City of Brooklyn Center by itself in a City that has limited sit-down dining opportunities is commendable and appears to be desired by the community; however, the Subject Property was never designed to accommodate an approximately 10,200-square foot restaurant and bar (nightclub) and while the parking standards as outlined under Section 35-5500 (*Parking and Driveways*) offer opportunities to reduce minimum parking requirements via a parking study, or through use of shared parking, a parking study was not conducted and there do not appear to be opportunities at this point in time to accommodate a shared parking scenario.

While the Applicant notes in their business summary (Exhibit A) that they enforce a "car pool policy" and even incentivize employees who bring other employees to work, the City does not currently have a policy in place for this or a means to calculate as part of the overall parking demands and would have concerns with setting precedent without this language in place. It appears that Saturdays require the greatest amount of staff given the "high volume of customers." On these days, they note the following anticipated staffing levels:

Saturday
(we have the most staff on the premises due to the high volume of customers)

Bartenders = 3

Bar back = 1

Servers = 4

Kitchen = 2

Security = 6

Manager = 1

DJ = 2

Manager = 1

Assuming this, there would potentially be upwards of 20 staff on hand. During the work week, they note a base staff of 5. In general, they employee 15 staff (4 full time, 11 part time with 4 of the 11 part time staff not working during night time activities).

The Subject Property was originally designed for sole use as a retail sporting goods store and over time evolved into a two-tenant building. Although there is currently a restaurant (buffet) user, this use occupies only a portion of the space and was offset, up until this past year, by an auto shop that had significantly less of a parking demand than the restaurant use.

As is discussed earlier in this report, City staff explored alternate opportunities for off-site parking and per the Applicant's inquiry to park either on the neighboring EDA property (5939 John Martin Drive) or across the street at Shingle Creek Center; however, those were determined to not be options at this time. Although City staff discussed the future vision of the Opportunity Site and specifically John Martin Drive, which is conceived in the draft Master Plan and City Council adopted Infrastructure Framework (2021) as a "Main Street" with on-street parking, the final plan has yet to be adopted and the Phase I development of the Opportunity Site has yet to go under construction.

4. The plight of the landowner is due to circumstances unique to the property *not* created by the landowner.

Applicant Response: This is an existing property in which the land is maximized in regards to the existing building and paved parking areas. There is no space available to increase the existing number of parking spaces.

City Staff Response (Finding): The existing property (Subject Property) was maximized in terms of the existing building and paved parking areas, and under the assumption of a retail store use as opposed to a restaurant and bar (nightclub). In reviewing the parking requirements for the original, approximately 8,820-square foot retail store with 1,425-square feet of storage, the staff report notes the "minimum required 85 parking stalls" was provided for. Over time, five (5) parking spaces approved as part of the 1979 City Council approvals were lost to accommodate an additional trash enclosure for restaurant use; however, the restaurant use did not occupy the whole building and the approximately 3,700-square foot Tires Plus required less parking as a use. Although City staff was unable to identify the minimum parking for Tires Plus within the documentation on file, the minimum parking would likely have been calculated assuming the

following:

> *Three (3) spaces for each enclosed bay plus one space for each day shift employee plus a minimum of two spaces for service vehicles and one additional space for each service vehicle over two in number.*

Assuming this, the former Tires Plus would've likely required a minimum of 26 on-site parking spaces—whether located in each of the 6 original bays or in the surface parking lot and assuming 6 employees as noted per paperwork found on file. This would've left 54 on-site parking spaces for the current restaurant use and assumes the loss of the five (5) parking spaces to the restaurant trash enclosure.

At one point in time, it appears the current New King Buffet space was utilized for the short-term storage of merchandise by Kohl's per a Certificate of Occupancy dated 1994. It also appears there may have been a restaurant/buffet use in the late 1990s, post warehouse use (1994) and prior to New King Buffet occupying the space (2008).

5. The variance, if granted, will not alter the essential character of the locality.

Applicant Response: We believe that our proposed vision is an excellent use of an existing building that may sit vacant for years to coming and be a benefit to the community and future uses of the adjacent property once developed.

City Staff Response (Finding): The area the Subject Property is located within is positioned for great transformation over the coming years as part of the City's Opportunity Site. This area has been contemplated for redevelopment since the 2000s and the Economic Development Authority of the City of Brooklyn Center has, to-date, acquired approximately 49 acres of the approximately 80-acre Opportunity Site, and as part of its commitment to the vision for a downtown Brooklyn Center.

This vision is further laid out and reinforced within the draft Opportunity Site Master Plan (slated for adoption later this year), adopted Opportunity Site Infrastructure Framework (2021), 2040 Comprehensive Plan, and recently adopted Unified Development Ordinance (UDO).

As proposed, the building, which is non-conforming with respect to the City's TOD setback requirements and placement of parking, would remain. While the 2040 Comprehensive Plan outlines opportunities for working with existing uses, City staff is concerned with the long-term impacts and constraints the use might cause. Although the Applicant outlines opportunities to minimize parking needs through their "car pool policy" and notes that dancing would be limited to the 300-square foot dance floor because they use digital panels, City staff is unable to justify these as part of its review as there are no considerations outlined in the Unified Development Ordinance.

It should be further noted that economic considerations alone shall not constitute a "practical difficulty." In considering a variance application, "quasi-judicial" authority is exercised in that the City evaluates the facts presented against a legal standard (i.e. a City's adopted minimum parking requirements given a use). Prior to requesting consideration of a variance, an Applicant should always review all possible alternatives that would meet code requirements before applying for a variance.

ANTICIPATED PERMITTING AND CONDITIONS

Following a review of the submittal materials and the requests, approval of all three (3) application requests (i.e. site and building plan, conditional use permit, and variance) are required in order to forward this request. It should be reiterated that in order to approve the conditional use permit and variance requests, satisfaction of all criteria is required. City staff recommends the following conditions be attached to any positive recommendation on the approval of Planning Commission Application No. 2023-006 for the Subject Property located at 5927 John Martin Drive and approval of a restaurant and bar (nightclub) with approximately 704-square foot outdoor patio:

1. Any major changes or modifications made to this Site and Building Plan, and as outlined within the City Code, can only be made by an amendment to the approved Site and Building Plan as approved by the City Council.
2. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits, and with respect to the cursory review comments provided in the Building Official's memorandum dated October 2, 2023.
3. The Applicant shall work to ensure all applicable Minnesota Fire Code requirements have been met as part of any site plan approval and with respect to the proposed modifications to the building.
    i. A fire sprinkler system is required to be installed and shall be maintained on a consistent basis per City Code requirements.
4. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council and any associated fees paid at time of any permit issuance for the building and outdoor patio uses.
5. Application to and approval from the Hennepin County Health Department for the intended restaurant and bar use.
6. The Applicant shall provide any final site and building plans to City staff for a CPTED review and make alterations as necessary prior to permit release.
7. A revised landscape plan and detailing shall be submitted to ensure compliance with the originally approved landscape plan (1979) and last revised landscape plan (1991), which contemplate a minimum required 108 landscape points for the Subject Property.
    i. Revise landscape schedule to provide inventory of existing landscape plantings.
    ii. Replace proposed Japanese Barberry with alternate shrubs, to be approved by the City Planner.
8. The Applicant shall ensure an irrigation system is in place or install a new system where necessary to facilitate maintenance of site landscaping and green areas, and irrigation shop drawings for review and approval prior to installation.
9. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and a detail sheet provided.
    i. The existing trash enclosure located at the southwest corner of the Subject Property shall be removed and the area restored.
10. The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's review memorandum, originally dated September 5, 2023, and revised October 5, 2023.
11. The Applicant shall work with the property owner located at 5939 John Martin Drive (Economic Development Authority of the City of Brooklyn Center) to determine necessity of an amendment or creation of a new covenant and easement for storm sewer, driveway purposes and pedestrian use, and development agreement and covenants for the

construction and maintenance of the aforementioned storm sewer and driveway, and with respect to the proposed permanent outdoor patio.

12. Coordinate with the Minnesota Pollution Control Agency (MPCA) for abandonment and/or removal of the sand and oil interceptor, any trench drains, and any remediation efforts that might be required assuming the former auto shop use.
13. Application and issuance of a City liquor license.
14. Application and approval of a City live entertainment license.
15. The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding) and receive issuance of a permit prior to any installation. All signage shall conform to City requirements.

ALTERNATIVES

1. **Vote to recommend City Council approval of Planning Commission Application No. 2023-006 for approval of a site and building plan, conditional use permit, and variance for the Subject Property located at 5927 John Martine Drive with the above-outlined conditions of approval.** By voting to approve this application, the site and building plan and conditional use permit for the restaurant and bar (nightclub) and approximately 704-square foot outdoor patio with a parking deficiency (variance) of 58 parking spaces would be approved, subject to the above-noted conditions of approval.

2. **Vote to recommend City Council denial of Planning Commission Application No. 2023-006 for approval of a site and building plan, conditional use permit, and variance for the Subject Property located at 5927 John Martine Drive.** By voting to deny this application, the requests for site and building plan and a conditional use permit for a restaurant and bar (nightclub) and approximately 704-square foot outdoor patio with a parking deficiency (variance) of 58 parking spaces would be denied.

ATTACHMENTS

Exhibit A – Planning Commission Application No. 2023-006 Plans and Documents, submitted August 23, 2023, and last revised September 13, 2023.
Exhibit B – Public Hearing Notices, submitted for publication in the Brooklyn Center *Sun Post*, and dated August 31, 2023 and September 28, 2023.
Exhibit C – Letter to Applicant, prepared by City Planner Ginny McIntosh, and dated September 9, 2023.
Exhibit D – Review Memorandum, prepared by Assistant City Engineer James Soltis, and last revised October 5, 2023.
Exhibit E – Review Memorandum, prepared by Building Official Dan Grinsteinner, and last revised October 2, 2023.

Exhibit B

CITY OF BROOKLYN CENTER
NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold an in-person public hearing on **Thursday, September 14, 2023** at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: https://www.brooklyncentermn.gov/. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUESTS: Site and Building Plan, Conditional Use Permit

APPLICANT | PROPERTY OWNER: AWC HOLDINGS LLC | Lin Shuang LLC

PROPERTY ADDRESS | PID: 5927 John Martin Drive, Brooklyn Center, MN 55430 | 02-118-21-21-0015

BRIEF STATEMENT OF CONTENTS OF PETITION: The Applicant is requesting review of a proposal to convert the existing New King Buffet and former Tires Plus located at 5927 John Martin Drive into an approximately 10,200-square foot restaurant and bar (nightclub) with approximately 1,200-square foot outdoor patio.

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

Meeting Number (Access Code): 2633 430 0970
Password: BCPC09142023
By Phone: 1 (312) 535-8110
(Enter Access Code)

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

Respectfully,
Ginny McIntosh
City Planner and Zoning Administrator

Published in the
Sun Post
August 31, 2023
1337638

CITY OF
BROOKLYN CENTER

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold an in-person public hearing on **Thursday, October 12, 2023** at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: https://www.brooklyncentermn.gov/. 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: Variance

APPLICANT | PROPERTY OWNER: AWC HOLDINGS LLC | Lin Shuang LLC

PROPERTY ADDRESS | PID: 5927 John Martin Drive, Brooklyn Center, MN 55430 | 02-118-21-21-0015

BRIEF STATEMENT OF CONTENTS OF PETITION: The Applicant is proposing to convert the existing New King Buffet and former Tires Plus located at 5927 John Martin Drive into an approximately 10,200-square foot restaurant and bar (nightclub) with outdoor patio. Upon review of the proposal, it was determined that the Applicant will require a variance to allow for fewer parking spaces than required by the City Code.

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

Meeting Number (Access Code): 2633 772 9306
Password: BCPC10122023
By Phone: 1 (312) 535-8110
(Enter Access Code)

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

Respectfully,
Ginny McIntosh
City Planner and Zoning Administrator

Published in the
Sun Post
September 28, 2023
1343781

Jambo Africa Restaurant and Bar

5927 John Martin Drive, Brooklyn Center, MN

Narrative

Description of Work

We are submitting documents for city approval including a conditional use permit. We feel that what we are proposing is an excellent use for this property and will benefit the community.

The proposed project consists of remodeling the entire interior space of the building for a nightclub with restaurant and bar. The existing use was a restaurant (east half) and auto repairs (west half). No work is planned for the exterior of the building with the exception of removing the existing overhead doors on the west facade and replacing with glass.

Over the years some of the approved landscaping from 1991 is gone. We propose to add back any plants and trees to bring the landscaping back to what it was. The existing concrete pad along the west overhead doors will be used for seasonal patio seating.

Usage of the Property

Jambo Africa is a restaurant & Bar (nightclub), based in Brooklyn Center, Mn. We specialize inoriginal and authentic cuisine from the African continent, such as cassava, torborgee, plantain, and pepper soup, prepared and sauteed with special spices and sauces.

We are one of the first African-owned restaurants in the Minneapolis/St Paul metro area to cater to members of the large and growing African communities in the Twin Cities. We offer full-service dine-in, takeout, and delivery via several online entities such as Uber Eats, Chow-Now, and Doordash.

We provide offsite catering, and we have been recognized as one of the Preferred Vendors for several cities (Brooklyn Park, Champlin, Coon Rapids, etc) in the northern metro since 2017.

We will be transferring all restaurant operations from the current location,1601 Freeway Blvd, to the new location, 5729 John Martin Drive.

Hours of Operations

Monday – Wednesday **11:00 am to 12:00 am**

Thursday – Sunday **11:00 am to 02:00 am**

We have established processes and procedures for safety, for our customers, and our team members, and a security team is in place and onsite for all nightly activities Thursday through Sunday.

The following are the criteria for the conditional use permit:

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 object of the City's Comprehensive Plan and this UDO**

   Applicant Response: Certainly. We would not operate without being in full accordance with City Plans.

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**

   Applicant Response: Absolutely. We are already active in the community, and we have a channel to help us reach out to the under-privileged

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 this neighborhood**

Applicant Response: Wholly agree. As we know, maintaining good relationships with your neighbors is very important, and can be made or broken simply by whether or not you keep your lot clean. For instance, we have made it a point since 2017 to regularly clean our parking lot, and we extend the trash pickup to the surrounding businesses, including two hotels and the FBI building, and the curbs alongside Freeway Blvd.

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**

Applicant Response: That is correct. We dont even have a clue how to go about impeding orderly development

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**

Applicant Response: Certainly. Our personnel have measures in place (tracking the number of vehicles into the lot, traffic redirection) to allow for safe entrance and exiting

f. **Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses**

Applicant Response: Absolutely. Our business hours of operations will have no more of a negative impact on the area than any other business. Our after-hours processes and procedures are in place to expedite a safe and complete exit once business closes

g. **The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located**

Applicant Response: Yes, certainly, Jambo Africa is committed to the conformation of all regulations

Thank you for your consideration.

Jambo Africa

5927 John Martin Drive
Brooklyn Center, MN

Variance Criteria

a) The variance is in harmony with the general purposes and intent of this UDO.
We believe that the variance meets the intent of the Unified Development Ordinance. The existing drive lane along the west of the building is adjacent to an abandoned parking lot and separated by a narrow green space.
b) The variance is consistent with the Comprehensive Plan.
Our request for a variance is so we can use an existing concrete slab for seasonal outdoor dining which is beneficial for patrons during the short summer month's.
c) The property owner proposed to use the property in a reasonable manner not permitted by this UDO.
We believe it is reasonable for the success of our business and an amenity for our patrons to provide an outdoor space for seasonal dining.
d) The plight of the landowner is due to circumstances unique to the property and not created by the landowner. This is an existing property in which the land is maximized in regards to the existing building and paved parking area. There is no space available to increase the existing number of parking spaces.
e) The variance, if granted, will not alter the essential character of the locality. We believe that our proposed vision is an excellent use of an existing building that may sit vacant for years to come and be a benefit to the community and future uses of the adjacent property once developed.

Additional Review Information

1) The proposed approximately 1,200-square foot outdoor patio will extend into the existing drive aisle that is shared with neighboring 5939 John Martin Drive. In consideration of the proposed patio, City staff has concerns regarding minimum fire access through this area and around the building, overall circulation on the Subject Property, safe exiting from the patio area given the locations of the proposed gates, and any mitigative measures considered to minimize negative impacts to the adjacent property, as outlined under Section 35-7703 (Conditional Use Permit Criteria). We are proposing that the existing drive aisle along the west side be a one way drive (south to north) for the primary use of trash removal vehicles. Please note that the property to the west is an abandened parking lot.

2) Revision of the submitted photometric plan to meet City Code requirements outlined under Section 35-5400 (Exterior Lighting), which shall clearly demonstrate consistent levels of illumination across the existing open-air parking lot and avoid pockets of very high or low levels of illumination. Spot illuminations shall be provided to clearly demonstrate adherence to minimum and maximum illumination levels, as well as uniformity, and a fixture schedule provided. As previously indicated, the existing pole and wall lighting is non-conforming. Detail sheets shall be provided clearly demonstrating enhanced illumination over all primary building entrances/exits and any pedestrian path ways as outlined under Section 35-5401.m.2 (Lighting Standards) of the City Code. Updated photometric plan and fixture types attached.

3) The submitted landscape plan shall be revised to provide an inventory of all existing plantings and species/types. The last revised landscape plan on file and dated November 14, 1991 indicated a minimum

required 108 landscape points, which shall be satisfied by the Applicant. We have indicated 105 plants (new and replacement). Please note that an existing trash enclosure is located near the SE corner of the existing building which was not present on the 1991 plan. If required, we can locate the 3 missing plants elsewhere.

4) Revise proposed architectural plans to clearly identify proposed areas of change and a percentage breakdown of materials on an elevation-by-elevation basis. Provide additional west elevation rendering denoting the anticipated changes to the existing garage bay doors, as the proposed outdoor patio wall (fencing) makes it difficult to review. The west facade is the only exterior wall with modifications. 2 of the existing overhead doors will be replaced with full glass overhead doors. The remaining openings will have transom glass and the remainder of these opening infilled with scored concrete masonry units to match the existing. Updated west elevation attached.

Jambo Africa

5927 John Martin Drive
Brooklyn Center

Business Operation Summary

During regular business hours in the week, we employ a base crew consisting of 2 cooks, 1 Dish washer, 1 server and 1 manager.

Since covid, 80% of our orders come through third-party apps including Door-Dash, Uber Eats, and Rushable.

Approximately 20% of our clientele are walk-in/dine-in.

We operate more as a takeout dining shop, which allows us to accommodate the dine-in customers with minimal staff.

Our demographic tends to be the 21-35 plus range, there are some on Fridays and Sundays we see less activities, which is why the staff is so small on those days.

Our overall staff includes 15 employees, 4 are full time and 11 are part time (4 of 11 don't work during night activities)

Additional notes:

We enforce a strict dress code on the weekends, in hopes of deterring hoodlum customers.

Our dance floor is made up of digital floor panels

Our night staff follows our car-pool policy, ensuring we all leave together.

****staff call pool policy**

Most of our staff live near each other and some don't even drive, so with that in mind we started a car pool plan so that everyone has a ride to work at night cause uber and lift are expensive. I give 10 dollars per person brought to work by another employee on their check.

Fri & Sun

Bartenders = 1-2
Bar back = 1
Servers = 3.5
Kitchen = 1.5
Security = 3-4
Manager = 1
DJ = 1
Manager = 1

Saturday

(we have the most staff on the premises due to the high volume of customers)

Bartenders = 3
Bar back = 1
Servers = 4
Kitchen = 2
Security = 6
Manager = 1
DJ = 2
Manager = 1

Security

Fri & Sun = 4
Saturday = 6-7

Jambo Africa

5927 John Martin Drive
Brooklyn Center, MN

Zoning plan review Items:

A1-100 – Site Plan

1. Indicate the disturbed area due to patio and other site disturbances. Square footage over 10,000 sf will trigger a city land disturbance permit and additional site review requirements.
The patio is located on an existing concrete slab along the west side of the building. We are putting a fence around it.

2. Site plan indicates a change in locations of accessible parking spaces from the previous use. Provide documentation the proposed locations meet MN Accessibility Code requirements. We are indicating 2 accessible stalls along the east of the building per the 1991 landscape plan we received. 2 additional stalls were indicated in the center north parking area that were designated for the previous business occupying the west suite. I am unable to find in the UDO the ratio of required accessible stalls. We will add the required number but ask for the # of stalls required.

3. The number of provided accessible parking spaces does not meet MN Accessibility Code for minimum number of accessible spaces. Indicate additional locations to meet this minimum number including documentation these locations meet applicable code requirements.
I am unable to find in the UDO the ratio of required accessible stalls. We will add the required number but ask for the # of stalls required.

4. Proposed patio extends into the drive aisle along the North West side of building. Verify reduced drive width meets city minimum requirements for a two way drive as indicated in Section 35-5504. PARKING SPACE STANDARDS. The patio is an existing concrete slab. The city property to the west is an abandoned parking lot. We are taking the patio area of the existing concrete slab back to the edge of the drive aisle.

5. Provide details of any alteration to the drainage patterns along the North Western drive regarding any patio work. We are not altering any existing grades.

6. Provide a description of the work related to the patio including any removal of pavement or adjustment to grades. Provide documentation the proposed patio meets MN Accessibility Code requirements. There is no removal of any pavements or disturbance of grades.

7. Provide a description of any safety considerations for the patio in regard to the adjacent drive.
Pipe bollards will be placed at the SW and NW corner of the existing patio area.

General Items:

8. From Section 35-320: Required Documents, the following are required as part of this submittal. A survey drawing by a registered engineer or land surveyor showing pertinent existing conditions, accurately dimensioned. We are not altering any existing paving or the building. We have been told due to this that a survey is not requied at this time.

JAMBO AFRICA RESTAURANT N BAR

CODE SUMMARY

SCOPE OF WORK:	BUILDING REMODELING FOR A 1 STORY RESTAURANT & BAR (NIGHTCLUB) WITH MEZZANINE
APPLICABLE CODES:	2020 MINNESOTA BUILDING CODE 2020 MINNESOTA ACCESSIBILITY CODE 2020 MINNESOTA BUILDING CONSERVATION CODE 2020 MINNESOTA STATE MECHANICAL AND FUEL GAS CODE 2020 MINNESOTA STATE FIRE CODE 2020 MINNESOTA STATE PLUMBING CODE 2020 NATIONAL ELECTRIC CODE
OCCUPANCY TYPE:	A-2 (MBC SECTION 303.2)
CONSTRUCTION TYPE:	V-B ~ S1 (MBC TABLES 506.2) EXISTING MASONRY BUILDING WITH STEEL BAR JOIST ROOF STRUCTURE

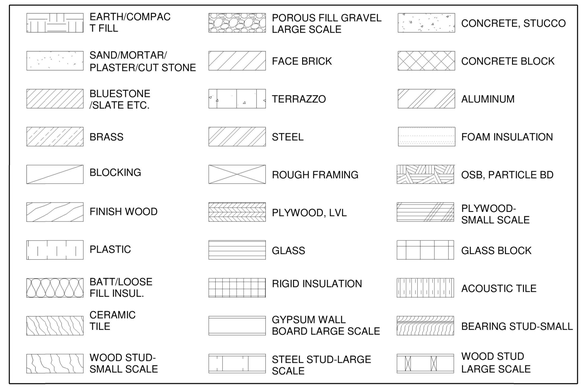
OCCUPANT LOAD: (MBC 1004.5)

MAIN LEVEL SEATED DINING: 2621 SF / 15 = 175 OCC (ACTUAL MAIN LEVEL SEATING PER PLAN) =		93 OCC
PATIO (SEASONAL): 704 SF / 15 = 46 OCC (ACTUAL PATIO SEATING PER PLAN) =		28 OCC
DANCE FLOOR:	330 SF / 15 =	66 OCC
(NOTE: OCCUPANTS ON DANCE FLOOR ARE AMONG THOSE SEATED)		
DJ:	37SF	1 OCC
STAGE:	160 SF / 15 =	11 OCC
KITCHEN:	811 SF / 200 =	4 OCC
BAR (SERVICE ONLY):	213 SF / 50 =	4 OCC
OFFICE:	380 SF / 150 =	3 OCC
STORAGE (MEZZANINE):	1204 SF / 500 =	3 OCC
TOTAL:		**213 OCC**

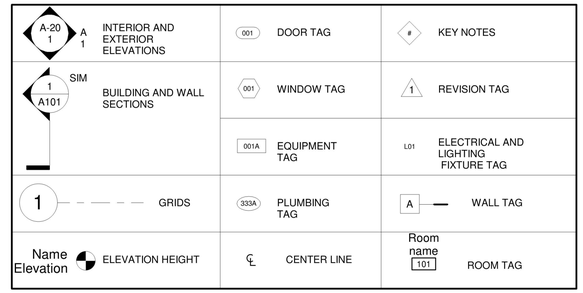
SIGNAGE:	PROVIDE TACTILE SIGNAGE AT ALL RESTROOMS PER MBC 703.1
EXIT LIGHTING:	LED TYPE EXIT/EMERGENCY LIGHTS MUST BE LOCATED AT EACH EXIT PER IBC SECTION 1008 - ILLUMINATE BOTH INTERIOR & EXTERIOR.
AUTOMATIC FIRE SPRINKLER:	EXISTING SPRINKLER SYSTEM INSTALLED THROUGHOUT
PLUMBING FIXTURES: (IBC TABLE 2902.1/ 2902.2)	FIXTURES REQUIRED: 3 WC / 3 LAV PER SEX FIXTURES PROVIDED: 2 WC / 2U / 2 LAV (MEN) + 4 WC / 2 LAV (WOMEN) + 1 WC / 1 LAV @ 3 UNISEX + 1 WC / 2 LAV (STAFF) + SERVICE SINK
GROSS FLOOR AREA:	10,106 SQ. FT. (MAIN LEVEL) 1458 SQ. FT. (MEZZANINE)
BUILDING HEIGHT:	EXISTING 1 STORY W/ MEZZANINE

GENERAL NOTES

1. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL DIMENSIONS AND EXISTING CONDITIONS.
2. SIMILAR MATERIALS INDICATED ON DIFFERENT PLANS, SECTIONS AND DETAILS, AND ANNOTATED ON ONE OR MORE PLAN, SECTION OR DETAIL SHALL BE CONSIDERED ANNOTATED, NOTED OR LABELED COMPLETELY ON ALL PLANS, SECTIONS AND DETAILS.
3. IN THE CASE OF AMBIGUITIES, DISCREPANCIES OR IRREGULARITIES IN THE DRAWINGS, SPECIFICATIONS, MANUFACTURING INSTRUCTIONS, SITE CONDITIONS OR APPLICABLE CODES AND STANDARDS, REQUEST CLARIFICATION FROM THE ARCHITECT OR ENGINEER BEFORE PROCEEDING. THE COST OF CORRECTING WORK DONE AS A RESULT OF PROCEEDING WITHOUT OBTAINING CLARIFICATION WILL BE BORNE SOLELY BY THE CONTRACTOR.
4. THE CONTRACTOR AND/OR OWNER MUST VERIFY AND CHECK ALL NOTES, FLOOR PLANS, ELEVATIONS, SECTIONS AND DETAILS AND NOTIFY THE ARCHITECT OF ANY ERRORS OR OMMISSIONS FOR POSSIBLE CORRECTION PRIOR TO START OF CONSTRUCTION.
5. ELECTRICAL, MECHANICAL & PLUMBING REMODEL PLANS (IF REQUIRED) SHALL BE SUPPLIED BY THE CONTRACTORS PERFORMING THE WORK.
6. SPRINKLER SYSTEM MODIFICATION LAYOUT SHALL BE PROVIDED BY THE CONTRACTOR PERFORMING THE WORK.
7. ALL WORK SHALL COMPLY WITH ALL LOCAL AND STATE BUILDING CODES & ORDINANCES.
8. SEE CONSTRUCTION PLANS FOR ADDITIONAL INFORMATION.



MATERIAL SYMBOL



TAG SYMBOL

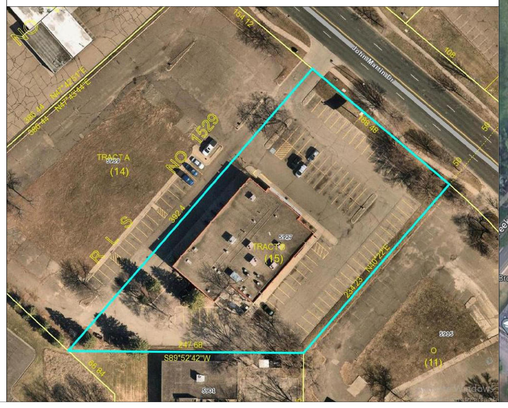
PROJECT SCOPE:

INTERIOR REMODEL

PROJECT LOCATION:

5927 John Martin Dr, Brooklyn Center, MN 55430

SITE:



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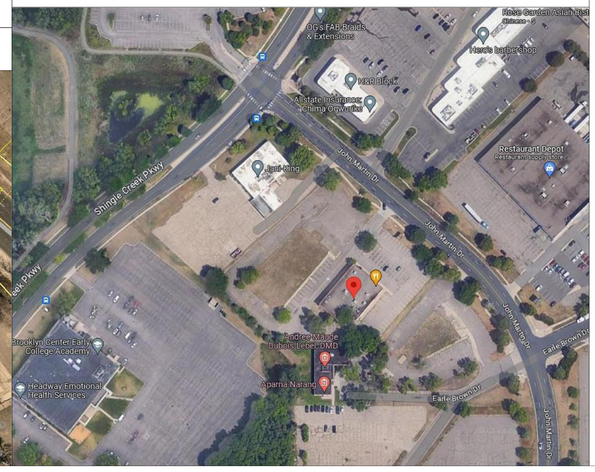

DRAWING INDEX:

Sheet #	Sheet Name
A0-001	TITLE
A0-101	EXISTING FLOOR PLAN
A0-201	EXISTING ELEVATIONS
A0-202	EXISTING ELEVATIONS
A1-100	SITE PLAN
A1-101	MAIN FLOOR PLAN
A1-102	MAIN FLOOR PLAN - FF&E
A1-201	MEZZANINE FLOOR PLAN
A1-203	RESTROOM ENLARGED PLAN & ELEVATION
A1-204	RESTROOM ENLARGED PLAN & ELEVATION
A1-300	AREA PLAN
A1-301	FINISH PLAN
A1-302	RCP
A1-303	EMERGENCY EXIT PLAN
A2-101	EXTERIOR ELEVATION
A2-102	EXTERIOR ELEVATION
A6-101	DOOR/WINDOW SCHEDULES & DETAILS
A6-102	DETAILS
A8-101	SPECIFICATIONS
A8-102	ADAAG
A9-101	3D VIEWS
A9-102	3D VIEWS
E1-100	EQUIPMENT PLAN

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JAMBO AFRICA RESTAURANT & BAR

REMODEL

5927 John Martin Dr, Brooklyn Center, MN 55430

CONSTRUCTION DOCUMENTS

Revision Schedule

No.	Description	Date

TITLE

Project number	23710
Date	09-13-2023
Drawn by	ST
Checked by	PRS

A0-001

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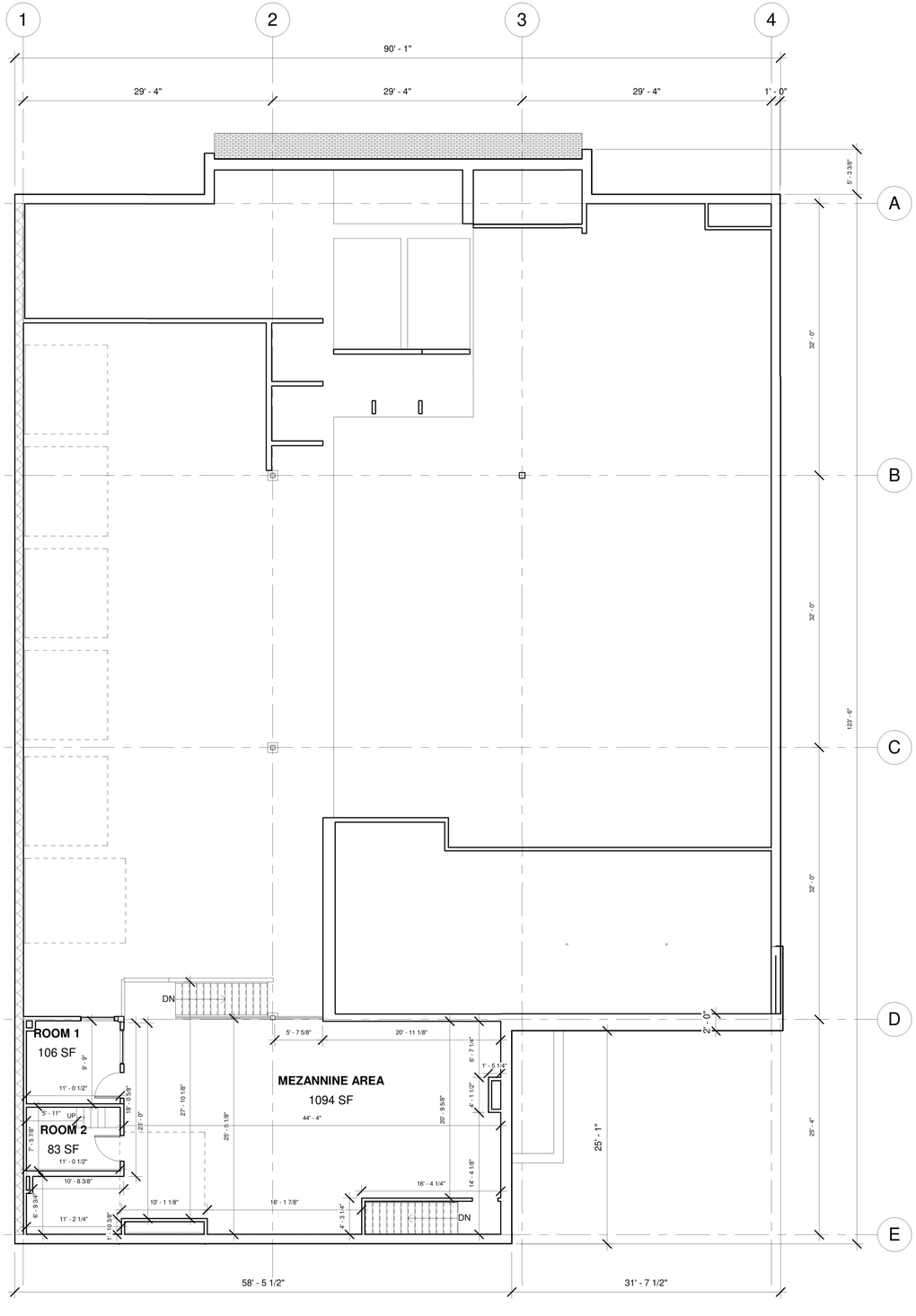

2 EXISTING MEZZANINE FLOOR
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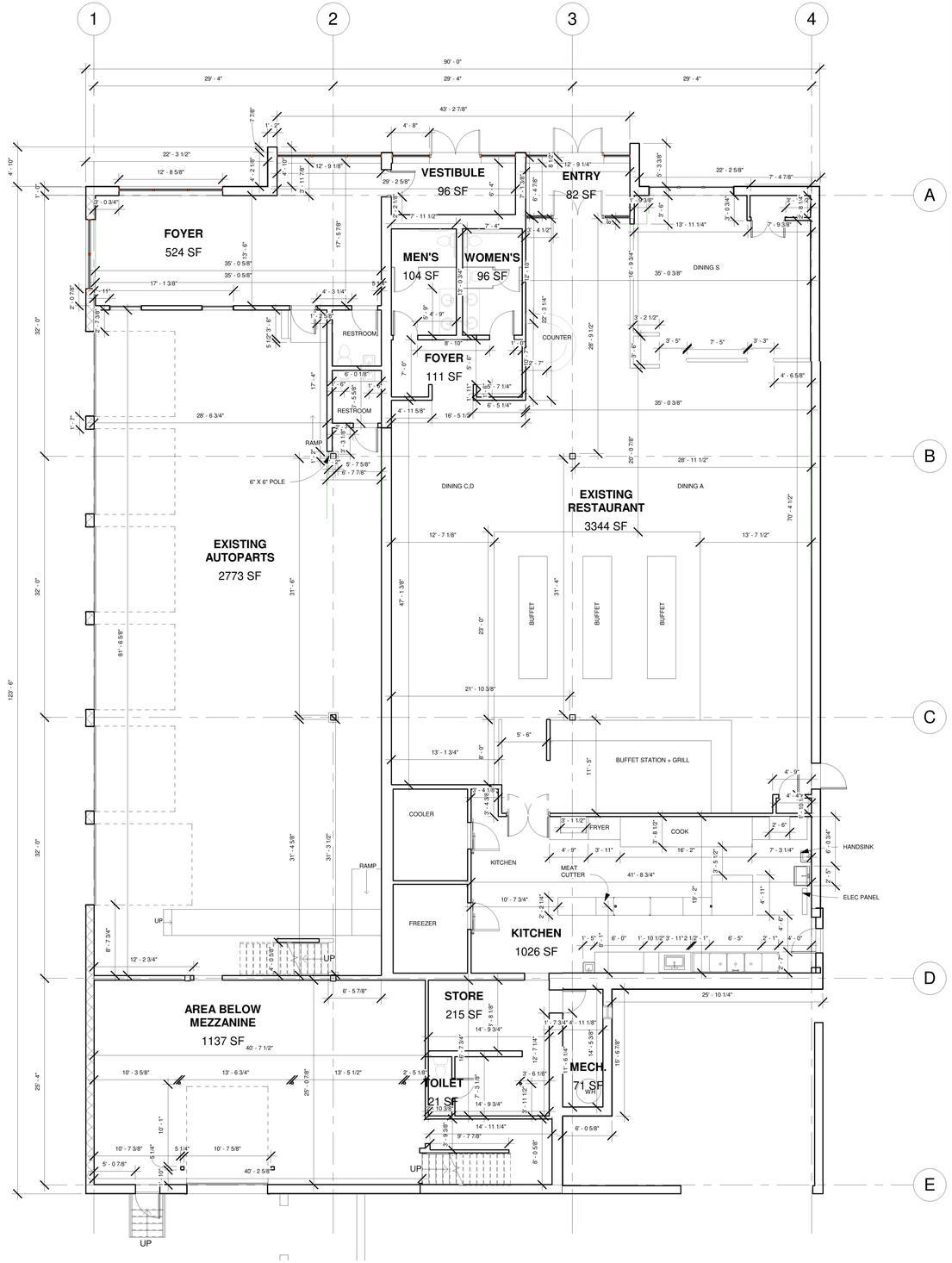

1 EXISTING MAIN FLOOR
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A0-101

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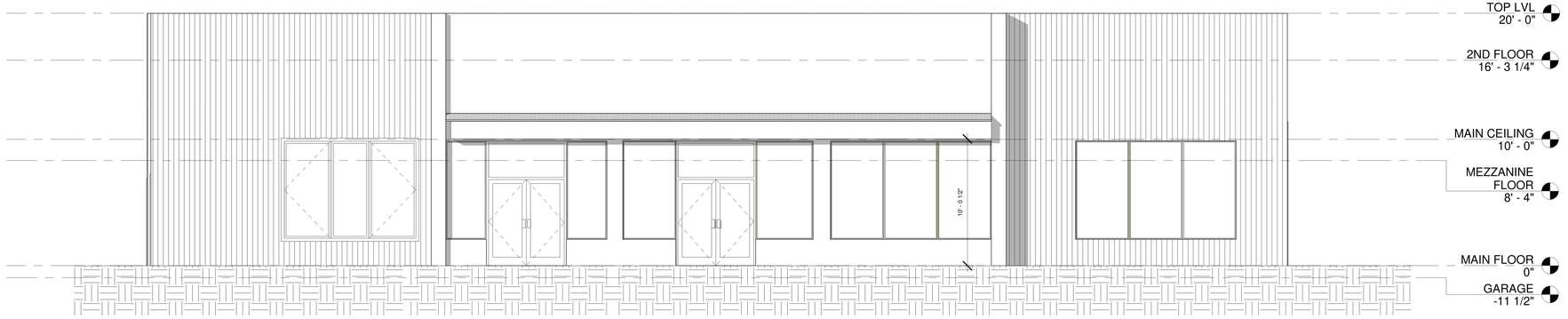

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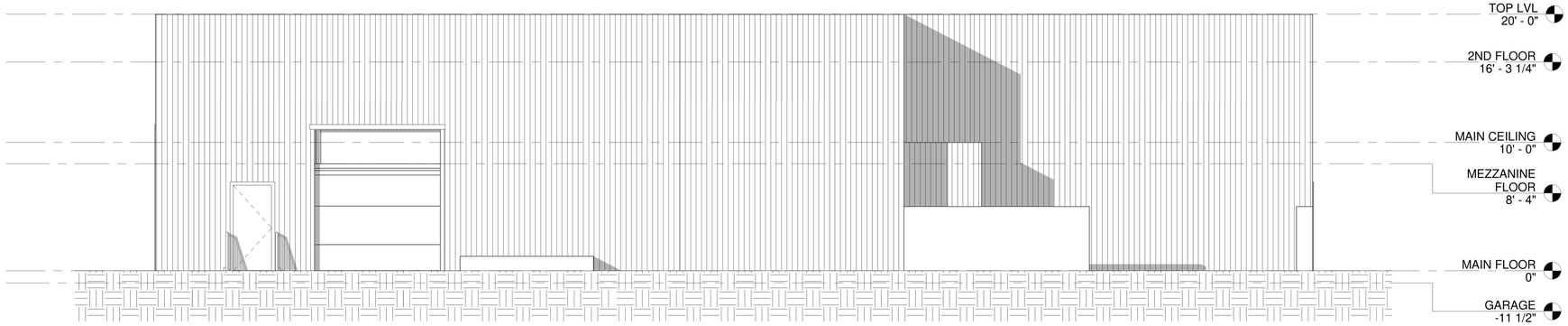

4 A0-201 SOUTH EXIST
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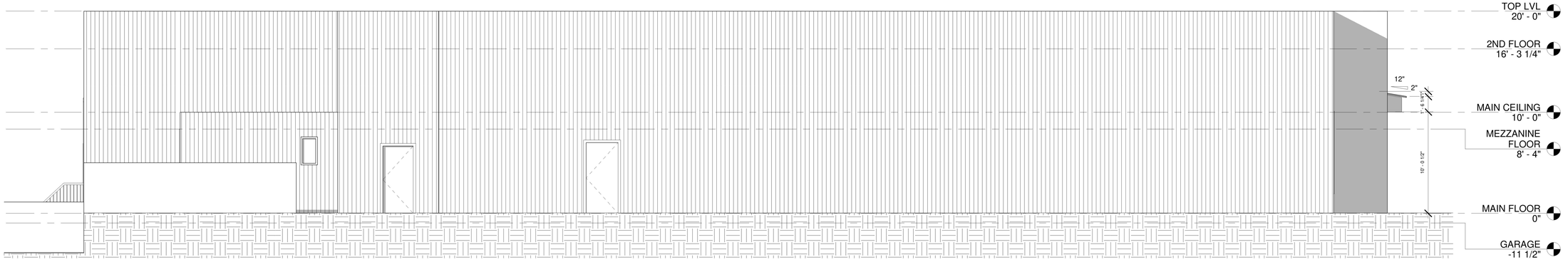

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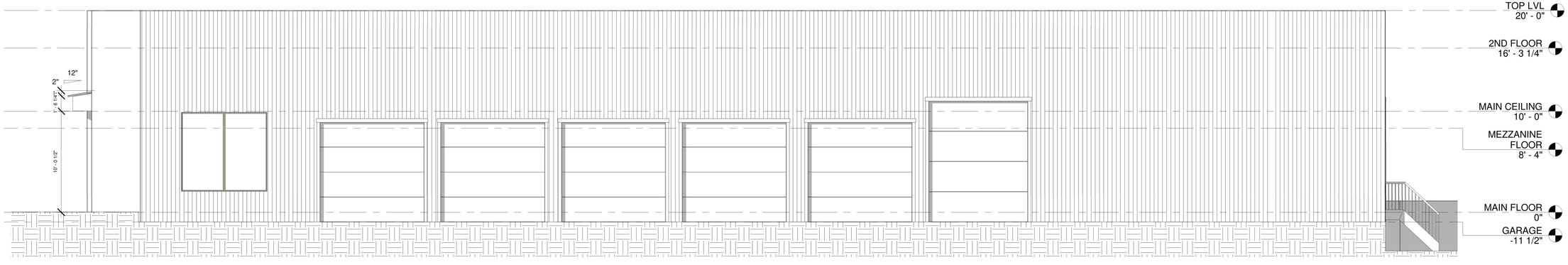

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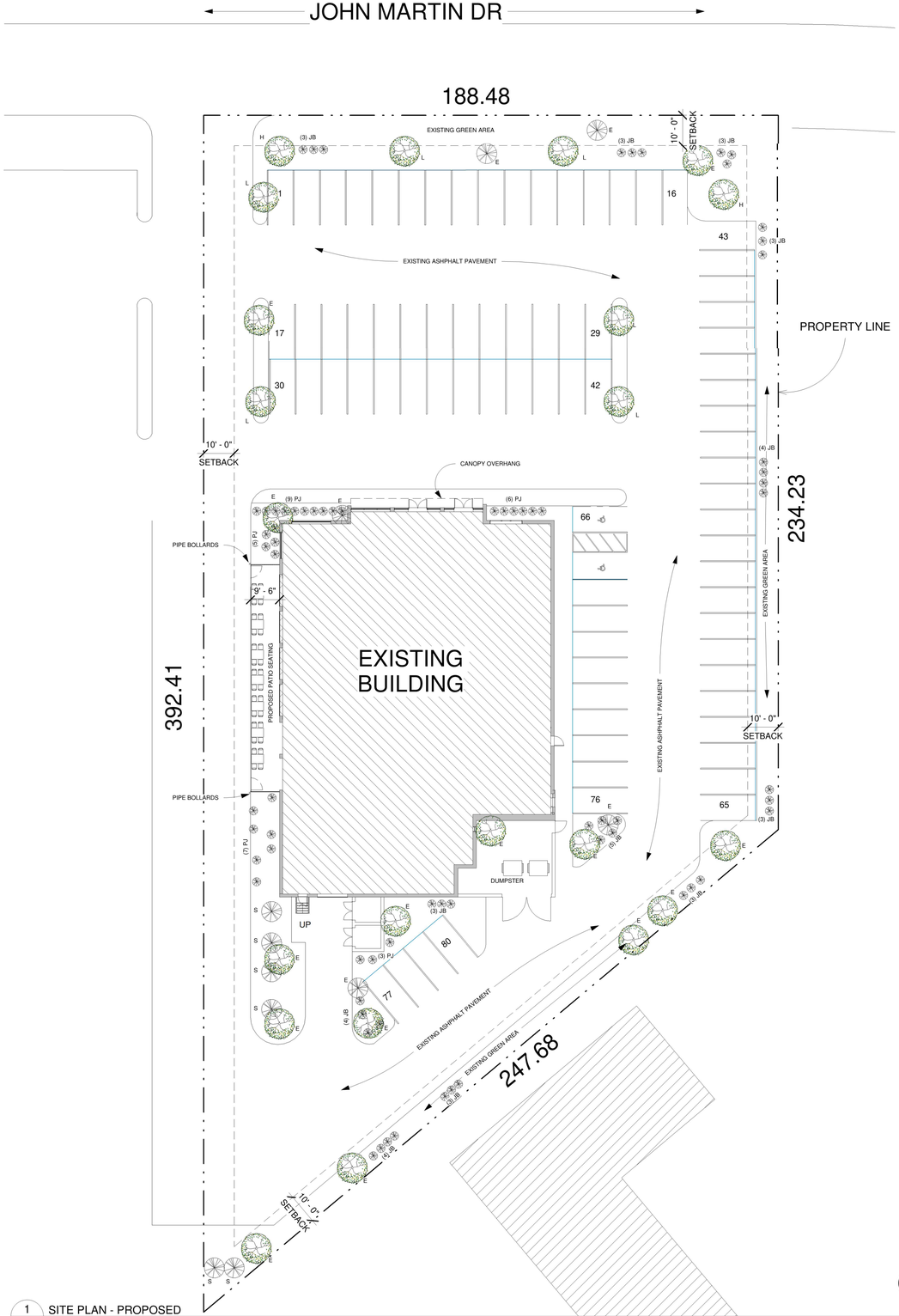
LANDSCAPE SCHEDULE

LEDGEND	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	POINTS	REMARKS
H	2	HACKBERRY	CELTIS OCCIDENTALIS	2 1/2" - 3"	10/30	ADD NEW
L	6	SKYLINE LOCUST	GLEDITSIA TRIACANTHOS 'SKYLINE'	2 1/2" - 3"	10/110	ADD NEW
S	6	BLACK HILLS SPRUCE	PICEA GLAUCA DENSATA	3 1/2" - 4"	6/48	ADD NEW
PJ	30	PFITXEN JUNIPER	JUNIPER CHINENSIS PFITXERIANA	18" - 24"	5/9.5	ADD NEW
JB	42	JAPANESE GREEN LEAF BARBERRY	BERBERIS THUNBERGI	18" - 24"	5/19	ADD NEW
E	19					EXISTING

NOTE: VERIFY ALL EXISTING LANDSCAPING. EXISTING PLANTS TO REMAIN. ADD NEW PLANTS PER PREVIOUSLY APPROVED PLAN.

TOTAL PARKING : 80



1 A1-100 SITE PLAN - PROPOSED
3/64" = 1'-0"

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JAMBO AFRICA RESTAURANT & BAR

REMODEL

5927 John Martin Dr, Brooklyn Center, MN 55430

CONSTRUCTION DOCUMENTS

Revision Schedule

No.	Description	Date

SITE PLAN

Project number	23710
Date	09-13-2023
Drawn by	SS
Checked by	PRS

A1-100

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DEMOLITION NOTES:

1. UPON DEMOLITION IF THERE IS CONFLICTING INFORMATION CONSULT THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH DEMOLITION.
2. FOR WALLS THAT DO NOT EXTEND TO STEEL ROOF DECKING, THE ARCHITECT / ENGINEER DO NOT HAVE TO BE NOTIFIED TO PROCEED UNLESS THE CONTRACTOR BELIEVES THERE ARE OTHER CONSIDERATIONS.
3. SEE NOTES REGARDING WALLS THAT EXTEND TO THE STEEL DECKING.
4. CONTACT THE STRUCTURAL ENGINEER / ARCHITECT AFTER PARTIAL REMOVAL TO DRYWALL SO THE ENGINEER CAN INSPECT THE ROOF CONNECTIONS AND SLAB CONNECTIONS TO DETERMINE IF THE WALLS ARE USED FOR STRUCTURAL SHEAR LOADING ETC. PRIOR DEMOLISHING ENTIRE WALL.

WALL LEGEND

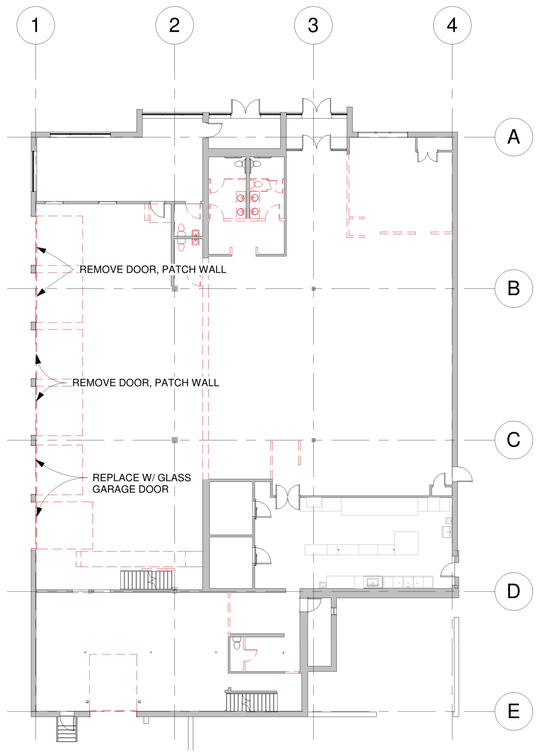


WALL TYPES

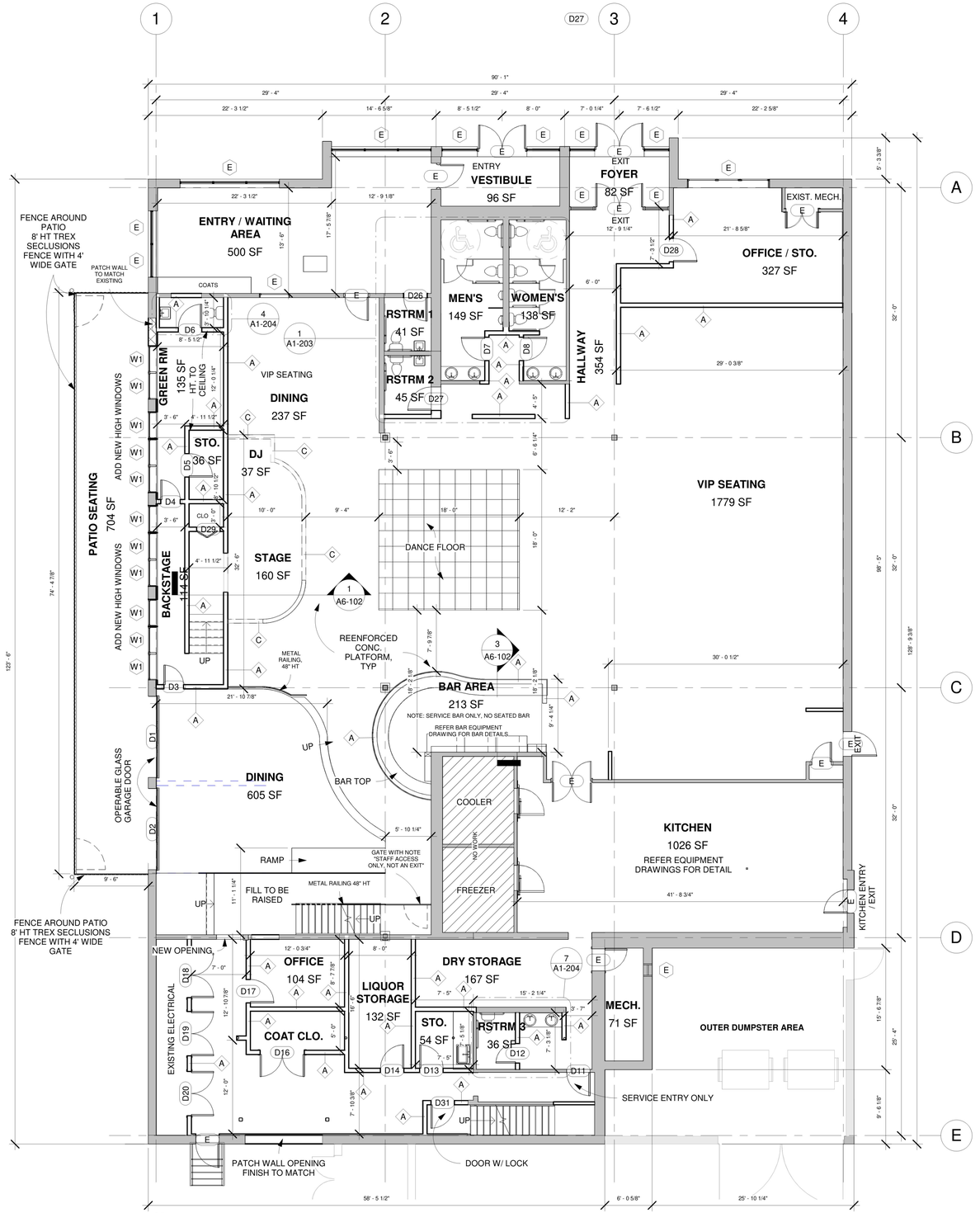
MARK	RATING	PLAN	HEIGHT	DESCRIPTION	NOTES
	NOT RATED		EXISTING	EXISTING	EXISTING WALLS TO REMAIN
A	NOT RATED	(1) LAYER 5/8" TYPE 'X' GYP. BD. 5 1/2" MTL STUDS @ 24" O.C. BATT INSULATION (1) LAYER 5/8" TYPE 'X' GYP. BD.	BOTTOM OF JOIST UNLESS NOTED	INTERIOR	5 1/2 MTL STUDS @ 16" O.C., 5/8" GYP. BD. EA. SIDE.
C	NOT RATED	2X6 WD STUDS @ 16 O.C. 5/8" GYP. BD.	VARIES	INTERIOR	2x6 WD STUDS @ 16" O.C., 5/8" GYP. BD. ONE SIDE.
D	NOT RATED	2X4 MTL STUDS @ 16 O.C. 1/2" GYP. BD.	BOTTOM OF JOIST	INTERIOR	4 MTL STUDS @ 16" O.C., 1/2" GYP. BD. ONE SIDE.

NOTES:

1. ALL WALLS TO BE CONSTRUCTED TO BOTTOM OF ROOF DECK, EXCEPT AS NOTED. USE SLIP-TRACK AT TOP OF WALLS CONSTRUCTED TO DECK. PROVIDE W.R. (WATER RESISTANT) GYPSUM BACKING BOARD IN TOILET ROOMS, AND JANITORS CLOSET.
2. INSTALL WALL FLUSH WITH EXISTING WALL UNLESS NOTED OTHERWISE



2 A1-101 MAIN FLOOR - DEMO PLAN
1/16" = 1'-0"



1 A1-101 MAIN FLOOR - PROPOSED PLAN
1/8" = 1'-0"

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JAMBO AFRICA RESTAURANT & BAR

REMODEL

5927 John Martin Dr, Brooklyn Center, MN 55430

CONSTRUCTION DOCUMENTS

Revision Schedule

No.	Description	Date

MAIN FLOOR PLAN

Project number	23710
Date	09-13-2023
Drawn by	PRS
Checked by	JM

A1-101

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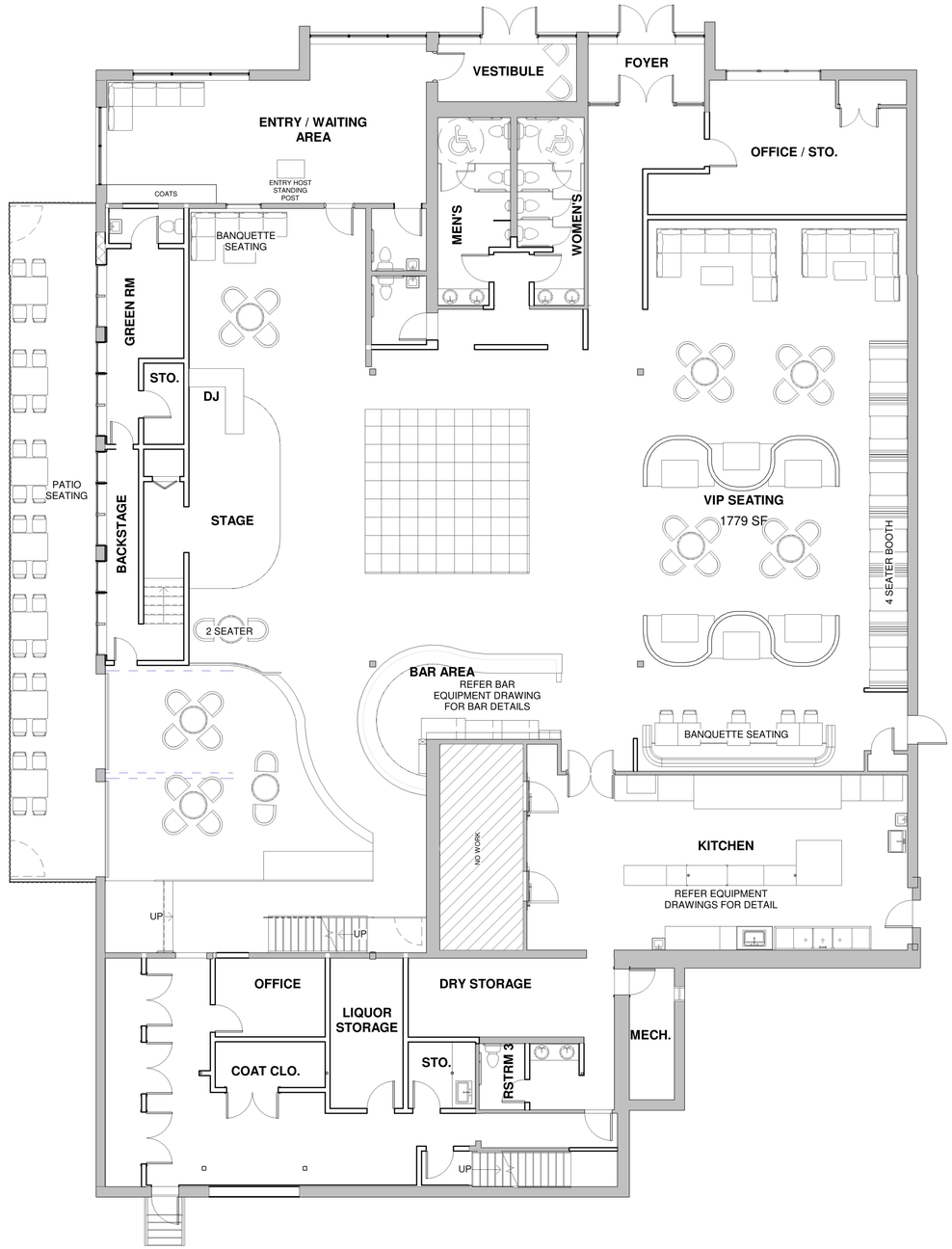

1 A1-102 MAIN FLOOR - FF&E
1/8" = 1'-0"

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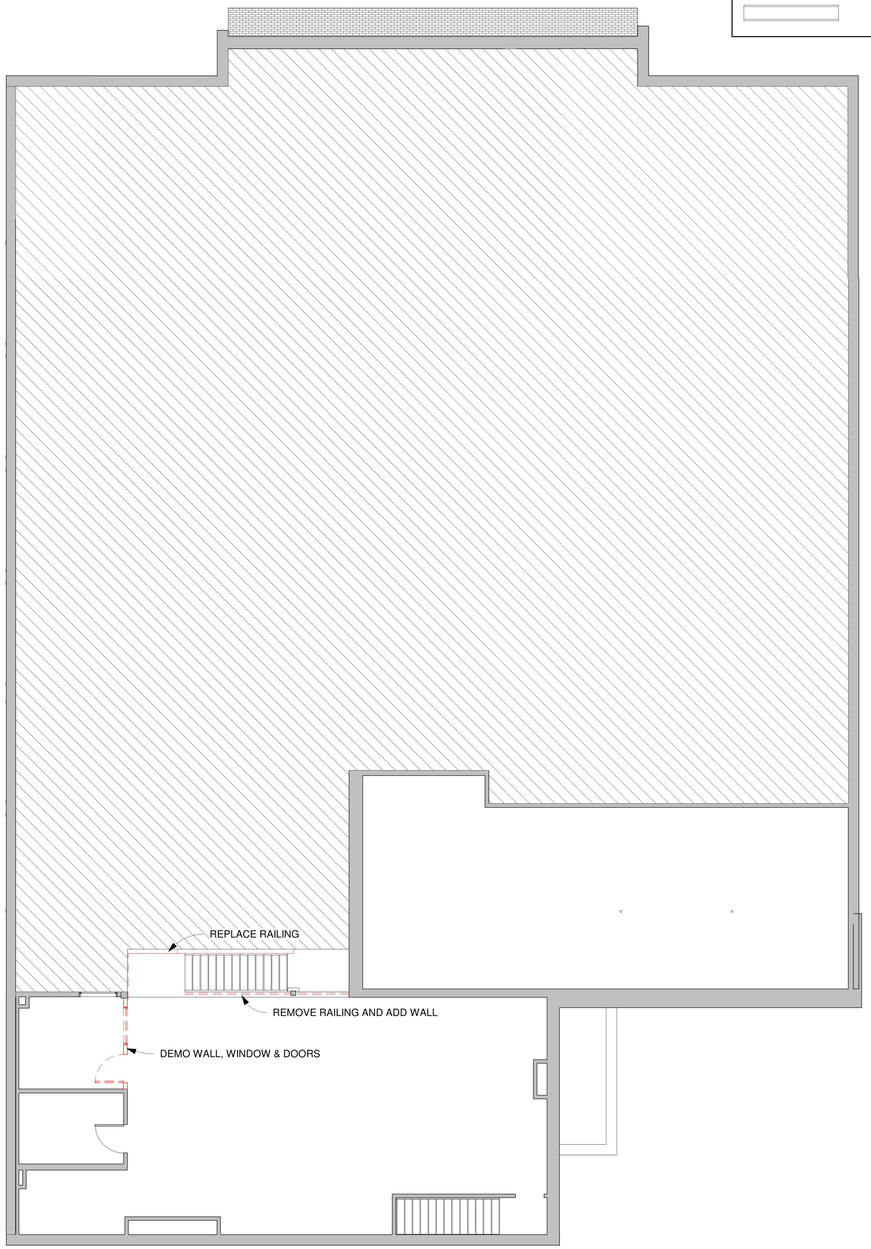
WALL LEGEND

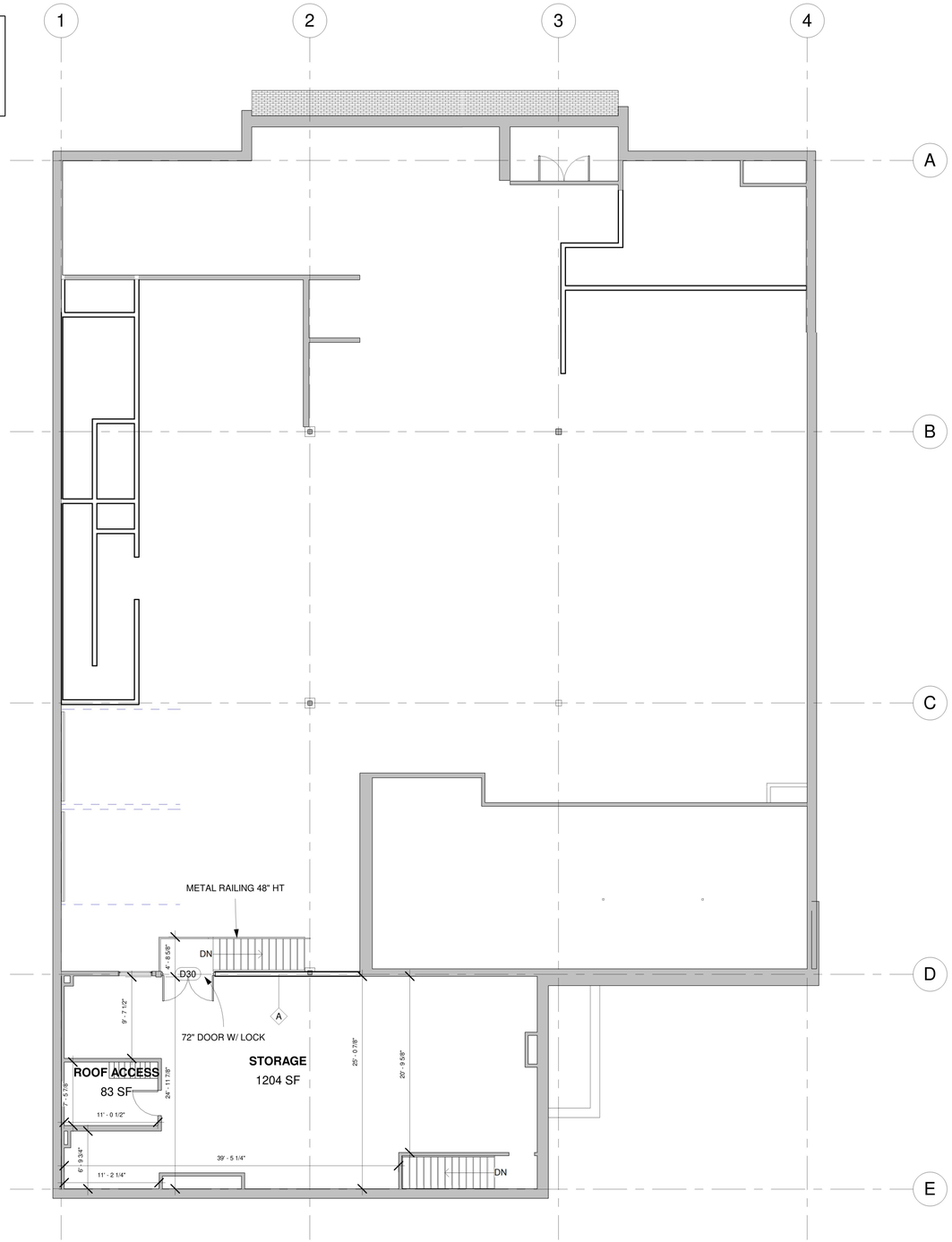
EXISTING WALL

DEMOLISH

NEW WALL



1 A1-201 MEZZANINE FLOOR - DEMO PLAN
1/8" = 1'-0"



2 A1-201 MEZZANINE FLOOR - PROPOSED
1/8" = 1'-0"

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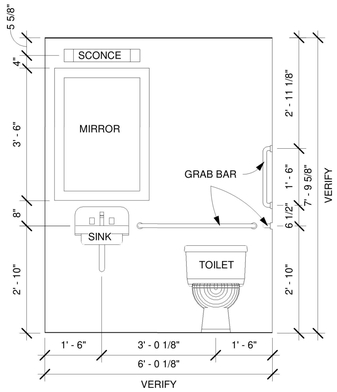
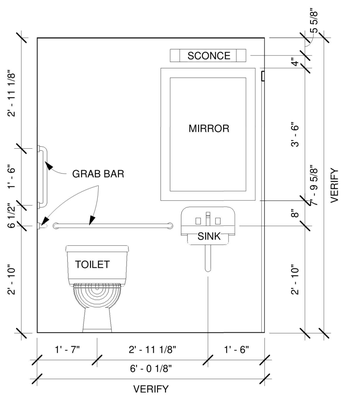
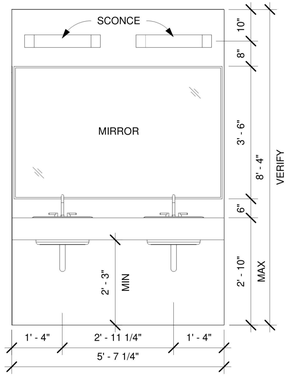


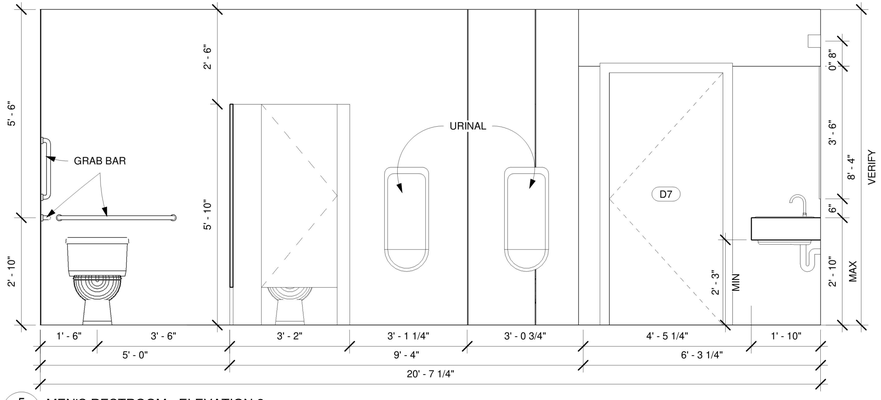
2 A1-203 RESTROOM 1 - ELEVATION
1/2" = 1'-0"



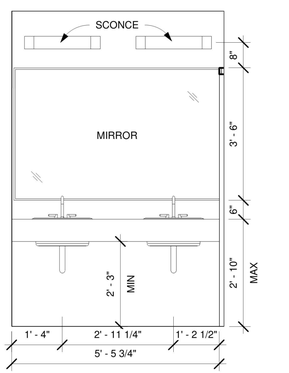
3 A1-203 RESTROOM 2 - ELEVATION
1/2" = 1'-0"



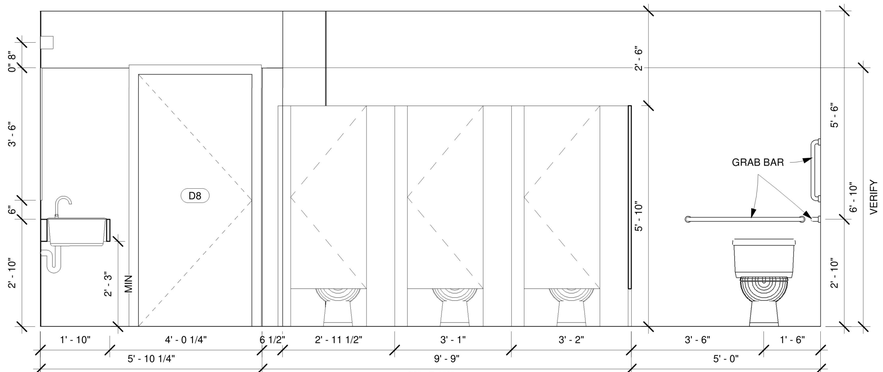
4 A1-203 MEN'S RESTROOM - ELEVATION 1
1/2" = 1'-0"



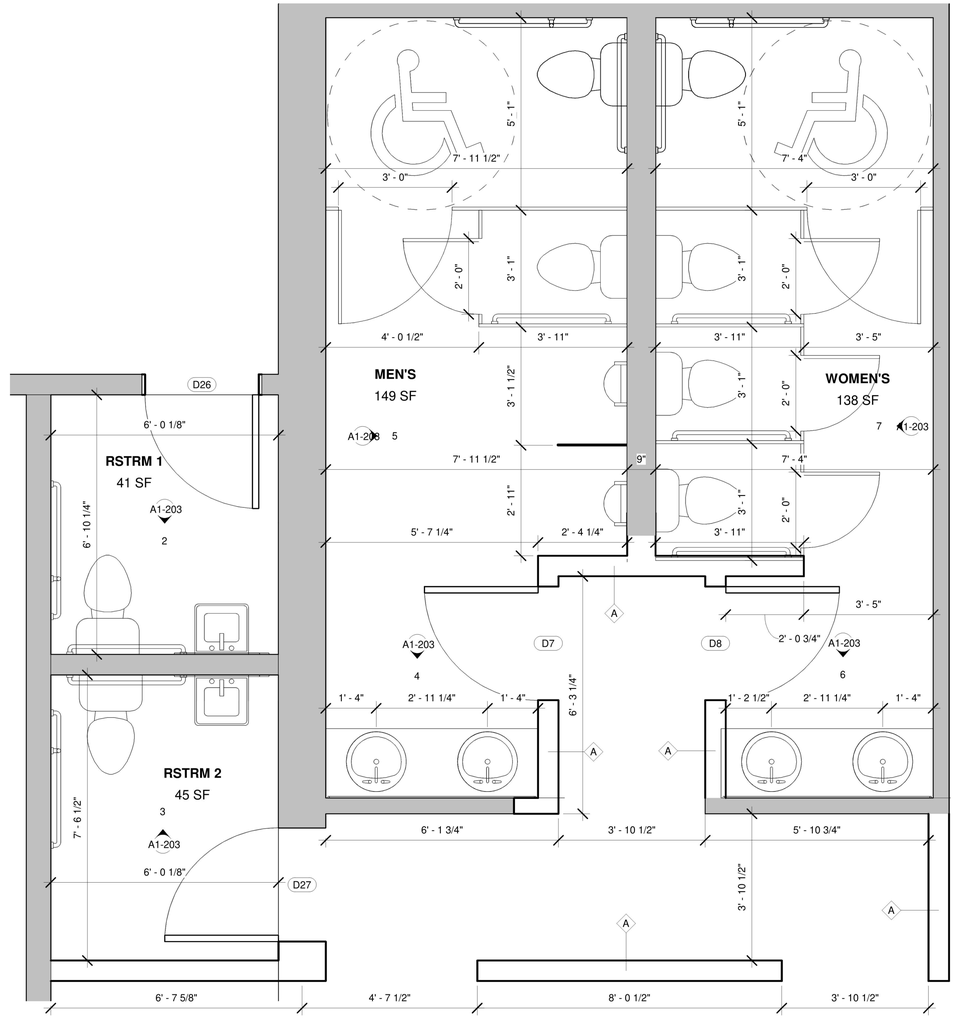
5 A1-203 MEN'S RESTROOM - ELEVATION 2
1/2" = 1'-0"



6 A1-203 WOMEN'S RESTROOM - ELEVATION 1
1/2" = 1'-0"



7 A1-203 WOMEN'S RESTROOM - ELEVATION 2
1/2" = 1'-0"



1 A1-203 MAIN FLOOR - ENLARGED PLAN 1
1/2" = 1'-0"

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JAMBO AFRICA RESTAURANT & BAR

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A1-203

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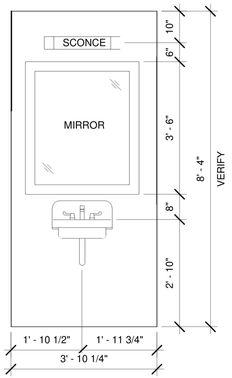
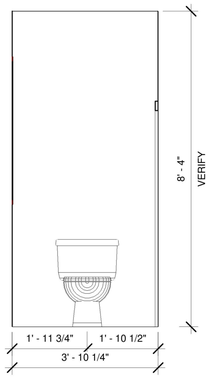
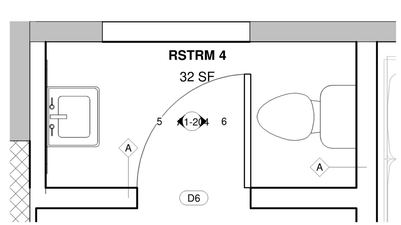


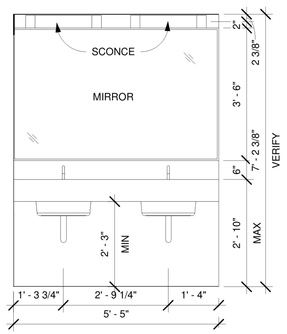
5 A1-204 RESTROOM 4 - ELEVATION 1
1/2" = 1'-0"



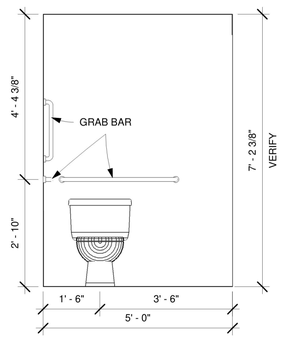
6 A1-204 RESTROOM 4 - ELEVATION 2
1/2" = 1'-0"



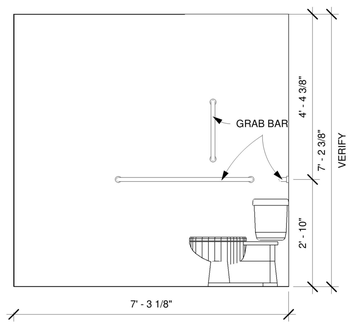
4 A1-204 MAIN FLOOR - ENLARGED PLAN 3
1/2" = 1'-0"



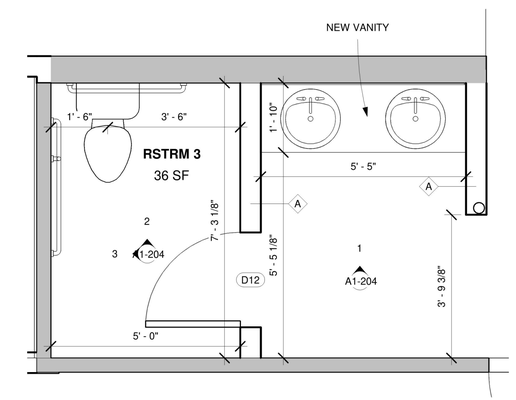
1 A1-204 RESTROOM 3 - ELEVATION 1
1/2" = 1'-0"



2 A1-204 RESTROOM 3 - ELEVATION 2
1/2" = 1'-0"



3 A1-204 RESTROOM 3 - ELEVATION 3
1/2" = 1'-0"



7 A1-204 MAIN FLOOR - ENLARGED PLAN 2
1/2" = 1'-0"

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A1-204

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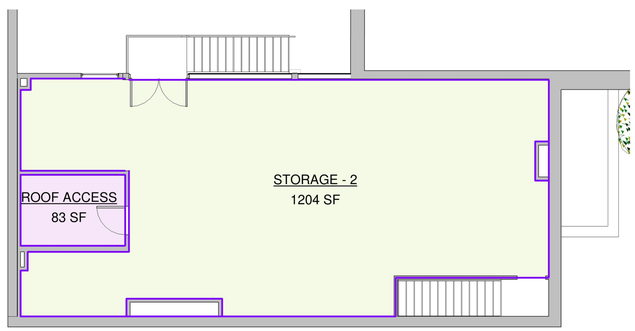
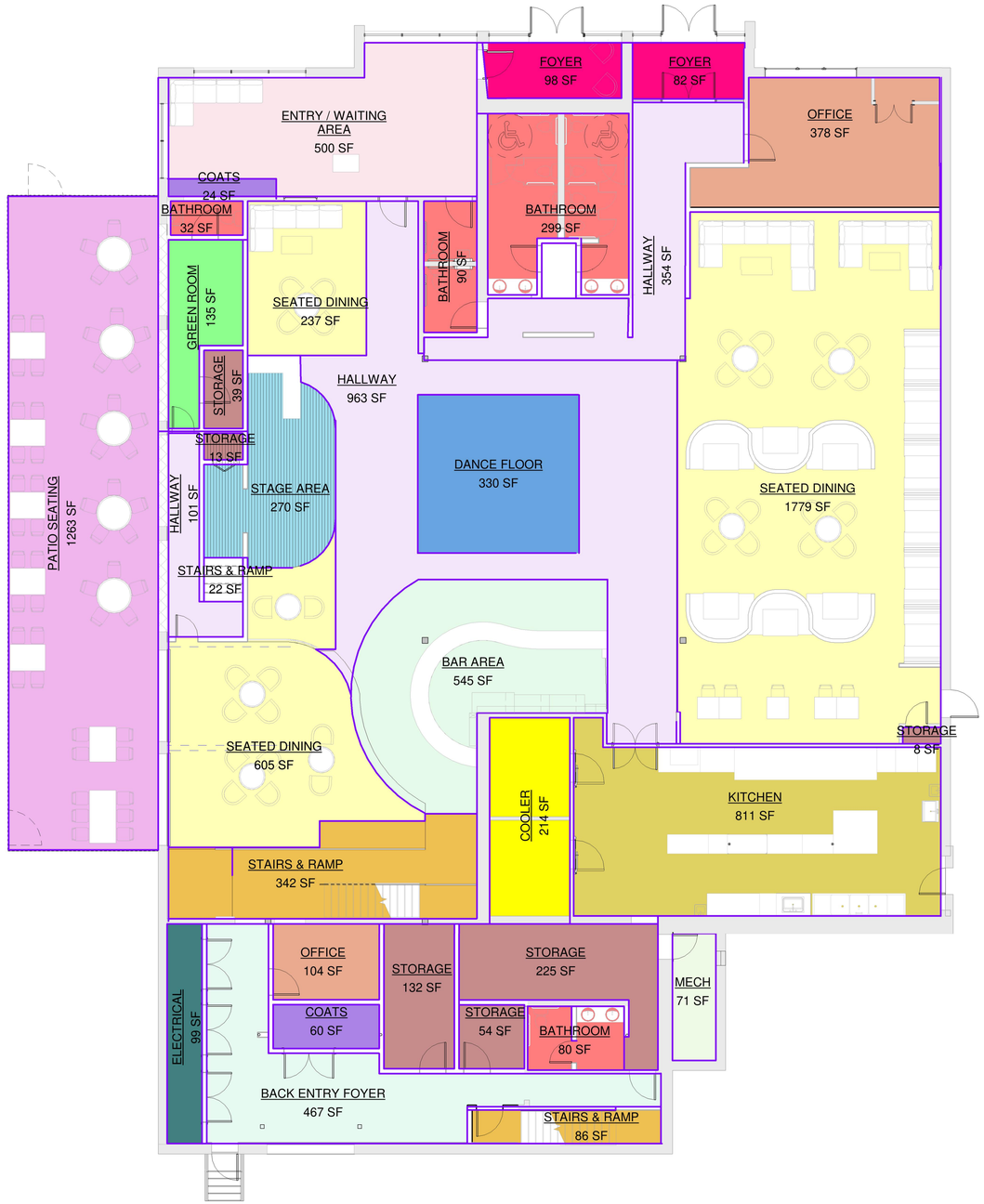
BACK ENTRY FOYER	467 SF
BAR AREA	545 SF
BATHROOM	501 SF
COATS	24 SF
COOLER	214 SF
DANCE FLOOR	330 SF
ELECTRICAL	99 SF
ENTRY / WAITING AREA	500 SF
FOYER	180 SF
GREEN ROOM	135 SF
HALLWAY	1072 SF
KITCHEN	811 SF
MECH	71 SF
OFFICE	380 SF
PATIO SEATING	1263 SF
ROOF ACCESS	83 SF
SEATED DINING	2991 SF
STAGE AREA	270 SF
STAIRS & RAMP	428 SF
STORAGE	463 SF
STORAGE - 2	1204 SF
TOTAL AREA	**12,030 SF**



1 A1-300 MEZZANINE FLOOR - AREA PLAN
1/8" = 1'-0"



2 A1-300 MAIN FLOOR - AREA PLAN
1/8" = 1'-0"

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A1-300

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FINISH PLAN SYMBOLS

1 CLNG / 2 WALL / 3 BASE / 4 FLOOR	1 = CEILING FINISH TYPE 2 = WALL FINISH TYPE 3 = BASE FINISH TYPE 4 = FLOOR FINISH TYPE
XXX	DENOTES EXTENT OF WALL FINISH MATERIAL
XXX / XXX	DENOTES TRANSITION OF FLOOR MATERIALS

CEILING FINISH SCHEDULE

ACT-1 / WASHABLE	2'X6' ACT CEILING - NEW MFR: VERIFY COLOR: WHITE GRID: SUPRAFINE XL FIRE GUARD 9/16" EXPOSED TEE GRID COLOR: WHITE
SP-1	OPEN CEILING WITH WASHABLE PAINT
PSR	PAINTED SHEETROCK WASHABLE

NOTE: - EXISTING SPRINKLERS TO REMAIN. SPRINKLERS ABOVE AND BELOW NEW CEILING.
- COMMON RESTROOM PARTITION FINISH TO BE POWDER COATED STEEL.

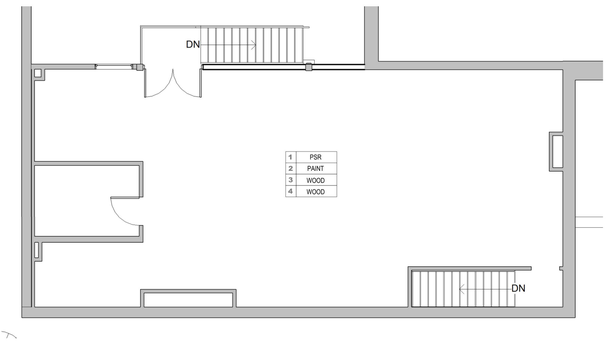
FINISH PLAN NOTES

1. ALL EXISTING GYPSUM BOARD CEILINGS, SOFFITS AND DRYWALL PARTITIONS THAT ARE PATCHED SHALL BE PAINTED IN THEIR ENTIRETY.
2. GENERAL CONTRACTOR SHALL FLASH PATCH AND PREPARE ALL FLOORS AS REQUIRED TO RECEIVE SPECIFIED FLOORING MATERIAL.
3. CARPET CONTRACTOR SHALL INSPECT THE SUBFLOOR PRIOR TO COMMENCEMENT OF WORK. THEY SHALL NOTIFY THE ARCHITECT AND/OR THE TENANT'S REPRESENTATIVE IN WRITING OF ANY CONDITIONS WHICH WILL PREVENT THEM FROM PRODUCING SATISFACTORY FINISH WORK.
4. FLOORS MUST BE FREE OF DUST, OIL AND ALL FOREIGN MATTER. BUILDING MUST BE PREHEATED TO A MINIMUM OF 65°, 24 HOURS PRIOR TO INSTALLATION OF FLOOR COVERING. CRACKS 1/16" OR MORE, HOLES, AND OTHER UNEVENNESS MUST BE FILLED WITH A LATEX BASE FLOOR FILLER, HIGH SPOTS MUST BE LEVELED. FLOOR MUST BE SWEPT CLEAN, WET MOPPED WITH WARM WATER AND SWEPT AGAIN. IF SWEEPING LEAVES A RESIDUE, FLOORS SHALL BE VACUUMED.
5. CARPET CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY UNACCEPTABLE FINISH WORK CAUSED BY SUBFLOOR CONDITIONS.
6. ALL VINYL OR RUBBER BASE TO BE CONTINUOUS ROLL TYPE WITH SEAMING TO OCCUR ONLY ON INSIDE CORNERS OR AT LEAST 12" FROM WRAPPED OUTSIDE CORNER.
7. GENERAL CONTRACTOR TO PROVIDE AND INSTALL ALL METAL ANGLES AND/OR MARBLE REDUCING SADDLES PER DETAILS, IN ADDITION TO ANY FLOOR LEVELING AS MAY BE REQUIRED FOR SMONOTE:RANSITION AT ALL STONE OR TILE FLOORING/MATERIAL TRANSITION POINTS.
8. WHERE STONE, MARBLE, LIMESTONE AND HARD SURFACE FLOORING IS SPECIFIED, G.C. SHALL BE RESPONSIBLE FOR PROVIDING/APPLYING SEALANT AS SPECIFIED OR AS RECOMMENDED BY SUPPLIER, FOR A CLEAN, LASTING SURFACE.
9. FLOOR COVERING IN CLOSETS SHALL BE THE SAME AS THAT OF THE SPACE ONTO WHICH THE CLOSET OPENS UNLESS OTHERWISE NOTED.
10. WHEN A GLUE DOWN INSTALLATION IS SPECIFIED, CARPETS SHALL BE LAID WITH TIGHT BUTT SEAMS LAID TRUE WITH AN APPROVED BRAND OF WATERPROOF QUICK RELEASE CEMENT IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
11. CROSS JOINTS NECESSARY DUE TO LENGTH OF ROLLS RECEIVED, SHALL BE PLACED TO AVOID OCCURRENCE AT CONSPICUOUS LOCATIONS NEAR DOOR OR AT DOORWAYS AND ENTRIES PERPENDICULAR TO DOORS OR ENTRIES. SEAMS OCCURRING PARALLEL TO DOORS SHALL BE CENTERED DIRECTLY UNDER THE DOOR. CONTRACTOR TO SUBMIT SEAMING DIAGRAM FOR ARCHITECTS REVIEW.
12. SEAMS SHALL BE TRIMMED AND SEAMED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
13. GENERAL CONTRACTOR TO PROVIDE FIRE-RETARDANT BLOCKING FOR BLINDS ON EXTERIOR WINDOWS THROUGHOUT.
14. IN AREAS WITH EXPOSED OPEN CEILINGS, GENERAL CONTRACTOR AND THEIR SUBCONTRACTORS ARE TO PAINT ANY AND ALL EXPOSED SPRINKLER PIPES, CEILING SLABS, BEAMS AND IF NEEDED PATCH CEILING SLAB SMOOTH TO RECEIVE NEW FINISHES. REFER TO FINISH PLAN FOR ADDITIONAL INFORMATION AND SPECIFICATIONS.
15. PAINTING OF ANY SURFACES NOT SPECIFICALLY MENTIONED TO BE PAINTED HEREIN OR ON DRAWINGS, BUT FOR WHICH PAINTING IS OBVIOUSLY NECESSARY TO COMPLETE THE PROJECT OR WORK WHICH COMES WITHIN THE INTENT OF THESE SPECIFICATIONS, SHALL BE INCLUDED AS THROUGH SPECIFIED AND INCLUDED IN SCOPE OF WORK OF CONTRACTOR WITHOUT EXCEPTIONS.
16. ALL WALLS (NEW AND EXISTING) SHALL BE PROPERLY PREPARED (SPACKLED, SANDED, ETC.) FOR PAINTING AND/OR WALL COVERING AS PER FINISH PLAN AND MANUFACTURER'S SPECIFICATIONS.
17. ALL PAINTS SHALL BE APPLIED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS FOR THE PARTICULAR SURFACE.
18. ALL SURFACES WHICH ARE TO BE PAINTED SHALL RECEIVE (1) COAT OF PRIMER AND (2) COATS OF FINISH PAINT. (3) COATS TOTAL. NOTE THAT BOTH CONTRACTOR AND ITS PAINTING SUBCONTRACTOR TO INCLUDE IN SCOPE OF WORK PAINT TOUCH UP DUE TO ANY DAMAGE DONE DURING CONSTRUCTION AS CAUSED BY NO FAULT OF THE PAINTING SUBCONTRACTOR BUT WHICH MIGHT OF BEEN CAUSED BY OTHER TRADES, INCLUDING BUT NOT LIMITED TO CONSTRUCTION TRADES, VOICE/DATA AND SECURITY CONTRACTOR AND INCLUDING FURNITURE INSTALLERS AND MOVERS. CONTRACTOR AND PAINTING SUBCONTRACTOR TO INCLUDE PAINT TOUCH UP WITHIN THEIR SCOPE OF WORK WITHOUT EXCEPTION OR EXCLUSION FROM BIDS.
19. ALL WALLS, GYPSUM BOARD CEILINGS AND SOFFITS TO BE PAINTED SHALL BE PAINTED WITH A LATEX BASE EGGSHELL FINISH PAINT UNLESS OTHERWISE NOTED. ALL DOORS, DOOR FRAMES, WINDOW FRAMES, AND CONVECTOR ENCLOSURES SHALL BE PAINTED WITH AN ALKYD BASE SEMIGLOSS FINISH PAINT UNLESS OTHERWISE NOTED.
20. ALL CONVECTOR ENCLOSURES TO BE PAINTED SHALL HAVE THE GRILLES AND ACCESS PANELS REMOVED AND PAINTED SEPARATELY AND REINSTALLED WHEN THOROUGHLY DRY.
21. ALL DOORS AND FRAMES TO BE PAINTED THE SAME COLOR AND TYPE OF PAINT ON BOTH SIDES, UNLESS OTHERWISE NOTED.
22. ALL WALLS, CEILINGS, SOFFITS AND SURFACES WHICH HAVE BEEN PAINTED WITH AN EGGSHELL FINISH AND MUST BE TOUCHED UP AS A PUNCH LIST ITEM SHALL BE REPAINTED ENTIRELY BETWEEN THE (2) CLOSEST BREAK POINTS.
23. SAMPLES OF ALL FINISHES SPECIFIED SHALL BE SUBMITTED TO THE ARCHITECT / DESIGNER FOR APPROVAL, IN TRIPLICATE, PRIOR TO COMMENCEMENT OF THE WORK. CARPET, WALL COVERING, AND WOOD FINISH SAMPLES TO BE A MIN. 12" X 12". PAINT SAMPLES FOR GYPSUM BOARD. SURFACES TO BE PROVIDED ON 12"X12" PIECES OF GYPSUM BOARD.

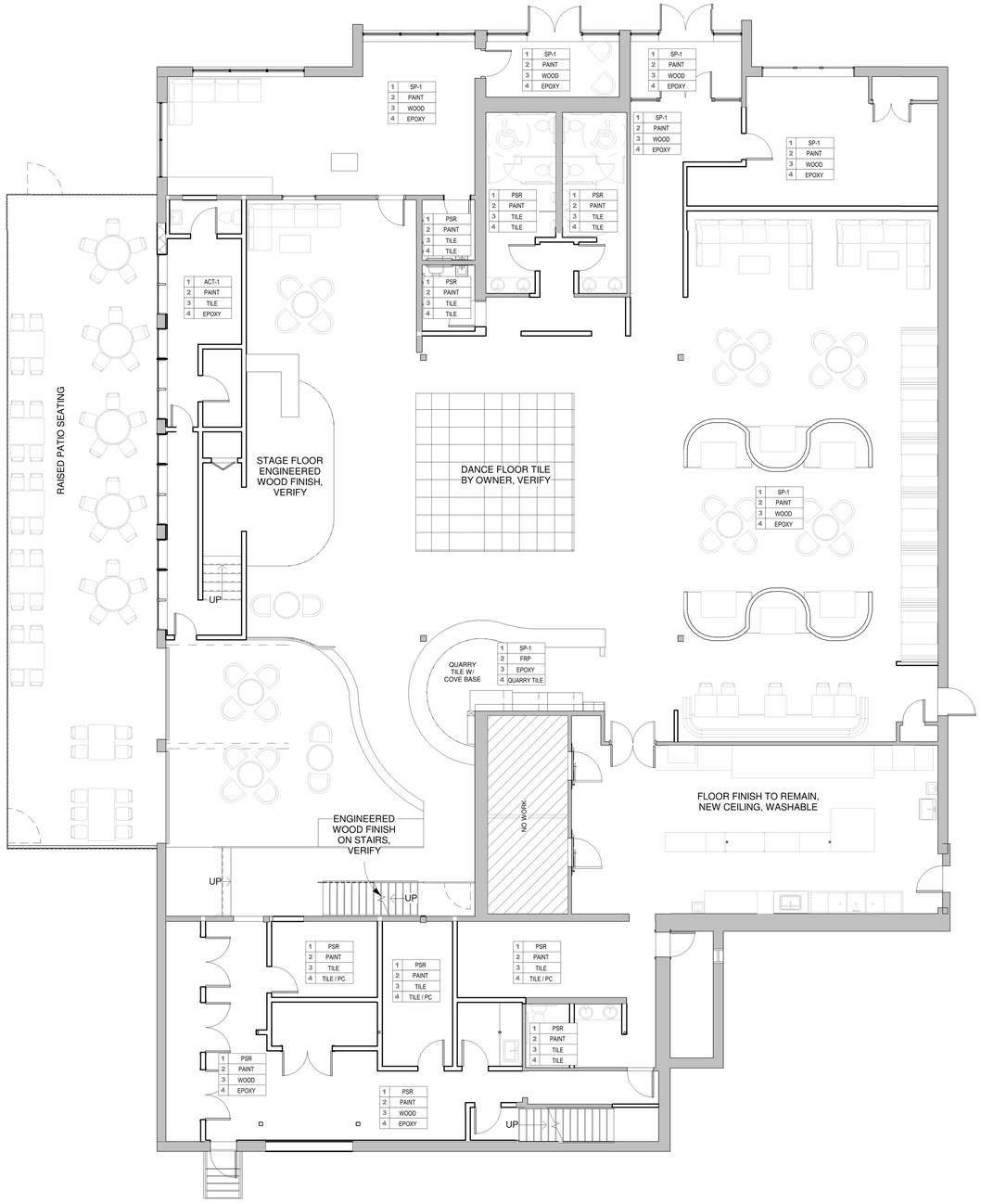
EXTRA MATERIALS:
1. PROVIDE 10 S.F. OF EACH SIZE, COLOR AND SURFACE FINISH OF TILE SPECIFIED.
2. PROVIDE 1 GALLON OF EACH FLOOR CLEANER.

PROTECTION MATERIALS:
1. DO NOT PERMIT TRAFFIC OVER FINISHED FLOOR SURFACE FOR 4 DAYS AFTER INSTALLATION.
2. PROVIDE TWO LAYERS OF CRAFT PAPER OVER ALL TILE AND GROUT ON FLOORS. TAPE DOWN AND STAGGER SEAMS BY HALF THE WIDTH ON SECOND LAYER.

SUBSTITUTIONS:
1. MATERIAL SUBSTITUTIONS MUST BE PRE-APPROVED BY INTERIOR DESIGNER / TENANT PRIOR TO ORDERING MATERIALS AND OR CONSTRUCTION / PLACING THOSE MATERIALS.
2. CONTRACTOR SHALL VERIFY CODE COMPLIANCE OF ALL MATERIAL SUBSTITUTIONS.



2 A1-301 FINISH PLAN - MEZZANINE FLOOR
1/8" = 1'-0"



1 A1-301 FINISH PLAN - MAIN FLOOR
1/8" = 1'-0"

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JAMBO AFRICA RESTAURANT & BAR

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REFLECTED CEILING PLAN NOTES

1. PLAN SHOWN FOR REFERENCE ONLY AND TO CONVEY DESIGN INTENT. ALL DIMENSIONS TO BE VERIFIED IN THE FIELD.
2. MECHANICAL, ELECTRICAL AND PLUMBING CONTRACTOR TO COORDINATE WITH LANDLORD REQUIREMENTS AND BUILDING AS REQUIRED.
3. VERIFY ALL REQUIRED ACCESS PANEL SIZES AND LOCATIONS AT GYP. BD. CEILINGS. PROVIDE FLUSH ACCESS PANELS AT ALL EQUIPMENT, VALVES, DAMPERS, CONTROLS, CLEAN OUTS, ETC. PAINT TO MATCH CEILING FINISH.
4. ALL CEILING MATERIAL MUST HAVE CLASS "A" FIRE RATING.
5. SUPPORT WIRES FOR CEILING SUSPENSION SHALL BE ANCHORED TO STRUCTURE ABOVE AND AS REQUIRED BY LANDLORD. SUPPORT WIRES SHALL NOT BE CONNECTED TO ANY MECHANICAL, ELECTRICAL, PLUMBING OR FIRE PROTECTION PIPING OR EQUIPMENT.
6. SPRINKLER HEADS AT GYPSUM BOARD CEILINGS MUST BE FULLY RECESSED AND COVERED WITH METAL PLATES FINISHED TO MATCH ADJACENT SURFACE.
7. CENTER SPRINKLER HEADS, DIFFUSERS, LIGHT FIXTURES, AND OTHER RECESSED OR SURFACE MOUNTED ITEMS IN CEILING TILES.
8. PAINT OUT ALL DIFFUSERS, SPEAKERS, TRIM RINGS, AND EXPOSED DUCTS TO MATCH CEILING FINISH.
9. ALL GYP. BD. CEILINGS & SOFFITS SHALL HAVE LEVEL 5 FINISH & SHALL BE PAINTED.
10. WHERE PORTION OF EXISTING CEILING OR SOFFIT HAS BEEN IMPACTED BY DEMOLITION, PATCH, REFINISH OR REPLACE EXISTING CEILING AS REQUIRED TO MATCH EXISTING CONDITION, UNLESS NOTED OTHERWISE.
11. CENTER CEILING GRID IN ROOM UNLESS NOTED OTHERWISE.
12. FIRE SPRINKLER SYSTEM SHALL REMAIN OPERATIONAL THROUGHOUT THE BUILDING DURING THE PROJECT. WHEN TAKEN OUT OF SERVICE FOR TENANT WORK, A FIRE WATCH IS REQUIRED IN AREAS OF THE BUILDING AFFECTED BY THE SHUTDOWN.
13. ELECTRICAL / LIGHTING CONTRACTOR TO PROVIDE EMERGENCY LIGHTING AT THE APPROXIMATELY LOCATIONS INDICATED SPACING TO MEET OR EXCEED BUILDING CODE, SEE 2020 MN BUILDING CODE AND BUT NOT LIMITED TO SECTIONS 1008, SUBSECTIONS 1008.2, 1008.3, SUBSECTION 1008.5
14. ILLUMINATION LEVELS NOT LESS THAN AN AVERAGE OF 1 FOOT CANDLE, STAIRWAY ILLUMINATION PER SECTION 1204.4, EXTERIOR LIGHT PER SECTION 1204.5.
15. ALL EMERGENCY LIGHTING AND ILLUMINATED EXITING SIGNS ON BATTERY BACK-UP POWER SUPPLY TO MEET OR EXCEED CODE.
16. SELECTIONS / DESIGN BUILD BY CONTRACTOR / INTERIOR DESIGNER.
17. BATHROOMS AND JANITORIAL CLOSETS: BATHROOM FAN AND LIGHTS TO BE SUPPLIED BY CONTRACTOR
18. T.V. INPUTS BY CLIENTS / INTERIOR DESIGNER, VERIFY.
19. HEIGHT, LOCATION & SIZE OF PLUGMOLD BY CONTRACTOR
20. OUTLETS PER CODE WHERE NOT INDICATED, CONTRACTOR TO VERIFY. VERIFY HEIGHTS WITH TENANTS & DESIGNER. vERIFY WHERE USB COMBINATION OUTLETS ARE LOCATED.

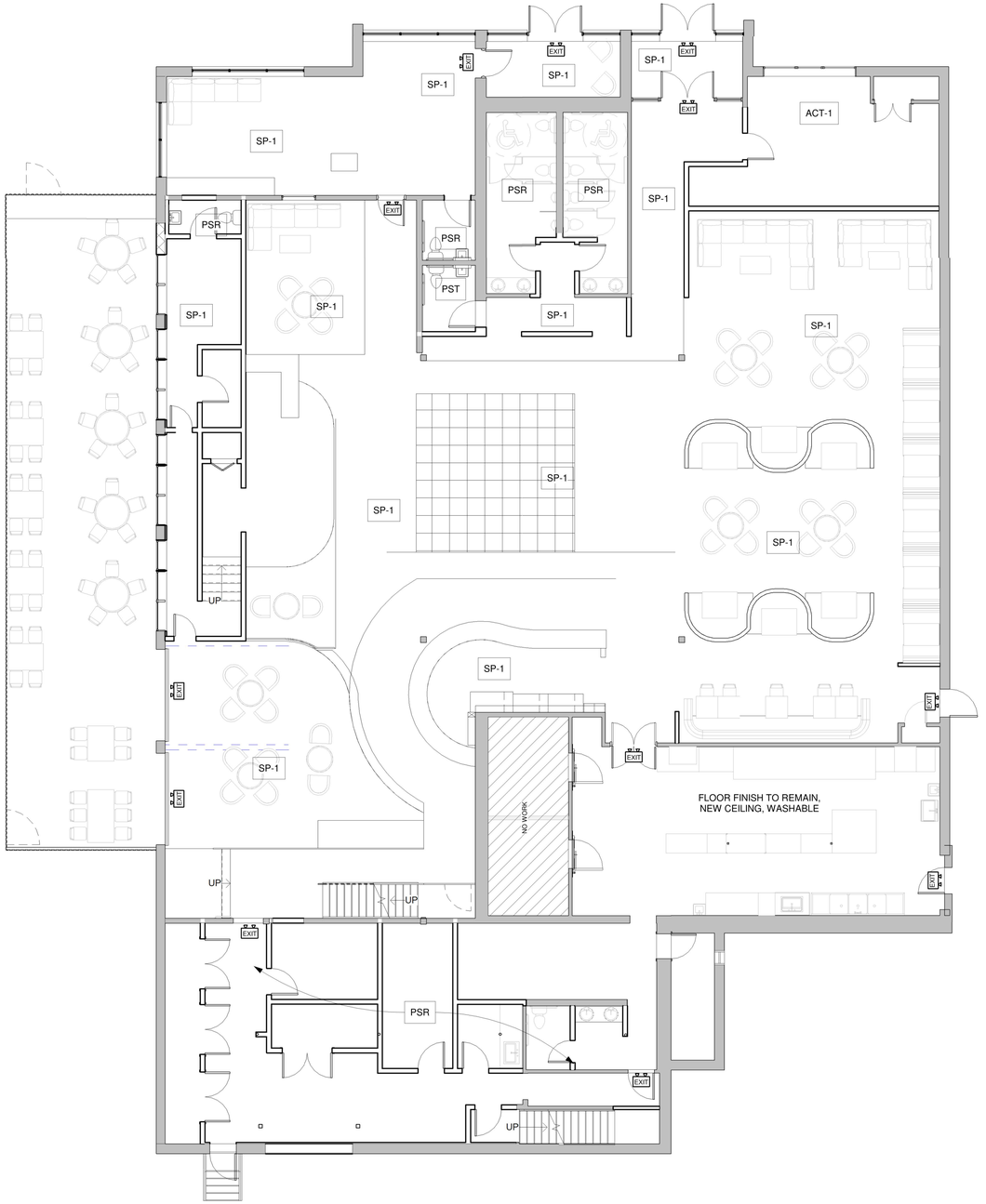
CEILING FINISH SCHEDULE

ACT-1 WASHABLE	2'X6' ACT CEILING - NEW MFR: VERIFY COLOR: WHITE GRID: SUPRAFINE XL FIRE GUARD 9/16" EXPOSED TEE GRID COLOR: WHITE	ARMSTRONG
SP-1	OPEN CEILING WITH WASHABLE PAINT	
PSR	PAINTED SHEETROCK WASHABLE	ARMSTRONG

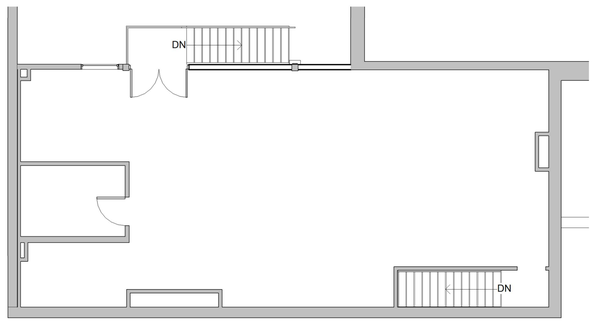
NOTE: EXISTING SPRINKLERS TO REMAIN. SPRINKLERS ABOVE AND BELOW NEW CEILING.

LIGHT FIXTURE SCHEDULE

SYMBOL	DESCRIPTION
EXIT	EXIT LIGHT W/ EMERGENCY LIGHTING



1 A1-302 RCP - MAIN FLOOR
1/8" = 1'-0"



2 A1-302 RCP - MEZZANINE FLOOR
1/8" = 1'-0"

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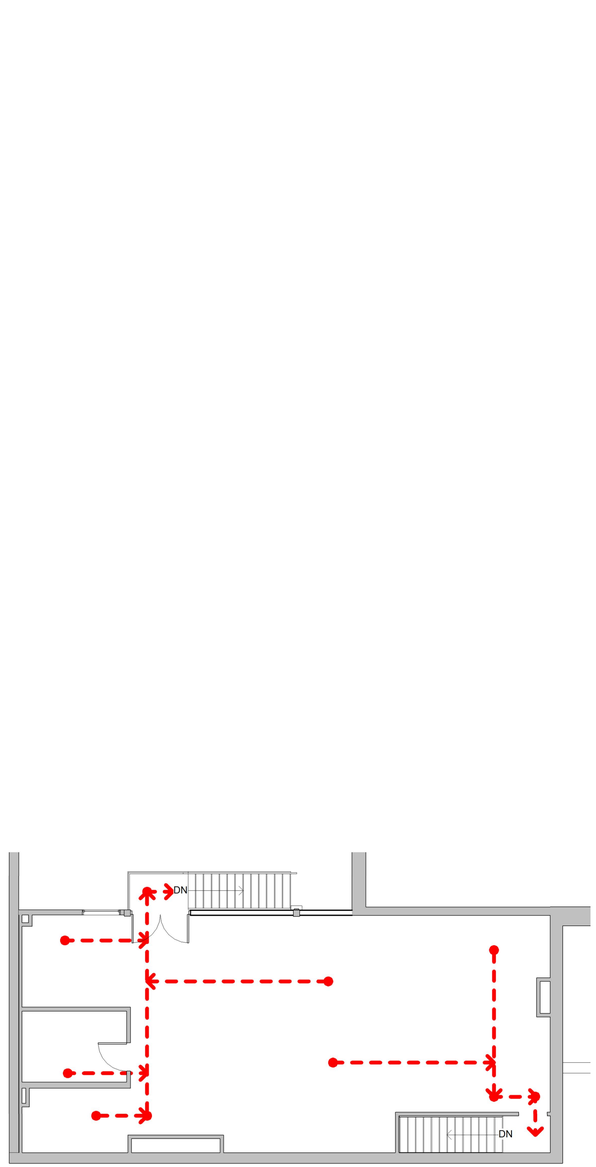
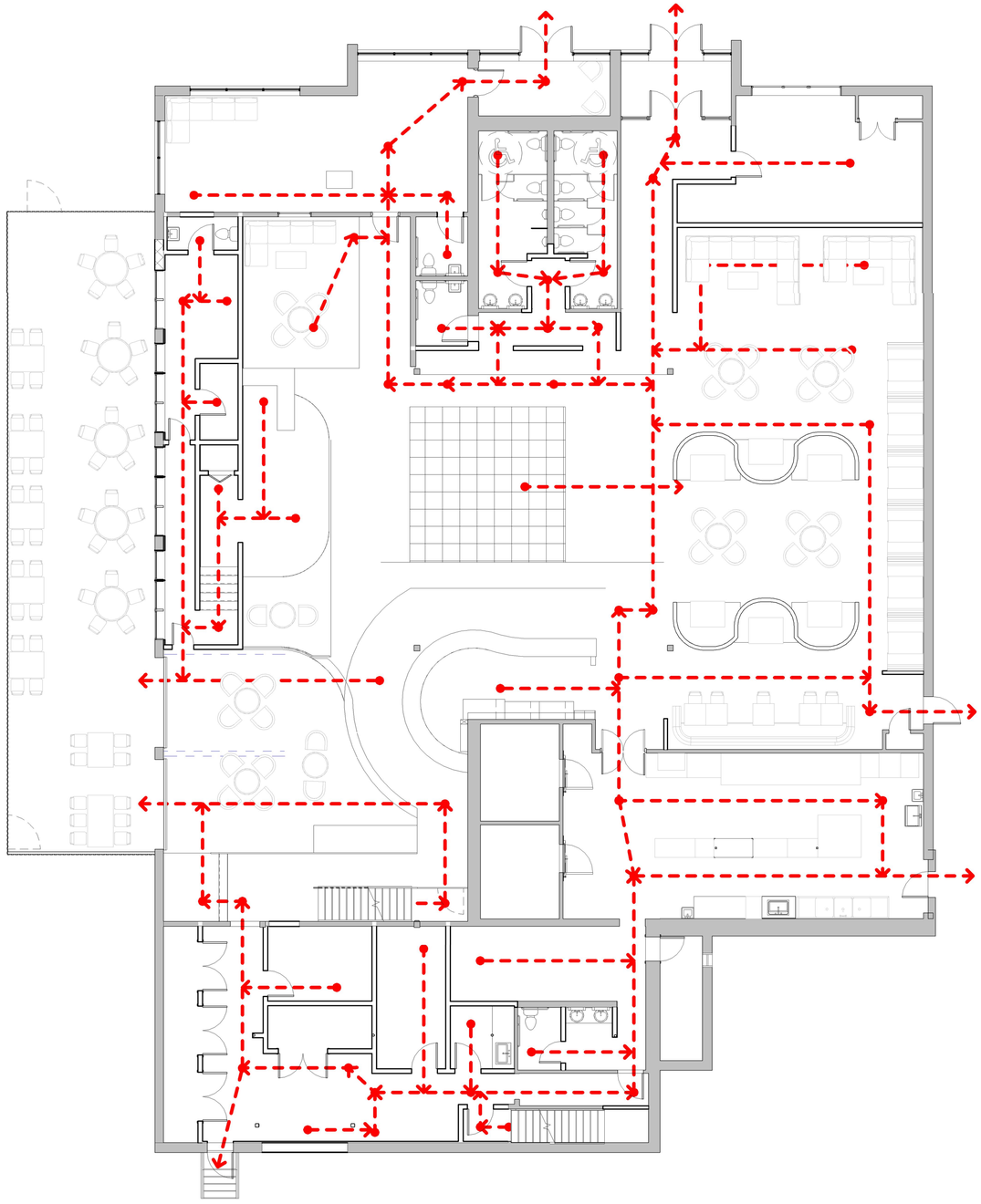


2 A1-303 EGRESS PLAN - MEZZANINE FLOOR
1/8" = 1'-0"



1 A1-303 EGRESS PLAN - MAIN FLOOR
1/8" = 1'-0"

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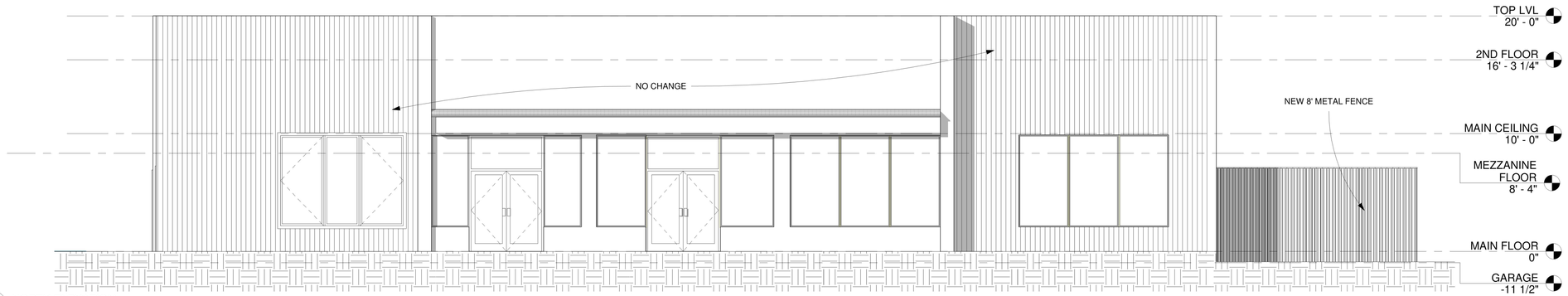
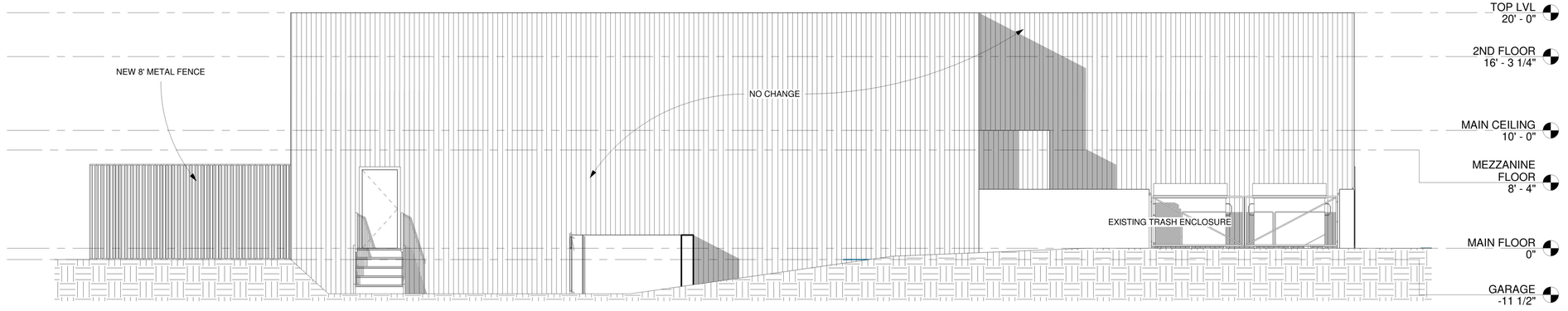


3 NORTH ELEVATION
A2-101 3/16" = 1'-0"



4 SOUTH ELEVATION
A2-101 3/16" = 1'-0"

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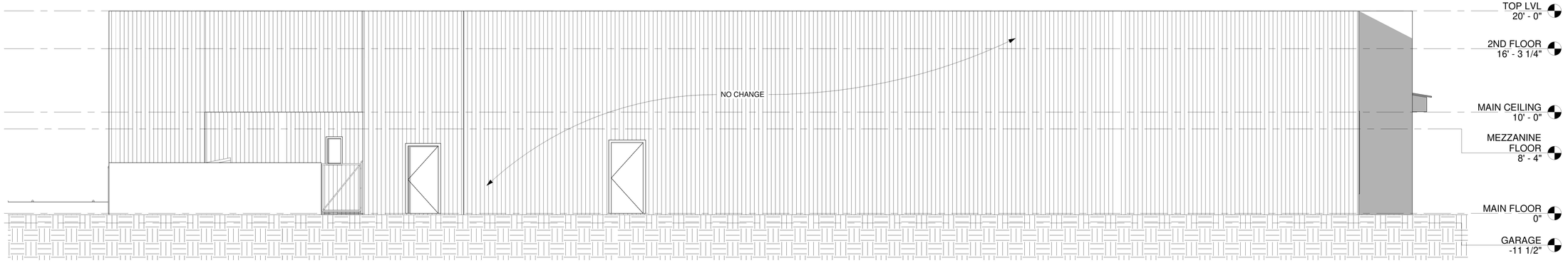
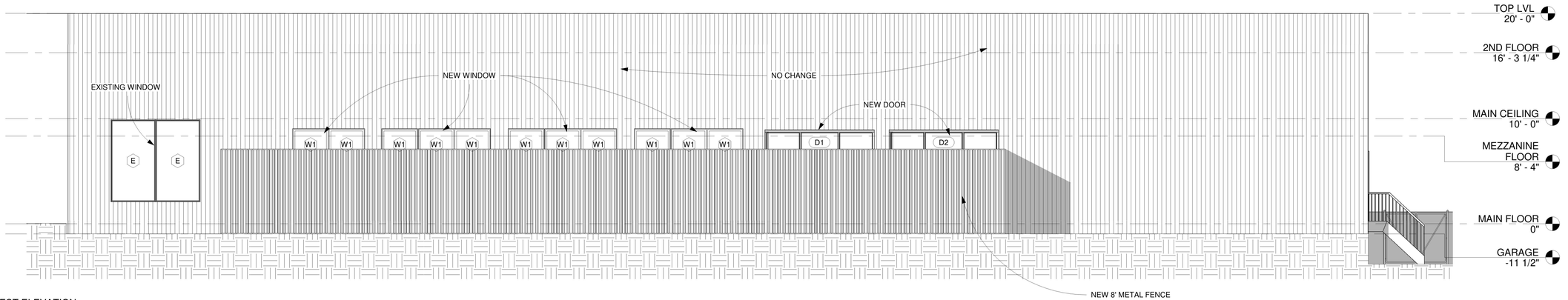


1 A2-102 EAST ELEVATION
3/16" = 1'-0"



2 A2-102 WEST ELEVATION
3/16" = 1'-0"

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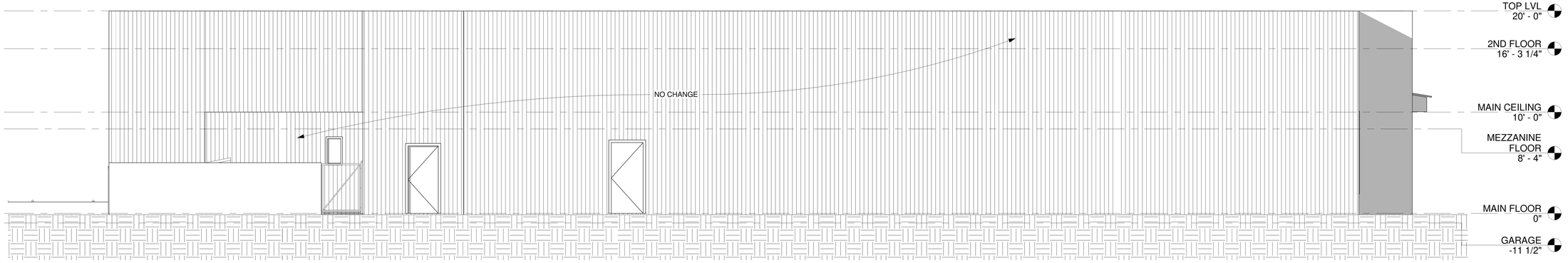

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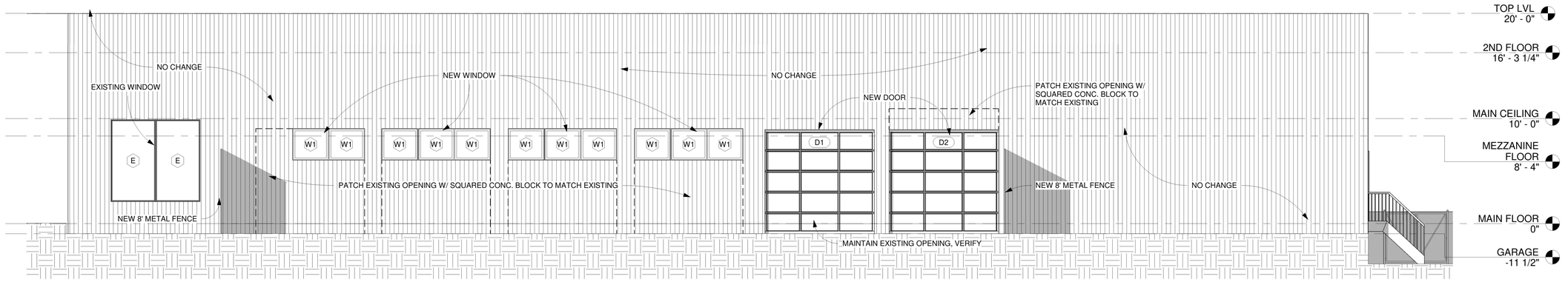

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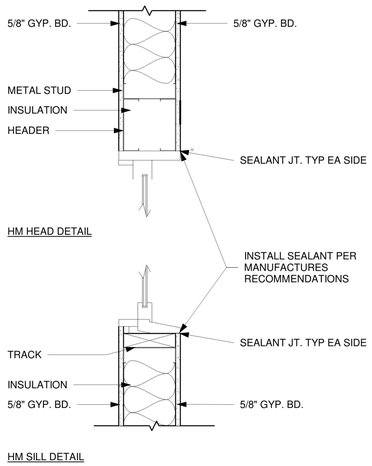
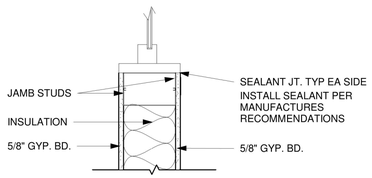
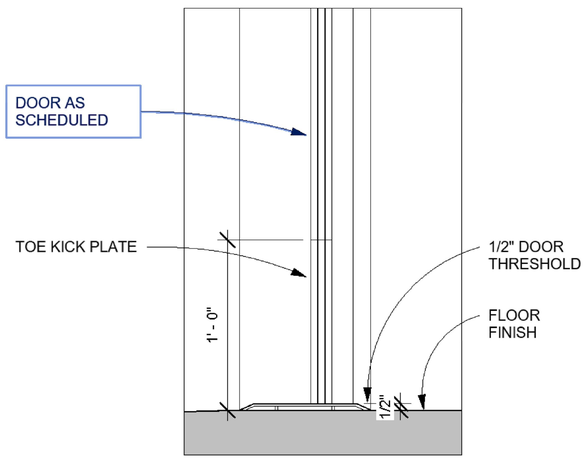
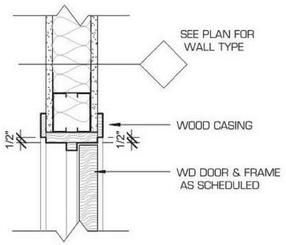




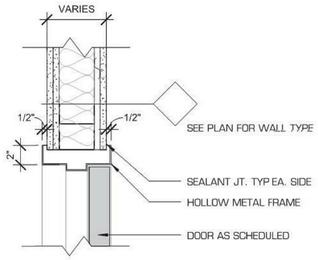
4 A6-101 WINDOW HEAD, SILL AND JAMB
1 1/2" = 1'-0"



3 A6-101 DOOR THRESHOLD DETAIL



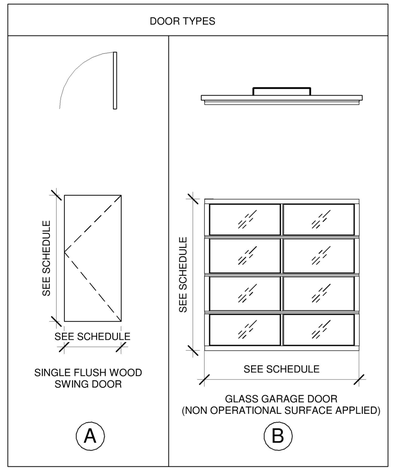
1 A6-101 WD INTERIOR DOOR HEAD DETAIL (JAMB SIM.)
1 1/2" = 1'-0"

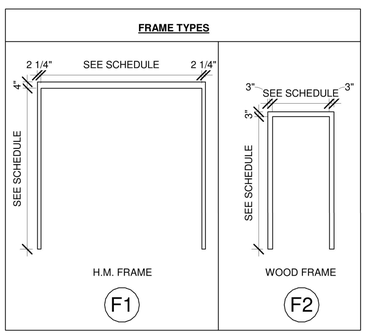


2 A6-101 HM HEAD DETAIL @ ETAL STUD (JAMB SIM.)
1 1/2" = 1'-0"

KEY LEGEND

E	EXISTING WINDOW
E	EXISTING DOOR





WINDOW SCHEDULE						
Type Mark	Width	Height	Head Height	Description	Count	Comments
MAIN FLOOR						
W1	3' - 5"	3' - 0"	9' - 0 1/2"		11	
Grand total					11	

DOOR SCHEDULE							
Mark	Width	Height	Description	Door Type	Frame Type	Glass Type	Comments
GARAGE							
D25	9' - 10 7/8"	12' - 0"					
MAIN FLOOR							
D1	10' - 4 3/4"	9' - 10 3/4"	2-1/8" Thick Aluminum Sectional Door	B	F1	TC	
D2	10' - 4 3/4"	9' - 10 3/4"	2-1/8" Thick Aluminum Sectional Door	B	F1	TC	
D3	2' - 6"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D4	2' - 6"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D5	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D6	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D7	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D8	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D11	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D12	2' - 6"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D13	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D14	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D16	5' - 8"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D17	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D18	5' - 8"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D19	5' - 8"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D20	5' - 8"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D26	3' - 0"	6' - 8" *	SINGLE PANEL WOOD SWING DOOR	A	F2		
D27	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D28	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		
D29	3' - 0"	6' - 8"	BIFOLD	A			
D31	3' - 0"	6' - 8"	SINGLE PANEL WOOD SWING DOOR	A	F2		DOOR WITH LOCK
MEZZANINE FLOOR							
D30	6' - 0"	7' - 0"	DOUBLE PANEL SWING DOOR				

GLASS TYPE DESIGNATION:

IG = INSULATED AND TEMPERED GLAZING
TC = TEMPERED CLEAR GLAZING
D-1 = 1 HR FIRE RESISTANT GLAZING
DOOR - D-1 (1 HR. RATED GLAZING - SUPPLIER TO INCLUDE TEST DATA INDICATING SIZE AND AREA IS COMPLIANT WITH 2020 MN B.C. SECTION 716.2.2.3.1. LISTED FIRERESISTANCE RATING)

NOTE:

- DOOR AND HARDWARE TO BE SELECTED & FINALISED BY OWNER / INTERIOR DESIGNER.
- ALL EXIT DOOR TO REQUIRE ADA / ACCESSIBILITY COMPLIANCE HARDWARE.
- EXISTING HARDWARE TO REMAIN IF IN CODE COMPLIANCE.
- DOOR WOOD SPECIES AND FINISH TO BE SELECTED BY INTERIOR DESIGNER/ OWNER / CONTRACTOR.
- IF WOOD DOOR CASING IS NOT TO BE USED AT DOOR FRAMES INSTALL A TEARBEAD IN CAULK JOINT.
- CONTRACTOR TO VERIFY WITH INTERIOR DESIGNER / OWNER WHETHER OR NOT A DOOR FINISH CASING IS REQUIRED

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

JAMES A. MACKEY
DATE_____ LIC.NO._23018_____

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TERMS:
CONTRACTOR TO VERIFY ALL DIMENSIONS, AS BUILT CONDITIONS (IF APPLY) AND SITE CONDITIONS, BEFORE ORDERING MATERIAL OR DEMOLISHING EXISTING STRUCTURES. CONTRACTOR AND ALL SUBS MUST REPORT ANY DISCREPANCIES TO DESIGNER IMMEDIATLY. AS BUILT AND SITE CONDITIONS OFTEN HAVE UNIQUE CONDITIONS THAT CANNOT BE PREDICTED OR FORSEEN AT DESIGN COMPLETION. CONTRACTOR, SUBS AND DESIGNER WILL WORK TOGETHER TO REACH A SOLUTION IF ANY SITUATION MAY ARISE.

JAMBO AFRICA RESTAURANT & BAR

REMODEL

5927 John Martin Dr, Brooklyn Center, MN 55430

CONSTRUCTION DOCUMENTS

Revision Schedule

No.	Description	Date

DOOR/WINDOW SCHEDULES & DETAILS

Project number	23710
Date	08-17-2023
Drawn by	SS
Checked by	PRS

A6-101

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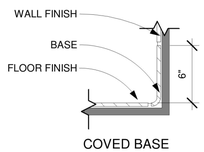
WALL TYPES

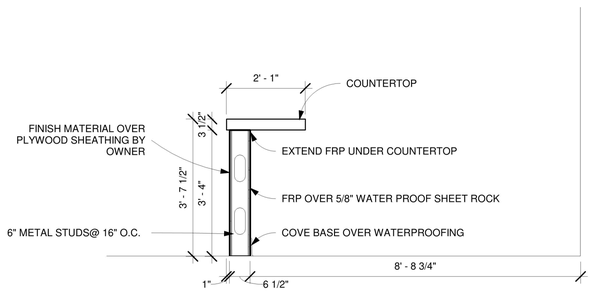
MARK	RATING	PLAN	HEIGHT	DESCRIPTION	NOTES
	NOT RATED		EXISTING	EXISTING	EXISTING WALLS TO REMAIN
A	NOT RATED	(1) LAYER 5/8" TYPE 'X' GYP. BD. 5 1/2" MTL STUDS @ 24" O.C. BATT INSULATION (1) LAYER 5/8" TYPE 'X' GYP. BD.	BOTTOM OF JOIST UNLESS NOTED	INTERIOR	5 1/2 MTL STUDS @ 16" O.C., 5/8" GYP. BD. EA. SIDE.
C	NOT RATED	2X6 WD STUDS @ 16 O.C. 5/8" GYP. BD.	VARIES	INTERIOR	2x6 WD STUDS @ 16" O.C., 5/8" GYP. BD. ONE SIDE.
D	NOT RATED	2X4 MTL STUDS @ 16 O.C. 1/2" GYP. BD.	BOTTOM OF JOIST	INTERIOR	4 MTL STUDS @ 16" O.C., 1/2" GYP. BD. ONE SIDE.

NOTES:

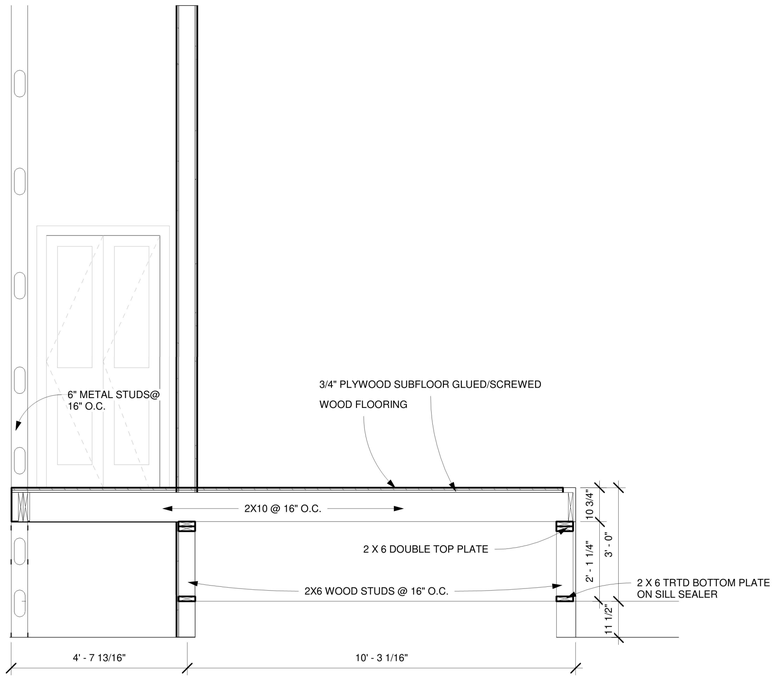
1. ALL WALLS TO BE CONSTRUCTED TO BOTTOM OF ROOF DECK, EXCEPT AS NOTED. USE SLIP-TRACK AT TOP OF WALLS CONSTRUCTED TO DECK. PROVIDE W.R. (WATER RESISTANT) GYPSUM BACKING BOARD IN TOILET ROOMS, AND JANITORS CLOSET.
2. INSTALL WALL FLUSH WITH EXISTING WALL UNLESS NOTED OTHERWISE



4 A6-102 COVE BASE DETAIL, TYP.
1 1/2" = 1'-0"



3 A6-102 SECTION - BAR COUNTER DETAIL
1/2" = 1'-0"



1 A6-102 SECTION - STAGE
1/2" = 1'-0"

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JAMBO AFRICA RESTAURANT & BAR

REMODEL

5927 John Martin Dr, Brooklyn Center, MN 55430

CONSTRUCTION DOCUMENTS

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No.	Description	Date

DETAILS

Project number	23710
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A6-102

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DIVISION 1 - GENERAL REQUIREMENTS

SECTION 100 - GENERAL CONDITIONS

1. THE GENERAL CONDITIONS HEREIN SET FORTH SHALL APPLY TO ANY CONTRACT GIVEN UNDER THESE SPECIFICATIONS AND SHALL BE BINDING UPON EVERY SUB-CONTRACTOR AS WELL AS THE GENERAL CONTRACTOR.
2. SUPPLEMENTS - AIA DOCUMENT A201 GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION , FOURTEENTH EDITION 1997, IS PART OF THIS CONTRACT, AND IS INCORPORATED HEREIN AS FULLY AS IF HERE SET FORTH
3. THE PLANS, ELEVATIONS, SECTIONS, AND DETAIL DRAWINGS, TOGETHER WITH THESE SPECIFICATIONS ARE TO FORM THE BASIS OF THE CONTRACT AND ARE TO BE OF EQUAL FORCE. SHOULD ANYTHING BE MENTIONED IN THESE SPECIFICATIONS AND NOT SHOWN IN THE DRAWINGS, OR THE REVERSE, THE SAME SHALL BE FOLLOWED AS IF SET FORTH IN BOTH, AS IT IS THE INTENT OF THESE SPECIFICATIONS AND ACCOMPANYING DRAWINGS TO CORRESPOND AND TO EMBODY EVERY ITEM AND PART NECESSARY FOR THE COMPLETION OF THE STRUCTURE.
4. IT IS THE INTENTION OF THE PARTIES HERETO THAT NEITHER SUB-CONTRACTORS NOR GENERAL CONTRACTOR SHALL TAKE ADVANTAGE OF ANY INACCURACY OR DISCREPANCY IN THE SPECIFICATIONS OR DRAWINGS. ANY DISCREPANCY SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE DESIGNER FOR INTERPRETATION.
5. CODES - ALL WORK AND CONTRACTORS SHALL COMPLY WITH THE STATE OF MINNESOTA UNIFORM BUILDING CODES AND OTHER LOCAL HEALTH AND BUILDING ORDINANCES THAT ARE APPLICABLE.
7. TERMS - EACH SUB-CONTRACTOR/SUPPLIER SHALL MAKE CLEAR IN WRITING OR OTHERWISE TO THE GENERAL CONTRACTORS SATISFACTION THE SCOPE, TERMS AND SCHEDULE OF HIS WORK.
8. MATERIALS - ALL MATERIALS SHALL BE NEW AND OF GOOD QUALITY, OF THE GRADE, FINISH AND COLOR SPECIFIED OR AN APPROVED EQUAL.
9. STORAGE OF MATERIALS - THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROPER STORAGE OF THEIR MATERIALS, TOOLS, AND EQUIPMENT. MATERIALS SHALL BE PROTECTED FROM THE WEATHER WHERE SUCH PROTECTION IS ESSENTIAL TO THEIR QUALITY AND SHALL BE STORED OFF THE GROUND FOR PROTECTION AGAINST STANDING WATER.
10. WORKMANSHIP - THE CONTRACTOR AND SUB-CONTRACTOR SHALL EMPLOY ONLY WORKERS SKILLED IN THEIR RESPECTIVE TRADE(S). ALL LABOR SHALL BE PERFORMED IN A GOOD, WORKMANSHIP MANNER. ALL WORK SHALL CONFORM TO THE APPLICABLE GUIDES AND STANDARDS FOR THAT TRADE.
11. CHANGES - ANY CHANGE IN THE SPECIFICATIONS OR DRAWINGS MUST BE AGREED UPON IN WRITING BEFORE THE CHANGE IS MADE, IF SUCH CHANGE WILL INCREASE OR DECREASE THE COST OF CONSTRUCTION.
12. LIEN WAIVERS - AT THE TIME OF PAYMENT(S), THE CONTRACTOR AND SUB-CONTRACTORS/SUPPLIERS SHALL FURNISH PROPER LIEN WAIVERS.
13. WARRANTY - THE CONTRACTOR AND SUB-CONTRACTORS SHALL FULLY GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF 12 MONTHS FROM THE DATE OF OCCUPANCY, UNLESS OTHERWISE NOTED IN THE TECHNICAL SPECIFICATIONS. CORRECTION SHALL BE MADE PROMPTLY AFTER NOTICE FROM THE DESIGNER OR OWNER, AT NO COST TO THE OWNER, INCLUDING COST OF RELATED WORK OF OTHER TRADES.
14. SCHEDULE - SUB-CONTRACTORS/SUPPLIERS SHALL PROVIDE ADEQUATE NOTICE OF SCHEDULE REQUIRED AND HAVE PREMISES READY FOR SUCH WORK. THE GENERAL CONTRACTOR SHALL DELIVER TO THE OWNER, WITHIN TWO WEEKS OF AWARD OF CONTRACT, A COMPLETE TIME SCHEDULE FOR COMPLETION OF THE PROJECT.
15. TERMINATION - IF THE CONTRACTOR OR SUB-CONTRACTOR FAILS TO COMMENCE, PROCEED, FINISH, OR CORRECT THE WORK SPECIFIED IN HIS CONTRACT IN A TIMELY MANNER, THE OWNER CAN TERMINATE THE CONTRACT, AND HIRE OTHER SUB-CONTRACTOR(S) TO COMPLETE THE WORK. NOTICE OF TERMINATION: OWNER SHALL GIVE VERBAL NOTICE TO CONTRACTOR TO FULFILL THE TERMS OF HIS CONTRACT. IF AFTER FIVE WORKING DAYS, THE CONTRACTOR OR SUB-CONTRACTOR HAS NOT COMPLIED, OWNER WILL GIVE NOTICE IN WRITING TO PERFORM WORK WITHIN THREE WORKING DAYS OR THE CONTRACT SHALL BE DEEMED TO BE BREACHED AND VOID. OWNER SHALL USE THE UNPAID BALANCE OF THE CONTRACT TO FINISH OR PAY OTHERS TO FINISH THE WORK.
16. SITE SAFETY - GENERAL CONTRACTOR AND SUB-CONTRACTORS SHALL MAINTAIN PREMISES IN SAFE AND HAZARD-FREE CONDITION SUB-CONTRACTORS SHALL ENSURE THAT AT THE END OF THE DAY OR PHASE OF WORK THEY HAVE LEFT NO HAZARDOUS OR UNSAFE CONDITIONS.
17. CLEAN-UP - GENERAL CONTRACTOR SHALL ESTABLISH ONE TRASH DUMPSTER NEAR THE PROJECT. SUB-CONTRACTORS SHALL PUT WASTE MATERIAL AND TRASH IN THIS LOCATION AND SHALL NOT SPREAD TRASH ABOUT THE SITE. GENERAL CONTRACTOR WILL PROVIDE A TRASH CAN FOR POP CANS, LUNCH SACKS AND MISCELLANEOUS GARBAGE. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OVERALL CLEAN UP AND TRASH REMOVAL.
18. SUB-CONTRACTOR CLEAN-UP - EACH SUB-CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING UP AND REMOVAL OF WASTE MATERIALS, PACKING BOXES OR OTHER MATERIALS RESULTING FROM THEIR WORK BOTH DURING ROUGH-IN AND FINAL PHASES OF WORK. IF THIS CLEAN-UP IS NOT PERFORMED, GENERAL CONTRACTOR WILL PERFORM SUCH WORK AND DEDUCT COST FROM SUB-CONTRACTOR.
19. FINAL CLEAN-UP - PRIOR TO THE OWNER S OCCUPANCY, THE CONTRACTOR SHALL CLEAN, POLISH AND RETOUCH ALL FIXTURES, EQUIPMENT, HARDWARE, TILE ,MARBLE, GLASS, CARPET, PAINTED, STAINED AND DECORATED SURFACES TO THEIR ORIGINAL FINISH AND REMOVE ALL TRACES OF CONSTRUCTION DUST, LABELS, STAINS, SPOTS, FOREIGN MATTER AND MARKINGS. ALL FILTERS SHALL BE REPLACED AND ALL CONSTRUCTION LIGHT BULBS SHALL BE REPLACED WITH NEW ONES.
20. INSURANCE - THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS AND SUPPLIERS SHALL PROVIDE FULL LIABILITY AND WORKMEN S COMPENSATION COVERAGE. FIRE AND WIND STORM COVERAGE SHALL BE PROVIDED BY GENERAL CONTRACTOR. THE CONTRACTOR SHALL INDEMNIFY AND SAVE OWNER AND DESIGNER HARMLESS FROM ANY LIABILITY ARISING FROM INJURY TO PERSON OR PROPERTY OCCASIONED FULLY OR IN PART BY ANY ACT OR OMISSIONS OF THE CONTRACTOR, INCURRED BY THE GENERAL CONTRACTOR IN DEFENSE OF ANY CLAIM OR SUIT ARISING OUT OF THE SUB-CONTRACTOR S RESPONSIBILITIES AND THE WORK UNDER THE CONSTRUCTION CONTRACT AGREEMENT. SUBMIT INSURANCE CERTIFICATE(S) TO OWNER.
21. SHOP DRAWINGS - SHOP DRAWINGS AND/OR SAMPLES SHALL BE SUBMITTED TO THE DESIGNER FOR CERTAIN PORTIONS OF THE WORK NOTED IN THE TECHNICAL SPECIFICATIONS. DESIGNER AND OWNER SHALL REVIEW SUBMITTALS PROMPTLY IF REQUIRED, SUBMITTALS SHALL BE CORRECTED AND RE-SUBMITTED. NO PORTION OF THE WORK REQUIRING A SHOP DRAWING SHALL BE COMMENCED UNTIL THE SUBMITTAL HAS BEEN APPROVED.
22. BENCHMARK - GENERAL CONTRACTOR SHALL ESTABLISH AND MAINTAIN A BENCHMARK TO BE USED TO SET ALL ELEVATIONS.
23. UTILITIES - GENERAL CONTRACTOR SHALL VERIFY INVERT AND LOCATION OF SEWER CONNECTION BEFORE SETTING FLOOR ELEVATIONS, AND SHALL VERIFY LOCATION OF ALL GAS, ELECTRICAL AND WATER LINES BEFORE TRENCHING OR EXCAVATING.
24. TELEPHONE SERVICE - PROVIDE AND MAINTAIN A TELEPHONE WHICH SHALL BE PROVIDED UNTIL THE WORK IS COMPLETE AND SHALL BE FOR THE USE OF ALL CONTRACTORS AND THE DESIGNER OR REPRESENTATIVE.
25. CONSTRUCTION LIMITS - OWNER SHALL ESTABLISH CONSTRUCTION LIMITS. ON-SITE MATERIALS STORAGE AREAS WILL BE ESTABLISHED BY THE CONTRACTOR AND CONFORMED TO BY ALL SUB-CONTRACTORS.
26. VERIFICATION OF SURFACES - IT SHALL BE THE RESPONSIBILITY OF EACH CONTRACTOR DOING WORK OR INSTALLING MATERIAL OVER WORK DONE BY OTHERS TO INSPECT THIS WORK AND REPORT ANY CONDITIONS WHICH MAY BE DETRIMENTAL TO A SATISFACTORY FINAL RESULT. PROCEEDING WITH NEW WORK SHALL INDICATE ACCEPTANCE OF PRIOR WORK OR SURFACE CONDITIONS.
27. TEMPORARY OFFICE AND MATERIALS STORAGE - THE GENERAL CONTRACTOR SHALL PROVIDE, ON THE PREMISES, A TEMPORARY OFFICE. DRAWINGS AND SHOP DRAWINGS ARE TO BE KEPT IN THIS OFFICE. ONLY APPROVED SHOP DRAWINGS SHALL BE KEPT ON FILE. PROVIDE STORAGE AND ENCLOSURES TO PROTECT AND PRESERVE ALL MATERIALS STORED ON THE SITE.
28. TEMPORARY HEAT, LIGHT, POWER AND WATER - THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY HEAT, LIGHT, POWER AND WATER DURING THE TERM OF THE BUILDING CONSTRUCTION.
29. SUBMISSIONS - THE CONTRACTOR SHALL SUBMIT THE FOLLOWING ITEMS TO THE OWNER AND DESIGNER FOR APPROVAL:
    1. SCHEDULE OF VALUES
    2. WORK SCHEDULE
    3. SHOP DRAWINGS: CABINETS, WINDOWS, APPLIANCES, PLUMBING FIXTURES
    4. SAMPLES: MILLWORK, STAIN, PAINT, CABINET AND DOOR HARDWARE
    5. LIEN WAIVERS
    6. CERTIFICATE OF INSURANCE

SECTION 180 - DEMOLITIONS/ALTERATIONS

1. GENERAL CONDITIONS
2. SCOPE:
   a) WORK INCLUDED. PERFORM ALTERATIONS AND RELATED WORK AS SHOWN OR SPECIFIED AND IN ACCORDANCE WITH REQUIREMENTS OF THE CONTRACT DOCUMENTS.
   b) WORK OF OTHER SECTIONS:
      1. REINFORCING, CUTTING, AND OTHER MODIFICATIONS OF EXISTING STRUCTURAL MATERIAL.
      2. DISCONNECTING, REMOVAL, AND/OR RELOCATION OF EXISTING MECHANICAL AND ELECTRICAL WORK, INCLUDING EQUIPMENT.
3. STANDARDS:
   a. EXCEPT AS MODIFIED BY GOVERNING CODES AND BY THIS SPECIFICATION, COMPLY WITH THE APPLICABLE PROVISIONS AND RECOMMENDATION OF ANSI A10.2, SAFETY CODE FOR BUILDING CONSTRUCTION.
   b. PROPER TESTING FOR AND THE REMOVAL OF ANY ASBESTOS SHALL BE IN STRICT CONFORMANCE WITH APPLICABLE CODES.
4. SCHEDULING:
   a. BEFORE COMMENCING ANY ALTERATION OR DEMOLITION WORK, SUBMIT FOR REVIEW BY THE DESIGNER AND APPROVAL OF THE OWNER, A SCHEDULE SHOWING THE COMMENCEMENT, THE ORDER, AND THE COMPLETION DATES FOR THE VARIOUS PARTS OF THIS WORK.
   b. BEFORE STARTING ANY WORK RELATING TO EXISTING UTILITIES (ELECTRICAL, SEWER, WATER, HEAT, GAS, FIRE LINES, ETC.) THAT WILL TEMPORARILY DISCONTINUE OR DISRUPT SERVICE TO THE EXISTING BUILDING, NOTIFY THE DESIGNER AND THE OWNER 72 HOURS IN ADVANCE AND OBTAIN THE OWNERS APPROVAL IN WRITING BEFORE PROCEEDING WITH THIS PHASE OF THE WORK.
5. PROTECTION:
   a. MAKE SUCH EXPLORATIONS AND PROBES AS ARE NECESSARY TO ASCERTAIN ANT REQUIRED PROTECTIVE MEASURES BEFORE PROCEEDING WITH DEMOLITION AND REMOVAL. GIVE PARTICULAR ATTENTION TO SHORING AND BRACING REQUIREMENTS SO AS TO PREVENT ANY DAMAGE TO EXISTING CONSTRUCTION.
   b. PROVIDE AND MAINTAIN WEATHER PROTECTION AT EXTERIOR OPENINGS SO AS TO FULLY PROTECT THE INTERIOR PREMISES AGAINST DAMAGE FROM THE ELEMENTS UNTIL SUCH OPENINGS ARE CLOSED BY NEW CONSTRUCTION.
   c. PROVIDE AND MAINTAIN TEMPORARY PROTECTION OF THE EXISTING STRUCTURE DESIGNATED TO REMAIN WHERE DEMOLITION, REMOVAL AND NEW WORK IS BEING DONE, CONNECTIONS MADE, MATERIALS HANDLED, OR EQUIPMENT MOVED.
   d. TAKE NECESSARY PRECAUTIONS TO PREVENT DUST AND DIRT FROM RISING BY WETTING DEMOLISHED MASONRY, CONCRETE, PLASTER, AND SIMILAR DEBRIS. PROTECT UNALTERED PORTIONS OF THE EXISTING BUILDING AFFECTED BY THE OPERATIONS UNDER THIS SECTION BY DUST PROOF PARTITIONS AND OTHER ADEQUATE MEANS.
   e. PROVIDE ADEQUATE FIRE PROTECTION IN ACCORDANCE WITH LOCAL FIRE DEPARTMENT REQUIREMENTS.
   f. DO NOT CLOSE OR OBSTRUCT WALKWAYS, PASSAGEWAYS, OR STAIRWAYS WITHOUT THE AUTHORIZATION OF THE DESIGNER. DO NOT STORE OR PLACE MATERIALS IN PASSAGEWAYS, STAIRS, OR OTHER MEANS OF EGRESS. CONDUCT OPERATIONS WITH MINIMUM TRAFFIC INTERFERENCE.
   g. BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING STRUCTURE OR CONTENTS OF THE INSUFFICIENCY OF PROTECTION PROVIDED.
6. WORKMANSHIP:
   a. DEMOLITION, REMOVAL, AND ALTERATION WORK SHALL BE SHOWN ON THE DRAWINGS. PERFORM SUCH WORK WITH DUE CARE, INCLUDING SHORING, BRACING, AND SO ON. BE RESPONSIBLE FOR ANY DAMAGE THAT MAY BE CAUSED BY SUCH WORK TO ANY PART OR PARTS OF EXISTING STRUCTURES OR ITEMS DESIGNATED FOR REUSE. PERFORM PATCHING, RESTORATION, AND NEW WORK IN ACCORDANCE WITH APPLICABLE TECHNICAL SECTIONS OF THE SPECIFICATIONS.
   b. MATERIALS OR ITEMS DESIGNATED TO BECOME THE PROPERTY OF THE OWNER SHALL BE AS SHOWN ON THE DRAWINGS. REMOVE SUCH ITEMS WITH CARE AND STORE THEM IN A LOCATION AT THE SITE TO BE DESIGNATED BY THE OWNER.
   c. MATERIALS OR ITEMS DESIGNATED TO BE REINSTALLED SHALL BE AS SHOWN ON THE DRAWINGS. REMOVE SUCH ITEMS WITH CARE UNDER THE SUPERVISION OF THE TRADE RESPONSIBLE FOR REINSTALLATION; PROTECT AND STORE UNTIL REQUIRED. REPLACE MATERIAL OR ITEMS DAMAGED IN ITS REMOVAL WITH SIMILAR NEW MATERIAL.
   d. MATERIALS OR ITEMS DEMOLISHED AND NOT DESIGNATED TO BECOME THE PROPERTY OF THE OWNER OR TO BE REINSTALLED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE OWNER'S PROPERTY.
   e. EXECUTE THE WORK IN A CAREFUL AND ORDERLY MANNER, WITH THE LEAST POSSIBLE DISTURBANCE TO THE PUBLIC AND TO THE OCCUPANTS OF THE BUILDING.
   f. IN GENERAL, DEMOLISH MASONRY IN SMALL SECTIONS. WHERE NECESSARY TO PREVENT COLLAPSE OF ANY CONSTRUCTION, INSTALL TEMPORARY SHORES, STRUTS, OR BRACING.
   g. WHERE ALTERATIONS OCCUR, OR NEW AND OLD WORK JOIN, CUT, REMOVE, PATCH, REPAIR, OR REFINISH THE ADJACENT SURFACES OR SO MUCH THEREOF AS IS REQUIRED BY THE INVOLVED CONDITIONS, AND LEAVE IN AS GOOD A CONDITION AS EXISTED PRIOR TO THE COMMENCING OF THE WORK. THE MATERIALS AND WORKMANSHIP EMPLOYED IN THE ALTERATIONS, UNLESS OTHERWISE SHOWN OR SPECIFIED, SHALL CONFORM TO THAT OF THE ORIGINAL WORK. ALTERATION WORK SHALL BE PERFORMED BY THE VARIOUS RESPECTIVE TRADES THAT NORMALLY PERFORM PARTICULAR ITEMS OF WORK.
   h. FINISH NEW AND ADJACENT EXISTING SURFACES AS SPECIFIED FOR NEW WORK. CLEAN EXISTING SURFACES OF DIRT, GREASE. LOOSE PAINT, AND SO ON, BEFORE REFINISHING.
   i. WHERE EXISTING EQUIPMENT AND/OR FIXTURES ARE INDICATED TO BE REUSED, REPAIR SUCH EQUIPMENT AND/OR FIXTURES AND REFINISH TO PUT IN PERFECT WORKING ORDER. REFINISH AS DIRECTED.
   j. CUT OUT IMBEDDED ANCHORAGE AND ATTACHMENT ITEMS AS REQUIRED TO PROPERLY PROVIDE FOR PATCHING AND REPAIR OF THE RESPECTIVE FINISHES.
   k. CONFINE CUTTING OF EXISTING ROOF AREAS DESIGNATED TO REMAIN TO THE LIMITS REQUIRED FOR THE PROPER INSTALLATION OF THE NEW WORK. CUT AND FOLD BACK EXISTING BUILT-UP ROOFING. CUT AND REMOVE INSULATION AND SO ON. PROVIDE TEMPORARY WEATHERTIGHT PROTECTION AS REQUIRED UNTIL NEW ROOFING AND FLASHING ARE INSTALLED. CONSULT THE OWNER TO ASCERTAIN IF EXISTING GUARANTEE BONDS ARE IN FORCE AND EXECUTE THE WORK SO AS NOT TO INVALIDATE SUCH BONDS. (NOT APPLICABLE IN THIS CONTRACT)
7. CLEANING UP:
   a. REMOVE DEBRIS AS THE WORK PROGRESSES. MAINTAIN PREMISES IN A NEAT AND CLEAN CONDITION.

DIVISION 6 - ROUGH CARPENTRY

SECTION 610 - CARPENTRY

1. GENERAL CONDITIONS
2. LAYOUT - THE CARPENTER SHALL PROVIDE ALL NECESSARY CARPENTRY LABOR, SHALL LAY OUT AL CARPENTRY WORK AND BE RESPONSIBLE FOR ALL DIMENSIONS. ALL WORK SHALL BE DONE IN SUBSTANTIAL CONFORMITY WITH THE DRAWINGS AND SPECIFICATIONS.
3. FRAMING CARPENTRY - ALL WORK SHALL BE RIGIDLY FRAMED AND CLOSELY FITTED. FRAMING SHALL BE LEVEL, PLUMB AND SQUARE. CARPENTER SHALL VERIFY ACCURACY THROUGHOUT THE FRAMING PROCESS.
4. FRAMING - SHALL BE LAID OUT TO MINIMIZE WASTE; LUMBER SHALL NOT BE SCATTERED ABOUT THE SITE; ABSOLUTELY NO NAILS SHALL BE ALLOWED TO PROTRUDE FROM WASTE LUMBER ON TEMPORARY BRACING NOT IN USE.
5. LAYOUT - EXTERIOR WALLS ARE DIMENSIONED AT 5-1/2 WHICH INCLUDES 2X6 FRAMING. SHEATHING TO OVERLAP BLOCK WITH EXTERIOR FACE OF RIM JOIST AT EXTERIOR FACE OF BLOCK.
6. BACKING - INSTALL BACKING FOR ALL CABINETRY, MILLWORK AND HARDWARE.
7. CLEAN-UP - CARPENTERS SHALL MAINTAIN LUMBER STOCKPILE IN A REASONABLY ORDERLY MANNER AND SHALL BROOM CLEAN JOB ONCE A WEEK.

SECTION 611 - FINISH CARPENTRY

1. GENERAL CONDITIONS
2. FINISH CARPENTRY - ALL WORK SHALL BE FLUSH, PLUMB, AND TIGHTLY FITTED. ALL INSTALLATION OF MILLWORK SHALL BE WITH JOURNEYMAN EXPERIENCED AND SKILLED IN THE TRADE.
3. MATERIAL - CARPENTERS SHALL INSPECT MILLWORK UPON DELIVERY AND NOTIFY OWNER PROMPTLY OF ANY MISSING OR DEFICIENT MATERIAL.
4. CLEAN-UP - CARPENTERS SHALL MAINTAIN MILLWORK STOCKPILE IN A REASONABLY ORDERLY MANNER AND SHALL BROOM CLEAN JOB DURING INSTALLATION. STACK WASTE IN A SINGLE PILE.

SECTION 622 - MILLWORK

1. GENERAL CONDITIONS
2. REFER TO PLANS FOR ITEMS TO BE PROVIDED.
3. SCHEDULE - PROVIDED BY CONTRACTOR, APPROVED BY OWNER.
4. FIELD VERIFICATION - MILLWORK SUPPLIER SHALL VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO ORDERING AND SHALL CONSULT THE CONTRACTOR AT THE TIME OF MEASUREMENT.
5. INSTALLATION - MILLWORK SHALL BE INSTALLED IN FULL LENGTHS WITH THE FEWEST NUMBER OF SPLICES POSSIBLE.
6. MITERS - ALL JOINTS AND INTERSECTIONS SHALL BE MITERED.
7. BASE - SEE CONSTRUCTION DOCUMENTS FOR DETAILS.
8. CASING - SEE CONSTRUCTION DOCUMENTS FOR DETAILS.
9. SAMPLES - SUBMIT SAMPLES FOR APPROVAL OF ALL MILLWORK ITEMS.
10. SHOP DRAWINGS - PROVIDE COMPLETE SET OF SHOP DRAWINGS FOR ALL MILLWORK ITEMS.
11. FINISH - STAIN AND FINISH BY PAINTING CONTRACTOR. SUBMIT SAMPLES FOR DESIGNER AND OWNER APPROVAL.

SECTION 641 - CABINETRY - BY OWNER

1. GENERAL CONDITIONS
2. SCOPE - THE WORK UNDER THIS SECTION INCLUDES ALL MATERIALS, LABOR, EQUIPMENT AND RELATED ITEMS NECESSARY TO FURNISH ALL CABINETRY ITEMS SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN.
3. FIELD MEASUREMENTS - CABINET MAKER SHALL VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO PRODUCTION OF SHOP DRAWINGS, FABRICATION OR INSTALLATION.
4. INSTALLATION - CONTRACTOR SHALL INSTALL OR SUPERVISE INSTALLATION OF ALL CABINETRY AND COUNTERTOPS. ALL CABINETRY SHALL BE TRUE AND PLUMB AND SCRIBED TO ADJACENT WALLS. NO FILLER PANELS ALLOWED.
5. COORDINATION - CONTRACTOR SHALL VERIFY SIZE AND LOCATION OF ALL BUILT-IN AUDIO VISUAL EQUIPMENT, MECHANICAL AND ELECTRICAL SYSTEMS, OR APPLIANCES; AND MAKE ALLOWANCE FOR EQUIPMENT SIZE AND WIRING REQUIREMENTS.
6. SHOP DRAWINGS - SUBMIT SHOP DRAWINGS, FULL SIZE SAMPLES OF DOORS, DRAWERS AND PANELS, AND FINISH SAMPLES TO DESIGNER FOR APPROVAL. FINAL ADJUSTMENTS FOR CLEARANCES, EDGE CONDITIONS, AND DESIGN CONTINUITY SHALL BE APPROVED BY THE DESIGNER IN THE SHOP DRAWINGS.
7. COUNTERTOPS - SHALL BE SUPPLIED AND INSTALLED AS NOTED ON THE DRAWINGS.
8. CABINETRY - SHALL BE PREMIUM GRADE AS DEFINED IN THE QUALITY STANDARDS OF THE ARCHITECTURAL WOODWORK INDUSTRY AS PUBLISHED BY THE AMERICAN WOODWORK INSTITUTE. PROFILE SELECTED BY OWNER.

DIVISION 8 - DOORS, WINDOWS AND GLASS

SECTION 810 - DOORS

1. GENERAL CONDITIONS
2. WOOD STILE AND RAIL DOORS - SHALL MEET THE LATEST EDITION OF THE ARCHITECTURAL WOODWORK INSTITUTE S WOODWORK QUALITY STANDARDS, GUIDE SPECIFICATIONS AND QUALITY CERTIFICATION PROGRAM FOR SECTION 1400 PREMIUM GRADE WOOD STILE AND RAIL DOORS.
3. MATERIAL - MATCH EXISTING IF APPLIES. SUBMIT NEW MATERIAL FOR APPROVAL
4. SCHEDULE - PROVIDE SHOP DRAWINGS AND SCHEDULE.

SECTION 870 - FINISH HARDWARE AND ACCESSORIES

1. GENERAL CONTRACTORS
2. HARDWARE SCHEDULE BY OWNER.
3. SAMPLES - SUBMIT SAMPLES FOR APPROVAL.
4. INSTALLATION - HARDWARE AND ACCESSORIES INSTALLED BY CONTRACTOR.

DIVISION 9 - FINISHES

SECTION 925 - GYPSUM DRYWALL

1. GENERAL CONDITIONS
2. QUALITY - ALL WORK SHALL BE PERFORMED IN ACCORDANCE TO THE RECOMMENDATIONS SET FORTH IN THE U.S. GYPSUM HANDBOOK.
3. INSTALLATION - ALL GYPSUM DRYWALL SHALL BE TAPED, SANDED COMPLETELY SMOOTH AND PREPARED FOR PAINTING. GYPSUM BOARD SHALL BE SCREWED OR DOUBLE NAILED AT 12" O.C. IN FIELD AND 8" O.C. AT VERTICAL EDGES, WITH METAL CORNER BEAD AT ALL OUTSIDE CORNERS. ALL CORNER BEADS SHALL BE NAILED SECURELY TO STUDS OR FRAMING. SHEETS OF MAXIMUM PRACTICAL LENGTH SHALL BE USED TO MINIMIZED JOINTS IN ROOMS. SMALLER USEABLE PIECES SHALL BE USED IN CLOSETS, ETC. TO MINIMIZE MATERIAL WASTE.
4. DELIVERY - GYPSUM BOARD SUPPLIER SHALL DELIVER MATERIAL INTO HOUSE ON APPROPRIATE FLOOR, PROTECTED FROM MOISTURE AS WELL AS POSSIBLE.
5. WALLS AND 16" O.C. FRAMING - 5/8" GYPSUM DRYWALL. SW BOARD BY U.S. GYPSUM.
6. CEILINGS AND 24" O.C. FRAMING - 5/8" GYPSUM DRYWALL. SW BOARD BY U.S.
7. TUB, SHOWER WALLS AND CEILING - 1/2" DUROCK AS MANUFACTURED BY U.S. GYPSUM - FULL HEIGHT ON WALLS AT TUB AND SHOWER. WATER RESISTANCE GREEN BOARD ON WALLS AND CEILING IN ALL BATHROOMS. OTHER RECOMMENDED MATERIALS MUST BE APPROVED BY DESIGNER.
8. WARRANTY - SHALL WARRANTY WORK FOR 1 YEAR AND SHALL INCLUDE 1 TRIP TO TOUCH UP ANY BLEMISHES OR FLAWS, FOLLOWING PAINTING AND PRIOR TO OCCUPANCY.
9. CLEAN-UP - INSTALLER SHALL REMOVE ALL GYPSUM BOARD SCRAP AND BROOM CLEAN HOUSE AT COMPLETION OF HANGING.

SECTION 928 - GLASS BOARD

1. GENERAL CONDITIONS
2. QUALITY - ALL WORK SHALL BE PERFORMED IN ACCORDANCE TO THE RECOMMENDATIONS SET FORTH IN THE U.S. GYPSUM HANDBOOK.
3. GLASS BOARD - WHITE W/ WHITE CAULK JOINTS

SECTION 951 - ACOUSTICAL PANEL CEILING

1. GENERAL CONDITIONS
2. QUALITY - ALL WORK SHALL BE PERFORMED IN ACCORDANCE TO THE RECOMMENDATIONS SET FORTH IN THE U.S. GYPSUM HANDBOOK.
3. CEILING TILE - SEE A120 FOR SPECIFICATION

SECTION 933-CERAMIC AND QUARRY TILE

1. GENERAL CONDITIONS
2. TILE - SEE SCHEDULE
3. INSTALLATION - TILE SHALL BE INSTALLED, GROUTED, PROTECTED AND CURED IN ACCORDING WITH THE LATEST EDITION OF HANDBOOK FOR CERAMIC TILE INSTALLATION, PUBLISHED BY THE TILE COUNCIL OF AMERICAN TILE. IT SHALL BE LAID SQUARE, LEVEL, WITH ALL JOINTS PARALLEL, TO HAVE MINIMUM PRACTICAL AMOUNT OF JOINTS.
4. GROUT - COLORED HYDROMENT JOINT FILLER MANUFACTURED BY THE UPCO CO. OR EQUAL. COLOR TO BE APPROVED BEFORE INSTALLATION.
5. SAMPLE - SUBMIT TILE SAMPLE FOR APPROVAL.
6. SCHEDULE - BY OWNER.

SECTION 990 - PAINTING AND STAINING

1. GENERAL CONDITIONS
2. INSTALLATION - ALL MATERIAL SHALL BE DELIVERED, STORED, PREPARED AND APPLIED IN ACCORDANCE WITH MANUFACTURER S DIRECTIONS. USE APPLICATORS AND TECHNIQUES BEST SUITED FOR THE MATERIAL AND SURFACES TO WHICH PAINTING AND FINISHING MATERIALS ARE APPLIED.
3. MATERIALS - ALL PAINTING MATERIALS SPECIFIED IN THIS SECTION ARE BY BENJAMIN MOORE, OR APPROVED EQUAL.
4. EXTERIOR STAIN - CABOT STAIN - APPROVED BY OWNER.
5. EXTERIOR GALVANIZED METAL - ONE COAT MOORE IRONCLAD GALVANIZED METAL PRIMER TWO COATS MOORE IMPERVO ENAMEL.
6. EXTERIOR FERROUS METAL - ONE COAT MOORE RETARDO RUST INHIBITIVE PAINT, TWO COATS MOORE IMPERVO ENAMEL.
7. INTERIOR WOOD - STAINED ONE COAT MOORE WIPING STAIN, ONE COAT MOORE SANDING SEALER, 2 COATS MOORE URETHANE VARNISH. FILL NAIL HOLES WITH MATCHING FILLER. SANDPAPER LIGHTLY BETWEEN COATS. FINAL FINISH SMOOTH TO TOUCH.
8. INTERIOR PAINTED WOOD - ONE COAT MOORE LATEX QUICK DRY PRIME SEAL, TWO COATS MOORE REGAL WALL LATEX.
9. INTERIOR GYPSUM WALLBOARD - ONE COAT MOORE LATEX QUICK DRY PRIME SEAL, 2 COATS MOORE REGAL WALL LATEX.
10. SURFACES - ALL EXPOSED SURFACES SHALL BE PAINTED, STAINED OR SEALED.
11. APPROVAL - COLOR SELECTIONS SHALL BE APPROVED BY OWNER PRIOR TO APPLICATION. IF NECESSARY A BRUSH OUT SAMPLE SHALL BE PROVIDED FOR OWNER S REVIEW.
12. APPLICATION - ALL WORK SHALL BE EVENLY AND CAREFULLY APPLIED AND CUT IN AGAINST ADJACENT MATERIALS, FREE OF BRUSH MARKS. CLEAN OFF ANY PAINT ON OTHER SURFACES.
13. SCHEDULE - BY OWNER.

DIVISION 10 - SPECIALTIES

SECTION 1080 - BATH ACCESSORIES

1. GENERAL CONDITIONS
2. MATERIAL - ACCESSORIES SCHEDULE BY OWNER, INSTALLED BY CONTRACTOR.
3. STAINLESS STEEL - WALL, CORNER GUARDS AND COLUMN COVERS AS NOTED. - SUPPLIED BY OWNER, INSTALLED BY GC.
4. PROVIDED BY OWNER, INSTALED BY CONTRACTOR - PAPER TOWEL DISPENSER TOILET PAPER DISPENSER, ...

DIVISION 11 - EQUIPMENT

SECTION 1190 - KITCHEN APPLIANCES

1. GENERAL CONDITIONS
2. SCHEDULE EQUIPMENT- BY OWNER
3. INSTALLATION BY GENERAL CONTRACTOR, PROVIDE ALL NECESSARY POWER, CONNECTIONS, AND HOOK-UPS.

DIVISION 15 - MECHANICAL

SECTION 1503 - PLUMBING

1. GENERAL CONDITIONS
2. SCOPE - PLUMBING CONTRACTOR SHALL VISIT THE SITE, REVIEW THE DRAWINGS AND DETERMINE WHAT SYSTEMS MUST BE INSTALLED, PROVIDE ALL LABOR AND MATERIAL AND PERFORM ALL PLUMBING WORK. ALL PLUMBING SHALL BE PROPERLY INSTALLED PER STATE AND LOCAL CODES AND ALL CONNECTIONS THOROUGHLY TESTED. PROPOSAL SHALL BE FOR THE COMPLETE SYSTEM.
3. DRAWINGS - PLUMBING CONTRACTOR SHALL PRIOR TO ANY WORK BEING DONE, PROVIDE DRAWINGS SHOWING LOCATION, TYPE OF EQUIPMENT AND CONTROLS HE WILL BE INSTALLING.
4. WARRANTY - PLUMBING CONTRACTOR SHALL WARRANT THAT THE ENTIRE PLUMBING SYSTEM IS FREE OF LEAKS AND ALL FIXTURES ARE IN PERFECT WORKING ORDER.
5. PERMITS - PLUMBING CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY METERS, (INCLUDING GAS PIPING FOR ALL FIREPLACES), TESTS, PERMITS, LICENSES AND INSPECTIONS; SHALL COORDINATE WORK WITH OTHER TRADES. CONTRACTOR SHALL VERIFY LOCATION OF UNDERGROUND UTILITIES BEFORE TRENCHING.
6. CLEAN-UP - THE INSTALLER SHALL REMOVE ALL PLUMBING SCRAP, WIPE CLEAN ALL AREA

THIS STRUCTURE IS REQUIRED TO BE ACCESSIBLE AS SET FORTH IN THE AMERICANS WITH DISABILITIES ACT OF 1994. MAINTAIN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF THE ACT AND ITS ACCESSIBILITY GUIDELINES (A.D.A.), (A.D.A.A.G.).

SIGNAGE

1. ACCESSIBLE SIGNAGE SHALL COMPLY WITH A.D.A.A.G. SECTION 4.30.
2. LETTERS AND NUMBERS ON SIGNS SHALL HAVE A WIDTH-TO-HEIGHT RATIO BETWEEN 3:5 AND 1:1 AND A STROKE-WIDTH-TO-HEIGHT RATIO BETWEEN 1:5 AND 1:10.
3. CHARACTERS AND NUMBERS ON SIGNS SHALL BE SIZED ACCORDING TO THE VIEWING DISTANCE FROM WHICH THEY ARE TO BE READ. THE MINIMUM HEIGHT IS MEASURED USING AN UPPER CASE X. LOWER CASE CHARACTERS ARE PERMITTED. SIGNS INSTALLED OVER 80" ABOVE FINISHED FLOOR SHALL HAVE A MINIMUM CHARACTER HEIGHT OF 3".
4. LETTERS AND NUMERALS SHALL BE RAISED 1/32" MINIMUM, UPPER CASE, SANS SERIF OR SIMPLE SERIF TYPE AND SHALL BE ACCOMPANIED WITH GRADE 2 BRAILLE. RAISED CHARACTERS SHALL BE AT LEAST 5/8" HIGH, BUT NO HIGHER THAN 2". PICTOGRAMS SHALL BE ACCOMPANIED BY THE EQUIVALENT VERBAL DESCRIPTION PLACED DIRECTLY BELOW THE PICTOGRAM. THE BORDER DIMENSION OF THE PICTOGRAM SHALL BE 6" MINIMUM IN HEIGHT.
5. THE CHARACTERS AND BACKGROUND OF SIGNS SHALL BE EGGSHELL, MATTE, OR OTHER NON-GLARE FINISH. CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUND – EITHER LIGHT CHARACTERS ON A DARK BACKGROUND OR DARK CHARACTERS ON A LIGHT BACKGROUND.
6. WHERE PERMANENT IDENTIFICATION IS PROVIDED FOR ROOMS AND SPACES, SIGNS SHALL BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR, INCLUDING AT DOUBLE-LEAF DOORS. SIGNS SHALL BE PLACED ON THE NEAREST ADJACENT WALL. MOUNTING HEIGHT SHALL BE 60" ABOVE THE FINISH FLOOR TO THE CENTERLINE OF THE SIGN. MOUNTING LOCATION FOR SUCH SIGNAGE SHALL BE SO THAT A PERSON MAY APPROACH WITHIN 3" OF SIGNAGE WITHOUT ENCOUNTERING PROTRUDING OBJECTS OR STANDING WITHIN THE SWING OF A DOOR.



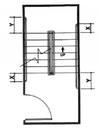
DISPLAY CONDITIONS - INTERNATIONAL SYMBOL OF ACCESSIBILITY



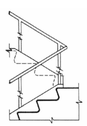
INTERNATIONAL SYMBOL OF ACCESSIBILITY

STAIRS

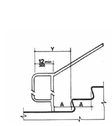
1. ACCESSIBLE STAIRS SHALL COMPLY WITH A.D.A.A.G. SECTION 4.9.
2. ACCESSIBLE STAIRS SHALL HAVE UNIFORM RISER HEIGHTS AND UNIFORM TREAD WIDTHS ALONG EACH RUN.
3. THE CLEAR SPACE BETWEEN HANDRAILS AND WALL SHALL BE 1-1/2". GRIPPING SURFACES SHALL BE UNINTERRUPTED BY NEWEL POSTS, OTHER CONSTRUCTION ELEMENTS, OR OBSTRUCTIONS. TOP OF HANDRAIL GRIPPING SURFACE SHALL BE INSTALLED BETWEEN 34 IN AND 38 IN ABOVE STAIR NOSINGS.



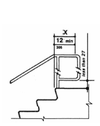
PLAN



ELEVATION OF CENTER HANDRAIL



EXTENSION AT BOTTOM OF RUN



EXTENSION AT TOP OF RUN

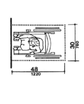
NOTE: X IS THE MINIMUM HANDRAIL EXTENSION REQUIRED AT EACH TOP RISER - Y IS THE MINIMUM HANDRAIL EXTENSION OF 12 IN PLUS THE WIDTH OF ONE TREAD THAT IS REQUIRED AT EACH BOTTOM RISER

CONTROLS/OPERATING MECHANISMS

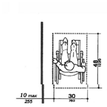
1. CONTROLS AND OPERATING MECHANISMS SHALL COMPLY WITH A.D.A.A.G. SECTION 4.27.
2. ALL CONTROLS & OPERATING MECHANISMS WHICH ARE INTENED FOR NORMAL USE BY BUILDING OCCUPANTS SHALL BE PROVIDED WITH A.D.A.A.G.-COMPLIANT CLEAR FLOOR SPACES & SHALL BE PLACED WITHIN 1" OF THE REQUIRED FORWARD OR SIDE APPROACH REACH RANGES (48" A.F.F. = FORWARD - 54" A.F.F. = SIDE APPROACH).



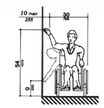
HIGH FORWARD REACH LIMIT



FORWARD REACH



CLEAR FLOOR SPACE - PARALLEL APPROACH

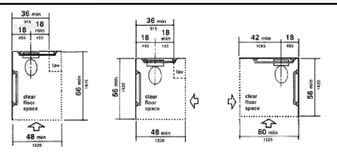


HIGH AND LOW SIDE REACH LIMITS

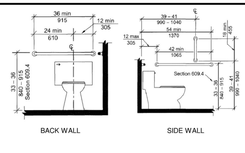
SIDE REACH

RESTROOMS

1. ELEMENTS OF ACCESSIBLE RESTROOMS SHALL COMPLY WITH A.D.A.A.G. SECTIONS 4.15, 4.16, 4.17, 4.18, 4.19, AND 4.22.
2. ACCESSIBLE URINALS SHALL BE STALL-TYPE OR WALL-HUNG WITH AN ELONGATED RIM AT A MAXIMUM OF 17" ABOVE FINISH FLOOR.
URINALS SHALL HAVE
A 30" X 48" CLEAR FLOOR SPACE TO ALLOW A FRONT APPROACH AND THE FLUSH CONTROLS SHALL BE HAND-OPERATED WITH THE CONTROLS INSTALLED NO
HIGHER THAN 44" ABOVE FINISH FLOOR.
3. HOT WATER AND DRAIN PIPES UNDER LAVATORIES SHALL BE INSULATED OR OTHERWISE CONFIGURED TO PROTECT AGAINST CONTACT.
THERE SHALL BE
NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES.
4. EXAMPLES OF ACCESSIBLE FAUCETS INCLUDE: LEVER-OPERATED, PUSH-TYPE, AND ELECTRONICALLY CONTROLLED. IF SELF-CLOSING VALVES ARE USED
THE FAUCET SHALL REMAIN OPEN FOR AT LEAST 10 SECONDS.
5. THE DIAMETER OR WIDTH OF THE GRIPPING SURFACES OF A GRAB BAR SHALL BE 1-1/4 IN TO 1-1/2 IN, OR THE SHAPE TO PROVIDE AN EQUIVALENT
GRIPPING SURFACE. THE SPACE BETWEEN THE WALL AND THE GRAB BAR SHALL BE 1-1/2". THE GRAB BAR ASSEMBLY SHALL BE CAPABLE OF WITHSTANDING BENDING STRESSES, SHEAR STRESSES, SHEAR FORCES, AND TENSILE FORCES OF UP TO 250 LBF. GRAB BARS SHALL NOT ROTATE WITHIN THEIR FITTINGS.
6. MOUNTING HEIGHTS TO OPERATING CONTROLS FOR RESTROOM ACCESSORIES NOT SPECIFICALLY CALL OUT IN THE A.D.A.A.G. SHALL COMPLY WITH THE REACH RANGES SPECIFIED IN A.D.A.A.G. SECTION 4.2.5..



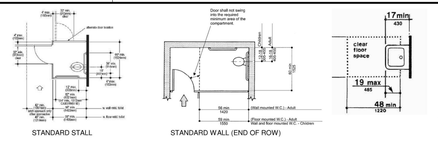
CLEAR FLOOR SPACE AT WATER CLOSETS



GRAB BARS AT WATER CLOSETS

BACK WALL

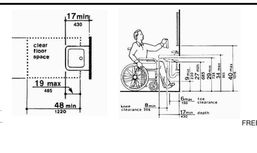
SIDE WALL



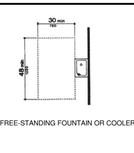
TOILET STALLS

STANDARD STALL

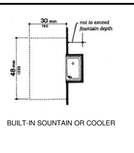
STANDARD WALL (END OF ROW)



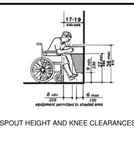
DRINKING FOUNTAINS AND WATER COOLERS



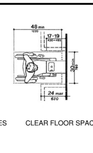
FREE-STANDING FOUNTAIN OR COOLER



BUILT-IN SOUNTAIN OR COOLER



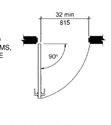
SPOUT HEIGHT AND KNEE CLEARANCES



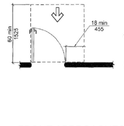
CLEAR FLOOR SPACE

DOORS

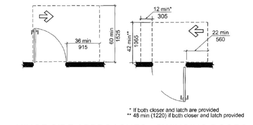
1. ACCESSIBLE DOORS SHALL COMPLY WITH A.D.A.A.G. SECTION 4.13.
2. THRESHOLD AT DOORWAYS SHALL NOT EXCEED 3/4" IN HEIGHT FOR EXTERIOR SLIDING DOORS OR 1/2" IN HEIGHT FOR OTHER TYPES OF DOORS. RAISED THRESHOLDS AND FLOOR LEVEL CHANGES AT DOORWAYS SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1:2.
3. HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERATING DEVICES ON ACCESSIBLE DOORS SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE. LEVER-OPERATED MECHANISMS, PUSH-TYPE MECHANISMS, AND U-SHAPED HANDLES ARE ACCEPTABLE DESIGNS. HARDWARE REQUIRED FOR ACCESSIBLE DOOR PASSAGE SHALL BE MOUNTED NO HIGHER THAN 48" ABOVE FINISHED FLOOR.
4. IF A DOOR HAS A CLOSER, THEN THE SWEEP PERIOD OF THE CLOSER SHALL BE ADJUSTED SO THAT FROM A OPEN POSITION OF 70°, THE DOOR WILL TAKE AT LEAST 3 SECONDS TO MOVE TO A POINT 3" FROM THE LATCH, MEASURED TO THE LEADING EDGE OF THE DOOR.
5. ACCESSIBLE DOORS THAT ARE NOT FIRE DOORS OR EXTERIOR HINGED DOORS SHALL HAVE A MAXIMUM FORCE FOR PUSHING OR PULLING THE DOOR OPEN OF 5 LBF. THIS FORCE DOES NOT APPLY TO THE FORCE REQUIRED TO RETRACT LATCH BOLTS OR DISENGAGE OTHER DEVICES THAT MAY HOLD THE DOOR IN A CLOSED POSITION.



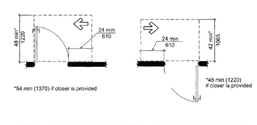
CLEAR DOORWAY WIDTH



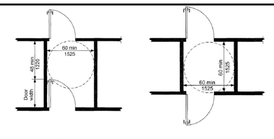
FRONT APPROACHES - SWINGING DOORS



HINGE SIDE APPROACHES - SWINGING DOORS



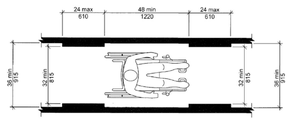
LATCH SIDE APPROACHES - SWINGING DOORS



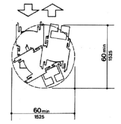
TWO DOORS HINGED IN SERIES

PATH OF TRAVEL

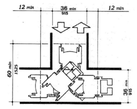
1. ALL WALKS, HALLS, CORRIDORS, AISLES, SKYWALKS, TUNNELS, AND OTHER SPACES THAT ARE PART OF AN ACCESSIBLE ROUTE SHALL COMPLY WITH A.D.A.A.G.
2. AT LEAST ONE ACCESSIBLE ROUTE SHALL CONNECT ACCESSIBLE BUILDING OR FACILITY ENTRANCES WITH ALL ACCESSIBLE SPACES AND ELEMENTS.
3. AN ACCESSIBLE ROUTE WITH A RUNNING SLOPE GREATER THAN 1:20 IS A RAMP AND SHALL COMPLY WITH 4.8. NOWHERE SHALL THE CROSS SLOPE OF AN ACCESSIBLE ROUTE EXCEED 1:50.



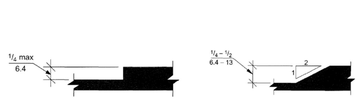
MINIMUM CLEAR WIDTH FOR SINGLE WHEELCHAIR



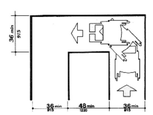
60-IN DIAMETER SPACE



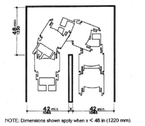
T-SHAPED SPACE FOR 180° TURNS



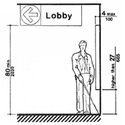
CHANGES IN LEVEL



MINIMUM CLEAR WIDTH 90° TURN



TURN AROUND AN OBSTRUCTION



WALKING PARALLEL TO A WALL

ADDITIONAL ACCESSIBILITY COMPONENTS

IN ADDITION TO ALL A.D.A./A.D.A.A.G. REQUIREMENTS, THIS FACILITY SHALL MEET THE REQUIREMENTS OF THE LOCAL JURISDICTION FOR ACCESSIBILITY AS LISTED BELOW.

* WHERE INFORMATION LISTED/SHOWN IN THIS SECTION CONFLICTS WITH THE A.D.A.A.G. INTERIOR ACCESSIBILITY COMPONENTS, THE MORE RESTRICTIVE OF THE TWO REQUIREMENTS SHALL BE FOLLOWED

1.) THESE PLANS REFLECT INFORMATION CONTAINED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990, PUBLIC LAW 101-28CFR, PART 36. COMPLIANCE WITH ALL ASPECTS OF THIS LAW IS THE RESPONSIBILITY OF THE OWNER. MEETING LOCAL CODE REQUIREMENTS DOES NOT ASSUME COMPLIANCE.
2.) THE PRIMARY ENTRANCE TO A BUILDING SHALL BE ACCESSIBLE TO THE HANDICAPPED. ALL OTHER ENTRANCES TO A BUILDING WHICH ARE LOCATED WITHIN SIX-INCHES OF ADJOINING GROUND ARE ALSO REQUIRED TO BE ACCESSIBLE. ACCESSIBLE MEANS OF EGRESS SHALL BE PROVIDED IN THE SAME NUMBER AS REQUIRED FOR EXITS. AS REQUIRED BY SECTION 812, AN ACCESSIBLE ROUTE OF TRAVEL
SHALL BE PROVIDED TO ALL PORTIONS OF A BUILDING.
3.) DOORWAY THRESHOLDS SHALL BE NO HIGHER THAN ONE-HALF-INCH ABOVE ADJOINING FLOOR. THE EDGES OF THE THRESHOLD SHALL BE BEVELED WITH A SLOPE NO GREATER THAN ONE IN TWO, IF THICKER THAN ONE-QUARTER-INCH.
4.) DOOR HARDWARE SHALL BE OPERABLE WITH A SINGLE EFFORT BY LEVER-TYPE HARDWARE, PANIC BARS, PUSH-PULL ACTIVATING BARS, OR OTHER HARDWARE DESIGNED TO PROVIDE PASSAGE WITHOUT REQUIRING THE ABILITY TO GRASP THE OPENING HARDWARE. ACCESSIBLE DOOR HARDWARE SHALL BE MOUNTED BETWEEN THIRTY AND FOURTY-FOUR-INCHES ABOVE THE FLOOR. PANIC HARDWARE
UNLATCHING FORCE SHALL NOT EXCEED EIGHT AND ONE-HALF POUNDS IN THE DIRECTION OF TRAVEL.
5.) THE LOWER TEN-INCHES OF DOORS ARE TO BE A SMOOTH, PLAIN SURFACE (NO RECESS OR TRAP IS ALLOWED, EXCEPT AT SLIDING AND AUTOMATIC DOORS).
6.) ACCESSIBLE BUILDING ENTRANCE ARE TO BE IDENTIFIED BY THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. THE SYMBOL SHALL BE A WHITE FIGURE ON A BLUE BACKGROUND.
7.) RECESSED DOORWAYS (WHERE PROVIDED) SHALL BE ANCHORED.
8.) ALL FLOOR-LEVEL SIGNS AND MARKERS SHALL BE INSTALLED IN A MANNER AS TO NOT INTERFERE WITH WHEELCHAIR FOOTRESTS.
9.) A FORTY-EIGHT-INCH LONG CLEAR SPACE IS REQUIRED IN FRONT OF AN ACCESSIBLE WATER CLOSET. A SIXTY-INCH CLEAR SPACE IS REQUIRED FOR THE WIDTH OF AN ACCESSIBLE WATER CLOSET. GRAB BARS MAY ENCROACH NO MORE THAN THREE-INCHES INTO THESE SPACES.
10.) DOORS TO ACCESSIBLE WATER CLOSET STALLS SHALL HAVE AN AUTO-CLOSING DEVICE AND SHALL PROVIDE A THIRTY-TWO-INCH MINIMUM CLEAR WIDTH FOR FRONT ENTRY (THIRTY-FOUR-INCHES CLEAR AT SIDE ENTRIES).
11.) A FORTY-TWO-INCH LONG GRAB BAR AT THE SIDE OF THE WATER CLOSET AND A THIRTY-SIX-INCH LONG GRAB BAR BEHIND THE WATER CLOSET ARE REQUIRED. THE GRAB BARS SHALL BE MOUNTED BETWEEN THIRTY-THREE AND THIRTY-SIX INCHES ABOVE THE FLOOR.
12.) GRAB BARS SHALL BE ONE-AND-ONE-HALF-INCHES IN DIAMETER WITH ONE-AND-ONE-HALF-INCHES OF CLEARANCE BETWEEN THE BAR AND WALL. THE GRAB BARS SHALL HAVE ONE-EIGHTH DIAMETER (MINIMUM) RADI ON ALL EDGES AND SHALL BE NON-ABRASIVE. THE GRAB BARS SHALL BE CAPABLE OF SUPPORTING UP TO TWO HUNDRED FIFTY POUNDS PER FOOT IN BENDING, SHEAR, OR TENSION.
13.) THE FORCE REQUIRED TO ACTIVATE THE FLUSH VALVE OF A WATER CLOSET OR URINAL SHALL BE FIVE POUNDS (MAXIMUM). WATER CLOSET AND URINAL FLUSH VALVES SHALL BE LOCATED NO MORE THAN FORTY-FOUR-INCHES ABOVE THE FLOOR.
14.) IF EMERGENCY WARNING SYSTEMS ARE REQUIRED, THEY SHALL ACTIVATE A MEANS OF WARNING FOR THE HEARING IMPAIRED. FLASHING VISUAL WARNINGS SHALL HAVE A FREQUENCY OF NOT MORE THAN SIXTY FLASHES PER MINUTE.
15.) APPROVED TACTILE SIGNAGE SHALL BE MOUNTED ADJACENT TO THE LATCH SIDE OF DOORWAYS, SIXTY-INCHES ABOVE THE FLOOR, AND SHALL BEAR APPROVED ACCESSIBILITY SYMBOLS AND BRAILLE LETTERING.
16.) ADDITIONAL BARRIER-FREE STANDARDS REQUIREMENTS MAY BE DETAILED ELSEWHERE IN THE CONTRACT DOCUMENTS.

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

JAMES A. MACKEY
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TERMS:
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JAMBO AFRICA RESTAURANT & BAR

REMODEL

5927 John Martin Dr, Brooklyn Center, MN 55430

CONSTRUCTION DOCUMENTS

Revision Schedule

No.	Description	Date

ADAAG

Project number	23710
Date	08-17-2023
Drawn by	PRS
Checked by	JM

A8-102

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1 A9-101 3D VIEW 1



2 A9-101 3D VIEW 2

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3D VIEWS

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2 A9-102 3D VIEW 4



1 A9-102 3D VIEW 3

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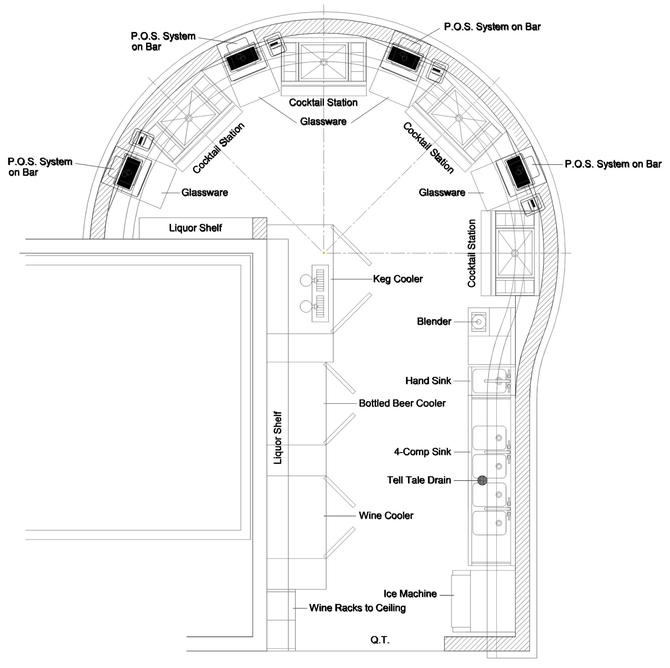

SCALE: 1/2" = 1'-0"

0 1 3 6 10'

0 1 2 3m

N

1 E1-100 EQUIPMENT PLAN

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EQUIPMENT PLAN

Project number	23710
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Drawn by	PRS
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E1-100

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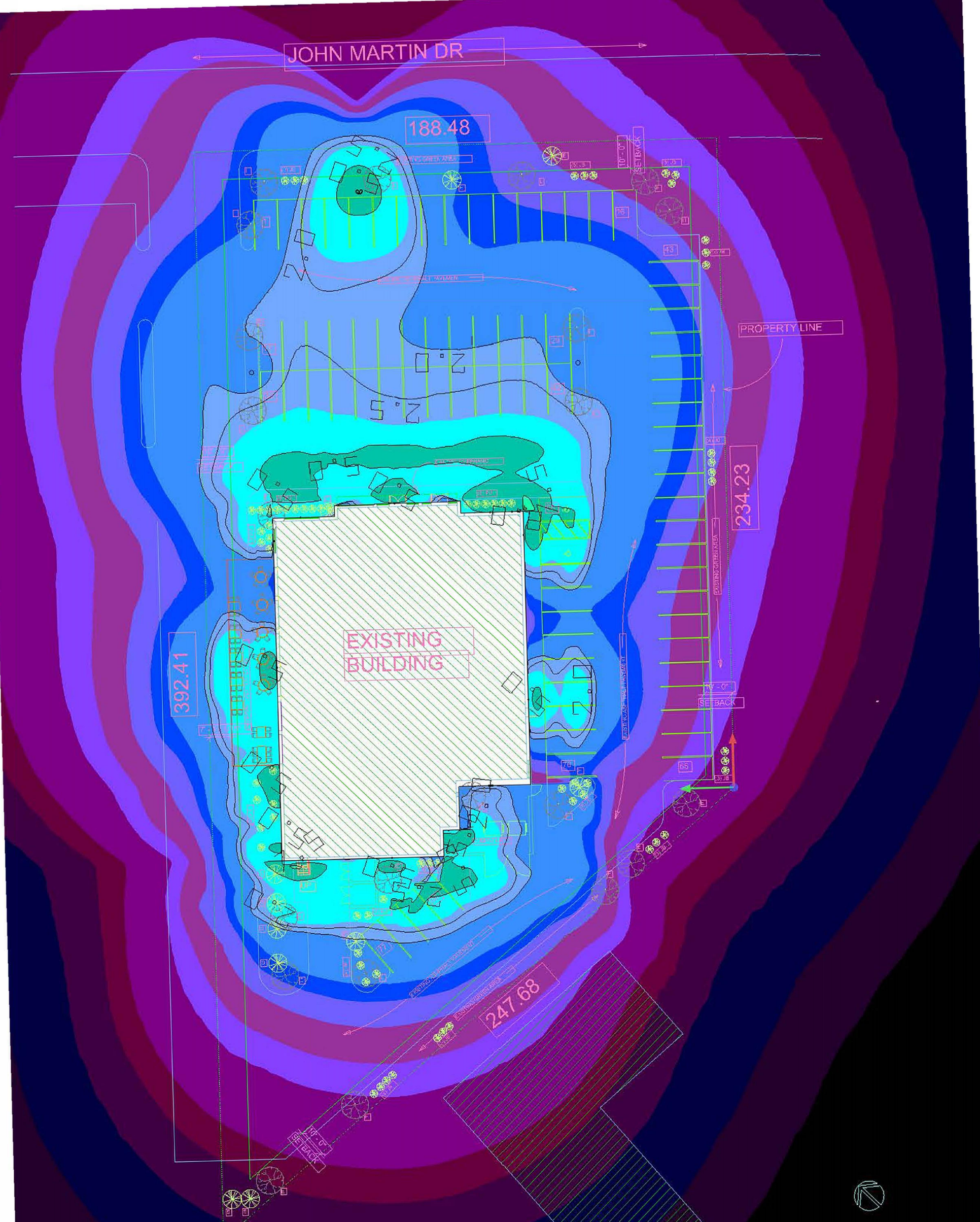
JOHN MARTIN DR
188.48
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234.23
EXISTING BUILDING
392.41
247.68
SETBACK
SETBACK
SETBACK
2.0
2.5

Catalog Number	
Notes	
Type	





Contractor Select™

TWR LED

LED Wall Pack
Adjustable+Switchable+Photocell

The Lithonia Lighting® TWR wall packs combine the power of the latest generation of LEDs in a popular and classic day-form to provide exceptional energy savings. These wall packs give ultimate versatility to both the distributor and contractor by offering 18 configurations in one product with their standard Adjustable Lumen Output (ALO), Switchable color temperature (SWW2), and adjustable photocell (PE) features.

FEATURES:

- Two sizes deliver from 2,300 lumens up to 16,100 lumens, replacing 70W to 400W HID luminaires
- Energy savings of up to 86% when replacing HID wall packs with less than two year paybacks
- Three power levels of adjustable lumen output. Switchable CCT(3000K/4000K/5000K) offers warm, cool and daylight in a single fixture
- Standard photocell can be turned on or off
- IP65 rated, Die-cast aluminum housing and borosilicate glass lens
- Up to 155 LPW

Adjustable Lumen Output ALO

Switchable CCT SWW2

Dusk-to-Dawn Operation PE

DLC LISTED PREMIUM · DLC LISTED · 5 YEAR warranty · 65 IP RATED · UL CERTIFIED · WET LOCATION™ · LED

Catalog Number	Adjustable Lumen Output ALO			Switchable CCT SWW2	Dusk-to-Dawn Operation PE	Input Voltage	CRI
TWR1 LED ALO SWW2 UVOLT PE DDBTXD	2,300 Lumens	5,300 Lumens	8,500 Lumens*	Switchable 3000K, 4000K*, 5000K	Included Standard, Selectable On*/Off	120-347V	80CRI
TWR2 LED ALO SWW2 UVOLT PE DDBTXD	8,200 Lumens	12,100 Lumens	16,100 Lumens*				

* - Default out of the box settings

Made To Order Options

Ci Code	Input Voltage	Catalog Number	UPC	Number of fixtures per pallet	Traditional Replacement
*280GX1	120-277V	TWR1 LED ALO SWW2 MVOLT PE E7WC DDBTXD	00196183389954	60	70W - 250W HID
*2822T3	480V	TWR2 LED ALO SWW2 480 DDBTXD	00196183765819	32	250W - 400W HID

* Note: Made to order options are available with normal lead time

TWR LED Stock Configuations

Catalog Number	UPC	Ci Code	Number of fixtures per pallet	Traditional Replacement
TWR1 LED ALO SWW2 UVOLT PE DDBTXD	00196183389947	*280GWW	50	70W - 250W HID
TWR2 LED ALO SWW2 UVOLT PE DDBTXD	00196183390028	*280GX5	40	250W - 400W HID



Radean Arm Mount
LED Area Luminaire

Catalog Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

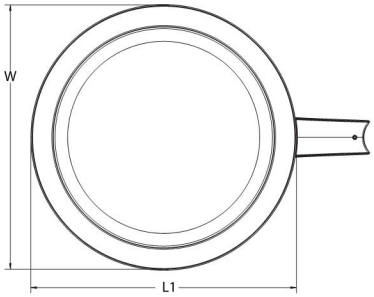
EPA: 0.75 ft² (0.05 m²)

Length:
L1 24" (61cm)
L2 30" (60.96 cm)

Width: 24" (61cm)

Height: 4" (10.2cm)

Weight (max): 29lbs (13.15Kg)





Introduction

The RADEAN arm mount luminaire is the perfect choice for pedestrian applications where daytime aesthetics and visual comfort are needed. Adding architectural flair to any space, the RADEAN's low-profile shape and smooth curves blend in while adding a touch of elegance.

Perfect for campuses, parks, pedestrian malls, courtyards and pathways, the RADEAN arm mount is the Architect's choice to provide beautiful aesthetics both day and night.

Ordering Information

EXAMPLE: RAD1 LED P3 30K SYM MVOLT RPA PE DNAXD

RAD1 LED

Series	Performance package	Color temperature	Distribution	Voltage	Mounting
RAD1 LED	P1 3,000 Lumens P2 5,000 Lumens P3 7,000 Lumens P4 11,000 Lumens P5 16,000 Lumens	27K 2700K 30K 3000K 35K 3500K 40K 4000K 50K 5000K	SYM Symmetric type V ASY Asymmetric type IV PATH Pathway type III	MVOLT [2] 277 [2] 120 [2] 347 208 [2] 480 240 [2]	SPA Square pole mounting (includes adapter) RPA Round pole mounting WBA Wall bracket

Control options	Other options	Finish *(required)*
Shipped installed NLTAIR2 nLight AIR 2.0 enabled [3] PE Button photocell [3] FAO Field adjustable output [3]	SF Single Fuse [2] DF Double Fuse [2] L90 Left rotated optics R90 Right rotated optics **Shipped separately** HS Houseside shield [4]	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white

Accessories

Ordered and shipped separately.

RADHS Houseside shield (shield is white)
RADCS Decorative clamshell base for 4" RSS pole (specify finish)
RADFBC Full base cover for 4" RSS pole (specify finish)

For more control options, visit DTL and ROAM online.

NOTES

1. 2700K and 3500K may require extended lead-times.
2. MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
3. NLTAIR2 not available with PE or FAO. Must link to external nLight Air network. Does not include occupancy sensor. For more information refer to rSBOR pole mount sensor.
4. Also available as a separate accessory; see Accessories information. Shield is field rotatable in 45° increments.

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Radean Post Top
LED Area Luminaire

Catalog Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

EPA: 1.02 ft² (0.105 m²)

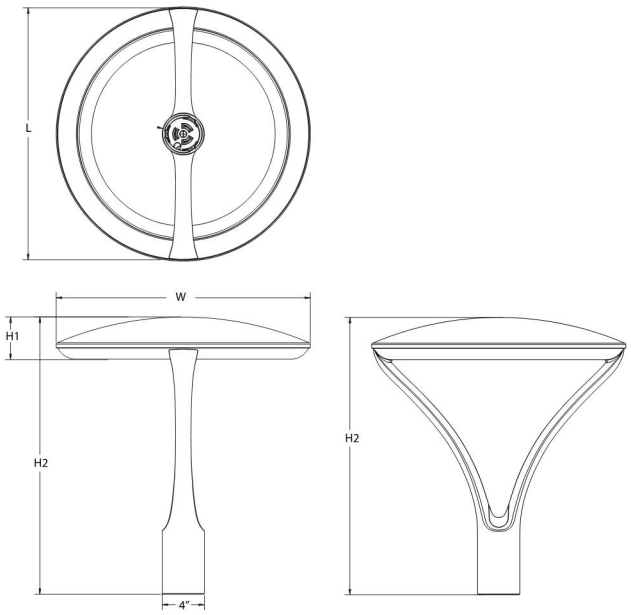
Length: 24" (61cm)

Width: 24" (61cm)

H1 Luminaire Height: 4" (10.16cm)

H2 Luminaire Height: 26" (66.04cm)

Weight: 38lbs (17.24Kg)



Introduction

The architecturally-inspired shape of the RADEAN™ post top area luminaire embodies the grace and strength of the RADEAN family. The twin copper-core cast aluminum arms support the slender superstructure, creating a beautiful sculpture by day transforming into a beacon of comfort by night. Triangular arms redirect reflection maintaining its visually quiet appearance. With sleek lines and simple silhouettes, these LED luminaires use specialized lighting and visual comfort to transform common areas like courtyards, outdoor retail locations, universities and corporate campuses into pedestrian-friendly nighttime environments.

Ordering Information

EXAMPLE: RADPT LED P3 30K SYM MVOLT PT4 PE DNAXD

RADPT LED

Series	Performance package	Color temperature	Distribution	Voltage	Mounting *(required)*
RADPT LED	P1 3,000 Lumens P2 5,000 Lumens P3 7,000 Lumens P4 10,000 Lumens P5 15,000 Lumens	27K 2700K 30K 3000K 35K 3500K 40K 4000K 50K 5000K	SYM Symmetric type V ASY Asymmetric type IV PATH Pathway Type III	MVOLT[2] 277[2] 120[2] 347 208[2] 480 240[2]	PT4[3] Slips inside a 4" OD round metal pole RADPT20 Slips over a 2 3/8" diameter tenon (4" tall tenon required) RADPT25 Slips over a 2 7/8" diameter tenon (4" tall tenon required)

Control options	Other options	Finish *(required)*
Shipped installed NLTAIR2 nLight AIR 2.0 enabled[4] PE Button photocell[4] FAO Field adjustable output[4]	SF Single Fuse[2] DF Double Fuse[2] R90 Rotated optics[5] **Shipped installed** HS Houseside shield[6]	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white

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September 9, 2023

AWC Holdings LLC
Attn: Adrian Virges, Jr
4416 78th Avenue North
Brooklyn Park, MN 55443

Dear Applicant:

The City of Brooklyn Center has conducted an initial review of Planning Commission Application No. 2023-006, which requests approval of a (1) site and building plan and (2) conditional use permit to convert the existing New King Buffet and former Tires Plus located at 5927 John Martin Drive into an approximately 10,200-square foot restaurant and bar (nightclub) with approximately 1,200-square foot outdoor patio.

Although the application submittal is considered complete, it has been determined that in order to proceed, a parking variance is required as the submitted application and intended use, as proposed, demonstrates deficiencies in providing minimum on-site parking as calculated under Section 35-5506 (*Required Parking Spaces*) of the City Code.

As this is a separate application request and as a public hearing notice has already been published in the Brooklyn Center *Sun Post* for the aforementioned site and building plan and conditional use permit requests, the following is requested of the Applicant **by no later than Wednesday, September 13, 2023** in order to allow adequate time to submit a separate public hearing notice for the variance request:

1. Nonrefundable Application Fee of $200 for the Variance Request (a separate escrow is not required at this time as the initial $1,000 escrow was submitted to the City)
2. Responses to the *Variance Criteria* below, as outlined under Section 35-7103 of the City Code and pursuant to Minnesota Statutes, Section 462.357, subdivision 6, as the City Council may only grant approval of variances where practical difficulties exist as to strict compliance of the City's Unified Development Ordinance (UDO) and where each of the following criteria are satisfied:

    a) The variance is in harmony with the general purposes and intent of this UDO;
    b) The variance is consistent with the Comprehensive Plan;
    c) The property owner proposed to use the property in a reasonable manner not permitted by this UDO;
    d) The plight of the landowner is due to circumstances unique to the property and *not* created by the landowner; and
    e) The variance, if granted, will not alter the essential character of the locality.

    It should be noted that economic considerations alone do not constitute practical difficulties.

Based upon this information, and considering a public hearing has been published for the site and building plan and conditional use permit requests, the City's Planning Commission still intends to convene on Thursday, September 14, 2023 at 7 p.m. in the Council Chambers of Brooklyn Center City Hall, located at

6301 Shingle Creek Parkway, Brooklyn Center, Minnesota 55430.

At this time, we respectively request you indicate your intent to apply for a variance by no later than Wednesday, September 13, 2023, and further request your presence at the Planning Commission meeting scheduled for Thursday, September 14, 2023.

Should you proceed with the variance request and provide all necessary information and fees by September 13, 2023, the anticipated timeline for consideration of your application is as follows:

Thursday, September 14, 2023 (7 p.m.) | Planning Commission *– Hold public hearing and request to continue the public hearing for the site and building plan and conditional use permit for 5927 John Martin Drive as provided under Planning Commission Application No. 2023-006 to Thursday, October 12, 2023.*

Thursday, October 12, 2023 (7 p.m.) | Planning Commission *– Hold the continued public hearing for Planning Commission Application No. 2023-006 for consideration of the following amended requests: (1) site and building plan, (2) conditional use permit, and (3) variance.*

Monday, October 23, 2023 (7 p.m.) | City Council *– Final review and consideration of Planning Commission Application No. 2023-006 for 5927 John Martin Drive.*

Should you choose to ***not*** proceed with the variance request, the Planning Commission may elect to recommend denial of Planning Commission Application No. 2023-006, which would then be considered by the City Council on Monday, September 25, 2023 at 7 p.m.

With that said, and following an initial review, we are requesting the following additional information be provided in order to allow for a proper review of the application and applicable criteria as outlined under the respective conditional use permit and variance requests:

1. The proposed approximately 1,200-square foot outdoor patio will extend into the existing drive aisle that is shared with neighboring 5939 John Martin Drive. In consideration of the proposed patio, City staff has concerns regarding minimum fire access through this area and around the building, overall circulation on the Subject Property, safe exiting from the patio area given the locations of the proposed gates, and any mitigative measures considered to minimize negative impacts to the adjacent property, as outlined under Section 35-7703 (*Conditional Use Permit Criteria*).

2. Revision of the submitted photometric plan to meet City Code requirements outlined under Section 35-5400 (*Exterior Lighting*), which shall clearly demonstrate consistent levels of illumination across the existing open-air parking lot and avoid pockets of very high or low levels of illumination. Spot illuminations shall be provided to clearly demonstrate adherence to minimum and maximum illumination levels, as well as uniformity, and a fixture schedule provided. As previously indicated, the existing pole and wall lighting is non-conforming. Detail sheets shall be provided clearly demonstrating enhanced illumination over all primary building entrances/exits and any pedestrian path ways as outlined under Section 35-5401.m.2 (*Lighting Standards*) of the City Code.

3. The submitted landscape plan shall be revised to provide an inventory of all existing plantings and species/types. The last revised landscape plan on file and dated November 14, 1991 indicated a minimum required 108 landscape points, which shall be satisfied by the Applicant.

4. Revise proposed architectural plans to clearly identify proposed areas of change and a percentage

breakdown of materials on an elevation-by-elevation basis. Provide additional west elevation rendering denoting the anticipated changes to the existing garage bay doors, as the proposed outdoor patio wall (fencing) makes it difficult to review.

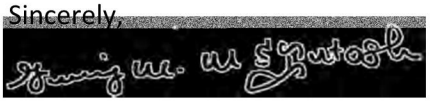
As our Assistant City Engineer, James Soltis, recently completed his initial review of the plan sets, I am also including a copy of his review memorandum, dated September 5, 2023.

Pursuant to Minnesota Statutes Section 15.99, the City of Brooklyn Center is required to approve or deny a written request for certain land use actions within sixty (60) days from receipt of an application. Community Development Department records indicate the City received the above-referenced application and documentation on August 23, 2023, which means the City's 60-day time limit would expire on October 22, 2023.

Minnesota Statutes Section 15.99, subdivision 3.f, affords certain allowances to the City of Brooklyn Center to extend the review period by an additional sixty (60) days to allow the time necessary for City staff to process and review any fees and materials relating to the requested variance, including proposed conditions of approval, which would be reviewed for final action by City Council. This would ultimately extend the deadline for completing the review and final action on this application to **December 21, 2023**.

Should you have any questions, please do not hesitate to reach out to me at (765) 569-3319 or via email at: gmcintosh@brooklyncentermn.gov.

Sincerely,



Ginny McIntosh
City Planner | Zoning Administrator
City of Brooklyn Center

Enclosure: Review Memorandum, prepared by James Soltis, Assistant City Engineer, and dated September 5, 2023.

M E M O R A N D U M

DATE: ~~September 5, 2023~~ October 5, 2023

TO: Ginny McIntosh, City Planner/Zoning Administrator

FROM: James Soltis, Assistant City Engineer

SUBJECT: Public Works – PUD / Site Plan
5927 John Martin Dr Jambo Africa Restaurant

Public Works staff reviewed the following documents submitted for review for the proposed 5927 John Martin Dr redevelopment also known as Jambo Africa Restaurant.

- *5927 John Martin Dr Narrative (Not dated)*
- *Plans (08-17-2023 Construction Documents)*
- *Photometric Plan (Not dated)*
- *Plans (09-13-2023 Construction Documents)*
- *Site Plan Response (Not dated)*
- *Photometric Plan (Not dated)*

Subject to final staff approval, the referenced plans must be revised in accordance with the following comments/revisions and approved prior to issuance of any permits.

In the response memo provided by the applicant on 9/27/23 it was indicated that there will be no removal of pavement on the site. This memo has been updated based of this clarification of work and newly provided documents.

Plan Items:

A1-100 – Site Plan

1. ~~Indicate the disturbed area due to patio and other site disturbances. Square footage over 10,000 sf will trigger a city land disturbance permit and additional site review requirements.~~
2. ~~Site plan indicates a change in locations of accessible parking spaces from the previous use. Provide documentation the proposed locations meet MN Accessibility Code requirements.~~
3. The number of provided accessible parking spaces does not meet MN Accessibility Code for minimum number of accessible spaces. Indicate additional locations to meet this minimum number including documentation these locations meet applicable code requirements. Minimum accessible parking spaces can be found under the MN Accessibility Code Table 1106.1 Accessible Parking Spaces which can be found online at https://codes.iccsafe.org/content/MNAC2020P1/2020-minnesota-accessibility-code-2
4. ~~Proposed patio extends into the drive aisle along the North West side of building. Verify reduced drive width meets city minimum requirements for a two way drive as indicated in Section 35-5504. PARKING SPACE STANDARDS.~~

You created this PDF from an application that is not licensed to print to novaPDF printer (http://www.novapdf.com)

5. ~~Provide details of any alteration to the drainage patterns along the North Western drive regarding any patio work.~~
6. ~~Provide a description of the work related to the patio including any removal of pavement or adjustment to grades. Provide documentation the proposed patio meets MN Accessibility Code requirements.~~
7. Provide a description of any safety considerations for the patio in regard to the adjacent drive.

General Items:

8. ~~From Section 35-320: Required Documents, the following are required as part of this submittal. *A survey drawing by a registered engineer or land surveyor showing pertinent existing conditions, accurately dimensioned.*~~

All aforementioned items, comments and recommendations are provided based on the information submitted by the applicant at the time of this review. The *site plan* must be developed and maintained in substantial conformance with the referenced plans, unless modified by the staff recommended conditions above. Subsequent approval of the final plan may require additional modifications based on engineering requirements associated with final design of the final grading, geometric design and other design elements as established by the City Engineer and other public officials having jurisdiction over approval of the final site plans

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Exhibit E

Community Development
763-569-3330

October 2, 2023

Jambo Africa Restaurant & Bar

Building review comments for newly proposed Jambo Africa Restaurant & Bar to be located at 5927 John Martin Dr.

1. Prior to a Building permit being issued. A SAC determination for the new building will need to be done by MET Council and SAC determination letter received.

2. Separate permits and signed plans required for Building, Mechanical, Plumbing & Electrical. A Fire sprinkler and Fire alarm permit with plans is required to be submitted to the Building Department for this building review. The Community Development Department must be contacted on all proposed signage for this building. Permits are required for all exterior signage.

3. The building will be required to have a sprinkler system installed if not already installed. City of Brooklyn Center Ordinance 3-101 B. (2) as adopted by the Minnesota State Building Code 1306 Special Fire Protection system 1306.0020 Subp. 2, Existing and New buildings.

4. Hennepin County Health Department shall approve the restaurant plans prior to any City permits being issued.

5. All plumbing plans shall be reviewed by the Minnesota Department of Labor and Industry Plumbing Department. All submitted documents shall be signed as required by Minnesota state statues.

6. Any flammable interceptors shall be properly abandoned per MPCA and city requirements. If a grease interceptor is not already installed. A grease interceptor will be required to prevent any future blocking of City Sanitary lines.

7. Building plans to be submitted to the City Building Department for review. If any items need to be addressed, comments will be provided in a plan review letter addressed to the architect of record.

8) Patio doors shall swing in the direction of travel and not into drive areas per MNBC 1010.1.2.1. Gates shall be provided with push hardware or similar hardware to panic or fire exit hardware per MNBC 1010.1.10.

Sincerely,

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

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Jesse Anderson, Community Development Director

SUBJECT: Resolution Declaring November 25, 2023, as Small Business Saturday in the City of Brooklyn Center

Requested Council Action:

- Motion to approve a resolution declaring November 25, 2023, as Small Business Saturday in Brooklyn Center.

Background:

The City of Brooklyn Center participates with Hennepin County to support local businesses through their Elevate Hennepin program.

Elevate Hennepin draws together experts, tools and programs intentionally designed to help new and established businesses gain their footing, plan for their next steps, and take their success to a new level. Through Elevate Hennepin, Hennepin County is investing in a business support ecosystem that is shaping the region to become even stronger and resilient. Hennepin County offers an Elevate Hennepin resource hub, accessed technical assistance, or participated in a cohort-learning program.
This year Elevate Hennepin will be promoting a Love Local Marketing Campaign in advance of Small Business Saturday. The program will offer Love Local Window Clings for local small businesses.
The City will distribute the window clings and promote local businesses by posting on social media, sharing information information in our newsletter, and promoting through other local communications outlets.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Resident Economic Stability

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/3/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NOVEMBER 25, 2023 AS SMALL BUSINESS SATURDAY IN THE CITY OF BROOKLYN CENTER

WHEREAS, Hennepin County and Brooklyn Center celebrates our local small businesses and the contributions they make to the local economy and community; according to the United States Census, there are more than 38,000 small businesses with fewer than 100 employees in Hennepin County, representing over 96 percent of businesses in the county; and

WHEREAS, the Small Business Administration as well as advocacy groups and other public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and

WHEREAS, Hennepin County has partnered with Brooklyn Center, several cities in the county and the Hennepin County Housing and Redevelopment Authority to support Small Business Saturday with the multijurisdictional Love Local campaign which encourages residents to support local, independently owned businesses that create jobs, boost the local economy, and make our communities vibrant and livable; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, does hereby proclaim November 25, 2023, Small Business Saturday and urges those who live and work in our communities to support small businesses and merchants on Small Business Saturday and throughout the year.

November 13, 2023
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

HENNEPIN COUNTY
MINNESOTA

Love Local marketing toolkit for city partners



We are excited for the enthusiasm you've shown for reviving the Love Local small business marketing campaign in advance of Small Business Saturday.

Love Local is an ongoing initiative from Hennepin County to highlight the vibrant small business community that makes our county so great.

We plan to feature Love Local on Hennepin County and Elevate Hennepin℠ communications channels and will be promoting the opportunity for business owners to get their own Love Local window cling.

Please join us in promoting local businesses by posting on social media, sharing information in your newsletters, and promoting through your local communications outlets.

Please feel free to use and tailor the sample copy and creative collateral included in this document for your unique audiences.

For Love Local program questions contact brandon.bell@hennepin.us.

And don't forget to share your images with Hennepin County, please tag us in posts or send us photos of your Love Local activities directly.

Contents

Love Local marketing toolkit for city partners 1
Images and pictures 3
Window clings 3
Sample website content 4
Newsletter/email content 5
Social media example posts 7

Images and pictures

You can download Love Local images for use on web, print, newsletter, and social media platforms through Dropbox here.

Window clings



Hennepin County has designed window clings for small businesses to display and demonstrate they are a local business and an important part of our community. Clings are being distributed in several ways:

1) If you would like to customize this cling to add your city logo, you can access the modifiable Adobe Illustrator files, here (must have Adobe software to modify). We encourage you to work with a local printer in your community to print these to either have available for pickup at your city hall or other convenient location, or to distribute to businesses directly.
2) Hennepin County will also be printing a limited number of clings without specific city branding. Please email Brandon at Brandon.Bell@hennepin.us **by November 8th** if you would like up to 50 of these standard clings delivered to your city hall prior to Small Business Saturday.

Sample website content

The Love Local campaign is an effort to encourage residents to shop locally and keep this a vibrant, small-business friendly community.

That's why **[city name]** has partnered with Hennepin County's Elevate Hennepin℠ initiative to launch the multijurisdictional Love Local campaign, which encourages residents to support local businesses that create jobs, boost the local economy, and enrich our communities.

[Option – for cities that have window clings on-hand]

We encourage business owners to stop by city hall to pick up a Love Local window cling to show your community pride. Get in touch with **[email contact]** to get yours today!

Newsletter/email content

For a general audience

These messages are tailored for a general resident/public audience.

Option 1 – before Small Business Saturday November 25

We 'Love Local' businesses

Small Business Saturday is November 25, and it's the perfect time to shop at the local businesses that are an essential part of this community. **[your city]** has partnered with Hennepin County's Elevate Hennepin℠ initiative in a promotional effort called Love Local to highlight our love for local businesses. Look out for Love Local signs in the windows of your favorite local restaurants and retailers and be sure to shop local and show our businesses lots of love this holiday season.

[insert window cling image]

Option 2 – throughout holiday season

Shop local this holiday season

The holiday shopping and entertaining season is here! It's the busiest time of year for the many local retailers and venues that we love in our community.

We've partnered with Hennepin County's Elevate Hennepin℠ initiative to help promote shopping local this holiday season through the 'Love Local' campaign. As you're out and about, look for Love Local signs at local businesses. These are the businesses that sponsor our local sports teams, employ your neighbors, and make this community so vibrant and unique.

[insert window cling image]

For a business audience

These messages are tailored for a business audience if your city communicates with local business owners directly.

Option 1 – before Small Business Saturday November 25

Remind customers you're part of the community this Small Business Saturday

Small Business Saturday is November 25, and it's a perfect time to remind shoppers that your business is an integral part of this community. [your city] is partnering with Hennepin County's Elevate Hennepin℠ initiative in a promotional effort called Love Local to encourage residents to shop locally and keep this a vibrant, small business friendly community.

We encourage you to pick up a Love Local window cling to show your local pride. **[Insert best way for businesses in your community to get a cling - see 'window clings' section above]**

[insert window cling image]

Option 2 – throughout holiday season

Remind shoppers you're local this holiday season

The holiday shopping season is here! It's the busiest time of year for many local retailers and shoppers are in a buying mood. Remind them how important you are to the community. **[your city]** has partnered with Hennepin County in the Love Local to encourage community members to shop local this season.

We encourage you to pick up a Love Local window cling to show your local pride.

[Insert best way for businesses in your community to get a cling - see 'window clings' section above]

Social media example posts

The following posts can be shared throughout the month and can be re-worded to fit the needs of your audience. More images can be found below or can be downloaded here: Web and Social Media Imagery

Tag county and Elevate Hennepin℠ profiles

As you are posting, please consider tagging the following Hennepin County and Elevate Hennepin℠ profiles and ***use the hashtag*** **#LoveLocalHC**.

Hennepin County:

Hennepin County | Facebook

Hennepin County | Twitter

Hennepin County | Instagram

Hennepin County | LinkedIn

Elevate Hennepin℠:

Elevate Hennepin℠ MSP | Facebook

Elevate Hennepin℠ | Instagram

Elevate Hennepin℠ | LinkedIn

For posting ahead of November 25



November 25 is #SmallBusinessSaturday. Remember to shop small this Saturday and year-round. Small businesses are essential for creating vibrant, unique, inclusive places

to live. Thank you to our small business neighbors and their contributions to our economy and communities!

For Posting on November 25:



Happy #SmallBusinessSaturday! Friendly reminder to support your local small businesses today and year-round. #LoveLocalHC



Celebrate #SmallBusinessSaturday by supporting our local business districts today! Shop, eat, and enjoy your local small businesses that make **[your city]** so exceptional. #LoveLocalHC #ShopSmall

For posting anytime in the holiday shopping season:



Small businesses are the backbone of our economy and the heart of our community. They help create two out of every three new jobs and reflect our growing diversity. Be sure to support local businesses for your holiday shopping, dining, and entertainment! #LoveLocalHC



Looking for something unique, something personal? Visit your local small businesses this holiday shopping season! (And don't forget to grab some great food too.) #LoveLocalHC

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Elizabeth Heyman, Public Works Director
BY: Lydia Ener, P.E., Principal Engineer

SUBJECT: Resolution Establishing 2024 Street and Storm Drainage Special Assessment Rates

Requested Council Action:

- Motion to approve a resolution establishing the 2024 street and storm drainage special assessment rates for street and utility improvement projects.

Background:

Each year the City Council establishes assessment rates for R1, R2, and R3 residential zoned properties based on the City's Special Assessment Policy. Within these zoning districts, the assessment rate for street and storm drainage improvements is based on a unit amount that applies to all single-family residential properties. The unit amount represents a specific portion of the average cost for reconstructing a typical residential street and storm drainage system. Street assessments for non-residential and R4 to R7 residential properties are computed separately for each project.

Special assessment rates are typically adjusted each year to reflect normal inflationary increases in construction costs. The City's Special Assessment Policy indicates that "the unit assessment shall be adjusted annually to reflect cost of living increases as measured by the Construction Index" (City Council Code of Policies Section II – 2.10.2.B.1.a.2). The Engineering News Record (ENR) Construction Cost Index has experienced an average annual percent change for 2023 of 1.2 percent, as shown in the table below.

Year	2016	2017	2018	2019	2020	2021	2022	2023*
12-mo avg. annual % change	1.4	3.5	5.3	0.9	1.0	4.6	3.1	1.2

Source: ENR website,
Note: * 12-month average November 2022 – October 2023

Based on the 2023 information above, staff recommends adjusting the special assessment rates by an increase of 1.2 percent for 2024, which will be an increase of $79 from the 2023 total assessment amount for full street and storm reconstruction projects. This rate should continue to maintain the portion of street and storm drainage costs that are assessed at approximately 33 percent of the total cost for street and storm drainage improvements. The City Council has historically targeted 33 percent as the portion of street and storm drainage improvements that are assessed to adjoining R1, R2, and R3 residential properties.

Budget Issues:

The table below shows the proposed 2024 special assessment rates for R1 single-family residential lots. The attached resolution provides the corresponding adjustments for R2 and R3 zoned properties based on the proposed unit assessment rates.

Project Type	2024 Street Improvements R1 Assessment Rates	2024 Storm Drainage Improvements R1 Assessment Rates
Full Street Reconstruction	$5,138	$1,541
Partial Street Reconstruction (full pavement replacement)	$3,852	NA
Pavement Rehabilitation (mill and overlay)	$1,698	NA

Inclusive Community Engagement:

NA

Antiracist/Equity Policy Effect:

NA

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/6/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION ESTABLISHING 2024 STREET AND STORM DRAINAGE SPECIAL ASSESSMENT RATES

WHEREAS, the residential assessment rates for street and storm drainage improvements are annually reviewed and approved by the City Council; and

WHEREAS, the residential assessment rates should be adjusted annually to be effective January 1; and

WHEREAS, the 2024 street and storm drainage assessment rates for R1, R2 and R3 zoned districts are based on a specific proportion of approximately 33 percent of the average cost for street and storm drainage improvements; and

WHEREAS, the R4, R5, R6 and R7 zoned districts will continue to be assessed based on an evaluation of project cost and project benefit.

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

1. The residential street and storm drainage special assessment rates for street reconstruction and pavement rehabilitation shall apply to properties in R1, R2 or R3 zoned districts. These rates shall also be applied to parcels of property in other land use zones when such parcels (a) are being used as one-family or two-family residential sites at the time the assessment roll is levied; and (b) could not be subdivided under the then-existing Subdivision Ordinance.

2. The residential assessment rates for street and storm drainage reconstruction effective January 1, 2024, shall be as follows:

Land Use	2024 Assessment Rates
R1 zoned, used as one-family site that cannot be subdivided	$5,138.00 per lot (street) $1,541.00 per lot (storm drainage)
R2 zoned, or used as a two-family site that cannot be subdivided	$68.5067 per front foot with a $5,138.00 per lot minimum (street) $20.5467 per front foot with a $1,541.00 per lot minimum (storm drainage)

Land Use	2024 Assessment Rates
R3 zoned (per unit)	Assessable frontage x $68.5067 (street) Number of residential units Assessable frontage x $20.5467 (storm) Number of residential units

3. The residential assessment rates for partial street reconstruction effective January 1, 2024, shall be as follows:

Land Use	2024 Assessment Rates
R1 zoned, used as one-family site that cannot be subdivided	$3,852.00 per lot (street)
R2 zoned, or used as a two-family site that cannot be subdivided	$51.3600 per front foot with a $3,852.00 per lot minimum (street)
R3 zoned (per unit)	Assessable frontage x $51.3600 (street) Number of residential units

4. The residential assessment rates for pavement rehabilitation effective January 1, 2024, shall be as follows:

Land Use	2024 Assessment Rates
R1 zoned, used as one-family site that cannot be subdivided	$1,698.00 per lot (street)
R2 zoned, or used as a two-family site that cannot be subdivided	$22.6400 per front foot with a $1,698.00 per lot minimum (street)
R3 zoned (per unit)	Assessable frontage x $22.6400 (street) Number of residential units

5. The residential assessment rates for street and storm drainage reconstruction and pavement rehabilitation shall not apply to R4, R5, R6 or R7 zoned districts. The assessment rates for street reconstruction and pavement rehabilitation for R4, R5, R6 or R7 zoned property shall be based on an evaluation of the project cost and project benefit for each project.

RESOLUTION NO. _____

November 13, 2023 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Elizabeth Heyman, Public Works Director
BY: Lydia Ener, P.E., Principal Engineer

SUBJECT: Resolution Establishing Interest Rate for 2024 Special Assessments

Requested Council Action:

- Motion to approve a resolution establishing interest rate for 2024 special assessments.

Background:

Each year the City Council sets an interest rate for special assessments levied against properties based on the City's Special Assessment and Internal Loan Interest Rate Policy. The objective of this policy is to establish an equitable interest rate that will not unfairly burden the property owner yet recover the cost of borrowing from outside sources, recover the cost of administering the special assessments, and protect the City from the possibility that special assessment prepayments might impair the City's ability to service the bonds.

City Council policy has been to establish the special assessment interest rate by calculating the sum of the interest rate for the most recent general obligation bond, adding two percent to cover the overhead costs described above and rounding to the nearest one-half percent in accordance with the policy. The most recent improvement bond sale by the City of Brooklyn Center was a General Obligation Improvement Bond at 3.5 percent which results in a special assessment interest rate of 5.5 percent for 2024.

Budget Issues:

NA

Inclusive Community Engagement:

NA

Antiracist/Equity Policy Effect:

NA

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/6/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION ESTABLISHING INTEREST RATE FOR 2024 SPECIAL ASSESSMENTS

WHEREAS, the City Council levies special assessments for certain neighborhood street and utility projects, delinquent utility bills, and other services provided to property owners that go unpaid; and

WHEREAS, amounts outstanding are certified to Hennepin County for collection with property taxes; and

WHEREAS, by City Council policy, interest is to be charged on outstanding amounts certified to Hennepin County for collection with property taxes; and

WHEREAS, the interest rate to be charged is two percent over the net interest rate for the most recent City General Obligation bond sale rounded up to the next one-half percent; and

WHEREAS, the most recent General Obligation Improvement Bond sale resulted in a net interest rate of 3.5 percent.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the interest rate charged on outstanding special assessments for the year 2024 is hereby established at 5.5 percent.

November 13, 2023
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Elizabeth Heyman, Director of Public Works
BY: Lydia Ener, P.E., Principal Engineer

SUBJECT: Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2024-01, Orchard Lane East Improvements

Requested Council Action:

- Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2024-01, Orchard Lane East Improvements.

Background:

The Orchard Lane Area is identified in the Capital Improvement Program (CIP), and is slated for improvements during the 2024 and 2025 construction season. The attached feasibility report provides a summary of the project evaluation process and preliminary street and utility improvements. On September 25, 2023, the City Council received the project feasibility report and an improvement public hearing was conducted on October 23, 2023, to consider these improvements.

The attached resolution declares certain project costs to be assessed for the Orchard Lane East Improvements and calls for a public hearing on the proposed special assessments on December 11, 2023.

The purpose of holding the special assessment hearing prior to beginning the project is to assure that any objections to or appeals of the assessments are known prior to entering into a construction contract or issuing bonds to finance the assessed portion of the project. The established assessment rate would set the maximum levy amounts, guaranteeing property owners of the final cost they will pay for the project. Special assessments for this project have been calculated in accordance with the City's Special Assessment Policy.

Budget Issues:

The total project cost for the Orchard Lane East Improvements is estimated to be $11,792,000. The total special assessments for this project are estimated to be $1,438,753.37 for street improvements.

Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on September 25, 2023. The special assessment rates are proposed to be adopted by the City Council on November 13, 2023, and funding source amounts that are included in the feasibility report, amended with the rates proposed to be set at the November 13th City Council meeting, are:

Special Assessments	$ 1,438,753.37
Sanitary Sewer Utility Fund	$ 1,990,000.00
Water Utility Fund	$ 3,978,000.00
Storm Drainage Utility Fund	$ 884,000.00
Street Reconstruction Fund	$ 3,501,246.63
Total	$ 11,792,000.00

Inclusive Community Engagement:

Staff conducted public informational meetings with residents and property owners on August 3, 2023 and October 19, 2023. An Improvement Public Hearing was held on October 23, 2023 to receive public comments pertaining to the proposed improvements.

Antiracist/Equity Policy Effect:

NA

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/6/2023	Resolution Letter
Draft Assessment Roll	11/6/2023	Backup Material
Draft Assessment Map	11/6/2023	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION DECLARING COSTS TO BE ASSESSED AND CALLING FOR A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR IMPROVEMENT PROJECT NO. 2024-01, ORCHARD LANE EAST IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council has accepted the Engineer's Feasibility Report for Improvement Project No. 2024-01, Orchard Lane East Improvements; and

WHEREAS, the total cost of the street improvement portion of said project is estimated to be $3,501,246.63; and

WHEREAS, the City Clerk and City Engineer have prepared a proposed assessment roll showing the proposed amount to be specifically assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law.

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

1. That portion of the cost to be assessed against benefited property owners for street improvements included in City Improvement Project No. 2024-01 is declared to be $1,438,753.37.

2. Notice is hereby given that a public hearing will be held on the 11th day of December, 2023, at 7:00 p.m. or as soon thereafter as part of the regular City Council meeting as the matter may be heard to pass upon said assessment and at such time and place all persons owning property affected by said improvements will be given the opportunity to be heard with reference to said assessment.

3. The City Clerk is directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement.

4. The City Clerk shall cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

RESOLUTION NO. _____

November 13, 2023 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL

November 13, 2023

2024 ORCHARD LANE EAST IMPROVEMENTS

IMPROVEMENT PROJECT NO. 2024-01

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	NOTES
3411921320067	4300	63rd Avenue North		$ 3,852.00	R1
3411921320001	4500	63rd Avenue North		$ 3,852.00	R1
3411921320056	4518	63rd Avenue North		$ 3,852.00	R1
3411921320075	4309	64th Avenue North		$ 3,852.00	R1
3411921320035	4501	64th Avenue North		$ 3,852.00	R1
3411921320009	4506	64th Avenue North		$ 3,852.00	R1
3411921320036	4507	64th Avenue North		$ 3,852.00	R1
3411921320037	4513	64th Avenue North		$ 3,852.00	R1
3411921320038	4601	64th Avenue North		$ 3,852.00	R1
3411921320025	4606	64th Avenue North		$ 3,852.00	R1
3411921320039	4607	64th Avenue North		$ 3,852.00	R1
3411921320040	4613	64th Avenue North		$ 3,852.00	R1
3411921320041	4619	64th Avenue North		$ 3,852.00	R1
3411921310081	3907	65th Avenue North		$ 35,177.78	R5
3411921310083	4001	65th Avenue North		$ 3,852.00	R1
3411921310084	4007	65th Avenue North		$ 3,852.00	R1
3411921310085	4013	65th Avenue North		$ 3,852.00	R1
3411921310086	4023	65th Avenue North		$ 3,852.00	R1
3411921310065	4107	65th Avenue North		$ 3,852.00	R1
3411921240018	4112	65th Avenue North		$ 3,852.00	R1
3411921240050	4200	65th Avenue North		$ 3,852.00	R1
3411921310032	4201	65th Avenue North		$ 3,852.00	R1
3411921240049	4206	65th Avenue North		$ 3,852.00	R1
3411921240048	4212	65th Avenue North		$ 3,852.00	R1
3411921240047	4218	65th Avenue North		$ 3,852.00	R1
3411921230066	4300	65th Avenue North		$ 3,852.00	R1
3411921230065	4306	65th Avenue North		$ 3,852.00	R1
3411921230064	4312	65th Avenue North		$ 3,852.00	R1
3411921230063	4318	65th Avenue North		$ 3,852.00	R1
3411921230062	4400	65th Avenue North		$ 3,852.00	R1
3411921320108	4401	65th Avenue North		$ 3,852.00	R1
3411921230061	4406	65th Avenue North		$ 3,852.00	R1
3411921230060	4412	65th Avenue North		$ 3,852.00	R1
3411921230059	4418	65th Avenue North		$ 3,852.00	R1
3411921230082	4500	65th Avenue North		$ 3,852.00	R1
3411921230081	4506	65th Avenue North		$ 3,852.00	R1
3411921320017	4507	65th Avenue North		$ 3,852.00	R1
3411921230080	4512	65th Avenue North		$ 3,852.00	R1
3411921230079	4518	65th Avenue North		$ 3,852.00	R1
3411921230078	4600	65th Avenue North		$ 3,852.00	R1
3411921230077	4606	65th Avenue North		$ 3,852.00	R1
3411921230076	4612	65th Avenue North		$ 3,852.00	R1
3411921230075	4618	65th Avenue North		$ 3,852.00	R1
3311921140009	4706	65th Avenue North		$ 3,852.00	R1
3311921140010	4712	65th Avenue North		$ 3,852.00	R1
3411921240025	4110	66th Avenue North		$ 3,852.00	R1
3411921240026	4200	66th Avenue North		$ 3,852.00	R1
3411921240032	4201	66th Avenue North		$ 3,852.00	R1
3411921240027	4206	66th Avenue North		$ 3,852.00	R1
3411921240033	4207	66th Avenue North		$ 3,852.00	R1
3411921240028	4212	66th Avenue North		$ 3,852.00	R1
3411921240034	4213	66th Avenue North		$ 3,852.00	R1
3411921240029	4218	66th Avenue North		$ 3,852.00	R1
3411921240035	4219	66th Avenue North		$ 3,852.00	R1
3411921240030	4224	66th Avenue North		$ 3,852.00	R1
3411921240036	4225	66th Avenue North		$ 3,852.00	R1
3411921240031	4230	66th Avenue North		$ 3,852.00	R1
3411921230003	4300	66th Avenue North		$ 3,852.00	R1
3411921230035	4301	66th Avenue North		$ 3,852.00	R1
3411921230004	4306	66th Avenue North		$ 3,852.00	R1
3411921230036	4307	66th Avenue North		$ 3,852.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL

November 13, 2023

2024 ORCHARD LANE EAST IMPROVEMENTS

IMPROVEMENT PROJECT NO. 2024-01

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	NOTES
3411921230005	4312	66th Avenue North		$ 3,852.00	R1
3411921230037	4313	66th Avenue North		$ 3,852.00	R1
3411921230006	4318	66th Avenue North		$ 3,852.00	R1
3411921230038	4319	66th Avenue North		$ 3,852.00	R1
3411921230007	4400	66th Avenue North		$ 3,852.00	R1
3411921230039	4401	66th Avenue North		$ 3,852.00	R1
3411921230108	4406	66th Avenue North		$ 3,852.00	R1
3411921230040	4407	66th Avenue North		$ 3,852.00	R1
3411921230009	4412	66th Avenue North		$ 3,852.00	R1
3411921230041	4413	66th Avenue North		$ 3,852.00	R1
3411921230103	4418	66th Avenue North		$ 3,852.00	R1
3411921230042	4419	66th Avenue North		$ 3,852.00	R1
3411921230100	4500	66th Avenue North		$ 3,852.00	R1
3411921230019	4501	66th Avenue North		$ 3,852.00	R1
3411921230102	4506	66th Avenue North		$ 3,852.00	R1
3411921230020	4507	66th Avenue North		$ 3,852.00	R1
3411921230110	4512	66th Avenue North		$ 3,852.00	R1
3411921230021	4513	66th Avenue North		$ 3,852.00	R1
3411921230014	4518	66th Avenue North		$ 3,852.00	R1
3411921230022	4519	66th Avenue North		$ 3,852.00	R1
3411921230105	4600	66th Avenue North		$ 3,852.00	R1
3411921230023	4601	66th Avenue North		$ 3,852.00	R1
3411921230109	4606	66th Avenue North		$ 3,852.00	R1
3411921230024	4607	66th Avenue North		$ 3,852.00	R1
3411921230104	4612	66th Avenue North		$ 3,852.00	R1
3411921230025	4613	66th Avenue North		$ 3,852.00	R1
3411921230101	4618	66th Avenue North		$ 3,852.00	R1
3411921230026	4619	66th Avenue North		$ 3,852.00	R1
3411921310111	6437	Brooklyn Boulevard		$ 12,516.14	MX-N2
3411921240055	6503	Brooklyn Boulevard		$ 35,155.45	MX-N2
3311921410012	4700	Eleanor Lane		$ 3,852.00	R1
3311921410025	4701	Eleanor Lane		$ 3,852.00	R1
3311921410026	4707	Eleanor Lane		$ 3,852.00	R1
3411921310099	6306	Indiana Avenue North		$ 3,852.00	R1
3411921310046	6307	Indiana Avenue North		$ 3,852.00	R1
3411921310098	6312	Indiana Avenue North		$ 3,852.00	R1
3411921310045	6313	Indiana Avenue North		$ 3,852.00	R1
3411921310097	6318	Indiana Avenue North		$ 3,852.00	R1
3411921310044	6319	Indiana Avenue North		$ 3,852.00	R1
3411921310096	6324	Indiana Avenue North		$ 3,852.00	R1
3411921310043	6325	Indiana Avenue North		$ 3,852.00	R1
3411921310095	6330	Indiana Avenue North		$ 3,852.00	R1
3411921310042	6331	Indiana Avenue North		$ 3,852.00	R1
3411921310041	6337	Indiana Avenue North		$ 3,852.00	R1
3411921310040	6343	Indiana Avenue North		$ 3,852.00	R1
3411921310039	6401	Indiana Avenue North		$ 3,852.00	R1
3411921310074	6406	Indiana Avenue North		$ 3,852.00	R1
3411921310038	6407	Indiana Avenue North		$ 3,852.00	R1
3411921310075	6412	Indiana Avenue North		$ 3,852.00	R1
3411921310037	6413	Indiana Avenue North		$ 3,852.00	R1
3411921310076	6418	Indiana Avenue North		$ 3,852.00	R1
3411921310036	6419	Indiana Avenue North		$ 3,852.00	R1
3411921310077	6424	Indiana Avenue North		$ 3,852.00	R1
3411921310035	6425	Indiana Avenue North		$ 3,852.00	R1
3411921310078	6430	Indiana Avenue North		$ 3,852.00	R1
3411921310034	6431	Indiana Avenue North		$ 3,852.00	R1
3411921310079	6436	Indiana Avenue North		$ 3,852.00	R1
3411921310033	6437	Indiana Avenue North		$ 3,852.00	R1
3411921310064	6442	Indiana Avenue North		$ 3,852.00	R1
3411921240019	6506	Indiana Avenue North		$ 3,852.00	R1
3411921240020	6512	Indiana Avenue North		$ 3,852.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL

November 13, 2023

2024 ORCHARD LANE EAST IMPROVEMENTS

IMPROVEMENT PROJECT NO. 2024-01

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	NOTES
3411921240021	6518	Indiana Avenue North		$ 3,852.00	R1
3411921240022	6524	Indiana Avenue North		$ 3,852.00	R1
3411921240023	6530	Indiana Avenue North		$ 3,852.00	R1
3411921240024	6536	Indiana Avenue North		$ 3,852.00	R1
3411921310048	6300	June Avenue North		$ 3,852.00	R1
3411921310049	6306	June Avenue North		$ 3,852.00	R1
3411921310050	6312	June Avenue North		$ 3,852.00	R1
3411921320065	6313	June Avenue North		$ 3,852.00	R1
3411921310051	6318	June Avenue North		$ 3,852.00	R1
3411921320064	6319	June Avenue North		$ 3,852.00	R1
3411921310052	6324	June Avenue North		$ 3,852.00	R1
3411921320063	6325	June Avenue North		$ 3,852.00	R1
3411921310053	6330	June Avenue North		$ 3,852.00	R1
3411921320062	6331	June Avenue North		$ 3,852.00	R1
3411921310054	6336	June Avenue North		$ 3,852.00	R1
3411921320061	6337	June Avenue North		$ 3,852.00	R1
3411921310055	6342	June Avenue North		$ 3,852.00	R1
3411921320060	6343	June Avenue North		$ 3,852.00	R1
3411921310056	6400	June Avenue North		$ 3,852.00	R1
3411921320099	6401	June Avenue North		$ 3,852.00	R1
3411921310057	6406	June Avenue North		$ 3,852.00	R1
3411921320098	6407	June Avenue North		$ 3,852.00	R1
3411921310058	6412	June Avenue North		$ 3,852.00	R1
3411921320097	6413	June Avenue North		$ 3,852.00	R1
3411921310059	6418	June Avenue North		$ 3,852.00	R1
3411921320096	6419	June Avenue North		$ 3,852.00	R1
3411921310060	6424	June Avenue North		$ 3,852.00	R1
3411921320095	6425	June Avenue North		$ 3,852.00	R1
3411921310061	6430	June Avenue North		$ 3,852.00	R1
3411921320094	6431	June Avenue North		$ 3,852.00	R1
3411921310062	6436	June Avenue North		$ 3,852.00	R1
3411921320093	6437	June Avenue North		$ 3,852.00	R1
3411921310063	6442	June Avenue North		$ 3,852.00	R1
3411921320092	6443	June Avenue North		$ 3,852.00	R1
3411921320051	4500	Kathrene Drive		$ 3,852.00	R1
3411921320052	4501	Kathrene Drive		$ 3,852.00	R1
3411921320050	4506	Kathrene Drive		$ 3,852.00	R1
3411921320053	4507	Kathrene Drive		$ 3,852.00	R1
3411921320049	4510	Kathrene Drive		$ 3,852.00	R1
3411921320054	4513	Kathrene Drive		$ 3,852.00	R1
3411921320048	4514	Kathrene Drive		$ 3,852.00	R1
3411921320047	4518	Kathrene Drive		$ 3,852.00	R1
3411921320055	4521	Kathrene Drive		$ 3,852.00	R1
3411921320046	4522	Kathrene Drive		$ 3,852.00	R1
3411921320045	4526	Kathrene Drive		$ 3,852.00	R1
3411921320068	6300	Kyle Avenue North		$ 3,852.00	R1
3411921320083	6301	Kyle Avenue North		$ 3,852.00	R1
3411921320069	6306	Kyle Avenue North		$ 3,852.00	R1
3411921320082	6307	Kyle Avenue North		$ 3,852.00	R1
3411921320070	6312	Kyle Avenue North		$ 3,852.00	R1
3411921320081	6313	Kyle Avenue North		$ 3,852.00	R1
3411921320071	6318	Kyle Avenue North		$ 3,852.00	R1
3411921320080	6319	Kyle Avenue North		$ 3,852.00	R1
3411921320072	6324	Kyle Avenue North		$ 3,852.00	R1
3411921320079	6325	Kyle Avenue North		$ 3,852.00	R1
3411921320073	6330	Kyle Avenue North		$ 3,852.00	R1
3411921320078	6331	Kyle Avenue North		$ 3,852.00	R1
3411921320074	6336	Kyle Avenue North		$ 3,852.00	R1
3411921320077	6337	Kyle Avenue North		$ 3,852.00	R1
3411921320076	6343	Kyle Avenue North		$ 3,852.00	R1
3411921320100	6400	Kyle Avenue North		$ 3,852.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
November 13, 2023
2024 ORCHARD LANE EAST IMPROVEMENTS
IMPROVEMENT PROJECT NO. 2024-01

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	NOTES
3411921320115	6401	Kyle Avenue North		$ 3,852.00	R1
3411921320101	6406	Kyle Avenue North		$ 3,852.00	R1
3411921320114	6407	Kyle Avenue North		$ 3,852.00	R1
3411921320102	6412	Kyle Avenue North		$ 3,852.00	R1
3411921320113	6413	Kyle Avenue North		$ 3,852.00	R1
3411921320103	6418	Kyle Avenue North		$ 3,852.00	R1
3411921320112	6419	Kyle Avenue North		$ 3,852.00	R1
3411921320104	6424	Kyle Avenue North		$ 3,852.00	R1
3411921320111	6425	Kyle Avenue North		$ 3,852.00	R1
3411921320105	6430	Kyle Avenue North		$ 3,852.00	R1
3411921320110	6431	Kyle Avenue North		$ 3,852.00	R1
3411921320106	6436	Kyle Avenue North		$ 3,852.00	R1
3411921320109	6437	Kyle Avenue North		$ 3,852.00	R1
3411921320107	6442	Kyle Avenue North		$ 3,852.00	R1
3411921320084	6300	Lee Avenue North		$ 3,852.00	R1
3411921320085	6306	Lee Avenue North		$ 3,852.00	R1
3411921320059	6307	Lee Avenue North		$ 3,852.00	R1
3411921320086	6312	Lee Avenue North		$ 3,852.00	R1
3411921320087	6318	Lee Avenue North		$ 3,852.00	R1
3411921320088	6324	Lee Avenue North		$ 3,852.00	R1
3411921320089	6330	Lee Avenue North		$ 3,852.00	R1
3411921320090	6336	Lee Avenue North		$ 3,852.00	R1
3411921320091	6342	Lee Avenue North		$ 3,852.00	R1
3411921320116	6400	Lee Avenue North		$ 3,852.00	R1
3411921320008	6401	Lee Avenue North		$ 3,852.00	R1
3411921320117	6406	Lee Avenue North		$ 3,852.00	R1
3411921320007	6407	Lee Avenue North		$ 3,852.00	R1
3411921320118	6412	Lee Avenue North		$ 3,852.00	R1
3411921320006	6415	Lee Avenue North		$ 3,852.00	R1
3411921320119	6418	Lee Avenue North		$ 3,852.00	R1
3411921320005	6419	Lee Avenue North		$ 3,852.00	R1
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3411921320003	6431	Lee Avenue North		$ 3,852.00	R1
3411921320122	6436	Lee Avenue North		$ 3,852.00	R1
3411921320002	6437	Lee Avenue North		$ 3,852.00	R1
3411921320123	6442	Lee Avenue North		$ 3,852.00	R1
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3411921320011	6406	Major Avenue North		$ 3,852.00	R1
3411921320023	6407	Major Avenue North		$ 3,852.00	R1
3411921320012	6412	Major Avenue North		$ 3,852.00	R1
3411921320022	6413	Major Avenue North		$ 3,852.00	R1
3411921320013	6418	Major Avenue North		$ 3,852.00	R1
3411921320021	6419	Major Avenue North		$ 3,852.00	R1
3411921320014	6424	Major Avenue North		$ 3,852.00	R1
3411921320020	6425	Major Avenue North		$ 3,852.00	R1
3411921320015	6430	Major Avenue North		$ 3,852.00	R1
3411921320019	6431	Major Avenue North		$ 3,852.00	R1
3411921320016	6436	Major Avenue North		$ 3,852.00	R1
3411921320018	6437	Major Avenue North		$ 3,852.00	R1
3411921310094	6400	Marlin Drive		$ 3,852.00	R1
3411921310073	6401	Marlin Drive		$ 3,852.00	R1
3411921310072	6407	Marlin Drive		$ 3,852.00	R1
3411921310092	6412	Marlin Drive		$ 3,852.00	R1
3411921310091	6418	Marlin Drive		$ 3,852.00	R1
3411921310071	6419	Marlin Drive		$ 3,852.00	R1
3411921310090	6424	Marlin Drive		$ 3,852.00	R1
3411921310070	6425	Marlin Drive		$ 3,852.00	R1
3411921310089	6430	Marlin Drive		$ 3,852.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
November 13, 2023
2024 ORCHARD LANE EAST IMPROVEMENTS
IMPROVEMENT PROJECT NO. 2024-01

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	NOTES
3411921310069	6431	Marlin Drive		$ 3,852.00	R1
3411921310088	6436	Marlin Drive		$ 3,852.00	R1
3411921310068	6437	Marlin Drive		$ 3,852.00	R1
3411921310087	6442	Marlin Drive		$ 3,852.00	R1
3411921310067	6443	Marlin Drive		$ 3,852.00	R1
3411921310066	6449	Marlin Drive		$ 3,852.00	R1
3411921320042	6324	Noble Avenue North		$ 3,852.00	R1
3311921410011	6331	Noble Avenue North		$ 3,852.00	R1
3311921410010	6337	Noble Avenue North		$ 3,852.00	R1
3311921410009	6343	Noble Avenue North		$ 3,852.00	R1
3411921320026	6400	Noble Avenue North		$ 3,852.00	R1
3311921410008	6401	Noble Avenue North		$ 3,852.00	R1
3411921320027	6406	Noble Avenue North		$ 3,852.00	R1
3311921410007	6407	Noble Avenue North		$ 3,852.00	R1
3411921320028	6412	Noble Avenue North		$ 3,852.00	R1
3311921410006	6413	Noble Avenue North		$ 3,852.00	R1
3411921320029	6418	Noble Avenue North		$ 3,852.00	R1
3311921410005	6419	Noble Avenue North		$ 3,852.00	R1
3411921320030	6424	Noble Avenue North		$ 3,852.00	R1
3311921410004	6425	Noble Avenue North		$ 3,852.00	R1
3411921320031	6430	Noble Avenue North		$ 3,852.00	R1
3311921410003	6431	Noble Avenue North		$ 3,852.00	R1
3411921320032	6436	Noble Avenue North		$ 3,852.00	R1
3311921410002	6437	Noble Avenue North		$ 3,852.00	R1
3411921320033	6442	Noble Avenue North		$ 3,852.00	R1
3311921410001	6443	Noble Avenue North		$ 3,852.00	R1
3411921320034	6448	Noble Avenue North		$ 3,852.00	R1
3311921140008	6501	Noble Avenue North		$ 3,852.00	R1
3311921140007	6507	Noble Avenue North		$ 3,852.00	R1
3311921140006	6513	Noble Avenue North		$ 3,852.00	R1
3311921140005	6519	Noble Avenue North		$ 3,852.00	R1
3311921140004	6525	Noble Avenue North		$ 3,852.00	R1
3311921410028	6300	Orchard Avenue North		$ 3,852.00	R1
3311921410046	6301	Orchard Avenue North		$ 3,852.00	R1
3311921410045	6307	Orchard Avenue North		$ 3,852.00	R1
3311921410027	6312	Orchard Avenue North		$ 3,852.00	R1
3311921410044	6313	Orchard Avenue North		$ 3,852.00	R1
3311921410043	6319	Orchard Avenue North		$ 3,852.00	R1
3311921410013	6324	Orchard Avenue North		$ 3,852.00	R1
3311921410042	6325	Orchard Avenue North		$ 3,852.00	R1
3311921410014	6330	Orchard Avenue North		$ 3,852.00	R1
3311921410041	6331	Orchard Avenue North		$ 3,852.00	R1
3311921410015	6336	Orchard Avenue North		$ 3,852.00	R1
3311921410040	6337	Orchard Avenue North		$ 3,852.00	R1
3311921410016	6342	Orchard Avenue North		$ 3,852.00	R1
3311921410039	6343	Orchard Avenue North		$ 3,852.00	R1
3311921410017	6400	Orchard Avenue North		$ 3,852.00	R1
3311921410038	6401	Orchard Avenue North		$ 3,852.00	R1
3311921410018	6406	Orchard Avenue North		$ 3,852.00	R1
3311921410037	6407	Orchard Avenue North		$ 3,852.00	R1
3311921410019	6412	Orchard Avenue North		$ 3,852.00	R1
3311921410036	6413	Orchard Avenue North		$ 3,852.00	R1
3311921410020	6418	Orchard Avenue North		$ 3,852.00	R1
3311921410035	6419	Orchard Avenue North		$ 3,852.00	R1
3311921410021	6424	Orchard Avenue North		$ 3,852.00	R1
3311921410034	6425	Orchard Avenue North		$ 3,852.00	R1
3311921410022	6430	Orchard Avenue North		$ 3,852.00	R1
3311921410033	6431	Orchard Avenue North		$ 3,852.00	R1
3311921410023	6436	Orchard Avenue North		$ 3,852.00	R1
3311921410032	6437	Orchard Avenue North		$ 3,852.00	R1
3311921410024	6442	Orchard Avenue North		$ 3,852.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL

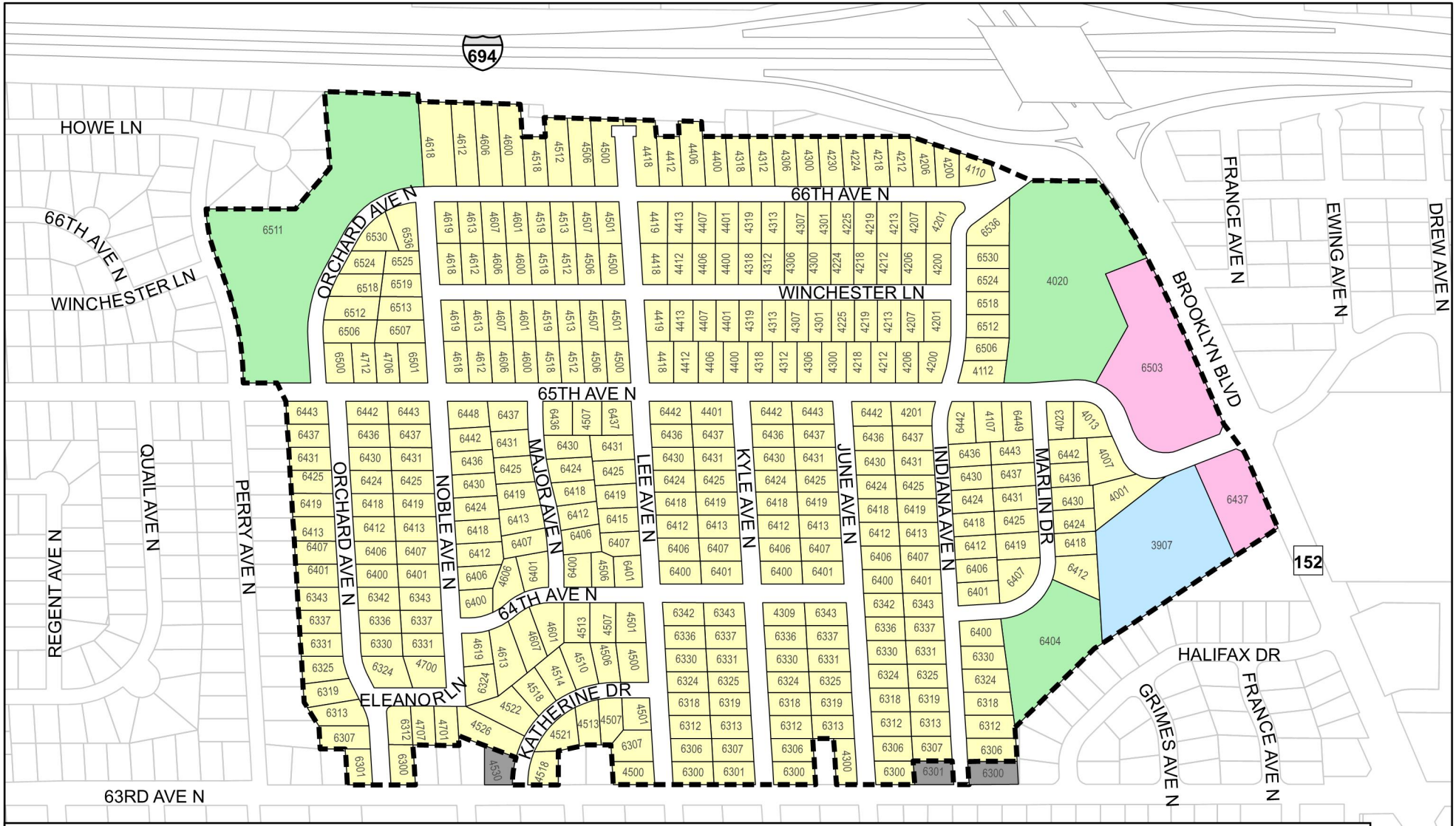
November 13, 2023

2024 ORCHARD LANE EAST IMPROVEMENTS

IMPROVEMENT PROJECT NO. 2024-01

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	NOTES
3311921410031	6443	Orchard Avenue North		$ 3,852.00	R1
3311921140011	6500	Orchard Avenue North		$ 3,852.00	R1
3311921140012	6506	Orchard Avenue North		$ 3,852.00	R1
3311921140013	6512	Orchard Avenue North		$ 3,852.00	R1
3311921140014	6518	Orchard Avenue North		$ 3,852.00	R1
3311921140015	6524	Orchard Avenue North		$ 3,852.00	R1
3311921140002	6530	Orchard Avenue North		$ 3,852.00	R1
3311921140003	6536	Orchard Avenue North		$ 3,852.00	R1
3411921240041	4200	Winchester Lane		$ 3,852.00	R1
3411921240042	4201	Winchester Lane		$ 3,852.00	R1
3411921240040	4206	Winchester Lane		$ 3,852.00	R1
3411921240043	4207	Winchester Lane		$ 3,852.00	R1
3411921240039	4212	Winchester Lane		$ 3,852.00	R1
3411921240044	4213	Winchester Lane		$ 3,852.00	R1
3411921240038	4218	Winchester Lane		$ 3,852.00	R1
3411921240045	4219	Winchester Lane		$ 3,852.00	R1
3411921240037	4224	Winchester Lane		$ 3,852.00	R1
3411921240046	4225	Winchester Lane		$ 3,852.00	R1
3411921230050	4300	Winchester Lane		$ 3,852.00	R1
3411921230051	4301	Winchester Lane		$ 3,852.00	R1
3411921230049	4306	Winchester Lane		$ 3,852.00	R1
3411921230052	4307	Winchester Lane		$ 3,852.00	R1
3411921230048	4312	Winchester Lane		$ 3,852.00	R1
3411921230053	4313	Winchester Lane		$ 3,852.00	R1
3411921230047	4318	Winchester Lane		$ 3,852.00	R1
3411921230054	4319	Winchester Lane		$ 3,852.00	R1
3411921230046	4400	Winchester Lane		$ 3,852.00	R1
3411921230055	4401	Winchester Lane		$ 3,852.00	R1
3411921230045	4406	Winchester Lane		$ 3,852.00	R1
3411921230056	4407	Winchester Lane		$ 3,852.00	R1
3411921230044	4412	Winchester Lane		$ 3,852.00	R1
3411921230057	4413	Winchester Lane		$ 3,852.00	R1
3411921230043	4418	Winchester Lane		$ 3,852.00	R1
3411921230058	4419	Winchester Lane		$ 3,852.00	R1
3411921230034	4500	Winchester Lane		$ 3,852.00	R1
3411921230067	4501	Winchester Lane		$ 3,852.00	R1
3411921230033	4506	Winchester Lane		$ 3,852.00	R1
3411921230068	4507	Winchester Lane		$ 3,852.00	R1
3411921230032	4512	Winchester Lane		$ 3,852.00	R1
3411921230069	4513	Winchester Lane		$ 3,852.00	R1
3411921230031	4518	Winchester Lane		$ 3,852.00	R1
3411921230070	4519	Winchester Lane		$ 3,852.00	R1
3411921230030	4600	Winchester Lane		$ 3,852.00	R1
3411921230071	4601	Winchester Lane		$ 3,852.00	R1
3411921230029	4606	Winchester Lane		$ 3,852.00	R1
3411921230072	4607	Winchester Lane		$ 3,852.00	R1
3411921230028	4612	Winchester Lane		$ 3,852.00	R1
3411921230073	4613	Winchester Lane		$ 3,852.00	R1
3411921230027	4618	Winchester Lane		$ 3,852.00	R1
3411921230074	4619	Winchester Lane		$ 3,852.00	R1
Total Assessments				$ 1,438,753.37	



Legend

- Proposed R1 Assessment (Unit Amount Basis)
- Proposed Mixed Use Neighborhood Assessment (Acreage Basis)
- City Owned Property
- Proposed R5 Assessment (Acreage Basis)
- Previously Assessed

Assessment Map
Orchard Lane East Improvement Area

N

8/2/2023

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: LaToya Turk, Office of Community Prevention, Health and Safety

SUBJECT: 2024 Random Acts of Kindness City Council Presentation

Requested Council Action:

2024 Presentation recognizing nominators and nominees of Random Acts of Kindness.

Council Members can take turns reading the nominations.

Background:

The City of Brooklyn Center proclaimed and designated October 25th (in 2021) as Random Acts of Kindness Day.

The City of Brooklyn Center has celebrated Random Acts of Kindness since 1997. All nominees are recognized by the City Council and presented a certificate of appreciation at a separate celebration on Saturday, November 18th, 2023 at the Brooklyn Center Community Center-Constitution Hall from 12:00pm to 3:00pm.

Budget Issues:

N/A

Inclusive Community Engagement:

Random Acts of Kindness promotes and recognizes community engagement and support to all.

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image, Inclusive Community Engagement, Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
RAK Nominator and Nomination Spreadsheet	11/9/2023	Backup Material
Proclamation	11/9/2023	Proclamation

Nominator	Nominee 1	Nominee 2	Nominee 3	Nominee 4
Allan Hancock	BC Lions Club	Mandora Young	Darryl Sannes	Chuck Humke
Armando Oster	Christina Jones	Lydia Sheilds		
Arvid (Bud) Sorensen	Sandy Becker	Erwin Heisler		
Brenda Johnson	Madeline Mork	Wendy Christensen		
Darnell Hancock	Michelle Auld	Joan Schonning	Dianne Sannes	Susan Arneson
Darryl Sannes	Igbo Women League of MN Covid-19 Community Engagement- Amrill Okonkwo	Alan Hancock	Yang Family (quantity 5-6 individuals)	Ms. Kim Kenny
David Blas	Michael Crenshaw			
Diane Sannes	Pastor Ruth Ann Ramstad/BMUC	Jill Dalton/Jack MacMillan	Jamar Hester (Cub Store Manager)	Megan Lindstrom (Doherty Staffing)
Ginny Exel	Russel Waisanen/Richard Kopf	Lois Hattenberger	Kathy and Don Winn	
John Solomon	Barb Suciu	Kavess'e Wicker	Pamela Solomon	Mrs. Kim Jones
John Trautmann	Jill Dalton (BC Garden Club)			
Julie Bourque	Rebecca Walker	Diana Bourque	David Yang	Melissa Morehouse Chance Thao Terrance Tate Suzy Juarez Parez Roxana Cruz-Lozano Ariel Ortega Peralta Sandra Domingo Silvia Lozano Alberto Vazquez Maria Ibarra Carillo Daniel Miranda Victor Marquez Brigida Martinez-Rubio Cesar Berrera Marina Olmeda Ezequial Aredondo
Karen Jacobson	Jan Tieden			
Kathy Winn	Pastor Jim Verbout (LCM)			
Mary Senner	Craig Phillips			
Nancy Lundgren	Eddie Chesmer			
Raquel Goutierez	Lowell Kpanyor	Gladys Castellano		
Reese and Denise Fadina	Keevin Miller			
Robin Hall	Derrick and Andrea Lanz	Greg and Donna Jones		
Robin Brisse	Butch Zang	Jeff Foss	~~Jeff and Julie Basche~~	
Susan Arneson	BC Lady Lions			
Chief Todd Berg and Commander Tony	Soldiers 6			
Tom Agnes	TaLeia "ACE" Thomas			

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Jesse Anderson, Community Development Director
BY: Ginny McIntosh, City Planner and Zoning Administrator

SUBJECT: Planning Commission Application No. 2023-007, Submitted by 7100 Brooklyn Blvd LLC, for Conversion of a Former Credit Union and Office Building into a 17-Unit Multi-Family Residential Building and Related Improvements (7100 Brooklyn Boulevard)

Requested Council Action:

City Council is being asked to consider two alternatives regarding Planning Commission Application No. 2023-007:

1. Approval of Site and Building Plan (Major Amendment) for 7100 Brooklyn Boulevard

Motion to direct staff to prepare a resolution approving the site and building plan (major amendment) as outlined in Planning Commission Application No. 2023-007, which would convert a former credit union and office building to a 17-unit multi-family residential building, subject to the outlined conditions of approval.

2. Approval of Site and Building Plan (Major Amendment) for 7100 Brooklyn Boulevard

Motion to direct staff to prepare a resolution denying the site and building plan (major amendment) as outlined in Planning Commission Application No. 2023-007 with outlined findings of fact.

Background:

7100 Brooklyn Blvd LLC ("the Applicant") is requesting review and consideration of a proposal that would convert a former credit union and office building located at 7100 Brooklyn Boulevard ("the Subject Property"), into a 17-unit multi-family residential building. The Subject Property was sold to the Property Owner and Applicant in March 2023 per Hennepin County records.

Section 35-7605 (*Amendments*) provides that a major amendment to an approved site and building plan shall be triggered under certain outlined scenarios, including a, "20 percent or greater change in the number of residential units." A review of a major amendment under the City's Unified Development Ordinance shall follow the procedure set forth for the issuance of a new site and building plan approval. As the proposal would result in a 100-percent change in the number of residential units, this threshold is triggered.

A public hearing notice for the site and building plan request was published in the Brooklyn Center *Sun Post* on September 28, 2023. Mail notifications were mailed to all physical addresses and tax payers within 350 feet of the Subject Property and the notice posted to the City of Brooklyn Center's website.

The Planning Commission held a public hearing and reviewed the application request at their meeting on

October 12, 2023. In advance of the public hearing, City staff received communication from the neighboring Brooklyn United Methodist Church, who owns an overflow parking lot to the north of the Subject Property (PID: 27-119-21-32-0004) and a petition comprised of signatures from 31 individuals operating out of the Boulevard Plaza office condominiums located to the south of the Subject Property.

The author of the petition letter, Jeanette Tuzinski, was also present virtually during the hearing and spoke against the project, expressing that this area was a business district and was not a residential area. She noted that, despite there being 50 or so parking spaces on-site, the credit union only ever used 15 or 20 parking spaces at most and it (Subject Property) was essentially vacant. Later in the hearing, she noted that the proposal was, "a good concept and I like it, just not there."

Tom Foster, Trustee Chair for Brooklyn United Methodist Church, was also present at the meeting and indicated that the only concern they had was a request to extend a privacy fence between the Church and Subject properties and towards Brooklyn Boulevard due to pedestrian traffic and dumpings on their overflow lot. He indicated that, following the presentation provided by City staff and the noted occupancy within the building, the use likely won't be as large of an issue as previously thought, but they still desired the fence.

Resident Diane Sannes inquired on the number of residents who could potentially occupy each of the units and where the residents might recreate. Additional questions were raised regarding the City's stormwater pond and the ability to fence the area and the number of vehicles parked on the Subject Property. She also noted a damaged transformer (later confirmed to be a phone company pedestal) located just off of the Subject Property in the right-of-way and general blight around the property.

Representation of the Applicant and Property Owner were present and addressed questions posed by the Planning Commission, provided an overview of the building code requirements necessary to convert the building, and expressed an overall willingness to work with the City to meet City Code requirements for the proposed use.

As part of the public hearing process, the Planning Commissioners entered into a dialogue regarding the project and concerns identified in the submitted petition letters. The following questions were posed by the Planning Commissioners:

1. Availability for outdoor amenity space (e.g. grilling areas)
2. Safety and security within the building
3. The types of tenants likely to occupy the building (e.g. families, single occupants), unit mix, and proposed rents
4. Availability of on-site management and general questions regarding property owner
5. Opportunities to address concerns addressed by the neighboring property owners and options for a fence adjacent to the Brooklyn United Methodist Church overflow lot and along the City stormwater pond

Following close of the public hearing, the Planning Commission elected to recommend (3-2) City Council *denial* of the requested site and building plan (major amendment) for the Subject Property located at 7100 Brooklyn Boulevard and as contemplated under Planning Commission Application No. 2023-007.

Following the October 12, 2023 Planning Commission meeting, the Applicant requested additional time to address the concerns identified by Brooklyn United Methodist Church and Boulevard Plaza Office Condominiums and make revisions to their plans in advance of City Council review.

Pursuant to Minnesota Statutes Section 15.99, subdivision 3.f, City staff requested a 60-day extension to

the application review to allow the additional time necessary for the Applicant to respond to the concerns presented by the neighboring property owners and for City staff to review the presented revisions. The staff report has been updated to reflect these updates, which include some minor modifications to the east portion of the parking lot, the addition of bike racks, and the extension of privacy fencing along the northern property line. The photometric plan has also been updated per City staff comment, and the Applicant provided responses following the Planning Commission meeting to address concerns outlined by those present at the public hearing.

Although the Applicant expressed a willingness to install a fence along the eastern property line and adjacent to the City's stormwater pond, there are numerous easements running through this area and there were additional complexities in that the City requires access to the area for ongoing maintenance and repair of the pond area.

The Applicant inquired on whether fencing along the southern property line (Boulevard Plaza Office Condominiums) was a possibility; however, City staff expressed concerns with potentially boxing owners in given the limited separation between the Subject Property, neighboring Boulevard Plaza, and their exterior mechanical equipment.

Following the public hearing, Pham-Vang Optometry, who was one of the 31 petitioners from the Boulevard Plaza Office Condominiums, submitted a separate petition letter. Additional email communication was received from Brooklyn United Methodist Church in which Tom Foster noted that they were, "surprised with the disapproval of the proposal." It was further reiterated that they would like to keep the request for the privacy fence and inquired on the next steps for review with City Council. These communications have been included for the record under Exhibit F in the updated staff report.

The City of Brooklyn Center Housing Commission received information regarding the proposal at their meeting on October 17, 2023 and were generally *in favor* of the proposed conversion of the former Spire (Electrus) Credit Union building to 17-units of multi-family residential and cited housing diversity and choice as part of their support of the proposal. Additional comments were outlined regarding how the neighboring business owner's grievances might be addressed, as well as general questions regarding the former building's use and ADA accessibility. An additional request was made to review the meeting minutes and recording of the Planning Commission meeting on October 12, 2023.

City staff has also been in communication with the Applicant and Property Owner regarding vehicles stored on the Subject Property and their removal. The Applicant noted that they were unaware at the time that the storing of vehicles was not permitted in the district the Subject Property is located within and have since removed vehicles from the property.

A copy of the Planning Commission Report for Planning Commission Application No. 2023-007, originally dated October 12, 2023, and last updated for the City Council meeting on November 13, 2023 meeting, is included. City staff requests City Council review and consideration of the provided materials and the recommended adoption of a motion that would direct City staff to prepare a resolution for final action and adoption at the November 27, 2023 City Council meeting.

Budget Issues:

None to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Staff Report and Exhibits - 7100 Brooklyn Boulevard (last revised November 13, 2023)	11/7/2023	Backup Material

Planning Commission Report
Original Meeting Date: October 12, 2023
***Last Revised:* November 13, 2023**

- Application Filed: 09/12/2023
- Review Period (60-day) Deadline: 11/11/2023
- Extension Declared: Yes
- Extended Review Period Deadline: 01/10/2024

Application No.	2023-007
Applicant | Property Owner:	7100 Brooklyn Blvd LLC
Location:	7100 Brooklyn Boulevard, Brooklyn Center, MN 55429
Requests:	Site and Building Plan (Major Amendment)



Map 1. Subject Property Location.

Requested Action

7100 Brooklyn Blvd LLC ("the Applicant") is requesting review and consideration of a proposal that would convert a former credit union and office building located at 7100 Brooklyn Boulevard ("the Subject Property"), into a 17-unit multi-family residential building—refer to Exhibit A. The Subject Property was sold to the Property Owner and Applicant in March 2023 per Hennepin County records.

Section 35-7605 (*Amendments*) provides that a major amendment to an approved site and building plan shall be triggered under certain outlined scenarios, including a, "20 percent or greater change in the number of residential units." A review of a major amendment under the City's Unified Development Ordinance shall follow the procedure set forth for the issuance of a new site and building plan approval. As the proposal would result in a 100-percent change in the number of residential units, this threshold is triggered.

A public hearing notice for the site and building plan request was published in the Brooklyn Center *Sun*

Post on September 28, 2023 (Exhibit B). Mail notifications were mailed to all physical addresses and tax payers within 350 feet of the Subject Property and the notice posted to the City of Brooklyn Center's website.

Existing Conditions



Image 1. Existing Site Conditions at Subject Property.

Background

The Subject Property appears to have originally been home to the City of Brooklyn Center City Hall offices before relocation to its current address of 6301 Shingle Creek Parkway. In 1985, under Planning Commission Application No. 85011 (Exhibit C), requests for site and building plan and special use permit approvals were requested by then Applicant Uhde/Nelson, Inc. to allow for the construction of two office buildings of approximately 21,180-square feet total. This was intended to be a two-phase proposal in which access to the sites were to have been via a single driveway off Brooklyn Boulevard, which was where the old City Hall entrance was located.

The first and larger phase (west), which was ultimately constructed, was a two-story, approximately 14,000-square foot office building that was noted for occupancy by Edina Realty and slated for 70 parking spaces. The second phase (east), which was never constructed, was earmarked for a smaller two-story, approximately 7,000-square foot office building with 44 parking spaces. At that time, the Subject Property was collectively zoned R5 (Multiple Family Residence) District, which allowed for limited "office uses" as special uses in the R5 District.

Although true mixed-use districts were not in place until adoption of the City's Unified Development Ordinance in January 2023, the preceding zoning code did allow for *limited* non-residential uses within its higher density multi-family residential districts through issuance of a special use permit. Special uses at that time and within these districts included nursing homes, religious uses, public and private elementary and secondary schools, and "certain service-office uses" which were demonstrated to be compatible to and of comparable intensity to permitted R5 district land uses.

These office uses were subject to what were then the C1 (Service/Office) District provisions and further restricted in that *not all* C1 District uses were permitted. An example of this would be the adjacent Boulevard Plaza office condominiums development, which was zoned R3 (Multiple Family Residence) District up until January of this year. This development, like the Subject Property, would've been limited to low intensity office uses such as financial, employment, and legal offices, and medical, dental, and chiropractic offices. It can be inferred from the former zoning code provisions that these office uses were specifically permitted through issuance of a special use permit as their intensities and general operations/hours would have minimal impacts on those uses which were permitted within the district (i.e. multi-family residential).

With the adoption of the new Unified Development Ordinance in 2023, which includes the City's zoning provisions, the Subject Property, along with a number of other properties fronting Brooklyn Boulevard, were re-zoned to the new Neighborhood Mixed-Used District designations of MX-N1 and MX-N2.

With City approval of the two-phase commercial development in 1985, which included the Subject Property, the Subject Property and neighboring parcel to the east, which is unaddressed, were re-platted to 7100 Corporate Plaza Addition, and re-platted again to 7100 Corporate Plaza 2nd Addition. Certain shared access and signage provisions were recorded as part of these approvals given that the second phase would've been landlocked and without direct right-of-way access.

In January 2023, and as part of the pending sale, City staff worked with the former property owner and the proposed buyer (Applicant) of the Subject Property to prepare an access easement and utility facilities agreement to ensure the City had a perpetual easement in place for access to certain drainage and utility easements running through the Subject Property and to the City's stormwater pond, which is located where the second phase would have been located. This storage and treatment pond not only serves the

Subject Property, but the southern half of the City's Woodbine neighborhood. City staff also worked through the termination of a Declaration of Covenants, Conditions, Restrictions and Maintenance Agreement for a private road intended for the second phase, which was never constructed, and a License Agreement for certain signage to be located on the Subject Property, which was no longer necessary.

The Applicant initially entered into formal communication with City staff regarding plans to submit a Planning Commission application in June 2023. Although initial plans were submitted in July 2023 to City staff, a letter of incomplete was provided to the Applicant on July 24, 2023 as certain information, including project background information, civil and landscape plans, were not provided. It was at this time that City staff asked for revisions to the application materials, and requested a pre-application meeting to walk through the materials in advance of the upcoming Planning Commission application deadlines. City staff met with the Applicant and development team on August 15, 2023 to discuss the required plans and information for the proposal. A revised submittal was provided to City staff on September 12, 2023.

Although the staff report was originally dated for the October 12, 2023 Planning Commission meeting, this staff report has since been updated to reflect revised architectural (October 25, 2023), civil (October 25, 2023), photometric (October 25, 2023), and landscaping (October 25, 2023) plans. The Applicant has also provided a series of responses to concerns raised regarding the Subject Property proposal at the October 12, 2023 Planning Commission meeting—refer to Exhibit A.

Site Data:

2040 Land Use Plan:	Neighborhood Mixed-Use (N-MU) – 15.01-31 DU/Ac.
Neighborhood:	West Palmer Lake
Current Zoning:	Neighborhood Mixed-Use District (MX-N2) – 15-31 DU/Ac.
Site Area:	Approximately 0.99 acres

Surrounding Area:

Direction	2040 Land Use Plan	Zoning	Existing Land Use
North	PSP/Institutional | LDR (3.01-5 DU/Ac.)	Neighborhood Mixed-Use District (MX-N2) | R1 (Low Density Residential) District	Institutional (Brooklyn United Methodist Church Overflow Lot) | Single Family Detached
South	N-MU (15.01-31 DU/Ac.)	Neighborhood Mixed-Use District (MX-N2)	Office (Boulevard Plaza Office Condominiums)
East	Industrial/Utility	Neighborhood Mixed-Use District (MX-N2)	Undeveloped (City Stormwater Pond)
West	PSP/Institutional | High Density Residential (15.01-31 DU/Ac.)	PUD/C1 (Planned Unit Development/Commercial 1) District | Neighborhood Mixed-Use District (MX-N1)	Institutional (CEAP, Hennepin County Human Service Center, and Osseo Area Schools Offices) | Apartments (Willow Lane – 58 Units)

SITE AND BUILDING PLAN REQUEST

The Applicant requests to convert a former credit union and office building, which was initially approved by City Council in 1985 and constructed in 1986, to a 17-unit multi-family residential building.

Section 35-4103 (*Allowed Use Table*) of the City's Unified Development Ordinance allows for "multiple family dwellings" as a permitted use within the City's Neighborhood Mixed-Use (MX-N2) District, subject to City Council approval of a site and building plan and in conformance with the City's density requirements for the aforementioned district (15-31 dwelling units per acre), requirements with respect

to the site (e.g. parking, landscaping, photometric, screening), and as provided for within the City's 2040 Comprehensive Plan.

Section 35-4103. ALLOWED USE TABLE

P = PERMITTED USE, C = CONDITIONAL USE, I = INTERIM USE, A = ACCESSORY USE														
	Residential					Commercial/ Mixed Use				Nonresidential				
	R1	R2	R3	R4	R5	MX-N1	MX-N2	MX-C	TOD	C	MX-B	I	O	Use-Specific Standards
RESIDENTIAL USES														
HOUSEHOLD LIVING														
Dwelling, one family	P	P												
Dwelling, two family		P												
Townhouse or Condominium Single Family Attached Dwelling Units			P			P	P		P					
Dwelling, live/work						C	C	P	P	A	C			35-4301(a)
Dwelling, multiple family				P	P	P	P	P	P					
Accessory dwelling unit (ADU)	A	A												35-4403

Table 1. Excerpt of Section 35-4103 (*Allowed Use Table*) and Proposed Use of Subject Property.

The submitted proposal contemplates a conversion of the building to a 17-unit multi-family residential building, which is in conformance with the MX-N2 District's density allowances for the 0.99-acre Subject Property. As proposed, the proposed redevelopment would be on the lower end of density permitted within the City's MX-N Districts. This is reinforced through the City's 2040 Comprehensive Plan, which denotes the Subject Property's future land use designation as "Neighborhood Mixed-Use (N-MU)" and again, allows for a density range of 15.01 to 31 dwelling units per acre (DU/Ac.).

A unit mix is provided in the architectural plan set, which indicates the following:

Main Floor		
Unit #	*Unit Type*	*Square Feet (SF)*
101	2-Bedroom	706
102	1-Bedroom	686
103	Studio	495
104	Studio	466
105	1-Bedroom	482
106	1-Bedroom	476
107	1-Bedroom	677
Second Floor		
Unit #	*Unit Type*	*Square Feet*
201	1-Bedroom	617
202	1-Bedroom	344
203	1-Bedroom	342
204	1-Bedroom	344
205	Studio	302
206	Studio	428
207	1-Bedroom	531
208	Studio	252
209	1-Bedroom	395
210	1-Bedroom	414

Table 2. Unit Mix Breakdown for the Subject Property.

In reviewing the above table, City staff noted that the Applicant should verify unit types and sizes, as it appeared some of the 1-bedroom units are smaller than proposed studio units. As proposed, community amenities within and on the Subject Property would be fairly minimal. A shared laundry room is provided for on the main level and a private residence party room with small kitchenette space is located in the basement level—this space was formerly used as a training room for the former user, Electrus (Spire) Credit Union. The civil plans have been updated to incorporate a bike rack to the east end of the property.

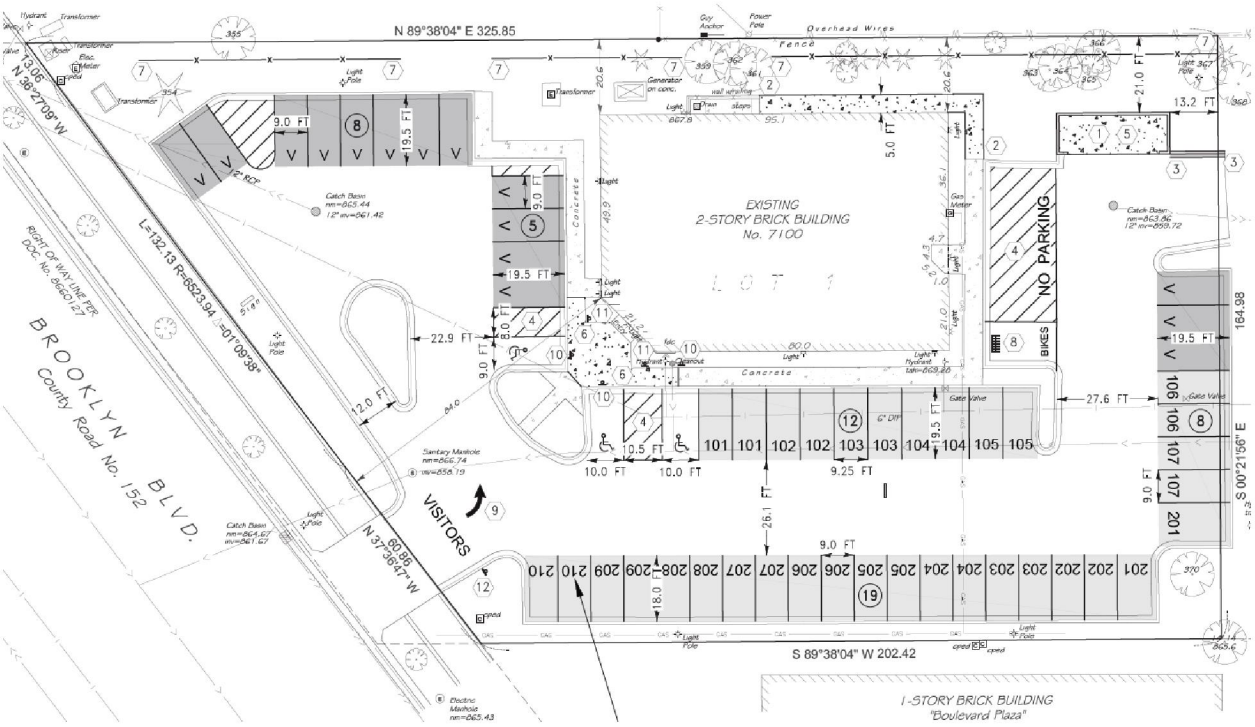


Image 2. Revised Site Plan for Subject Property (October 25, 2023).

Site Design

As proposed, the proposed conversion from the existing office building use to multi-family residential would result in limited impacts to the existing exterior areas of the Subject Property. Although there are plans to remove an existing standalone ATM located at western edge of the property, re-stripe and remove certain parking within the surface parking lot, and install a new, expanded trash enclosure along the eastern edge of the property, almost all work would be contained to the interior of the building.

Traffic | Access |Circulation | Connection

There are no plans to alter the existing curb cut, which is located off the east side of Brooklyn Boulevard and provides full vehicular access to and from the Subject Property. Similarly, there are no major plans to alter the existing surface parking lot and circulation given that the majority of work would be contained to the interior of the former office building.

A multi-use trail currently runs parallel to the property line of the Subject Property and along Brooklyn Boulevard. The 723 (local) Metro Transit bus line provides service at stops located just off the Subject Property, with service by the 761 (express) line located to the north. Following communication with City staff, the Applicant revised their plans to incorporate a bike rack to the east side of the building.



Image 3. Existing Access, Parking, and Circulation on Subject Property.

Parking

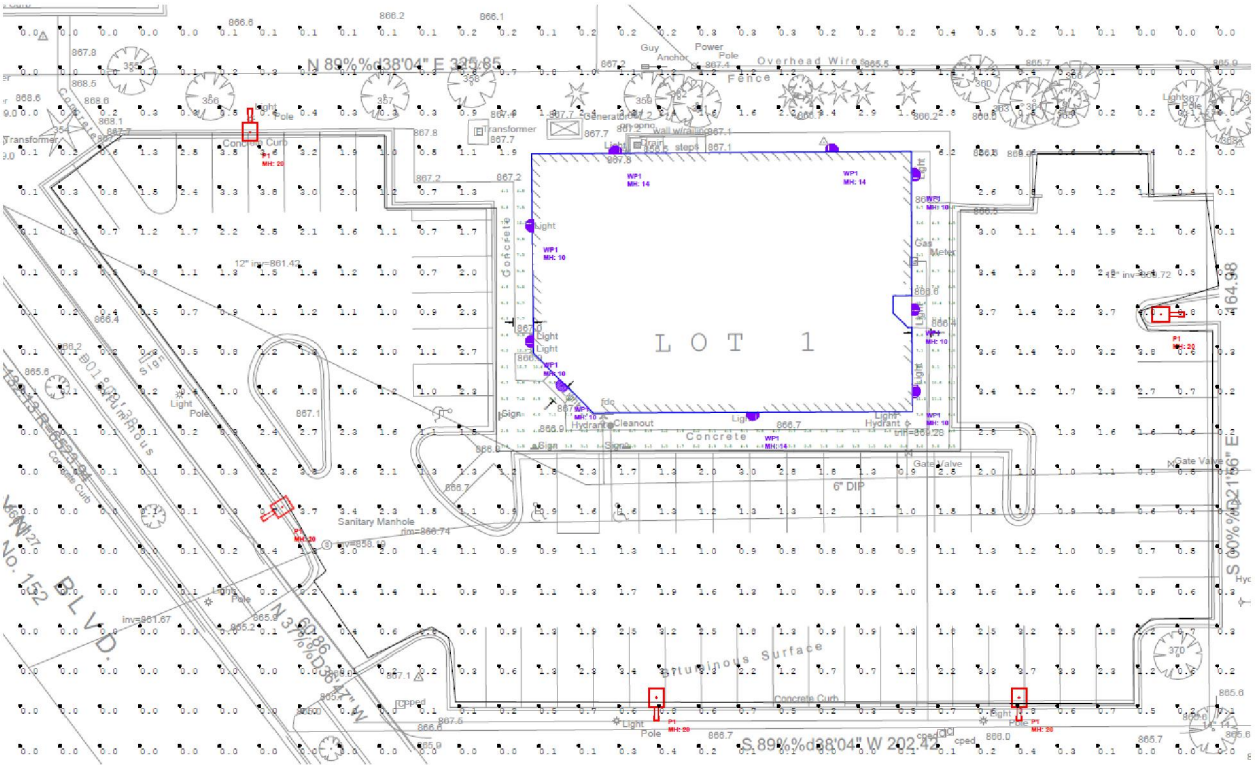
The Subject Property appears to have 64 parking spaces available to date, although some of the parking spaces appear too narrow for parking purposes. As proposed, the Applicant intends to remove five (5) parking spaces located just outside the doors located on the east side of the building to allow for the turning movements necessary for a garbage truck and the bike rack and an additional five (5) parking spaces at the northeast end of the parking lot to accommodate the new trash enclosure. The City's Unified Development Ordinance, as outlined under Section 35-5506 (*Required Parking Spaces*), notes a **maximum** provision of two (2) parking spaces per dwelling unit in multi-family residential situations. Assuming 17 dwelling units, a maximum of 34 parking spaces is required per Code.

Even with the removal of parking spaces, the Applicant intends to provide 52 on-site parking spaces. Although this results in a surplus of approximately 18 parking spaces, City staff did not push for the removal of existing impervious to fall within Code requirements to provide additional green or amenity space as there are other potential implications to consider with respect to Watershed rules.

As it stands, the submitted plans denote a total impervious surface coverage of 76-percent, which falls below the City's newly outlined maximum impervious coverage of 80-percent for Neighborhood Mixed-Use District properties. As the Subject Property is non-conforming with respect to setback regulations and parking lot placement as outlined under the Neighborhood-Mixed Use District provisions, City staff would welcome future opportunities to provide residents with additional outdoor amenity space.

As is demonstrated in the submitted plans, the minimum drive aisle widths and dimensional standards outlined within Section 35-5504 (*Parking Space Standards*) appear to be met. In order to manage parking and as part of the plan updates, the Applicant also intends to provided dedicated parking space (numbering) for each of the units and as a means to manage parking.

Lighting


LOT 1
N 89°%d38'04" E 335.85
S 89°%d38'04" W 202.42
Concrete
Overhead Wire
Fence
Sanitary Manhole
6" DIP
Luminous Surface
Concrete Curb
Pole
Light
Cleanout
Hydrant
Gate Valve
Sign
Transformer
Guy Anchor
Power Pole
Gas Meter
Concrete Curb
Sanitary Manhole
rim=866.74
inv=861.67
inv=864.98
inv=861.47
12" Ins
Light Pole
Light Pole
Light Pole

navigate this area as it appeared there were no areas to turn around. This would have required a garbage truck to pick up trash at the eastern edge of the parking lot and navigate in reverse all the way back (west) towards the Brooklyn Boulevard entrance before turning around.

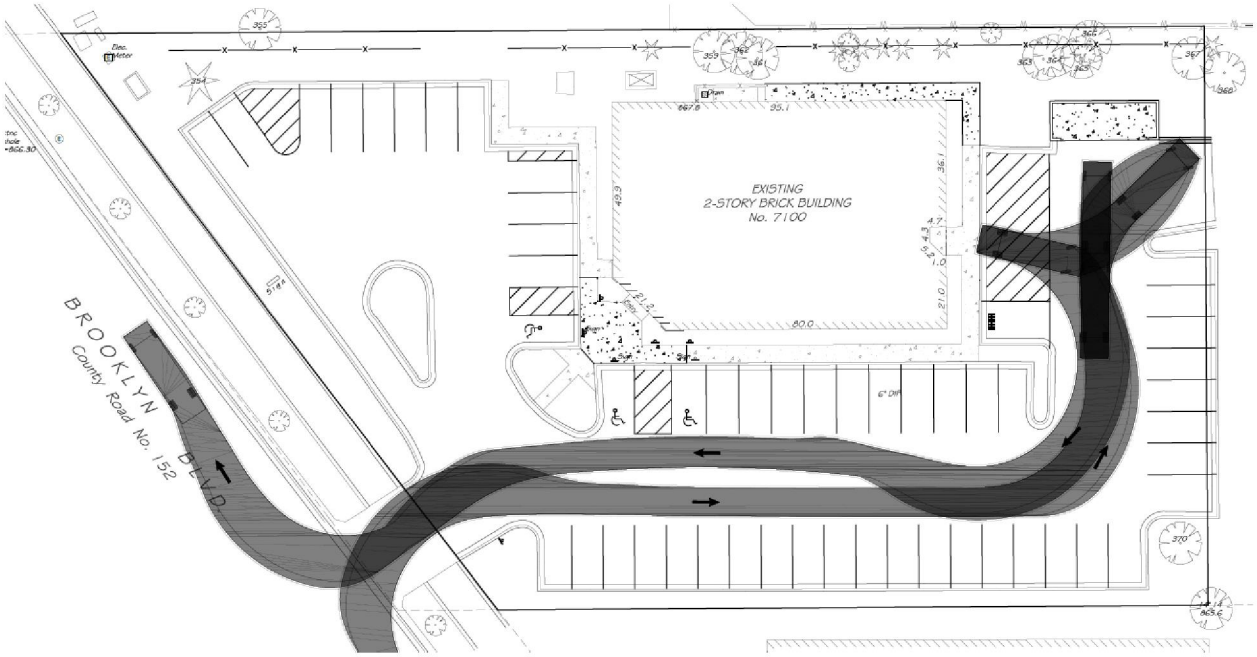


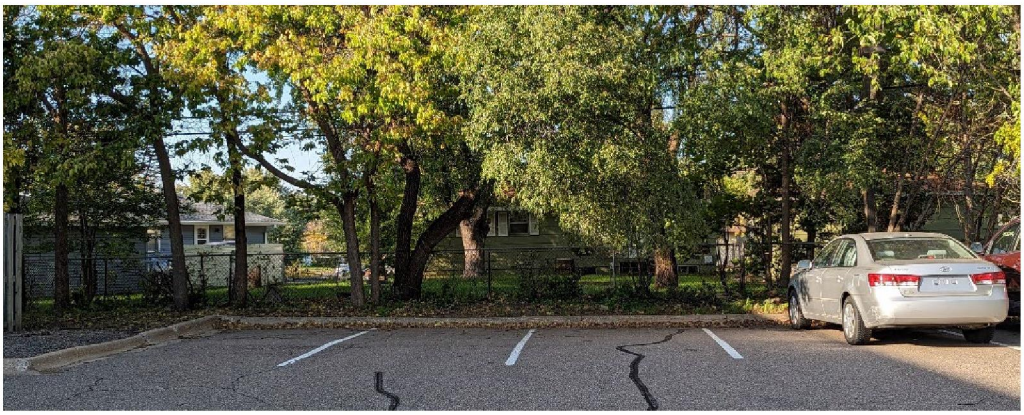
Image 5. Turning Movement Diagram for Subject Property.

City staff requested the Applicant provide a turning diagram showing that the turning movements could be made by a typical garbage truck. Following this, the Applicant's team revised the site plan to make alterations to the east portion of the parking lot and removed the parking located just outside the east doors to allow for maneuvering. A turning movements diagram (Sheet C6—Exhibit A and Image 5 above) was provided that demonstrates the ability for a 30-foot long truck to navigate the trash enclosure and parking lot area. City staff had previously requested striping and signage to ensure no one parked or obstructed this area—the civil plans have since been revised to indicate a painted access aisle with white cross hatching.

As proposed, the new, expanded trash enclosure would be constructed of brick or stone to match the existing brick building and with precast concrete caps. The enclosure appears to feature wooden, opaque doors. Although no measurements are provided, the new trash enclosure should be located a minimum of five (5) feet off the interior property line.

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

In visiting the Subject Property, City staff noted clear visibility to the neighboring single-family residential to the north—refer to Image 6 below. Although the City approvals noted under Planning Commission Application No. 85011 acknowledged an existing cedar hedge along the north and east property lines as an appropriate method of screening from the residential uses, it was also stipulated that replacement screening would be required were it to fail.



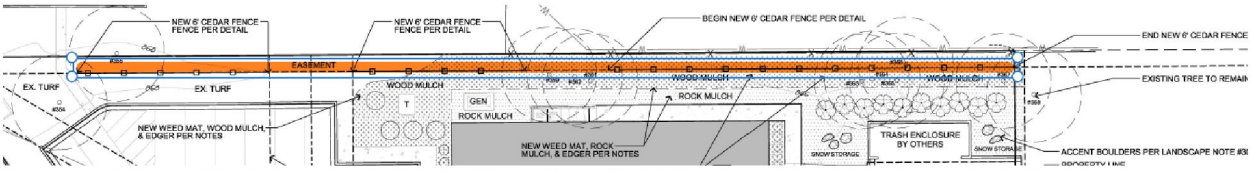


Image 6. Existing Parking Lot (Eastern) at Subject Property and Visibility of Single-Family Residential | Revised Fencing.

Although there is an existing chain link fence in place, City staff requested the Applicant revise the screening along the north property line to comply with the City's screening standards and specifically to minimize the negative impacts of vehicle lights shining into single-family residential yards as they navigate the parking lot—these provisions are addressed under Section 35-5608 (*Screening*). In reviewing the originally submitted preliminary landscape plan, a new section of 6-foot cedar fence was provided for along the north end of the east parking lot. City staff requested the fence be located outside the identified easement running along the northern property line.

Following the Planning Commission and public hearing on October 12, 2023, the Applicant requested City staff allow for the revision of plans to address comments made by Brooklyn United Methodist Church for a privacy fence along the northern property line and to address City staff comments. Although concerns were also raised regarding the City holding pond, which is to the east of the Subject Property, there are a number of easements running through the Subject Property and the City has an agreement with the Subject Property ownership for continued and unrestricted access to the holding pond via the Subject Property for ongoing maintenance and repair of the pond. This presented challenges and constraints with respect to the type of fencing required and minimum clear access requirements for equipment. The revised plans now reflect a 6-foot cedar fence running almost the entire length of the northern property line. In communication with the Applicant, City staff requested a buffer from the above ground equipment (e.g. transformers) located off Brooklyn Boulevard as Xcel Energy has minimum buffer requirements for equipment walls and doors and to comply with maximum height provisions in the front yard area.

Architectural Materials

There are no plans to alter the exterior of the building, with the exception of some identified tuckpointing required on the existing brick exterior. A new engineered canopy would be installed over a proposed exterior mailbox area located outside the main doors and to match the existing main entry canopy—refer to Image 7 below.

City Code requires no less than 60-percent face brick, natural or colored stone, pre-colored or factory stained or stained on site textured pre-cast concrete panels, textured concrete block, stucco, glass,

fiberglass, or similar materials. Although this requirement appears to have been met, City staff requests a rendering with a schedule breakdown of building materials by percent—this is both for compliance and for record-keeping purposes.

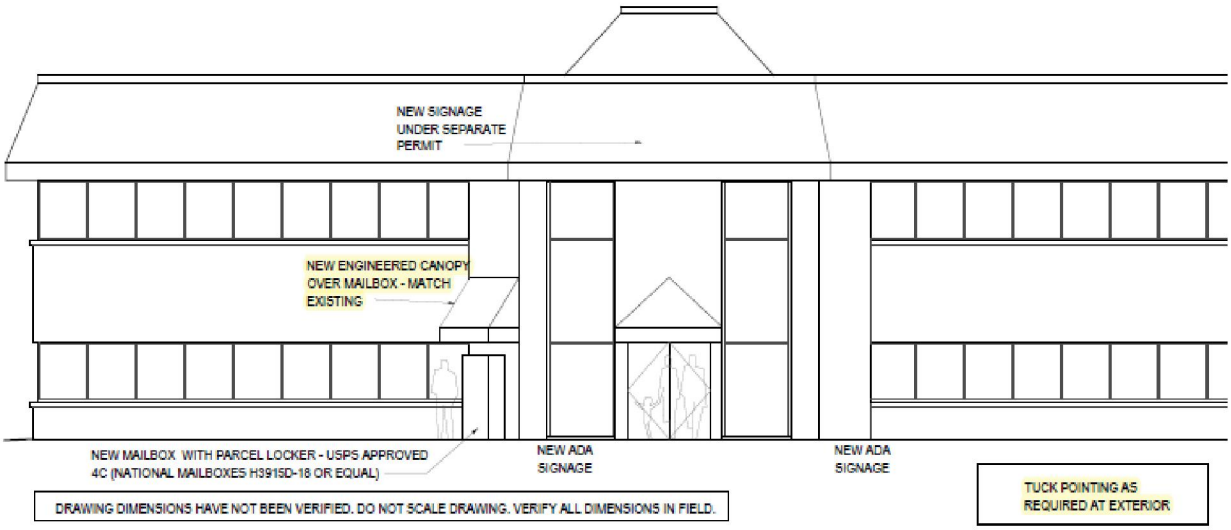


Image 7. Subject Property Exterior with Proposed Minor Alterations and Maintenance.

Landscaping

As there is a previously approved landscape plan on file for the Subject Property, approved in 1985 under Planning Commission Application No. 85011, City staff requested the Applicant work off this plan as a baseline. It should be noted that the approved landscape plan contemplated the two-phase development; therefore, there are certain plantings contemplated in the original 1985 plan that were never installed.

The 1985 plans noted a provision for 13 deciduous trees (i.e. Japanese White Birch, Pin Oak, Green Seedless Ash), 15 Evergreens/Conifers (i.e. Colorado Green Spruce), 190 deciduous shrubs (i.e. Red-twigged Dogwood, Goldflame Spirea, Lilacs), and 29 Evergreen Shrubs (i.e. Mugho Pines, Moppet Junipers, Mint Julep Junipers). Although difficult to read, it appears certain ornamental trees, including Canada Red Cherry and Red Splendor Crab, were to be planted.

The Applicant provided a preliminary plan schedule and landscape plan, which was reviewed as part of the October 12, 2023 report. At the time, City staff noted that, while Green Ash trees are native to Minnesota, they have generally been overplanted and with the presence of Emerald Ash Borer in the state, are becoming less and less common. The provided Field Tree Inventory Log (Table 4—below) denotes a five (5) Green Ash trees present on the Subject Property that are identified as in "poor condition" and noted with "EAB" (Emerald Ash Borer). City staff requests the Applicant determine if there are any opportunities to treat the trees given their deteriorating condition. If not, City staff requests the Applicant work with a City approved certified arborist to remove the trees in a manner that minimizes the spread of Emerald Ash Borer.

In addition, select Hackberry and Siberian Elms were noted as in poor condition as well. These trees, if removed, would ultimately require replacement of similar type. The City's new provisions surrounding landscaping stress that no more than 40-percent of the total trees should be of the same species—this is to promote species diversity and resilience. Additionally, landscape vegetation should emphasize native and resilient plant types where possible.

The Applicant has since revised the landscape plans (October 25, 2023) to incorporate 10 additional Isanti Redosier Dogwoods (shrubs).

An underground irrigation system is required for install in all landscaped areas to help facilitate site maintenance and was noted in the 1985 approvals—this requirement still stands today and any new areas of landscaping or areas with damaged or missing landscaping would require replacement. The submitted landscape plan identifies existing turf and irrigation lines intended to remain as well as new drip irrigation to be installed around the building foundation planting areas.

In reviewing the originally submitted landscape plans, City staff noted a considerable area along the northern property line was proposed for the installation of wood mulch, which is considered a temporary ground cover. Although edging can be utilized to help contain the mulch, City staff expressed concern with the proximity of this area to the City's stormwater pond and the fact that a portion of this area is intended for snow storage. With this in mind, City staff requested the Applicant identify alternative landscaping measures for this area. The Applicant has since revised the landscape plans to reflect the installation of rock mulch in those areas surrounding the trash enclosure and snow storage areas before transitioning to wood mulch along the property line area. This is generally acceptable to City staff.

PLANT SCHEDULE

LANDSCAPE TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	GD	Gleditsia triacanthos inermis 'Draves' TM	Street Keeper Honey Locust	2.5" Cal.	B&B	3
ORNAMENTAL TREES	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	MP	Malus x `Prairifire`	Prairifire Crab Apple	1.5" Cal.	B&B	4
SHRUBS	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	Cl	Cornus sericea `Isanti`	Isanti Redosier Dogwood	3 gal.	Pot	10
	Pa	Potentilla fruticosa `Absaraka`	Dakota Goldrush Potentilla	5 gal.	Pot	10
	Rg	Rhus aromatica `Gro-Low`	Gro-Low Fragrant Sumac	5 gal.	Pot	13
	Sm3	Spiraea x bumalda `Goldmound`	Gold Mound Spirea	3 gal.	Pot	10
ANNUALS/PERENNIALS	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	Hh	Hemerocallis x `Happy Returns`	Happy Returns Daylily	1 gal.	Pot	12
	Nw	Nepeta x faassenii `Walkers Low`	Walkers Low Catmint	1 gal.	Pot	6
GRASSES	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	Ck	Calamagrostis x acutiflora `Karl Foerster`	Feather Reed Grass	1 gal.	Pot	16

Table 3. Revised Preliminary Plant Schedule for the Subject Property.

FIELD TREE INVENTORY LOG				
PROJECT NAME:	Tree Inventory at 7100 Brooklyn Blvd, Brooklyn Center			
DATE:	8/25/2023	Lot Condition:	Developed	
TIME:	10:30 AM	Sunny	80 Degrees F.	
TAG NO.	**TREE DIA. (IN)**	**SPECIES**	**CONDITION**	**NOTES**
354	6	Black Hills Spruce	Good	
355	43	Cottonwood	Fair	
356	14	Green Ash	Poor	EAB
357	15	Green Ash	Poor	EAB
358	13	Green Ash	Poor	EAB
359	22	Siberian Elm	Fair	
360	9	Green Ash	Poor	EAB
361	19	Siberian Elm	Fair	
362	13	Siberian Elm	Fair	
363	8	Hackberry	Poor	
364	7	Siberian Elm	Poor	
365	8	Hackberry	Poor	
366	14	Siberian Elm	Poor	2 Trunks: 11,14
367	7	Hackberry	Poor	
368	8	Siberian Elm	Poor	
369	8	Green Ash	Poor	EAB
370	10	Honey Locust	Good	
	17	NO. OF TREES TAGGED		
	224	TOTAL INCHES INVENTORIED		

Table 4. Submitted Field Tree Inventory Log for the Subject Property.

Signs

The Applicant requested reuse of the existing sign cabinet located at the top of the building and facing Brooklyn Boulevard, which is approximately 61-square feet in size. Any new signage would be required to comply with the provisions outlined within Section 35-6000 (*Signs*) of the City Code. Although the sign size appears to exceed the City's maximum wall size provisions for multiple family dwelling units, Section 35-6300 (*Nonconforming Signs*) stipulates that, "nonconformities will generally be permitted to continue under the provisions of this Code;" therefore, it is interpreted that a replacement panel would be permitted. Should the wall sign be majorly altered or the cabinets replaced in the future, the sign would be required to comply with City Code requirements.

Engineering Review

James Soltis, Assistant City Engineer, reviewed the submitted plans and provided a memorandum dated October 4, 2023 (Exhibit D). Although a review of the revised plan sets was conducted, all conditions outlined in the October 4, 2023 memo are still applicable. The memo requests alterations to the ADA (Americans with Disabilities Act) identification signage locations. Further, the proposed sidewalks do not appear to meet ADA regulations with respect to grading and will require revision to meet Section 406 of the 2020 Minnesota Accessibility Code provisions for landings and ramps. The Applicant will also be required to obtain permits from Hennepin County for any potential work in the right-of-way (Brooklyn Boulevard).

Building and Fire Review

Building Official Dan Grinsteinner conducted a cursory review in a memorandum dated October 9, 2023 (Exhibit E) of the proposal for the Subject Property and indicated that fire sprinkler and monitoring systems are required by code and are required to be maintained at all times. Given the proposed conversion, select sprinkler heads and systems may need to be relocated as part of the multi-family buildout.

The Applicant will also need to meet any minimum ADA requirements for any exterior and interior building improvements, and prior to the issuance of building permits, a SAC determination shall be submitted to

the Metropolitan Council given the change of use. Any associated fees shall be paid at time of permit issuance.

Although the work appears to be minimal, the Applicant should coordinate with the Hennepin County Health Department to ensure no approvals are necessary for the private residence party room located in the basement level.

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

CPTED Review
City staff requests that as part of any construction set review and in advance of any permit release, a CPTED (Crime Prevention through Environmental Design) review be completed by City staff. Further, the Property Owner (Applicant) will be required to apply for and maintain a rental license with the City of Brooklyn Center, and in advance of any occupancy.

Other Considerations | Public Comment (to date)
As mentioned in the beginning of the report, a public hearing notice was published in the Brooklyn Center *Sun Post*, and mail notifications sent to all physical addresses within 350 feet of the Subject Property. On October 4, 2023 City staff received a voicemail from a business owner located within the Boulevard Plaza office condominiums, located just south of the Subject Property. On October 6, 2023, City staff received a letter with an attached petition comprised of signatures from 31 individuals operating out of the Boulevard Plaza office condominiums. The aforementioned letter is included for the record as Exhibit F—it should be noted that City staff has redacted the email addresses and phone numbers on the petition.

The letter provided outlines a variety of concerns, including but not limited to:

- Changing the environment of the area to one of a residential area rather than business district;
- Ongoing and continued safety concerns;
- Ongoing and increased traffic (both foot and vehicle);
- Dumping concerns; and
- Privacy concerns

On October 11, 2023 City staff received an email from representation of Brooklyn United Methodist Church, who indicated a, “vested interest in the housing proposal because our parking lot abuts the property in question.” They inquired on the proposal and requested installation of a privacy fence between the Subject Property and the overflow lot. A follow-up email was sent to City staff following the public hearing. Pham-Vang Optometry, who initially signed the petition letter presented by the Boulevard Plaza office condominiums submitted a separate letter of petition following the public hearing on October 13, 2023. These letters have been included as part of Exhibit F.

ANTICIPATED PERMITTING AND CONDITIONS
Following a review of the submittal materials and the request, City staff recommends the following conditions be attached to any positive recommendation on the approval of Planning Commission Application No. 2023-007 for the conversion of the former Electrus (Spire) Credit Union office building, located at 7100 Brooklyn Boulevard, to a 17-unit multi-family residential building:

1. Any major changes or modifications made to this Site and Building Plan, and as outlined

within the City Code, can only be made by an amendment to the approved Site and Building Plan as approved by the City Council.

   i. Photometric Plans and any proposed lighting fixtures are to comply with Section 35-5400 (*Exterior Lighting*).
   ii. Revise submitted preliminary landscape plan to clearly identify mitigative measures to address existing trees, including Green Ash, that are in "poor condition." A plan noting proposed tree removals should be provided with proposed replacements. Any landscaping removed shall be replaced with similar planting types and in accordance with Section 35-5600 (*Landscaping, Screening, and Fences*).

2. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and a detail sheet provided. All trash and recycling shall be contained within the enclosure area and regular trash and recycling pick ups scheduled based upon the needs of residents.
   i. Per City Code requirements, the proposed trash enclosure shall be located a minimum of five (5) feet from the interior and rear property lines.
3. The building plans are subject to review and approval by the Building Official and as outlined in the memorandum dated October 9, 2023 with respect to applicable codes prior to the issuance of permits.
4. The Applicant shall work to ensure all applicable Minnesota Fire Code requirements have been met as part of any site plan approval and with respect to the proposed modifications to the building.
   i. A fire sprinkler system is required to be installed and shall be maintained on a consistent basis per City Code requirements.
5. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council for the change of use and any associated fees paid at time of any permit issuance.
6. Application to and approval from the Hennepin County Health Department as needed for the amenity space identified as the private residence party room.
7. The Applicant shall provide any final site and building plans to City staff for a CPTED review and make alterations as necessary prior to permit release.
8. The Applicant shall ensure an irrigation system is in place to facilitate maintenance of new and existing site landscaping and green areas, and irrigation shop drawings for any new systems shall be submitted for review and approval prior to installation.
9. The Applicant agrees to comply with all conditions or provisions noted in the Assistant City Engineer's review memorandum, dated October 4, 2023.
10. The Applicant shall submit a Sign Permit Application for any proposed signage (e.g., wall, freestanding) and receive issuance of a permit prior to any installation.
11. The Property Owner (Applicant) shall apply for and maintain a City of Brooklyn Center Rental License. No building occupancy shall be granted prior to issuance of a City Rental License.

ALTERNATIVES

1. **Vote to recommend City Council approval of Planning Commission Application No. 2023-007 for approval of a site and building plan for the Subject Property located at 7100 Brooklyn Boulevard with the above-outlined conditions of approval.** By voting to approve this application, the site and building plan would be approved for the conversion of a former credit union and office building to a 17-unit multi-family residential building, subject to the above-noted conditions of approval.

2. **Vote to recommend City Council denial of Planning Commission Application No. 2023-007 for approval of a site and building plan for the Subject Property located at 7100 Brooklyn Boulevard.** By voting to deny this application, the request to convert the former credit union and office building to a 17-unit multi-family residential building would be denied with outlined findings of fact.

ATTACHMENTS

Exhibit A – Planning Commission Application No. 2023-007 Plans and Documents, submitted September 12, 2023, and last revised October 25, 2023.

Exhibit B – Public Hearing Notice, submitted for publication in the Brooklyn Center *Sun Post*, dated September 28, 2023.

Exhibit C – Report and Documentation for Planning Commission Application No. 85011.

Exhibit D – Review Memorandum, prepared by Assistant City Engineer James Soltis, dated October 4, 2023.

Exhibit E – Review Memorandum, prepared by Building Official Dan Grinsteinner, dated October 9, 2023.

Exhibit F – Boulevard Plaza Office Condominiums Letter of Petition, dated October 6, 2023, Email Communication from Brooklyn United Methodist Church, dated October 11, 2023 and October 13, 2023, and Pham-Vang Optometry LLC Letter of Petition, dated October 13, 2023.

Exhibit A

October 24th, 2023

Ginny McIntosh
City Planning and Zoning Administrator
City of Brooklyn Center
6391 Shingle Creek Parkway
Brooklyn Center, MN 55429

RE: Response To Letters Provided As Part Of Public Record For Planning Commission Application Number 2023-007 For 7100 Brooklyn Boulevard, LLC Site And Building Plan.

Dear Ms. McIntosh,

We are in receipt of the following letters provided as part of the public record for our application referenced above and wanted to address the concerns presented as listed below:

1.Dumping Concerns::
In response to Dumping Concerns, an Onsite Trash Enclosure with Covered Trash Cans and Affix Violation Instructions Plaque on Trash Enclosure Door to Residents will be provided in which existing Security Camera on Rear Elevation Wall will be directed towards Trash Enclosure for monitoring of debris and trash bags as well as loittering around or within Trash Enclosure. Trash Cans will be picked

up by Garbage Disposal Truck weekly, Also, there will be a Full Time Property Manager who resides on the property to manage all Tenants activites to ensure security, orderliness and cleanliness of property environment and parking lots (Residential Tenants And Visitors Allocated Parking Lots).

2. Traffic Congestion:
In response to both Vehicles and Pedestrians Traffic Concerns, with Business Hours conducted from 8:00 AM - 5:00 PM Monday through Friday. There will be no Traffic Congestion along Brooklyn Boulevard considering 85% or more Tenants residing in this property will be away from their residence at their various jobs which will be about the same hours of operations as Brooklyn Plaza Office Condominiums. Thus, traffic egress in and out of the residential building will be less during normal business hours.

Moreover, not all 17 units residents or tenants will use all 34 parking stalls as provided per City Ordinance at any given time of the day due to differential work hours at their various jobs, in which their return back to residential building will definately be after business hours of operations of Brooklyn Plaza office condominiums.

3. Parking Issues:
In response to Parking Concerns on Residential Property, unauthorized parking will not be allowed or accommodated as individual unit numbers will be marked on Parking Stalls in the Parking Lot as assigned to each tenant during rental lease. Each tenant will be provided with a parking space

number to enable onsite full time property management staff who reside on property to monitor parking spaces as designated to individual tenant units.

Visitors Parking Spaces will be designated at Front Elevation of Property as indicated on Site Improvement Plan with directional signage to inform visitors about location allocated for parking upon entry into parking areas of property. Designated Visitors Parking Spaces are allocated away from Brooklyn Plaza Office Condominiums Building to prevent noise disturbance during business hours of operations. Also, there will be enough parking spaces within this property as provided in which No Tenant(s) Or Visitor(s) will invade Brooklyn Plaza Office Condominium Parking Lot or Brooklyn United Methodist Church (BUMC) Overflow Parking Area.

4. Fencing:
In response to Brooklyn United Methodist Church (BUMC) request for a fence to be installed between BUMC Overflow Parking Area and Residential Property. A Six (6) Feet High Cedar Wood Fence will be installed from Northwest to Northeast Side of North Property Line to prevent access between BUMC Overfloor Parking Area and Residential Property in which existing Sidewalk between BUMC Overfloor Parking Area and Residential Property will be eliminated

FYI: Length of Span of New 6 Feet High Cedar Wood Fence will stop at recommended length as recommended by City Engineer due to Existing Easements around Existing Transformer and Telephone Equipments located at Northwest Corner right before existing City Sidewalk and Trail on Brooklyn Boulevard

5. Concerns of Redundant Cars Parked On Property:
In response to Concerns of Redundant Cars parked on property, all parked redundant cars will be removed immediately before commencement of the parking lot site improvement work of the residential building.

6. Environment Change Concerns:
In response to Concerns on Environment Change, per City's Unified Development Ordinance Section 35-2302 which allows 15 - 31 Multiple Family Dwellings per Acre as permitted within the City's Neighborhood Mixed Use MX-N-2 Ordinance in which our property is 0.99 Acre.

Note: Per City's Data Historical Record, Existing Bank Building was granted Special Provisions to be built in 1985 as allowed by City's Ordinance in R-5 District, zoned as Residential Multifamily District which was later revised to Mixed-Use Commercial and Residential District to allow Non-Conforming Office Buildings built in R-3 District of City's Ordinance based on City Unified Development Ordinance establish on January, 2023

Thus, converting existing Bank Building on 0.99 Acre to 17 Residential Units with No Alteration or Modification Work to be done to Existing Building Structure such as Foundation and Perimeter (Exterior) Walls and Roof Structure to keep existing aesthetic elevation views of the building will not violate City's Zoning Ordinance or Building Code Regulations nor create Over-Populated Density as allowed based on number of multiple dwellings per City Ordinance Section 35-2302 for Neighborhood Mixed Use MX-N-2 District.

7. Noise Disturbance Concern:
In response to Noise Disturbance Concerns from Residential Building, Existing Bank Building was built in compliance with Sound Resistance Rating as required by Minnesota Building Energy Code.

Thus, any noise within the Residential Building will not constitute any noise disturbance to adjacent Brooklyn Plaza Office Condominiums during business hours of operations. Moreover, as earlier informed, residents occupying residential units during stated business hours of operations of office condominiums will be minimal during weekdays (Monday through Friday) as most residents will be working at their various jobs.

8. Existing Security Cameras located outside will be used to enforce safety measures and control pedestrian access into the residential building at any given time of the day.

Also, Existing Security Cameras located within the common lobby area across from the front vestibule and at rear exit door will remain active to monitor guests and tenants entering and exiting the residential building.

In addition, Voice Activated Door Buzzing Device will be installed within the Front Vestibule of the Residential Building with Control installed in each tenant unit to prevent unwanted guests into the building and tenant units.

United States Postal Service Approved Mailboxes marked with Tenant Unit Numbers with Lock Compartments for Mails and Parcels will be installed and located close to residential building front entry doors for easy access by tenants.

In conclusion, all required revised Civil Site Improvement,Landscape, Photometric and Building Plans as requested by Planning and Zoning City Staff will be submitted for review in preparation for the City Council Meeting scheduled for November 13th, 2023.

Sincerely,

10/24/2023

Adedoja Jinadu
Project Coordinator

10/24/23

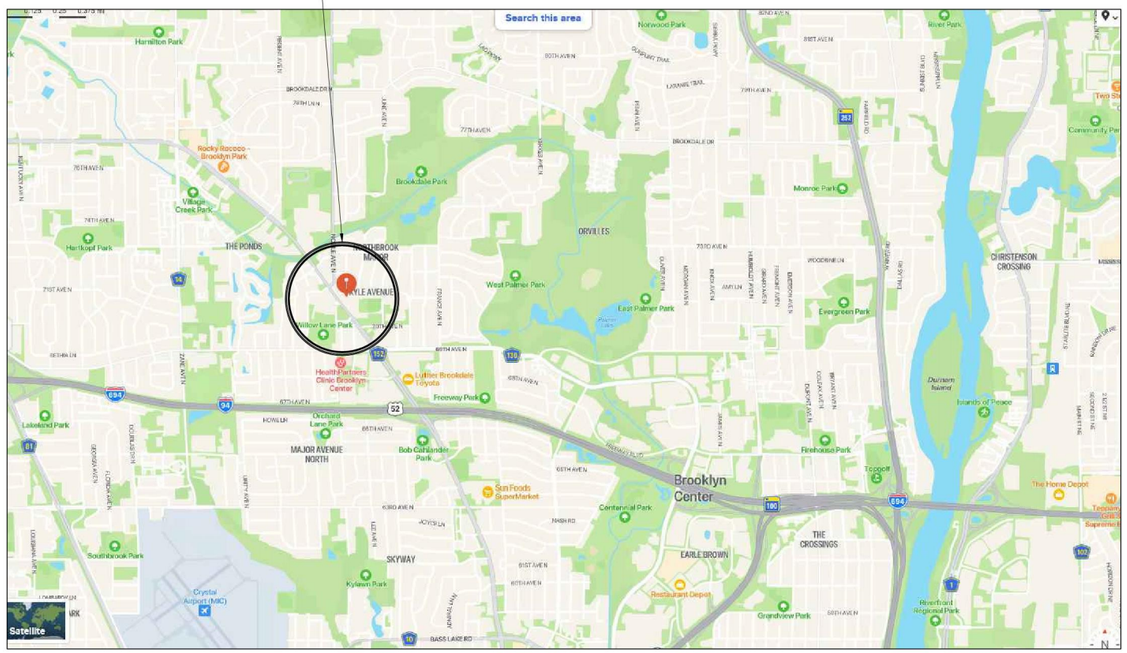
Tony Olatayo
Building Owner
7100 Brooklyn Boulevard, LLC

7100 BOULEVARD PLAZA

7100 BROOKLN BOULEVARD

BROOKLYN CENTER, MN 55429

PROJECT LOCATION



N

1 LOCATION MAP

NOT TO SCALE

SHEET T-100	TITLE SHEET WITH LOCATION MAP AND SHEET INDEX
SHEET T-101	CODE REVIEW / PROJECT NARRATIVE
SHEET T-102	SECURITY SYSTEM REQUIREMENTS / UNIT BREAKDOWN
SHEET A-001	BASEMENT PLAN
SHEET A-101	MAIN FLOOR PLAN
SHEET A-102	SECOND FLOOR PLAN
SHEET A-201	EXTERIOR ELEVATIONS
SHEET A-202	EXTERIOR PHOTO
SHEET A-301	BUILDING WALL SECTION / INT ELEV / DETAIL
SHEET A-302	ADA BATH PLAN / ELEVS
SHEET A-303	LAUNDRY ROOM ELEVS / BATH DETAILS
SHEET A-304	ADA KITCHEN ELEVATIONS / DETAILS
SHEET A-501	UL DETAIL IIC STC
SHEET A-502	UL DETAIL IIC STC
SHEET A-503	DOOR SCHEDULE
SHEET A-504	DOOR SCHEDULE

2 SHEET INDEX

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Code Review
Code Review by Deborah Everson 612.237.0108
Owner of Project = 7100 Brooklyn Boulevard LLC
Project Location = 7100 Brooklyn Boulevard, Brooklyn Center, MN 55429
Intent = Conversion / Alteration from B office to new apartments R-2
Code Used = 2020 Minnesota Conservation Code for Existing Buildings
301.3.1 Prescriptive Compliance Method which refers to 2020 Minnesota Building Code
Existing Building Height = 2 stories (31'-2") with partial basement
Existing Building Footprint
Main = 6046 sf Gross F (7 Apartments)
2nd = 5533 sf Gross (10 Apartments)
Building Area (to outside of walls / footprint)
Basement = 1927 sf Gross with Small Assembly Room = 735 sf
This Building has an existing sprinkler system, a fire detection system and a fire alarm system. These items will be reviewed and updated by Professionals as required.
This Building has an existing parking lot, ADA parking spaces and ADA way into the building. Parking lot also has pole lighting.
IBC 1004.5 Proposed Occupant Load
Basement Assembly Room = 735sf/15sf/O = 49 Occupants
Main Floor = 4300 sf / 200 sf / O = 22 Occupants
Second Floor = 4315 sf / 200 sf / O = 22 Occupants (Total OL = 93)
Previous Occupancy = B (Bank)
Proposed Occupancy = Non Separated R-2 (17 Apartments) with Accessory Use of B (one small assembly room in basement]
Note MCCE 1011.4.1 R Apartments are a higher means of egress hazard than banks, therefore use IBC Chapter 10.
IBC 601 Fire Resistance Rating Requirements for building elements for Type of Construction = IIIB + Sprinkled throughout
Primary Structural Frame, Interior Partitions, Floor, Roof = 0
Bearing Walls = 2
System required and provided (to be reconfigured by Professional)
IBC 1006.3 Minium Exits
At main and second floor = 2 exits provided with Maximum common path of egress travel distance = 125'
Provided at second floor - exist paths less than 125'
MCCE 1011.7.2 Stairways exception 2 = stair enclosure not required if stairs serve one other floor
IBC 1020.1 All corridors to have ½ Hour Fire Resistance Rating
All doors on corridors to have 20 minute Fire Rating
IBC 1020.2 Minium corridor width 44 inches, provided is minimum 60 inches
IBC1020.6 Corridor Continuity - to include the unenclosed stairways
IBC 1008.2.1 Minimum 1 foot candle at walking surface under emergency power
IBC 1030.1 Emergency Escape and Rescue Exceptions 4.1 and 4.2 = Building has automatic sprinkler system and 2 means of egress
IBC Sound Transmission = Partitions & Floor /Ceilings = Minimum 50 STC & IIC
IBC 1209.2 Finish Materials for walls, floors and showers shall comply
IBC 1206 Interior walls between units to have STC rating of not less than 50
IBC 404.6 exception 3 & 4 Atrium - no smoke control required as atrium is not more than 2 floors high
IBC 420.5 Smoke and Carbon Monoxide Detection Alarms in every Bedroom and Kitchen in every Unit.

1 CODE REVIEW

Project narrative

There are many reason this building works as an apartment building:
The building appears to be in a sale location of the city:
- 7100 Brooklyn Blvd is located across the street from Northwest Human Services Center / Community Emergency Assistance.
- The parking lot wraps the building on three sides for clear visual to the front door
- The building itself is simple and there are no hidden places for trouble to begin

The building has a layout that is conducive to apartment living:
- Only two stories make exiting in case of an emergency very obvious and fast
- Exits on either end of the main corridor make choice of emergency exit simple
- Atrium in main entrance is welcoming and full of daylight. It is a nice building to enter into
- An elevator is helpful for anyone unable to use stairs
- Ribbon windows allow natural light into every unit
- Small number of apartments: 17 units available
- 49 person event room in the lower level is access by stairs or elevator for events, celebrations, parties, etc.

The Building location is advantageous to the tenants - many amenities close by:
- One block to St. Alphonsus Park and Willow Lane Park
- ½ mile north of Hyw 94 / 694
- Only blocks to churches, grocery stores, restaurants, clinics and other important places
- On site laundry (shared)
- On site recycling and garbage (outside)
- Surface parking with 2 parking spaces per apartment and guest parking available

Current rental rates in Brooklyn Center (north side of 94/694 with similar amenities)
- Studio Apartments $1000
- One Bedroom Apartments $1200
- Two Bedroom Apartments $1500

2 PROJECT NARRATIVE

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Per city ordinance chapter 35 section 35-5301 security systems and devices:

a. For the purposes of providing a reasonable amount of safety and general welfare for persons occupying multiple family dwellings, an approved security system shall be provided to control access at each multiple family building hereafter constructed. The security system shall consist of locked building entrances or foyer doors, and locked doors leading from hallways into individual dwelling units. Dead-latch type locks shall be provided with lever knobs (or door knobs) on the inside of building entrance doors and with key cylinders on the outside of building entrance doors. Building entrance door latches shall be of a type that are permanently locked from the outside and permanently unlocked from the inside.

b Every door that is designed to provide ingress or egress from a dwelling unit within a multiple family building shall be equipped with an approved lock that has a deadlocking bolt that cannot be retracted by end pressure; provided, however, that such doors shall be openable from the inside without the use of a key or any special knowledge or effort.

1 SECURITY SYSTEM ORDINANCE

	UNIT #	TYPE - TYPE	SQ FT
MAIN FLOOR	101	B - 2 BDRM	706
	102	B - 1 BDRM	686
	103	B - STUDIO	495
	104	B - STUDIO	466
	105	B - 1 BDRM	482
	106	B - 1 BDRM	476
	107	A - 1 BDRM	677
SECOND FLOOR	201	B - 1 BDRM	617
	202	B - 1 BDRM	344
	203	B - 1 BDRM	342
	204	B - 1 BDRM	344
	205	B - STUDIO	302
	206	B - STUDIO	428
	207	B - 1 BDRM	531
	208	B - STUDIO	252
	209	B - 1 BDRM	395
	210	B - 1 BDRM	414

2 UNIT BREAKDOWN

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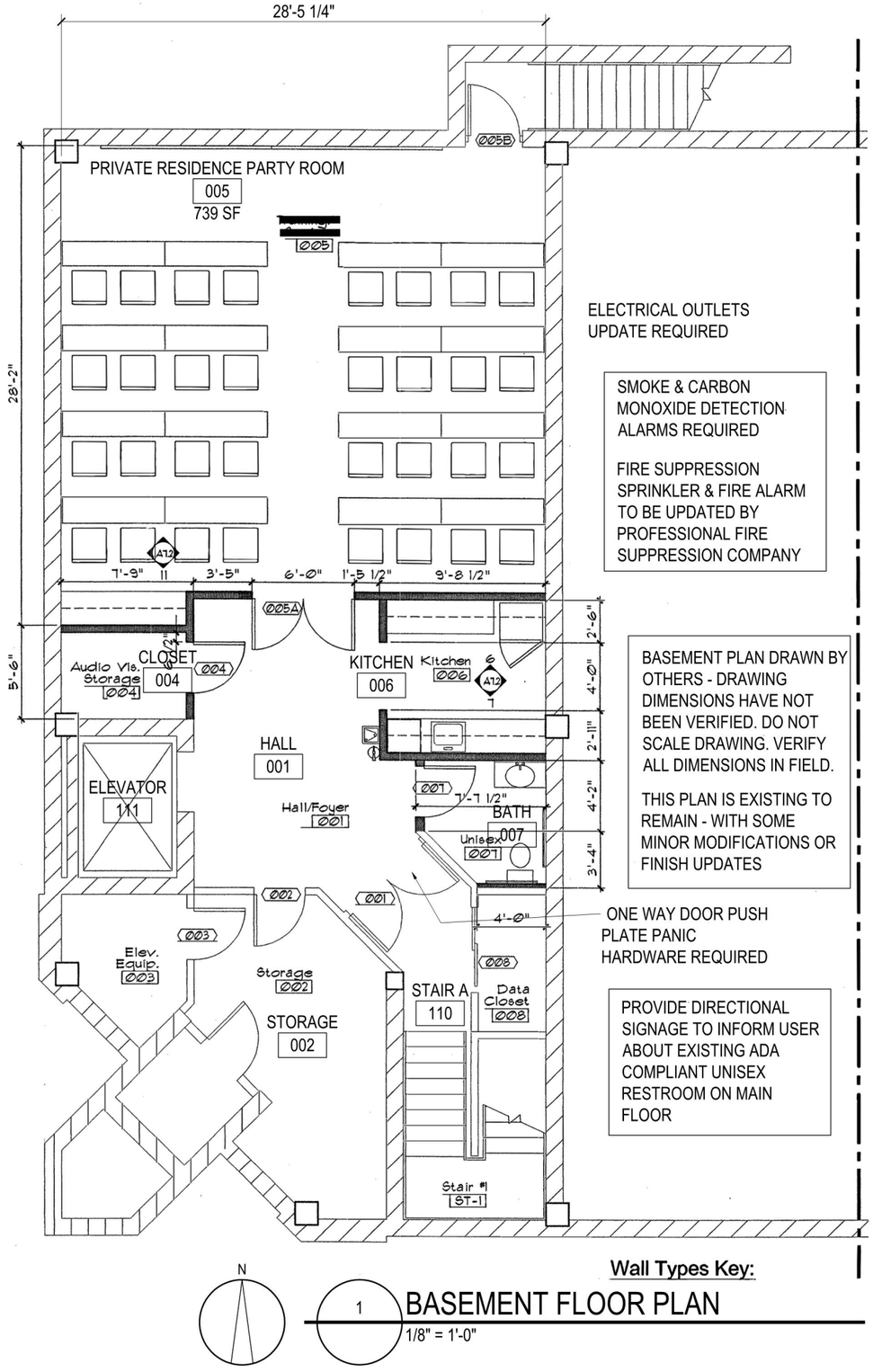
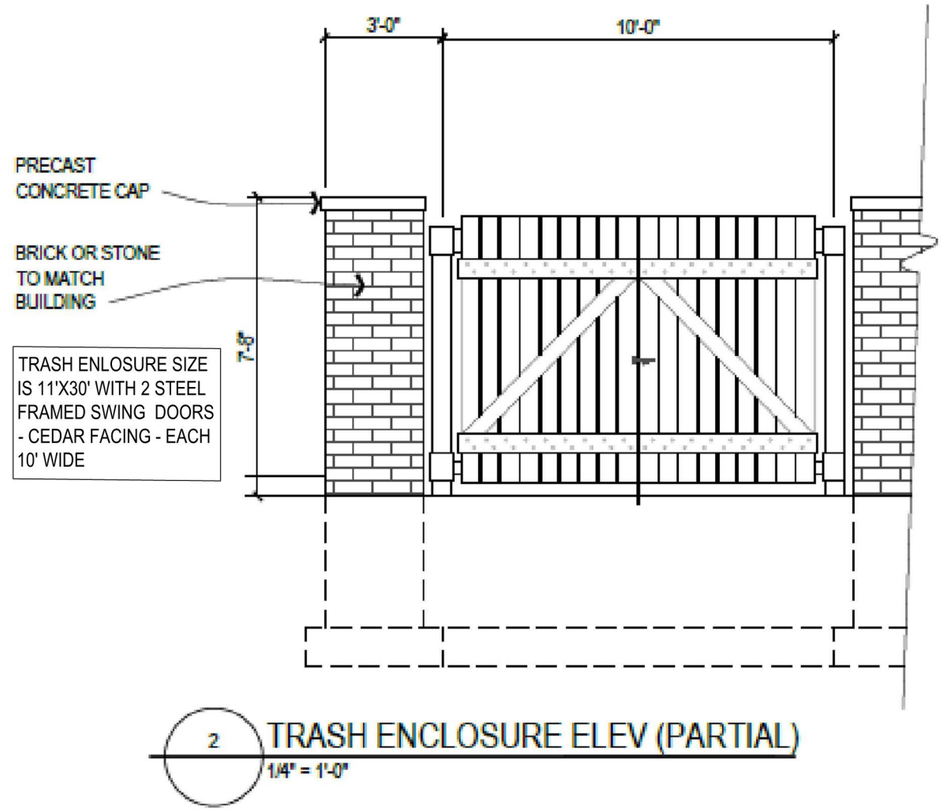
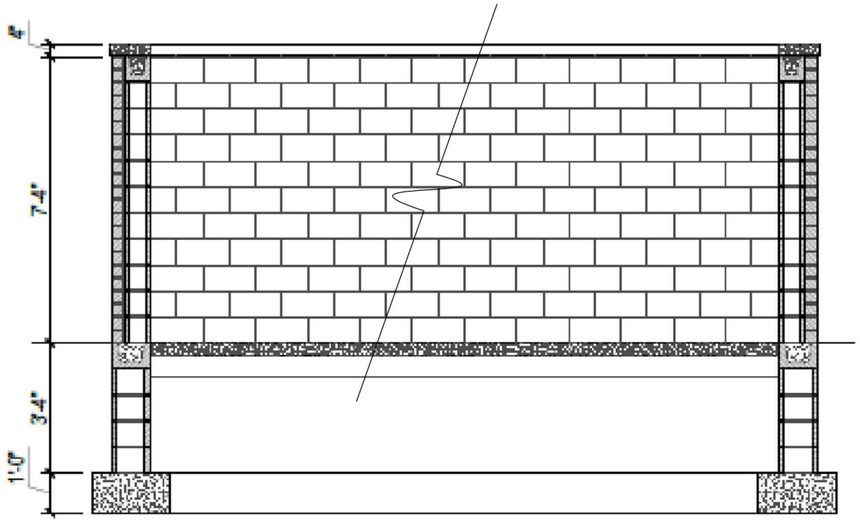


1 BASEMENT FLOOR PLAN
1/8" = 1'-0"



TRASH ENLOSURE SIZE IS 11'X30' WITH 2 STEEL FRAMED SWING DOORS - CEDAR FACING - EACH 10' WIDE

2 TRASH ENCLOSURE ELEV (PARTIAL)
1/4" = 1'-0"



SEE CIVIL PLANS FOR LOCATION OF TRASH ENCLOSURE

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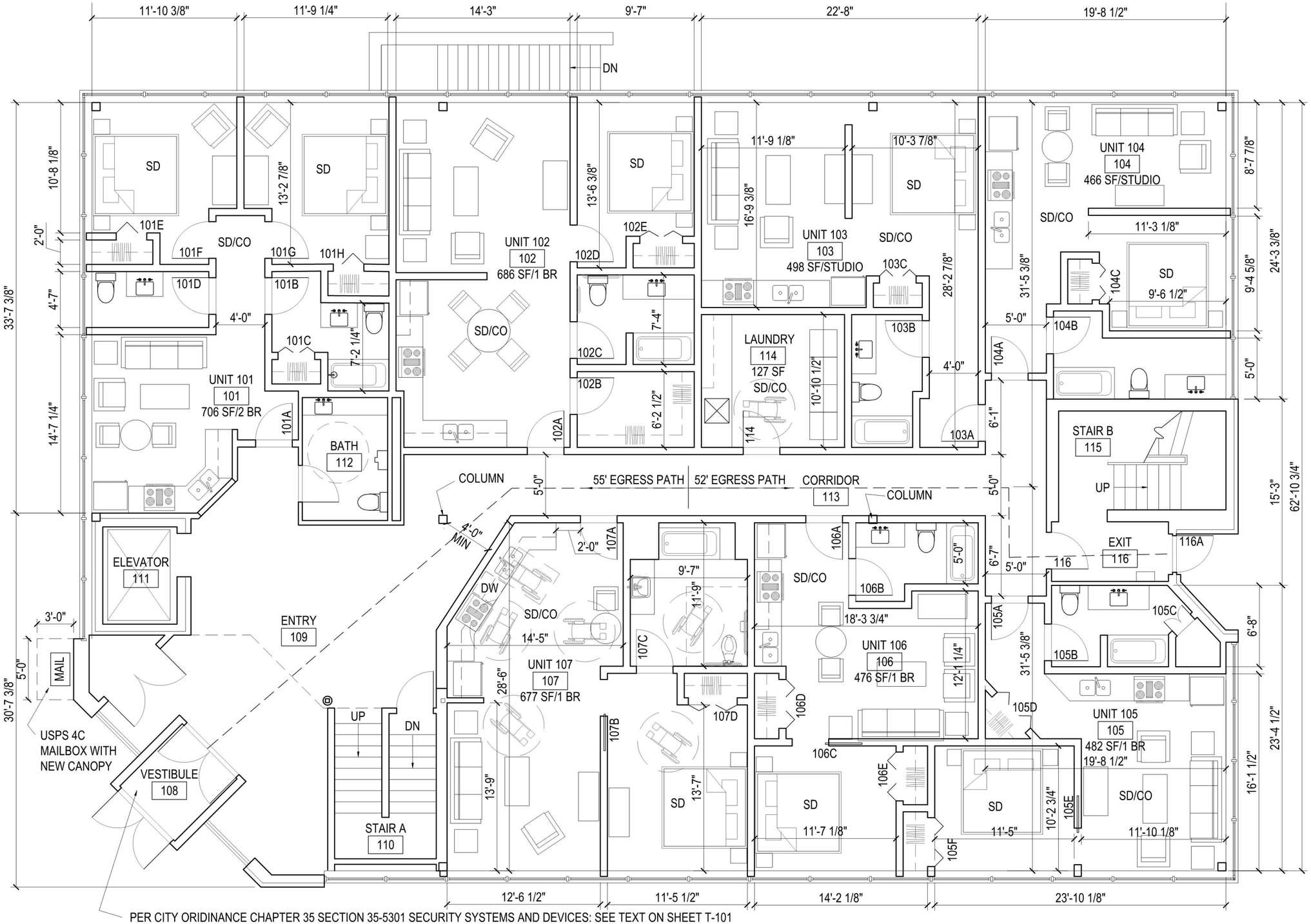

PER CITY ORIDINANCE CHAPTER 35 SECTION 35-5301 SECURITY SYSTEMS AND DEVICES: SEE TEXT ON SHEET T-101

DRAWING DIMENSIONS HAVE NOT BEEN VERIFIED. DO NOT SCALE DRAWING. VERIFY ALL DIMENSIONS IN FIELD.

HATCHED AREAS ARE EXISTING TO REMAIN - WITH SOME MINOR MODIFICATIONS OR FINISH UPDATES

TEXTURED ADA BARS AT EVERY TOILET, SHOWER AND TUB

SMOKE AND CARBON MONOXIDE DETECTION ALARMS IN EVERY BEDROOM AND KITCHEN & LAUNDRY AREA

BATH FAN TO EXTERIOR REQUIRED AT EVERY BATHROOM

N

1 MAIN FLOOR PLAN

1/8" = 1'-0"

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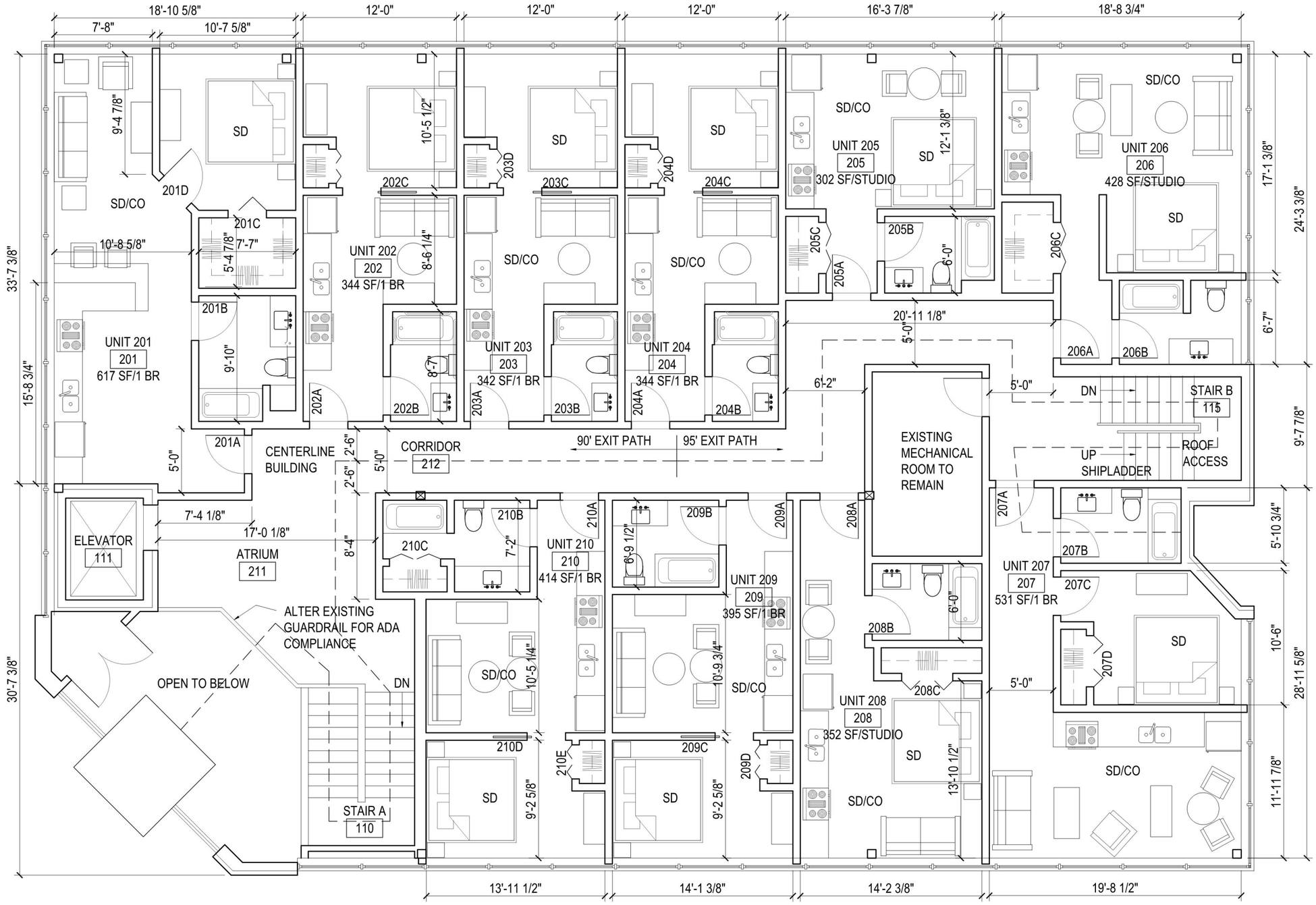

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HATCHED AREAS ARE EXISTING TO REMAIN - WITH SOME MINOR MODIFICATIONS OR FINISH UPDATES
TEXTURED ADA BARS AT EVERY TOILET, SHOWER AND TUB

N

1 SECOND FLOOR PLAN
1/8" = 1'-0"

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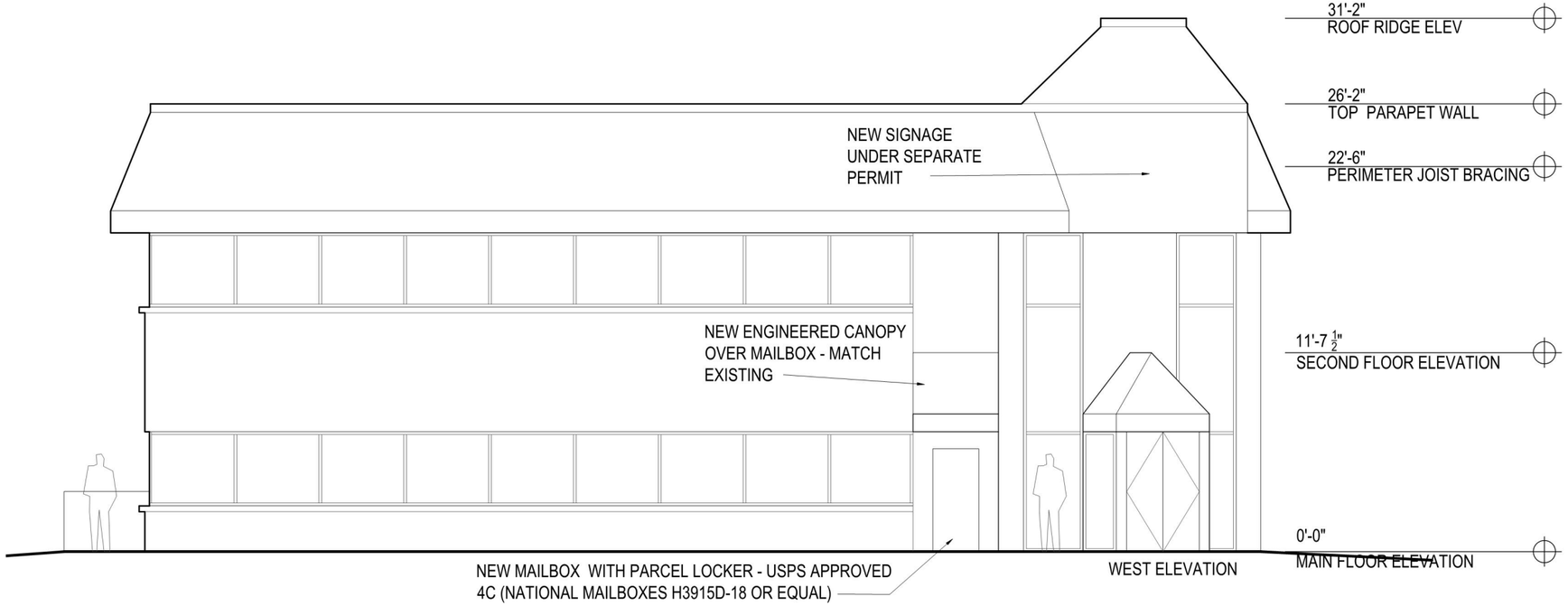
SOUTHWEST ELEVATION

DRAWING DIMENSIONS HAVE NOT BEEN VERIFIED. DO NOT SCALE DRAWING. VERIFY ALL DIMENSIONS IN FIELD.

TUCK POINTING AS
REQUIRED AT EXTERIOR

ADA ACCESS AISLE SIGNAGE TO BE ON
BUILDING PER CODE 502.4.4



WEST ELEVATION

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EXISTING SIGN ABOVE FRONT DOOR IS
7-0"' HIGH AND 8'-9" WIDE



1 EXTERIOR ELEVATION IMAGE

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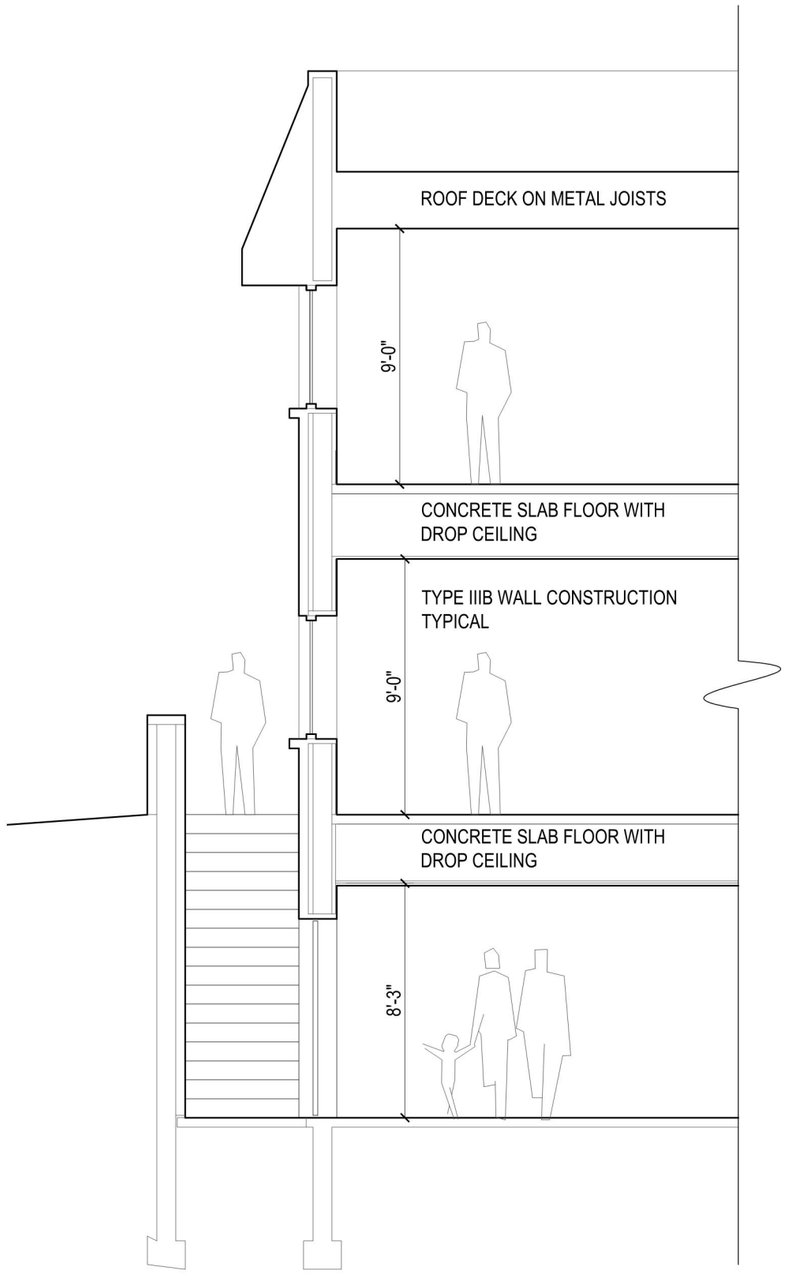
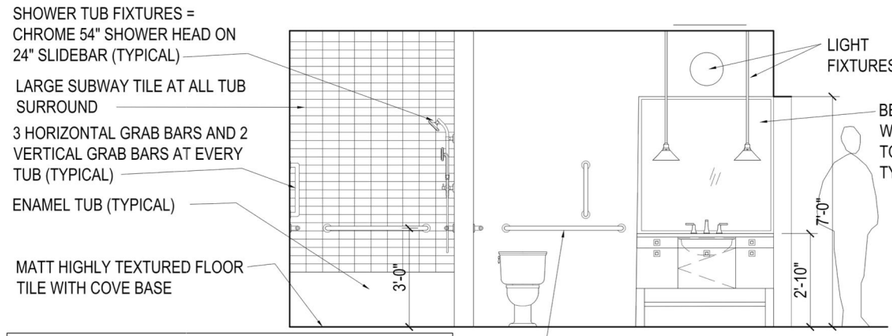
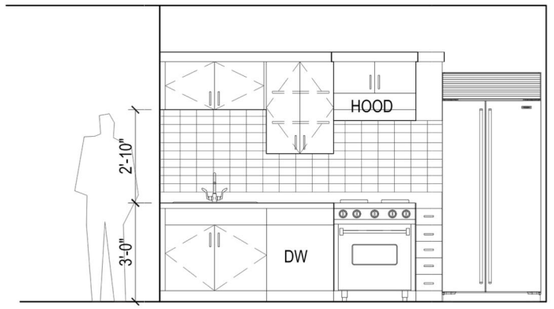


1 WALL SECTION
3/16" = 1'-0"



2 TYPICAL BATHROOM ELEVATION
1/4" = 1'-0"

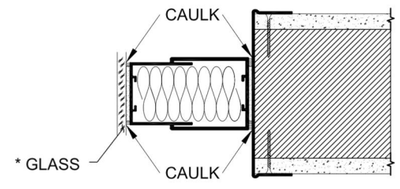


UNIT 106 - TYPICAL KITCHEN ELEVATION

3 TYPICAL KITCHEN ELEVATION
1/4" = 1'-0"

PULL=MOCKETT DP137, SATIN NICKEL
PLUG-MOLD RECEPTICALS UNDER CABINETS - NO WALL OUTLETS AT KITCHEN
UNDER CABINET LIGHTING
ENERGY STAR HOOD
WHITE SUBWAY TILE BACKSPLASH AT ALL UNITS
ALL CABINETRY: FACE FRAME
MAPLE VENEER CABINETS WITH
MELAMINE INTERIORS WITH WOOD PRINT
SOFT CLOSE DRAWER SLIDES AND DOOR HINGES
CAMBRIA COUNTERS
ALL FIXTURES, FAUCETS AND ACCESSORIES TO BE KOHLER, CHROME FINISH

WALL-TO-GLASS APPLICATION
*MULLION MATE OR EQUAL CAN BE INSTALLED AGAINST MINIMUM 1/8" THICK GLASS. INSTALL THE GASKET AGAINST THE GLASS SIDE FIRST. CARE SHOULD BE GIVEN TO PROPERLY POSITION GASKET PRIOR TO CONTACTING GLASS.



4 PARTITION GAP CLOSURE
NOT TO SCALE

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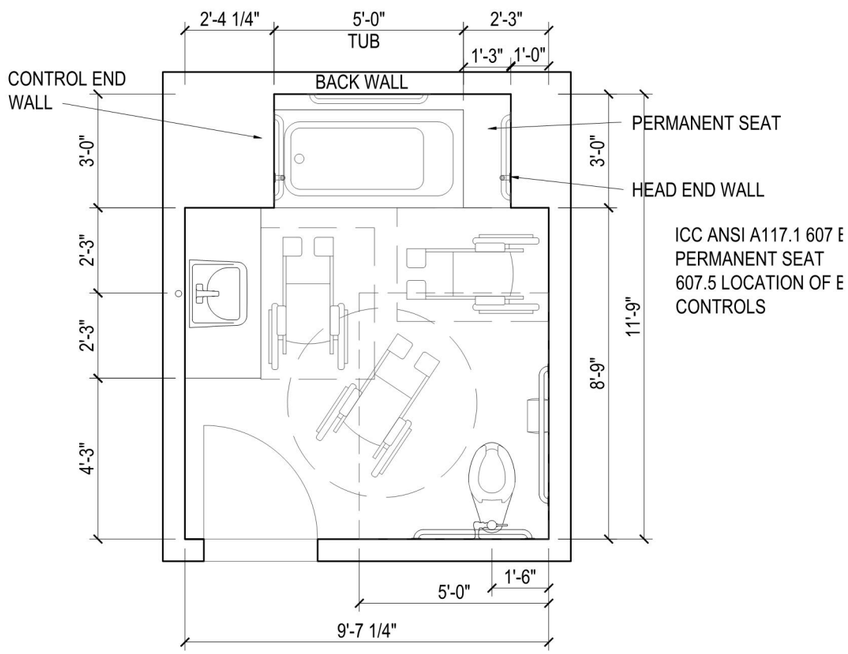
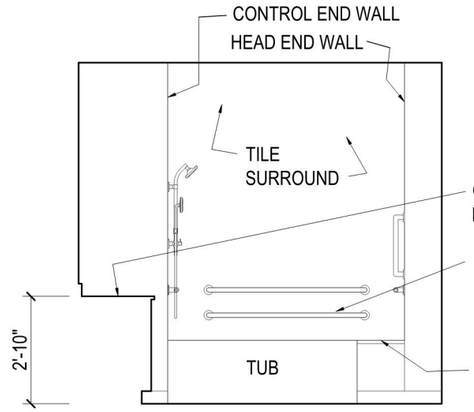
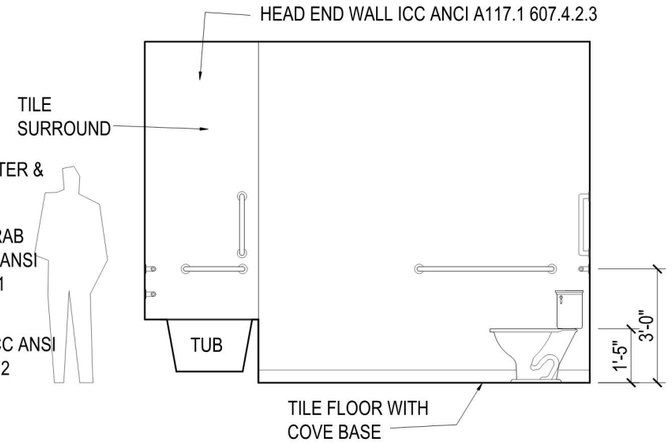


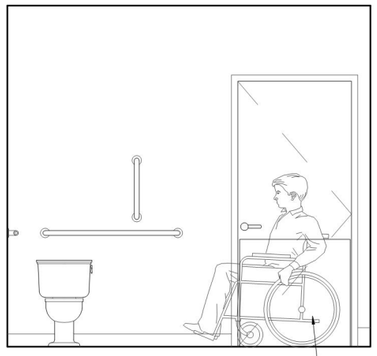
N

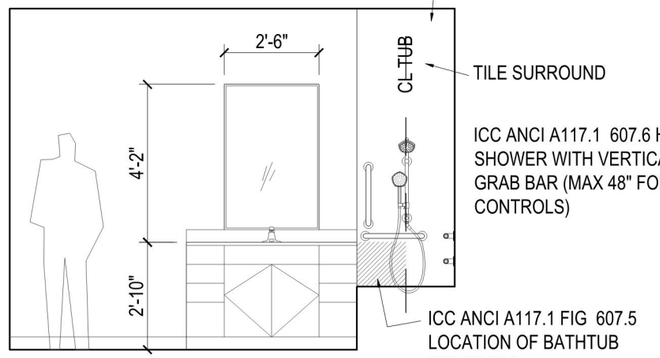
1 UNIT 107 ADA BATH PLAN

1/4" = 1'-0"





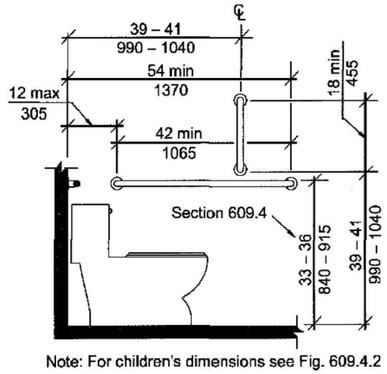




ICC ANCI A117.1 607.6 HAND SHOWER WITH VERTICAL GRAB BAR (MAX 48" FOR ALL CONTROLS)

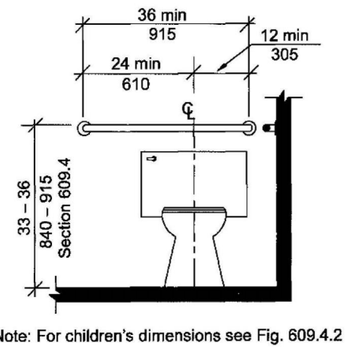
2 UNIT 107 ADA BATH ELEVATIONS

1/4" = 1'-0"



Note: For children's dimensions see Fig. 609.4.2

FIG. 604.5.1
SIDE WALL GRAB BAR FOR WATER CLOSET



Note: For children's dimensions see Fig. 609.4.2

FIG. 604.5.2
REAR WALL GRAB BAR FOR WATER CLOSET

3 CODE REQUIREMENTS

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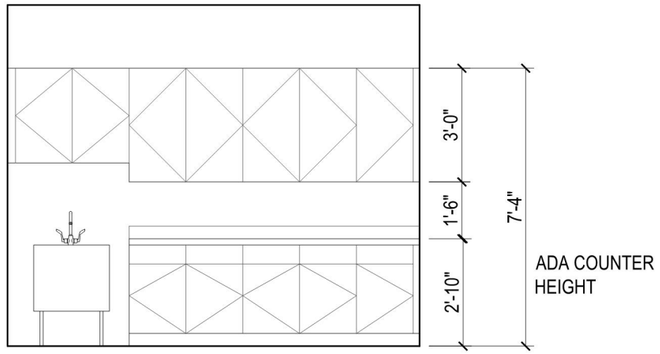
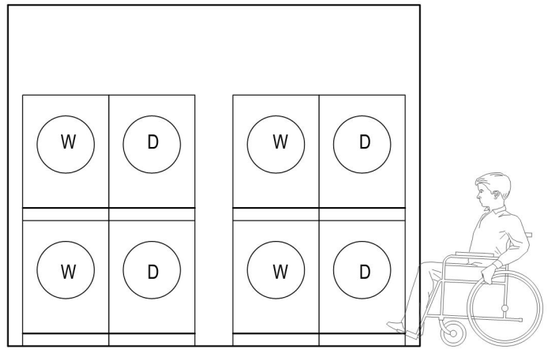
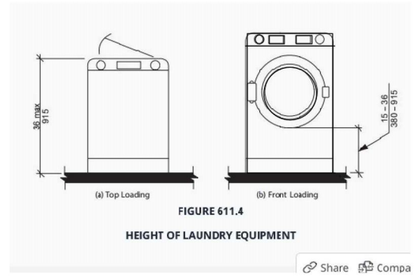


1 LAUNDRY ROOM ELEVATIONS

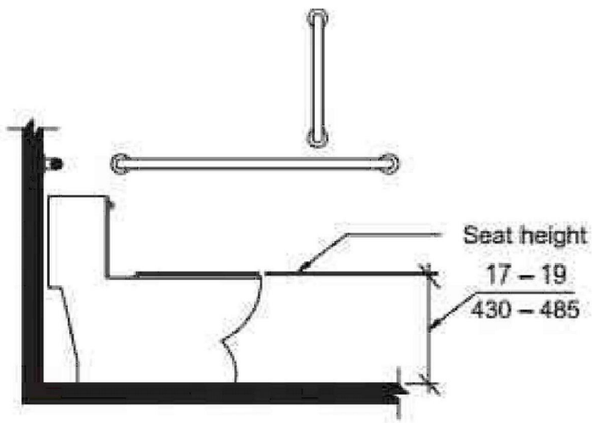
1/4" = 1'-0"





2 CODE REQUIREMENTS

1/4" = 1'-0"



Note: For children's dimensions see Figure 604.11.4

FIGURE 604.4 WATER CLOSET SEAT HEIGHT

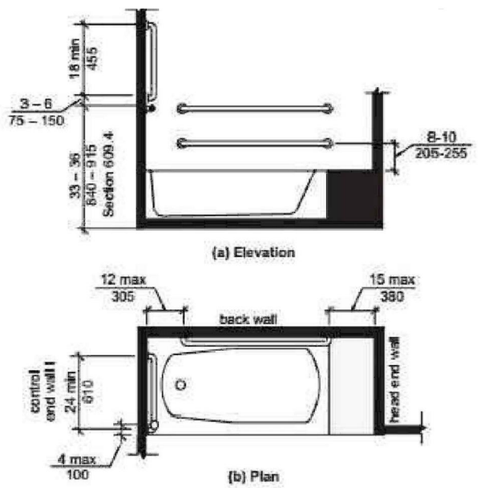


FIGURE 607.4.1 GRAB BARS FOR BATHTUBS WITH PERMANENT SEATS

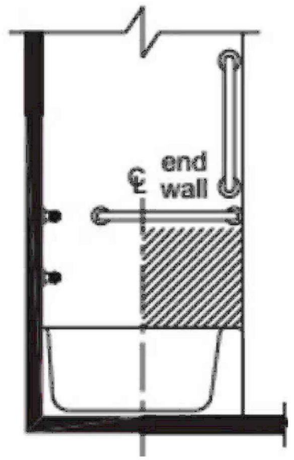


FIGURE 607.5 LOCATION OF BATHTUB CONTROLS

3 CODE REQUIREMENTS

1/4" = 1'-0"

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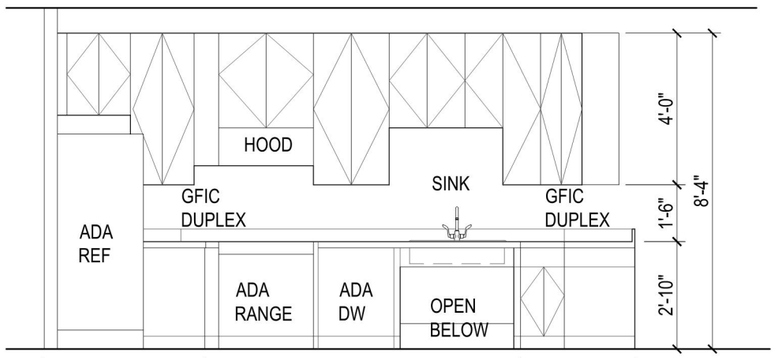
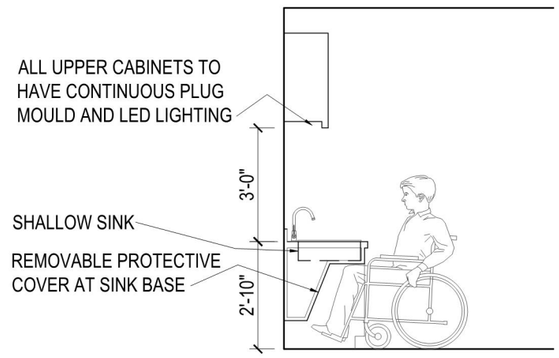


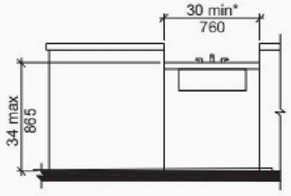
1 UNIT 107 ADA KITCHEN ELEVATION

1/4" = 1'-0"



1003.12.4 Sink

The sink shall comply with Section 1003.12.4.



* 36 min. (915) If part of T-shaped turning space per Sections 304.3.2 and 1003.3.

FIGURE 1003.12.4

KITCHEN SINK FOR TYPE A UNITS

306.3 Knee Clearance

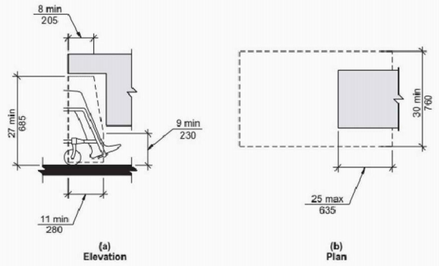


FIGURE 306.3

KNEE CLEARANCE

2 CODE REQUIREMENTS

1/4" = 1'-0"

KITCHEN SINK FOR TYPE A UNITS

1003.12.4.1 Clear Floor Space

A clear floor space, positioned for a forward approach to the sink, shall be provided. Knee and toe clearance complying with Section 306 shall be provided.

Exceptions:

1. The requirement for knee and toe clearance shall not apply to more than one bowl of a multi-bowl sink.
2. Cabinetry shall be permitted to be added under the sink, provided the following criteria are met:
   - (a) The cabinetry can be removed without removal or replacement of the sink,
   - (b) The floor finish extends under the cabinetry, and
   - (c) The walls behind and surrounding the cabinetry are finished.

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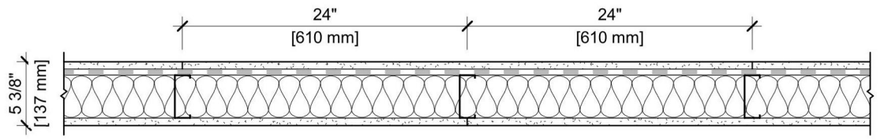
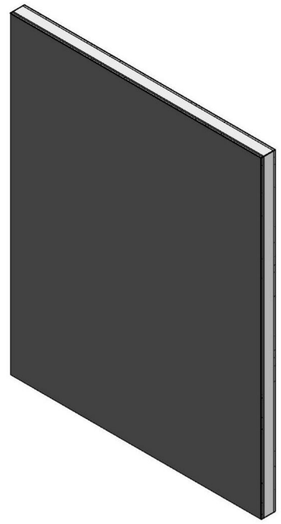
DESIGN NO. UL U419

FIRE RATING:	1 HOUR
STC RATING:	50
SOUND TEST:	USG-151203
SYSTEM THICKNESS:	5-3/8" [137 MM]
LOCATION:	INTERIOR
FRAMING TYPE:	STEEL STUD (NONLOAD-BEARING)





ASSEMBLY REQUIREMENTS:

GYPSUM PANELS:	ONE LAYER 5/8" [15.9 MM] SHEETROCK® ECOSMART GYPSUM PANEL (UL TYPE ULIX™)
RESILIENT CHANNEL:	1/2" [12.7 MM] RESILIENT CHANNEL, 25 GA. (0.018"), 24" [610 MM] O.C.
STEEL STUDS:	3-5/8" [92 MM] STEEL STUDS, EQ20 (0.018"), 24" [610 MM] O.C.
INSULATION:	3-1/2" [89 MM] FIBERGLASS INSULATION
GYPSUM PANELS:	ONE LAYER 5/8" [15.9 MM] SHEETROCK® ECOSMART GYPSUM PANEL (UL TYPE ULIX™)

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2. FOR THE MOST UP-TO-DATE DETAILS, INCLUDING CONSTRUCTION VARIATIONS, REFER TO THE PUBLISHED DESIGN.
3. WHERE DESIGN NO. INDICATES "PER", THE FIRE RATING IS BASED ON LABORATORY TEST DATA OF THE REFERENCED SIMILARLY CONSTRUCTED ASSEMBLIES.
4. STUD SIZES AND INSULATION THICKNESS ARE MINIMUM UNLESS OTHERWISE STATED IN THE PUBLISHED ASSEMBLY.
5. STUD AND FASTENER SPACINGS ARE MAXIMUM UNLESS OTHERWISE STATED IN THE PUBLISHED ASSEMBLY.
6. PANEL ORIENTATION SHALL BE AS SPECIFIED IN THE PUBLISHED DESIGN.
7. FIRE-RATINGS ARE FROM BOTH SIDES UNLESS OTHERWISE STATED.
8. FIRE-RATINGS ARE MAINTAINED WITH ONE OR MORE OF THE FOLLOWING MODIFICATIONS: INCREASE STUD DEPTH, INCREASE STUD MATERIAL THICKNESS, DECREASE STUD SPACING, DECREASE FASTENER SPACING, INCREASE INSULATION THICKNESS UP TO CAVITY DEPTH.
9. WHERE ACOUSTICAL PERFORMANCE IS PROVIDED IN AN ESTIMATED RANGE, THE VALUES ARE BASED ON LABORATORY TEST DATA OF SIMILARLY CONSTRUCTED ASSEMBLIES.
10. SOUND-RATINGS ARE MAINTAINED WITH ONE OR MORE OF THE FOLLOWING MODIFICATIONS: INCREASE STUD DEPTH, DECREASE STUD MATERIAL THICKNESS, INCREASE STUD SPACING, INCREASE FASTENER SPACING, INCREASE INSULATION THICKNESS UP TO CAVITY DEPTH. MODIFICATIONS MUST NOT EXCEED LIMITATIONS OF FIRE RATING.

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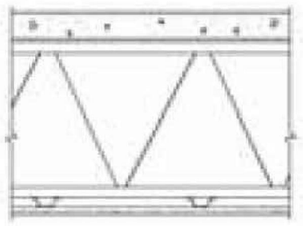
Gypsum Board Floor/Ceilings – Steel Framing

No.	Fire Rating		Ref. Design No.		Description	STC	Test No.	IIC	
								No Carpet	Carpet & Pad
1	1 hr.		OSU	T-1936	5/8" (15.9 mm) Fire-Shield Gypsum Board screw attached to furring channels spaced 24" o.c. (610 mm) attached to steel bar joists spaced 24" o.c. (610 mm). Concrete floor 2" (51 mm) thick.	53	Based on NGC 4075	21 Based on NGC 5121	67 Based on NGC 5122
	2 hr.		UL	G503	5/8" (15.9 mm) Fire-Shield Gypsum Board or 5/8" (15.9 mm) Fire-Shield Kal-Kore plaster base screw attached to furring channels spaced 12" o.c. (305 mm) attached to or suspended from steel bar joists spaced 24" o.c. (610 mm). Concrete floor 2 1/2" (63.5 mm) thick.	53	(Direct) Based on NGC 4075	21 Based on NGC 5121	67 Based on NGC 5122
						57	(Susp.) Based on NGC 4078	28 Based on NGC 5126	75 Based on NGC 5127

NATIONAL GYPSUM QUICK SELECTOR/GENERAL REFERENCE

1 FLOOR/CEILING STC/IIC EQUIVALENCY
NOT TO SCALE

7100 BROOKLN BOULEVARD REMODEL

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7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MN 55429

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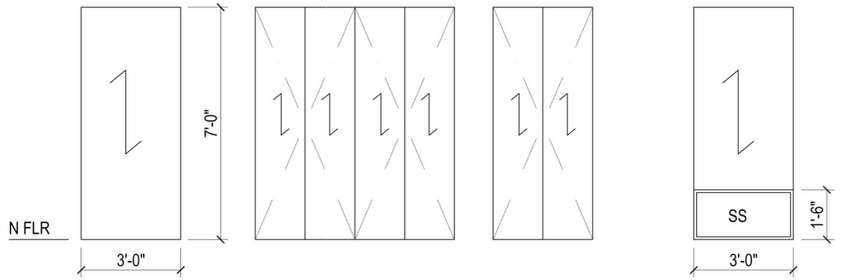
Oct 25,2023-1:30pmD:\P\Olatayo 7100 Brooklyn Blvd\CAD\Model\A-FP.dwg

DOOR SCHEDULE

MARK	TYPE	SIZE WIDTH	SIZE HEIGHT	HARDWARE GROUP	REMARKS
BASEMENT					
001	A	3'-0"	7'-0"	5	PAIR DOORS
MAIN FLOOR					
108	EXIST	6'-0"	7'-0"	5	PAIR GLASS DOORS
116	A	3'-0"	7'-0"	5	
116A	A	3'-0"	7'-0"	5	



A
INTERIOR SOLID CORE FLAT SLAB MAPLE VENEER STAINED AND SEALED

B
INTERIOR SOLID CORE FLAT SLAB MAPLE VENEER STAINED AND SEALED

C
INTERIOR SOLID CORE FLAT SLAB MAPLE VENEER STAINED AND SEALED

D
INTERIOR SOLID CORE FLAT SLAB MAPLE VENEER STAINED AND SEALED WITH BRUSHED STAINLESS STEEL KICK PANEL BOTH SIDES DOOR

DOOR HARDWARE SCHEDULE

HARDWARE GROUP	LOCK FUNCTION	SCHLAGE BROADWAY LEVER WITH UPLAND TRIM - SATIN NICKLE FINISH - ALL HARDWARE AND HINGES SATIN NICKLE
1	ENTRY	KEYED ENTRY LEVER & SINGLE CYLINDER DEADBOLT
2	PRIVACY	BED & BATH LOCK
3	POCKET PRIVACY	POCKET DOOR EDGE PULL, AUTOMATIC BOUNCE SWITCH, HIDDEN HANDLE,
4	CLOSET / CABINET	BASICS EURO BAR ($\frac{1}{2}$" DIAMETER X 5.88" LONG SATIN NICKLE PULL
5	PANIC	PAIR DOORS PANIC HARDWARE SELF LOCKING SELF CLOSING
6	PUSH	PUSH/PULL HARDWARE NO LOCKING - SELF CLOSING

1 DOOR SCHEDULE
NOT TO SCALE

DOOR SCHEDULE MAIN FLOOR RESIDENT UNITS

MARK	TYPE	SIZE WIDTH	SIZE HEIGHT	HARDWARE GROUP	REMARKS
101A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
101B	A	3'-0"	7'-0"	2	BATH SWING
101C	B	3'-0"	7'-0"	4	CLOSET BIFOLD
101D	A	3'-0"	7'-0"	2	BATH SWING
101E	C	2'-6"	7'-0"	4	CLOSET BIFOLD
101F	A	3'-0"	7'-0"	2	BEDROOM SWING
101G	A	3'-0"	7'-0"	2	BEDROOM SWING
101H	C	2'-6"	7'-0"	4	CLOSET BIFOLD
102A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
102B	B	3'-0"	7'-0"	4	CLOSET BIFOLD
102C	A	3'-0"	7'-0"	2	BATH SWING
102D	A	3'-0"	7'-0"	2	BEDROOM SWING
102E	B	3'-6"	7'-0"	4	CLOSET BIFOLD
103A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
103B	A	3'-0"	7'-0"	2	BATH SWING
103C	B	3'-0"	7'-0"	4	CLOSET BIFOLD
104A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
104B	A	3'-0"	7'-0"	2	BATH SWING
104C	B	3'-0"	7'-0"	4	CLOSET BIFOLD
105A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
105B	A	3'-0"	7'-0"	2	BATH SWING
105C	C	2'-0"	7'-0"	4	CLOSET BIFOLD IN BATH
105D	B	4'-0"	7'-0"	4	CLOSET BIFOLD
105E	A	3'-0"	7'-0"	3	BEDROOM POCKET
105F	B	4'-0"	7'-0"	4	CLOSET BIFOLD
106A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
106B	A	3'-0"	7'-0"	2	BATH SWING
106C	A	3'-0"	7'-0"	2	BEDROOM POCKET
106D	B	4'-0"	7'-0"	4	CLOSET BIFOLD
106E	B	4'-0"	7'-0"	4	CLOSET BIFOLD
107A	D	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
107B	A	3'-0"	7'-0"	3	BEDROOM POCKET
107C	D	3'-0"	7'-0"	2	BATH SWING
107D	B	4'-0"	7'-0"	4	CLOSET BIFOLD
114	D	3'-0"	7'-0"	6	LAUNDRY ROOM

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DOOR SCHEDULE SECOND FLOOR RESIDENT UNITS

MARK	TYPE	SIZE		HARDWARE GROUP	REMARKS
		WIDTH	HEIGHT		
201A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
201B	A	3'-0"	7'-0"	2	BATH SWING
201C	C	3'-0"	7'-0"	4	CLOSET BIFOLD
201D	A	3'-0"	7'-0"	2	BEDROOM SWING
202A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
202B	A	3'-0"	7'-0"	2	BATH SWING
202C	A	3'-0"	7'-0"	3	BEDROOM POCKET
203A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
203B	A	3'-0"	7'-0"	2	BATH SWING
203C	A	3'-0"	7'-0"	3	BEDROOM POCKET
203D	B	3'-0"	7'-0"	4	CLOSET BIFOLD
204A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
204B	A	3'-0"	7'-0"	2	BATH SWING
204C	A	3'-0"	7'-0"	3	BEDROOM POCKET
204D	B	3'-0"	7'-0"	4	CLOSET BIFOLD
205A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
205B	A	3'-0"	7'-0"	2	BATH SWING
205C	B	4'-0"	7'-0"	4	CLOSET BIFOLD
206A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
206B	A	3'-0"	7'-0"	2	BATH SWING
206C	B	4'-0"	7'-0"	4	CLOSET BIFOLD
207A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
207B	A	3'-0"	7'-0"	2	BATH SWING
207C	A	3'-0"	7'-0"	2	BEDROOM SWING
207D	B	4'-0"	7'-0"	4	CLOSET BIFOLD

DOOR SCHEDULE SECOND FLOOR RESIDENT UNITS

MARK	TYPE	SIZE		HARDWARE GROUP	REMARKS
		WIDTH	HEIGHT		
208A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
208B	A	3'-0"	7'-0"	2	BATH SWING
208C	B	4'-0"	7'-0"	3	CLOSET BIFOLD
209A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
209B	A	3'-0"	7'-0"	2	BATH SWING
209C	A	3'-0"	7'-0"	3	BEDROOM POCKET
209D	B	2'-8"	7'-0"	4	CLOSET BIFOLD
210A	A	3'-0"	7'-0"	1	20 MINUTE FIRE RATED UNIT ENTRY
210B	A	3'-0"	7'-0"	2	BATH SWING
210C	A	3'-0"	7'-0"	4	CLOSET IN BATH
210D	A	3'-0"	7'-0"	3	BEDROOM POCKET
210E	B	2'-8"	7'-0"	4	CLOSET IN BEDROOM

1 DOOR SCHEDULE
NOT TO SCALE

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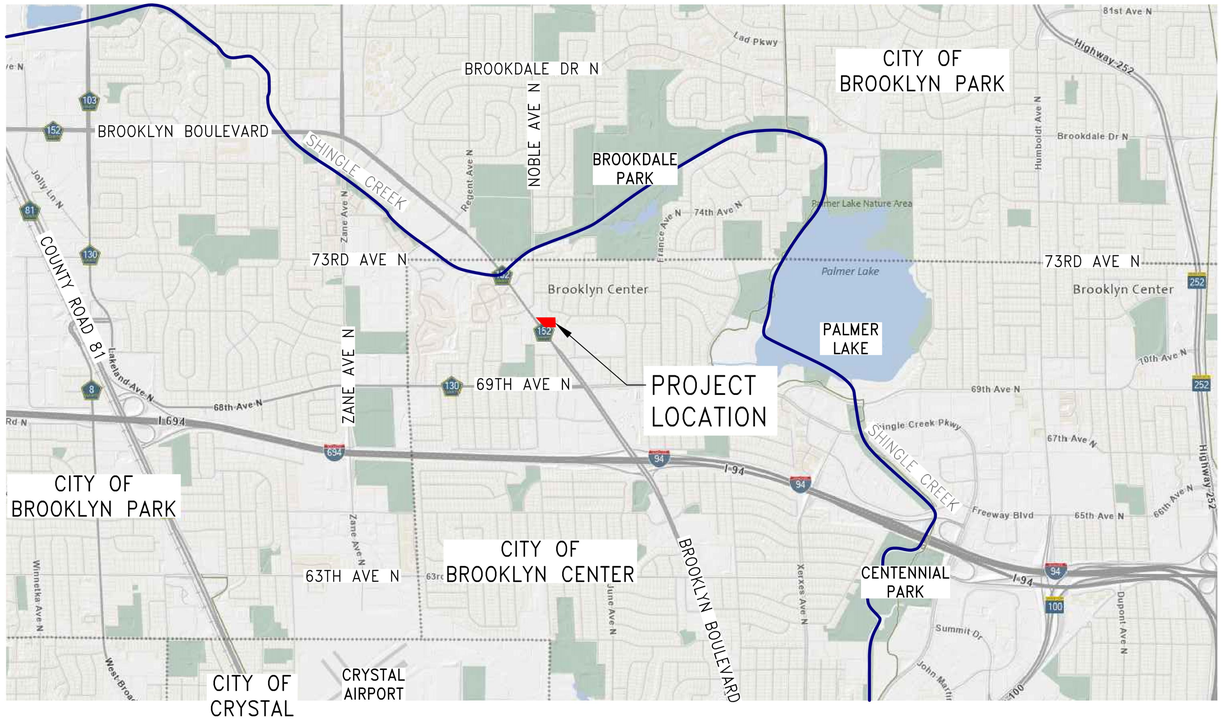
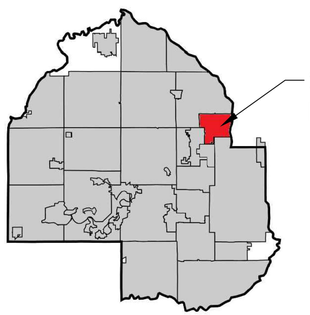
7100 BROOKLN BOULEVARD REMODEL

SITE DEVELOPMENT PLANS
FOR
7100 BROOKLYN BLVD
7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MINNESOTA



HENNEPIN COUNTY





CITY OF BROOKLYN CENTER

SHEET INDEX
THIS PLAN CONTAINS 9 SHEETS

SHEET NO.	DESCRIPTION
C1	TITLE SHEET
C2	DETAILS
C3	EXISTING CONDITIONS & REMOVALS
C4	SITE PLAN
C6	TURNING MOVEMENTS
L1.1	LANDSCAPE PLAN
L1.2	LANDSCAPE DETAILS, NOTES, AND SCHEDULES
E1	PHOTOMETRIC PLAN

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Twin City Area:651-454-0002
Toll Free: 1-800-252-1166

THE SUBSURFACE UTILITY INFORMATION DEPICTED IN THESE PLANS ARE SHOWN ACCORDING TO CI/ASCE 38-02, "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA," LEVEL D STANDARDS.

LEGEND

IMPAIRED WATERS

DESIGNED BY:	JAP
DRAWN BY:	ABL
CHECKED BY:	GRP

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JEFFREY A. PRASCH, P.E.
DATE: 09.12.23 LIC. NO.: 52706

REVISIONS	
10.25.23	CITY COMMENTS

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LAND SURVEYING & ENGINEERING
7601 73RD AVENUE N, BROOKLYN PARK, MN 55428
PHONE: 763.560.3093 FAX: 763.560.3522
www.DemarcInc.com

7100 BROOKLYN BOULEVARD, LLC
10230 28TH AVENUE NORTH
PLYMOUTH, MINNESOTA 55441
612.919.9523

7100 BROOKLYN BLVD
7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MINNESOTA

TITLE SHEET

PROJECT: 90468
SHEET NO. C1 OF C6

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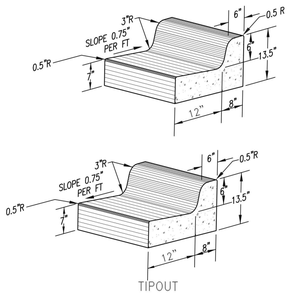
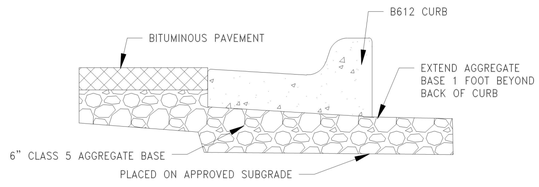


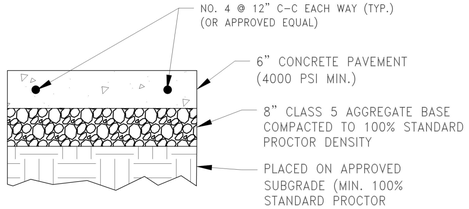
1 C2 B612 CURB AND GUTTER

NOT TO SCALE



2 C2 BITUMINOUS / CURB TRANSITION

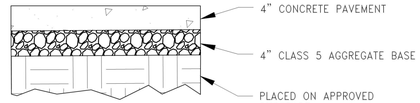
NOT TO SCALE



NOTE: CONCRETE COMPRESSIVE STRENGTH SHALL COMPLY WITH ASTM STANDARD C94. MINIMUM 28-DAY STRENGTH = 4,000 PSI

3 C2 CONCRETE PAVEMENT

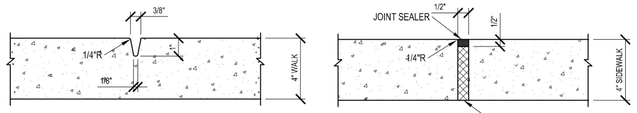
NOT TO SCALE



NOTE: SIDEWALK CROSS SLOPES SHALL NOT EXCEED 2%. ANY SIDEWALK EXCEEDING 2% CROSS SLOPE SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.

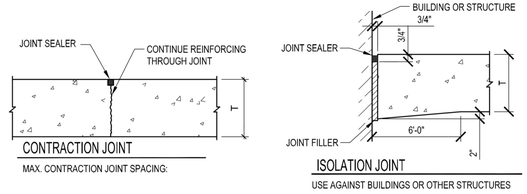
4 C2 CONCRETE SIDEWALK

NOT TO SCALE



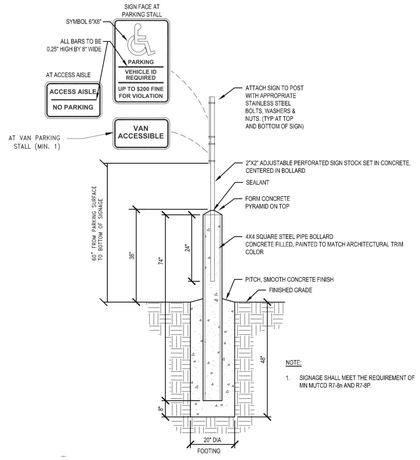
5 C2 CONCRETE SIDEWALK JOINT DETAILS

NOT TO SCALE



6 C2 CONCRETE PAVEMENT JOINT DETAILS

NOT TO SCALE



7 C2 ADA SIGN DETAIL

NOT TO SCALE

GENERAL CONSTRUCTION AND SOILS NOTES:

1. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES, LAWS AND ORDINANCES.
2. THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL APPLY.
3. THE 2018 EDITION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA "STANDARD SPECIFICATIONS" SHALL APPLY.
4. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR FOLLOWING ALL APPLICABLE OSHA STANDARDS.
5. IF UTILITY RELOCATION IS NECESSARY, THE CONTRACTOR SHALL COORDINATE CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE UTILITY COMPANIES.
6. MATERIAL UNSUITABLE FOR CONSTRUCTION (E.G. TOPSOIL, SILTS, ORGANIC MATERIALS, PEATS, DEBRIS, ETC.) ENCOUNTERED DURING EXCAVATION WITHIN THE PARKING LOT AND BUILDING PAD AREAS SHALL BE REMOVED AND PROPERLY DISCARDED.
7. GRADING SHALL BE CONSTRUCTED WITH SUITABLE MATERIAL AND IN LOOSE LIFTS NO THICKER THAN TWELVE (12) INCHES. COMPACTION WITHIN THE PARKING LOT AND BUILDING PADS SHALL BE COMPACTED TO 100% OF THE MAXIMUM STANDARD PROCTOR DENSITY.
8. TOPSOIL SHALL BE SALVAGED AND STOCKPILED FOR USE AS TOPSOIL IN GREEN SPACES DISTURBED DUE TO CONSTRUCTION.
9. THE CONTRACTOR IS RESPONSIBLE FOR DISPOSING OF BITUMINOUS AND CONCRETE MATERIALS DISTURBED BY CONSTRUCTION IN ACCORDANCE WITH MNDOT SPEC 2104.3.
10. ANY EXCESS MATERIAL SHALL BE DISPOSED OF OFF-SITE IN A MANNER ACCEPTABLE TO THE OWNER AND ALL GOVERNING REGULATIONS.
11. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES AND CALL GOPHER STATE ONE CALL 48 HOURS PRIOR TO CONSTRUCTION WORK. EXISTING UTILITIES SHOWN ON THESE PLANS ARE ONLY APPROXIMATE AND MAY NOT BE RELIED UPON AS EXACT OR COMPLETE.

DESIGNED BY: JAP DRAWN BY: ABL CHECKED BY: GRP	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. JEFFREY A. PRASCH, P.E. DATE: 09.12.23 LIC. NO.: 52706		REVISIONS	DEMARC LAND SURVEYING & ENGINEERING 7601 73RD AVENUE N, BROOKLYN PARK, MN 55428 PHONE: 763.560.3093 FAX: 763.560.3522 www.Demarcinc.com	7100 BROOKLYN BOULEVARD, LLC 10230 28TH AVENUE NORTH PLYMOUTH, MINNESOTA 55441 612.919.9523	7100 BROOKLYN BLVD 7100 BROOKLYN BOULEVARD BROOKLYN CENTER, MINNESOTA	DETAILS	PROJECT: 90468 SHEET NO. C2 OF C6
		10.25.23	CITY COMMENTS					

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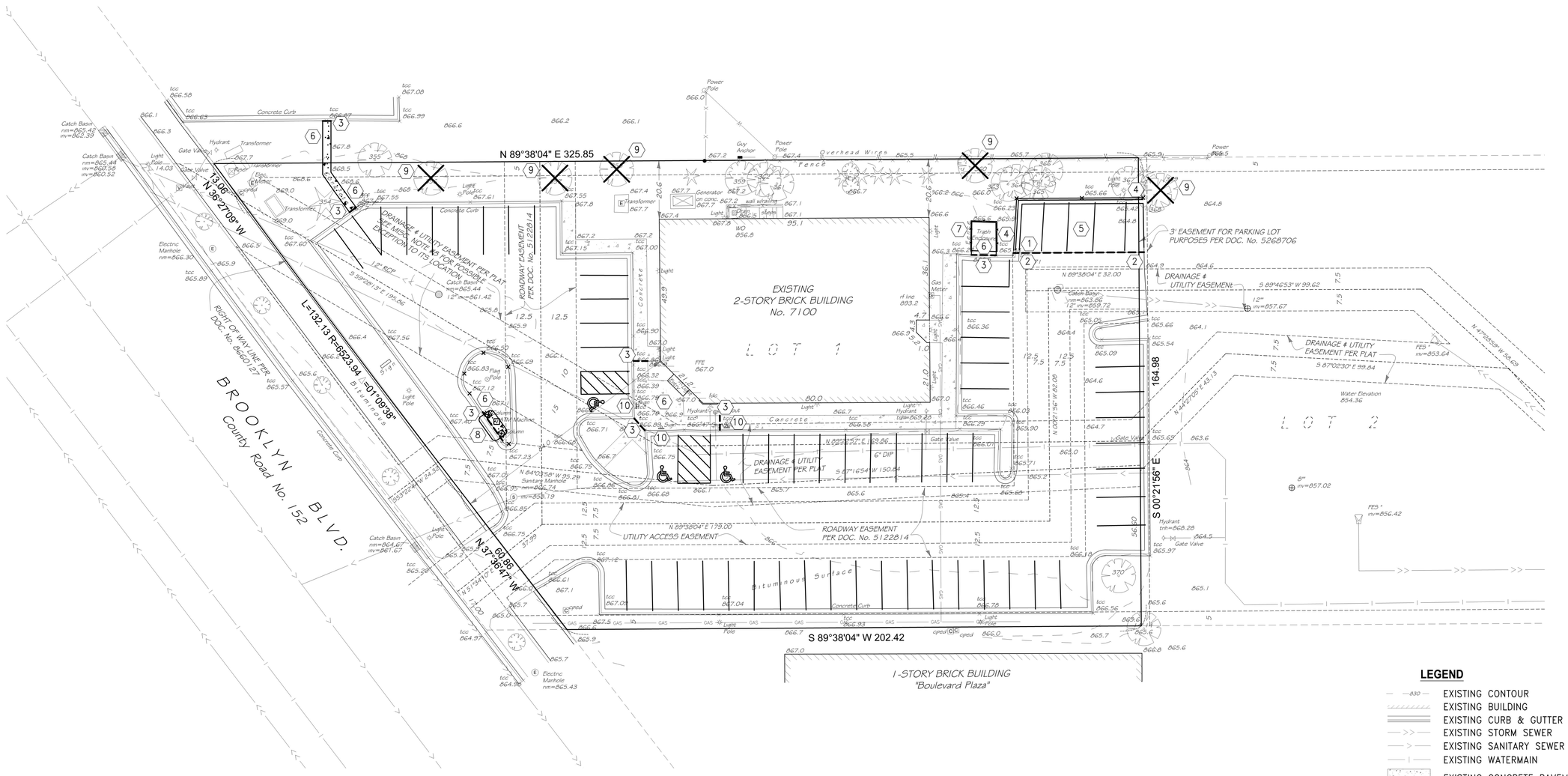
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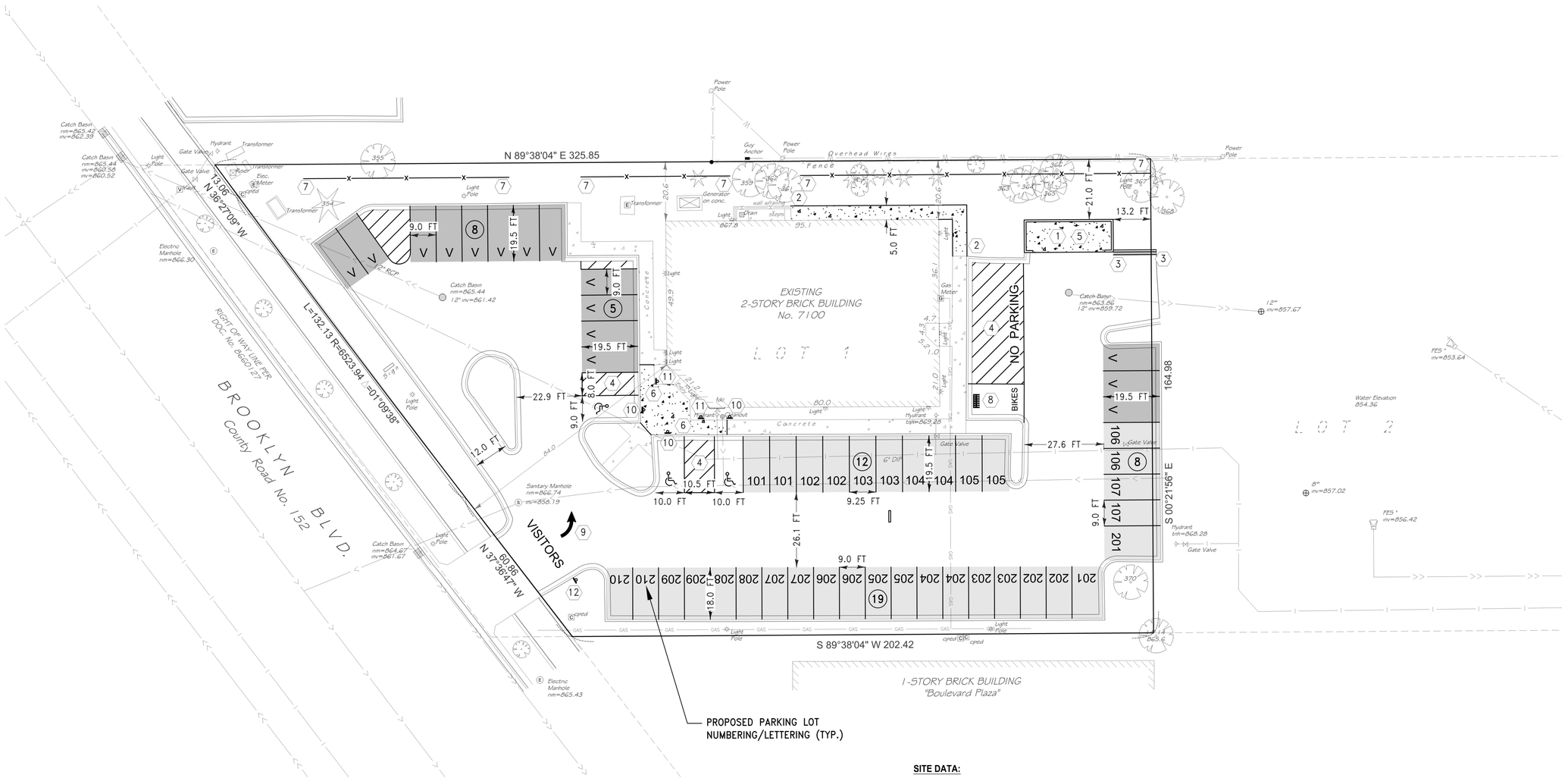
N 89°38'04" E 32.00
S 89°46'53" W 99.62
S 87°02'30" E 99.64
N 44°27'05" E 43.13
N 44°27'05" W 326.63
S 00°21'56" E
164.98
N 00°21'56" W
N 37°50'38" W
S 89°38'04" W 202.42
N 89°38'04" E 179.00
S 87°16'54" W 150.64
N 64°03'56" W 95.29
N 89°38'27" E 89.26
S 00°21'56" W 82.05
95.1
80.0
49.9
36.1
21.0
20.6
T9.06
L=132.13 R=5523.94 Δ=01°09'38"
Bituminous Surface
Concrete
Concrete Curb
Gate Valve
6" DIP
Sanitary Manhole
Water Elevation
854.36
EXISTING
2-STORY BRICK BUILDING
No. 7100
LOT 1
LOT 2
DRAINAGE & UTILITY EASEMENT PER PLAT
DRAINAGE & UTILITY EASEMENT
ROADWAY EASEMENT PER DOC. No. 5122814
UTILITY ACCESS EASEMENT
3' EASEMENT FOR PARKING LOT PURPOSES PER DOC. No. 5268706
RIGHT OF WAY LINE PER DOC. No. 8660127
BROOKLYN BLVD.
County Road No. 152
1-STORY BRICK BUILDING
"Boulevard Plaza"
Fence
Overhead Wires
Power Pole
Guy Anchor
Light Pole
Hydrant
Transformer
Gate Valve
Catch Basin
Electric Manhole
Trash Enclosure
Gas Meter
Generator on conc. pad
wall w/railing
Flag Pole
Awning
ATM Machine
Bollard
Steps
Ramp
Flume
Concrete Curb
12" RCP
FES
Hydrant trh=868.28
Gate Valve
6"
inv=857.02
FES
inv=856.42
FES
inv=853.64
12" inv=857.67
Catch Basin rim=863.06 12" inv=859.72
Catch Basin rim=865.42 inv=862.39
Catch Basin rim=865.44 inv=860.58 inv=860.52
Catch Basin rim=865.44 12" inv=861.42
Catch Basin rim=864.67 inv=861.67
Catch Basin inv=855.19
Electric Manhole rim=866.30
Electric Manhole rim=865.43
Sanitary Manhole rim=866.74
Light Pole 14.03
Light Pole 14.00
Light Pole 14.00
Light Pole 14.00



REFERENCE NOTES:

1. CONCRETE PAVEMENT PER 3/C2 AND 6/C2 (SEE 1/C5 FOR GRADING DETAIL)
2. CONCRETE SIDEWALK PER 4/C2 AND 5/C2 (SEE 1/C5 FOR GRADING DETAIL)
3. B612 TIPOUT CURB & GUTTER PER 1/C2 AND 2/C2
4. PAINTED ACCESS AISLE 45° 4 INCH WHITE CROSS HATCHING
5. TRASH ENCLOSURE (SEE ARCHITECTURAL PLANS)
6. REMOVE AND REPLACE SIDEWALK AS NECESSARY TO MEET ADA STANDARDS (SEE 2/C5 FOR GRADING DETAIL)
7. 6 FT CEDAR FENCE (SEE LANDSCAPE PLAN FOR DETAL)
8. 6-SPACE SECURE BIKE RACK
9. LEFT TURN ARROW
10. REINSTALL ADA SIGN PER 7/C2
11. "ACCESS AISLE NO PARKING" SIGN PER 7/C2
12. POST MOUNTED "VISITOR PARKING" WITH LEFT TURN ARROW SIGN

SITE DATA:

LOT AREA = 1.00 ACRES
DISTURBED AREA = 0.05 ACRES
EXISTING IMPERVIOUS AREA = 33,094 SF = 0.76 ACRES (76.0%)
PROPOSED IMPERVIOUS AREA = 32,891 SF = 0.76 ACRES (76.0%)
PROPOSED GREENSPACE AREA = 0.24 ACRES (24.0%)
BUILDING COVERAGE = 6,090 SF = 0.14 ACRES (14.0%)
PROPOSED PARKING STALLS = 52
- PROPOSED TENANT PARKING STALLS = 34
- PROPOSED VISITOR PARKING STALLS = 15
- PROPOSED HANDICAP PARKING STALLS = 3

NOTES:

1. ALL DIMENSIONS ARE TO FACE OF CURB.
2. ALL PARKING LOT STRIPING SHALL BE 4" WIDE EPOXY IN EITHER WHITE OR YELLOW UNLESS ANOTHER COLOR IS REQUIRED BY STATE LAW (I.E. HANDICAP PARKING).
3. ALL PARKING LOT NUMBERING/LETTERING SHALL BE 8" WIDE WHITE EPOXY.

LEGEND

- EXISTING BUILDING
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- PROPOSED TIPOUT CURB & GUTTER
- EXISTING WATERMAIN
- EXISTING SANITARY SEWER
- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED TENANT PARKING
- PROPOSED VISITOR PARKING
- PROPOSED PARKING STRIPE
- ⑩ NUMBER OF PARKING STALLS

SCALE: 0 20 40 IN FEET

DESIGNED BY: JAP	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.	10.25.23	CITY COMMENTS
DRAWN BY: ABL	JEFFREY A. PRASCH, P.E.		
CHECKED BY: GRP	DATE: 09.12.23 LIC. NO.: 52706		

REVISIONS

DEMARC
LAND SURVEYING & ENGINEERING
7601 73RD AVENUE N, BROOKLYN PARK, MN 55428
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612.919.9523

7100 BROOKLYN BLVD
7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MINNESOTA

SITE PLAN

PROJECT: 90468
SHEET NO. C4 OF C6

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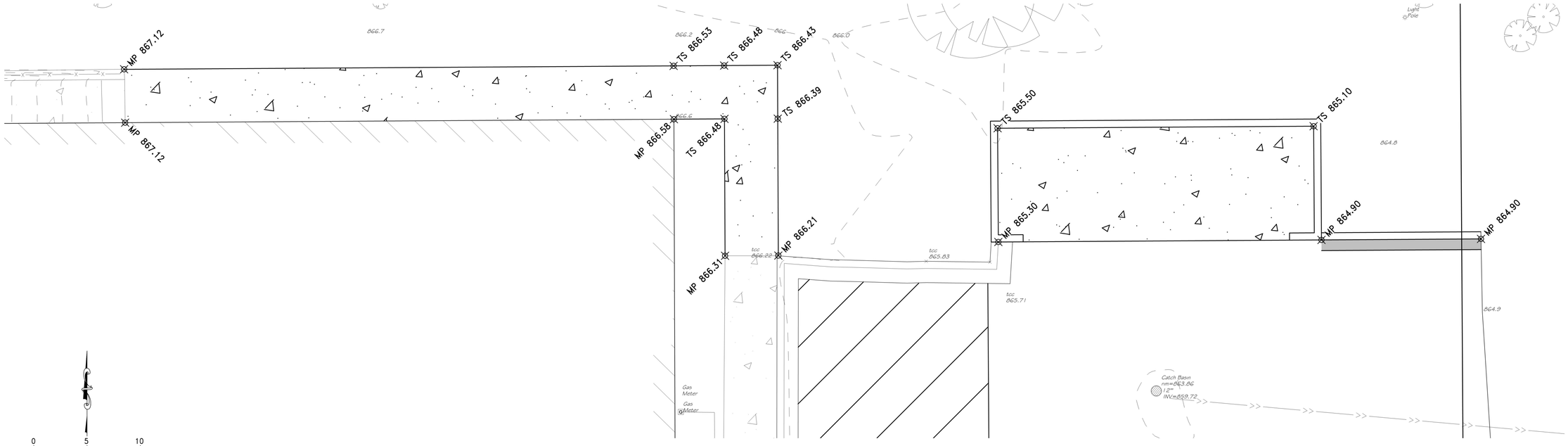
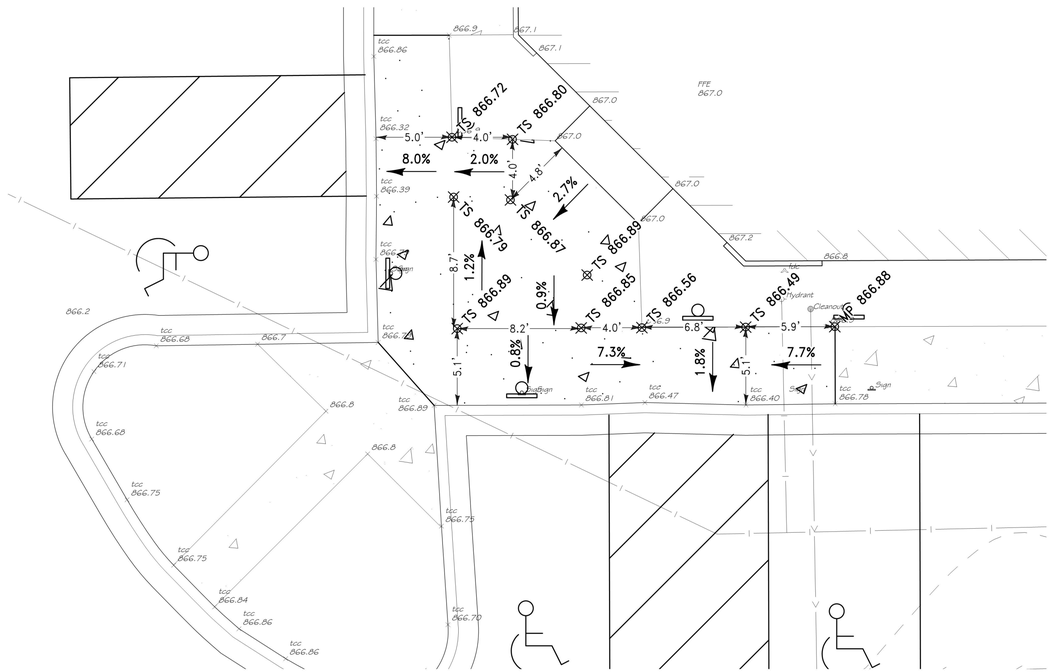


1 C5 SIDEWALK AND TRASH ENCLOSURE GRADING DETAIL

1" = 5'



2 C5 ADA GRADING DETAIL

1" = 5'

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- PROPOSED TIPOUT CURB & GUTTER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING WATERMAIN
- EXISTING FENCE
- PROPOSED FENCE

- 2.00% PROPOSED SLOPE
- HP 910.00 PROPOSED HIGH POINT
- MP 910.00 PROPOSED MATCH POINT
- LP 910.00 PROPOSED LOW POINT
- TS 910.00 PROPOSED TOP OF SLAB
- 910.00 PROPOSED GUTTER LINE OR FINISHED GROUND ELEVATION

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GRADING DETAILS

PROJECT: 90468

SHEET NO. C5 OF C6

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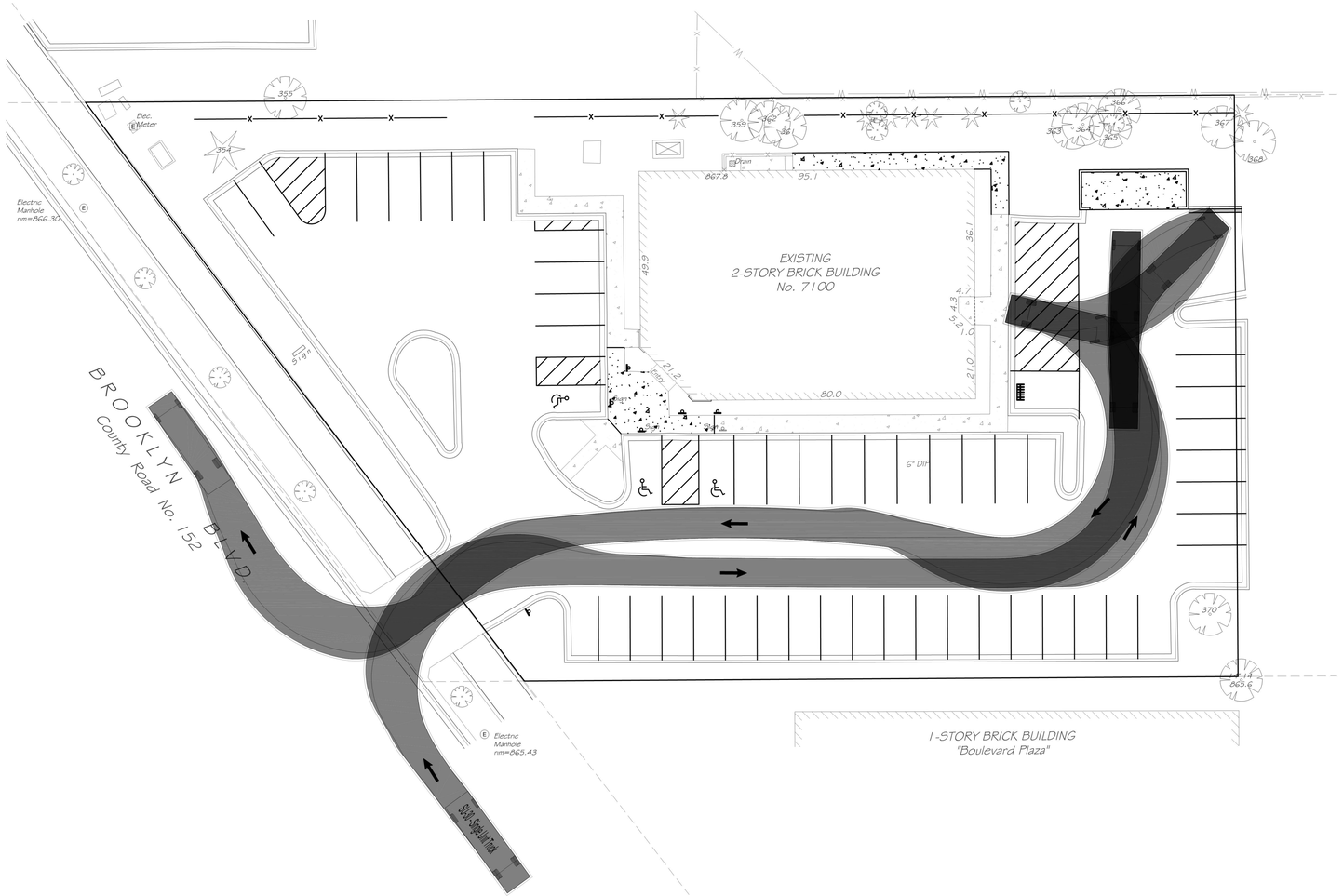
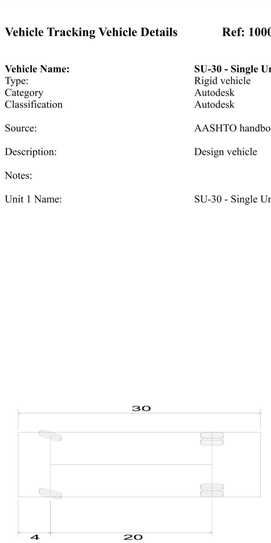


Vehicle Tracking v21.00 - Pool

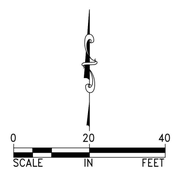
Vehicle Tracking Vehicle Details **Ref: 100012**

Vehicle Name:	**SU-30 - Single Unit Truck**
Type:	Rigid vehicle
Category	Autodesk
Classification	Autodesk
Source:	AASHTO handbook 2011
Description:	Design vehicle
Notes:	
Unit 1 Name:	SU-30 - Single Unit Truck Tractor



SU-30 - Single Unit Truck	
Overall Length	30.000ft
Overall Width	8.000ft
Overall Body Height	13.500ft
Min Body Ground Clearance	1.367ft
Track Width	8.000ft
Lock-to-lock time	5.00s
Max Steering Angle (Virtual)	31.80°

Every Effort Has Been Made To Ensure The Accuracy Of This Information
Please Check Data From Your Own Sources



DESIGNED BY: JAP DRAWN BY: ABL CHECKED BY: GRP	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. JEFFREY A. PRASCH, P.E. DATE: 09.12.23 LIC. NO.: 52706	10.25.23	REVISIONS CITY COMMENTS	DEMARC LAND SURVEYING & ENGINEERING 7601 73RD AVENUE N, BROOKLYN PARK, MN 55428 PHONE: 763.560.3093 FAX: 763.560.3522 www.Demarcinc.com	7100 BROOKLYN BOULEVARD, LLC 10230 28TH AVENUE NORTH PLYMOUTH, MINNESOTA 55441 612.919.9523	7100 BROOKLYN BLVD 7100 BROOKLYN BOULEVARD BROOKLYN CENTER, MINNESOTA	TURNING MOVEMENTS	PROJECT: 90468 SHEET NO. C6 OF C6

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General Notes:

1. See Civil Engineer's plans for site plan layout and dimensions.
2. Contractor to coordinate all work in the city right-of-way with City of Brooklyn Center Public Works Department.
3. Place a minimum of 6" topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise.
4. See Civil Engineer's Plans for proposed grading & utilities.
5. See Sheet L1.2 for Landscape Details & Notes.
6. Existing site does not contain any significant vegetation.

Landscape Materials Legend:

Proposed Wood Mulch & Weed Mat per Landscape Notes

Proposed Rock Mulch & Weed Mat per Landscape Notes

Irrigation Notes:

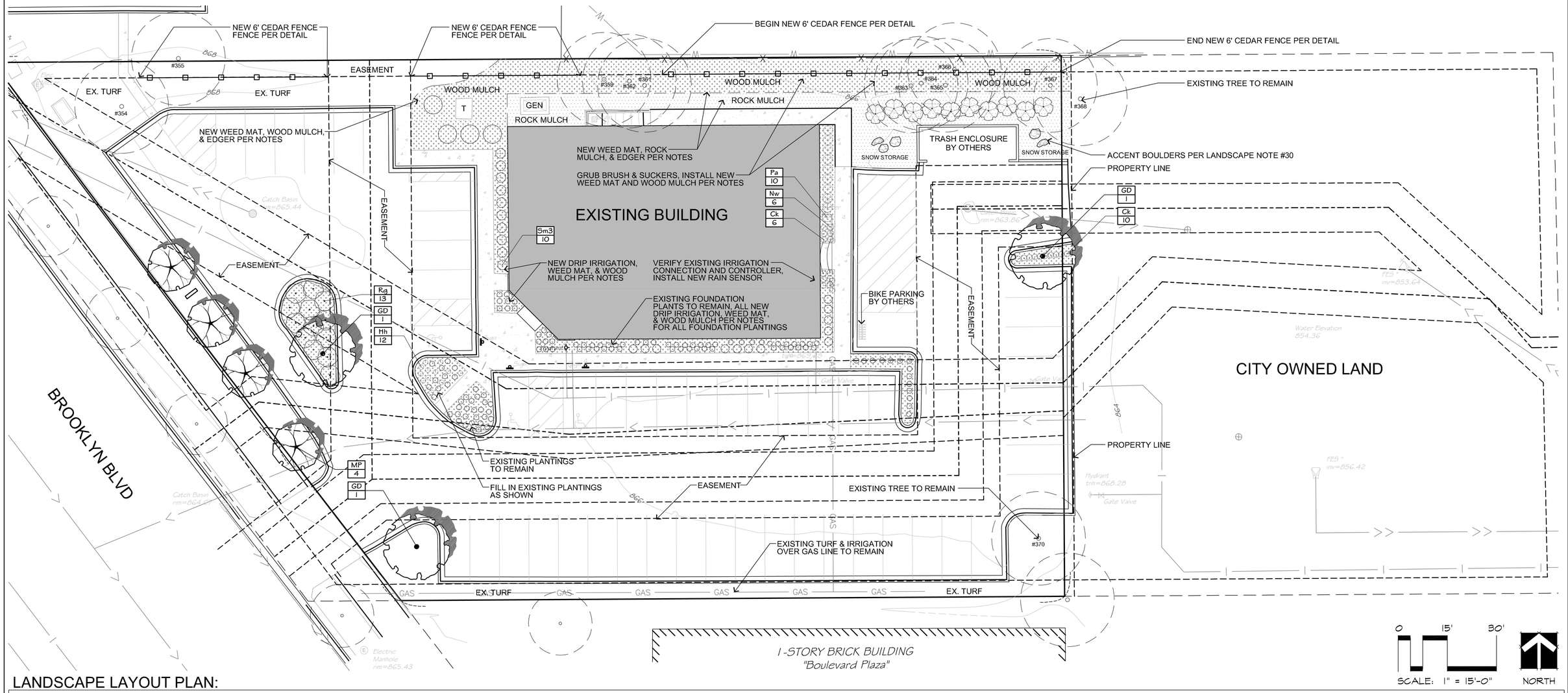
There is an existing irrigation system on site. The irrigation contractor shall confirm the extents and condition of the existing system and provide a bid to perform any necessary repairs and extend the irrigation system to the newly landscaped areas shown on property. Ensure that the drip irrigation system is providing adequate water to all foundation planting areas. Replace all existing drip tubing with new. Tree Water Bags: Landscape Contractor is required to furnish and install (2) tree watering bags per tree, located outside the irrigation coverage limits. Fill with water upon installation & instruct Owner on re-fill timeline.

Refer to Civil 'Existing Conditions & Removals' Plan for Tree Removals.
Unless otherwise noted on civil plans, grind stumps to a minimum of 30" below grade.

Plant Quantities:

1985 Concept Plan
- Deciduous Trees: 13
- Ornamental Trees: 2
- Shrubs / Perennials: 163

Existing Conditions + Proposed Plantings
- Deciduous Trees: 14
- Coniferous Trees: 1
- Ornamental Trees: 4
- Shrubs / Perennials: 205



LANDSCAPE LAYOUT PLAN:

CALYX DESIGN GROUP
Landscape Architecture & Planning
475 CLEVELAND AVE. N, SUITE 101A, ST PAUL, MN 55104
PHONE: 651.788.9018
www.calyxdesigngroup.com

811 Know what's below. Call before you dig.

ISSUE DATE: 09/12/2023
DRAWN BY: HL
CHECKED BY: BH

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PRELIMINARY

DATE: xx/xx/xxxx LIC. NO.: 48084

	REVISIONS
10.25.2023	REVISED PER CITY COMMENTS

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LANDSCAPE PLAN

PROJECT: 23141

SHEET NO. L1.1

PLANT SCHEDULE

LANDSCAPE TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	GD	Gleditsia triacanthos inermis 'Draves' TM	Street Keeper Honey Locust	2.5" Cal.	B&B	3
ORNAMENTAL TREES	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	MP	Malus x `Prairifire`	Prairifire Crab Apple	1.5" Cal.	B&B	4
SHRUBS	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	Ci	Cornus sericea `Isanti`	Isanti Redosier Dogwood	3 gal.	Pot	10
	Pa	Potentilla fruticosa `Absaraka`	Dakota Goldrush Potentilla	5 gal.	Pot	10
	Rg	Rhus aromatica `Gro-Low`	Gro-Low Fragrant Sumac	5 gal.	Pot	13
	Sm3	Spiraea x bumalda `Goldmound`	Gold Mound Spirea	3 gal.	Pot	10
ANNUALS/PERENNIALS	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	Hh	Hemerocallis x `Happy Returns`	Happy Returns Daylily	1 gal.	Pot	12
	Nw	Nepeta x faassenii `Walkers Low`	Walkers Low Catmint	1 gal.	Pot	6
GRASSES	**CODE**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONTAINER**	**QTY**
	Ck	Calamagrostis x acutiflora `Karl Foerster`	Feather Reed Grass	1 gal.	Pot	16

FIELD TREE INVENTORY LOG

PROJECT NAME:	Tree Inventory at 7100 Brooklyn Blvd, Brooklyn Center			
DATE:	8/25/2023	Lot Condition:	Developed	
TIME:	10:30 AM	Sunny	80 Degrees F.	
TAG NO.	**TREE DIA. (IN)**	**SPECIES**	**CONDITION**	**NOTES**
354	6	Black Hills Spruce	Good	
355	43	Cottonwood	Fair	
356	14	Green Ash	Poor	EAB
357	15	Green Ash	Poor	EAB
358	13	Green Ash	Poor	EAB
359	22	Siberian Elm	Fair	
360	9	Green Ash	Poor	EAB
361	19	Siberian Elm	Fair	
362	13	Siberian Elm	Fair	
363	8	Hackberry	Poor	
364	7	Siberian Elm	Poor	
365	8	Hackberry	Poor	
366	14	Siberian Elm	Poor	2 Trunks: 11,14
367	7	Hackberry	Poor	
368	8	Siberian Elm	Poor	
369	8	Green Ash	Poor	EAB
370	10	Honey Locust	Good	
	17	NO. OF TREES TAGGED		
	224	TOTAL INCHES INVENTORIED		

Landscape Notes:

1. Tree saucer mulch to be four inches (4") depth single-shred hardwood mulch for trees outside of a plant bed. Install per tree planting detail.

2. Refer to civil plan sheets for grading, drainage, site dimensions, survey, tree removal, proposed utilities & erosion control.

3. All plant material shall comply with the latest edition of the American Standard for Nursery Stock, American Association of Nurserymen. Unless noted otherwise, deciduous shrubs shall have at least 5 canes at the specified shrub height. Plant material shall be delivered as specified. All deciduous trees are measured at 48" from finished grade to determine tree diameter (DBH). All coniferous trees are measured from finished grade to the top of the central leader. If no central leader is present on coniferous trees, that plant is rejected and must be replaced immediately.

4. Plan takes precedence over plant schedule if discrepancies in quantities exist.

5. All proposed plants shall be located and staked as shown.

6. Adjustment in location of proposed plant material may be needed in field. Should an adjustment be required, the client will provide field approval. Significant changes may require city review and approval.

7. The project landscape contractor shall be held responsible for watering and properly handling all plant materials brought on the site both before and after installation. Schedule plant deliveries to coincide with expected installation time within 36 hours.

8. All plant materials shall be fertilized upon installation as specified.

9. The landscape contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.

10. If the landscape contractor is concerned or perceives any deficiencies in the plant selections, soil conditions, drainage or any other site condition that might negatively affect plant establishment, survival or guarantee, they must bring these deficiencies to the attention of the landscape architect & client prior to bid submission.

11. Contractor shall establish to his/ her satisfaction that soil and compaction conditions are adequate to allow for proper drainage at and around the building site.

12. Contractor is responsible for ongoing maintenance of all newly installed material for the duration of the plant warranty, with the exception of turf sod, which shall be maintained for 30 days after installation or until the first mowing, whichever comes first. Contractor must bag clippings from initial mowing and remove from the job site. Any acts of vandalism or damage which may occur prior to warranty start shall be the responsibility of the contractor. Contractor shall provide the owner with O&M information, including (but not limited to), written instructions on proper lawn mowing height, yearly lawn maintenance recommendations, proper plant pruning information, plant & lawn fertilization schedule, and disease/pest control.

13. The contractor shall guarantee newly planted material (including seeding) through ONE calendar year from the date of written owner acceptance. Plants that exhibit more than 15% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and deer/rodent protection measures for the plantings during the warranty period.

14. This layout plan constitutes our understanding of the landscape requirements listed in the ordinance. Changes and modifications may be requested by the city based on applicant information, public input, council decisions, etc.

15. The landscape contractor shall be responsible for obtaining any permits and coordinating inspections as required throughout the work process.

16. Plant size & species substitutions must be approved in writing prior to acceptance in the field.

17. Replacement and repairs requested by the Owner during the warranty period must be made within 14 business days of the request.

18. Landscape Contractor is responsible for coordination with the General Contractor, to protect the new improvements on and off-site during landscape work activities. Report any damage to the General Contractor immediately.

19. Turf Sod (if noted per plans) activity shall conform to all rules and regulations as established in the MnDOT Seeding Manual, 2014 edition, for turf bed preparation, installation, maintenance, acceptability, and warranty. Sod installer is to place (2) metal sod staples per roll of sod regardless of slope. On slopes 6:1 or greater, install (4) metal sod staples per roll of sod.

20. The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.

21. The Landscape Contractor shall clear and grub underbrush from within the work limits to remove dead branches, leaves, trash, weeds and foreign materials. Remove trees where noted on the civil plan, including the stump to 30" below grade.

22. The landscape contractor shall contact Gopher State One Call no less than 48 hours before digging for field utility locations.

23. The landscape contractor shall be responsible for the removal of erosion control measures once vegetation has been established to the satisfaction of the municipal staff. This includes silt curtain fencing and sediment logs placed in the landscape.

24. The Landscape Contractor shall establish to his/ her satisfaction that the earthwork is complete, topsoil spread to correct depth, and compaction conditions are adequate to allow for proper drainage at and around the building site. Notify the General Contractor immediately if soil conditions left by the earthwork sub-contractor are not satisfactory. No additional compensation will be paid for discrepancies due to earthwork once the landscape contractor begins plant material installation.

25. Topsoil Requirements: All graded areas of the site that are designated on the plan set for turf shall have no less than 6" of imported top soil, areas designated for shrubs, trees, and perennials shall have no less than 12" of imported top soil, meeting MnDOT classifications for planting soil for trees, shrubs, and turf. Slope away from building.

26. Landscape contractor must prove the open sub-grade of all planting areas after their excavation is capable of infiltrating a minimum requirement of 1/4-inch of water per hour prior to installation of plant materials, topsoil, irrigation, weed mat, and mulch. Planting areas not capable of meeting this requirement shall have 4" diameter X 48" depth holes augured every 36" on-center and filled with MnDOT Free-Draining Coarse Filter Aggregate. Re-test sub-grade percolation for compliance to infiltration minimum requirement.

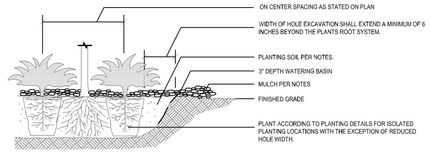
27. Landscape contractor to provide nursery pull list (bill of lading) including plant species and sizes shipped to the site. Additionally, the landscape contractor shall provide nursery stock traceability, proving none of the materials provided contain or are genetic strains of the neonicotinoid family including acetamiprid, clothianidin, imidacloprid, nitenpyram, nithiazine, thiacloprid and thiamethoxam.

28. All edger shall be professional grade black steel perforated edger. Anchor every 18" on-center (minimum). Submit sample.

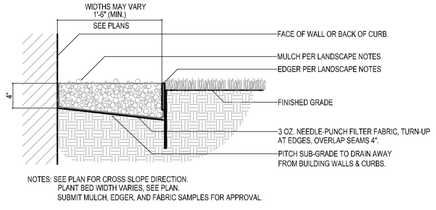
29. Unless otherwise noted, rock mulch shall be 1" dia. washed river rock over free-draining weed barrier. Wood mulch areas shall be a 4" depth of single-shred Western Red Cedar wood mulch over free-draining weed barrier. Trees outside plant beds to receive wood mulch, as noted.

29. Seed Areas (if noted per plan): Maintain newly seeded areas per MnDOT Seeding Manual, 2014 edition. Warranty includes seeding contractor on-site maintenance visits for mowing, weeding, spot-spraying invasives, and re-seeding bare areas as noted. Ensure cover crop achieves 80% germination and erosion is not evident. An acceptable stand of seeding is full, lush, and free of invasive plants & weeds.

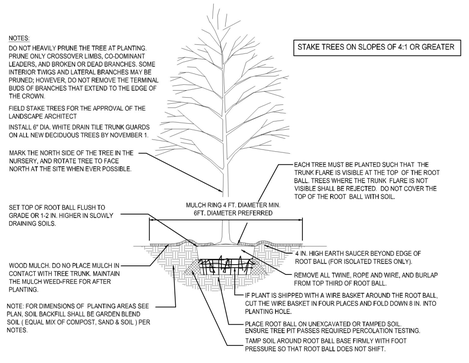
30. Accent Boulders: Where shown per plan, accent boulders to be 3'-0" diameter, fieldstone, irregular shape. Quantity: 5



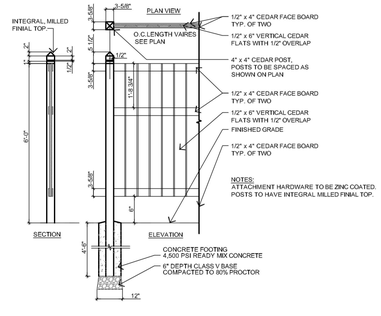
1 L1.2 TYPICAL SHRUB PLANTING - SECTION
NOT TO SCALE



2 L1.2 TYPICAL MULCH AND EDGER DETAIL
NOT TO SCALE



3 L1.2 DECIDUOUS TREE PLANTING - SECTION
NOT TO SCALE



4 L1.2 6' CEDAR SCREEN FENCE
NOT TO SCALE

CALYX DESIGN GROUP
Landscape Architecture & Planning
475 CLEVELAND AVE. N, SUITE 101A, ST PAUL, MN 55104
PHONE: 651.788.9018
www.calyxdesigngroup.com

ISSUE DATE:	09/12/2023
DRAWN BY:	HL
CHECKED BY:	BH

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PRELIMINARY

DATE: xx/xx/xxxx LIC. NO.: 48084

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10.25.2023	REVISED PER CITY COMMENTS

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612.919.9523

7100 BROOKLYN BLVD
7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MINNESOTA

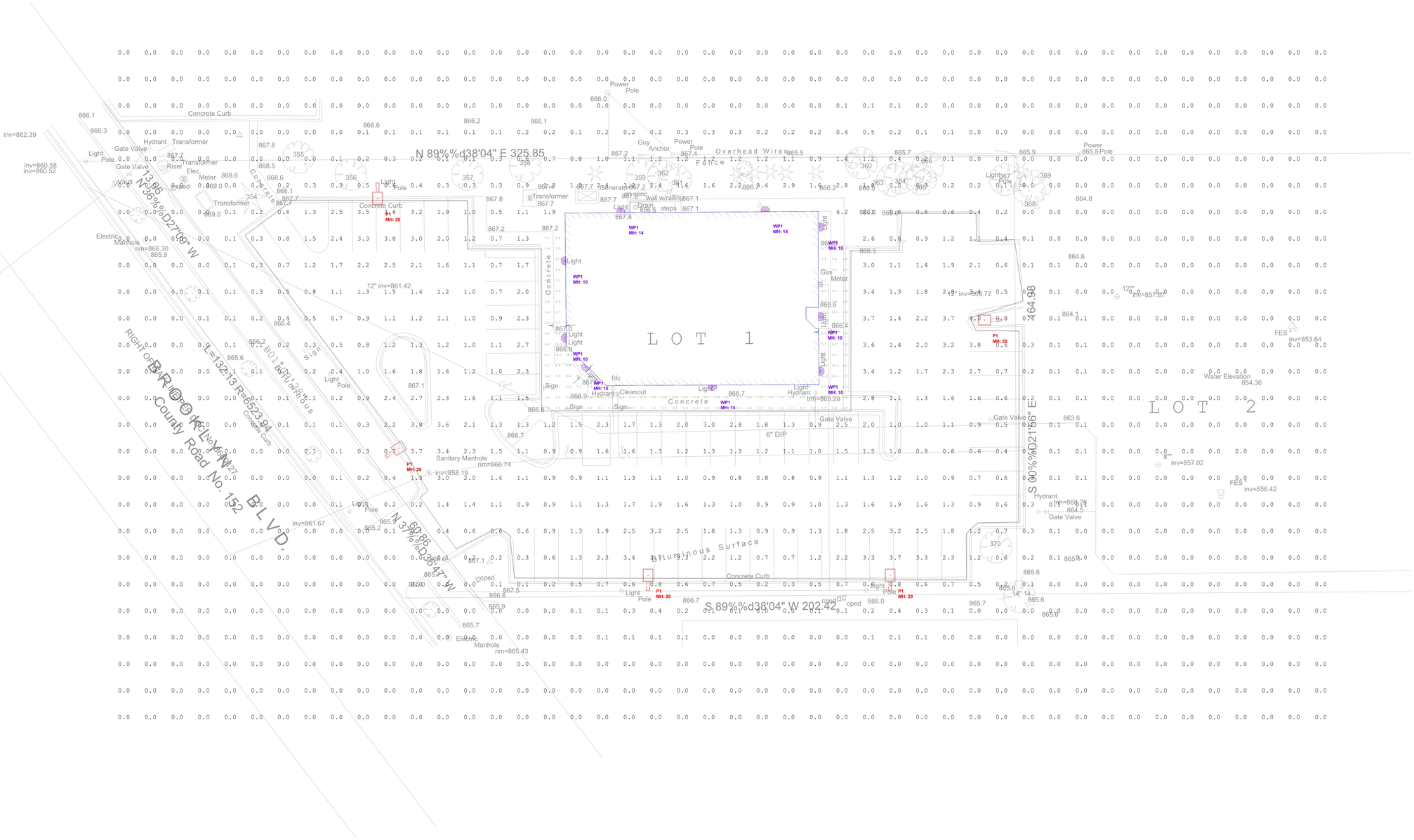
LANDSCAPE DETAILS, NOTES, & SCHEDULES

PROJECT: 23141

SHEET NO. L1.2

Luminaire Schedule						
Symbol	Qty	Label	Mounting Height	Lum. Watts	LLF	Description
	9	WP1	10, 14	34.3	0.900	LPW-16-30-NW-G3-3-2021(CONFIRM COLOR TEMP)
	5	P1	20	63.59	0.900	OPF-S-A03-740-T4M-HIS

Calculation Summary						
Project: CALCULATIONS						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
Parking Lot	Fc	1.63	4.0	0.3	5.43	13.33



DISCLAIMER: Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in LEDs and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping or any other architectural elements unless noted.

Fixture nomenclature to be finalized by engineer and/or architect. This drawings is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Lighting Ordinance:
- **20' Max Pole Height**
- **.2fc min, 4fc max point, 20:1 Uniformity**
- **1fc max property line spill**

Illuminated Design Service

PULSE never ordinary

Designed By: K. Tomczak
Checked By: Mike Nesdill
Date:10/25/2023
Scale: 1" = 20'

7100 Brooklyn BLVD

Plymouth, MN

STORM WATER MANAGEMENT PLAN

7100 BROOKLYN BOULEVARD, LLC

7100 Brooklyn Boulevard
Brooklyn Center, Minnesota

September 12, 2023

Prepared By:

Demarc Land Surveying & Engineering
7601 73rd Avenue North
Brooklyn Park, Minnesota 55428
763.560.3093

Prepared For:

7100 Brooklyn Boulevard, LLC
10230 28th Avenue North
Plymouth, Minnesota 55441

I hereby certify that this Plan, Specification or Report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Jeffrey A Prasch, PE Project Engineer	52706 License Number	09.12.2023 Date

Table of Contents

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1.0 Project Overview ..... **ii**

2.0 Design Considerations ..... **ii**

3.0 Impervious Area ..... **ii**

Table 3.1 – Impervious Area Calculations ..... *ii*

Appendix A – Figures

Figure 1 – Drainage Areas Existing Conditions

Figure 2 – Drainage Areas Proposed Conditions

1.0 Project Overview

A building remodel is proposed at 7100 Brooklyn Boulevard in Brooklyn Center, Minnesota. The site is 1.00 acres. The site is currently occupied by a building and vehicle parking lot. There are commercial properties to the south and residences to the north of the property. The lot to the east contains a stormwater pond. Currently, the majority of the stormwater on-site drains via surface flow to a catch basin at the northeast corner of the parking lot and then outlets to the pond to the east. A portion of the site drains via surface flow to a catch basin at the northwest corner of the parking lot which outlets to storm sewer in the street. A small portion of the site drains directly to the adjacent properties to the north and a small portion of the site drains directly to the street. The existing drainage conditions are shown in **Figure 1**.

The proposed improvements include a larger trash enclosure and additional sidewalk. The existing trash enclosure and a portion of the existing parking near the northeast corner of the lot will be removed for the new trash enclosure, which will result in less overall impervious area for the site. The proposed drainage pattern of the site will remain the same. **Figure 2** shows the proposed drainage conditions.

2.0 Design Considerations

The City of Brooklyn Center (City) and the Shingle Creek Watershed Management Commission (SCWMC) dictate the rate, volume, and water quality requirements for this site. Since this is a redevelopment project resulting in less proposed impervious area than existing conditions, the City and SCWMC requirements are met. See **Table 3.**1 below for impervious area calculations.

3.0 Impervious Area

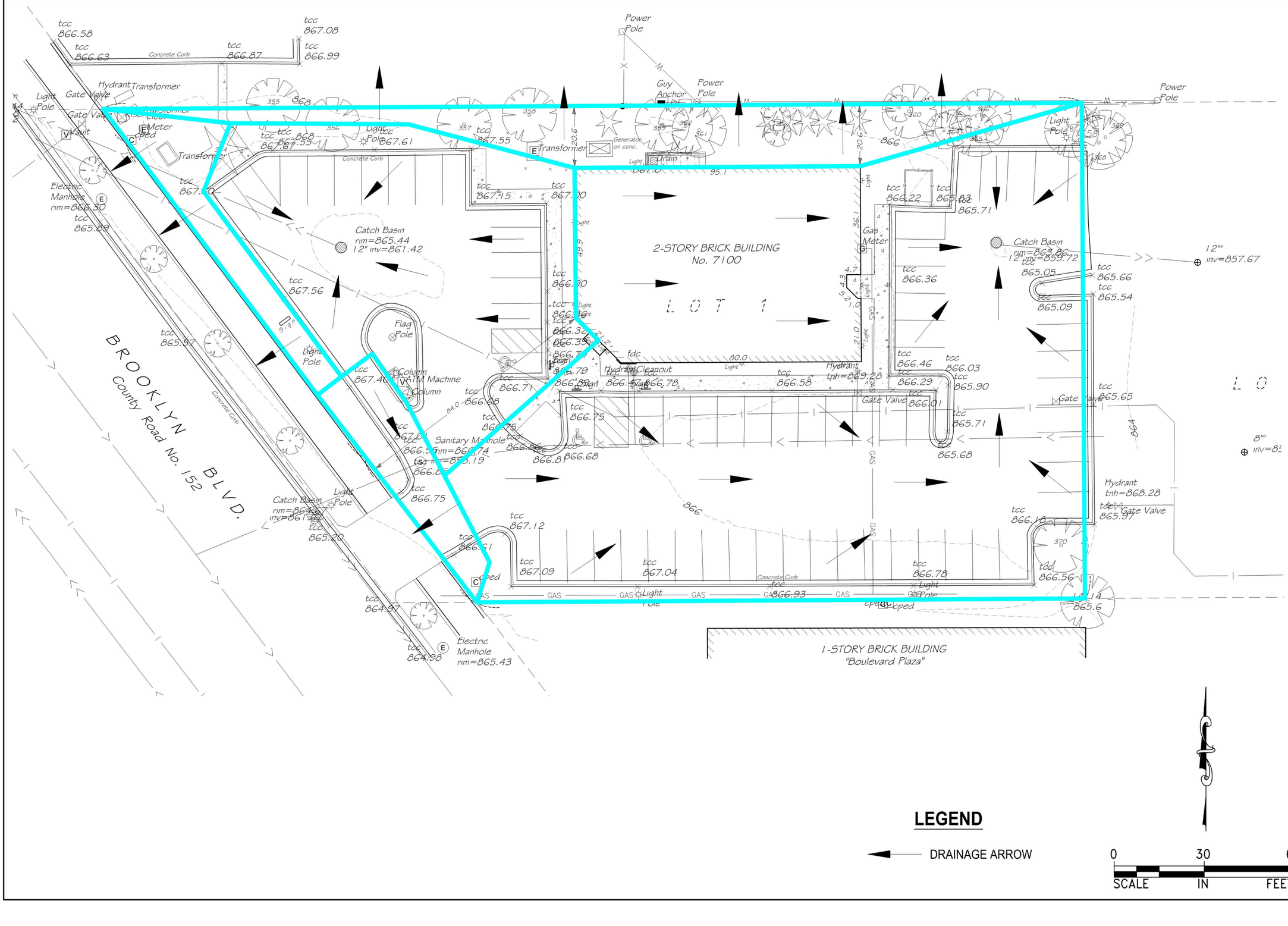
Table 3.1 – Impervious Area Calculations

Discharge Point	Existing (sf)	Proposed (sf)
CB East	24,183	**24,021**
CB West	7,674	**7,634**
North Property	186	**186**
Street	1,029	**1,029**
Total	33,072	**32,870**

As shown in the table above, the proposed impervious area is less than the existing impervious area.

Appendix A

Figures



LEGEND

DRAINAGE ARROW

0 30 60

SCALE IN FEET

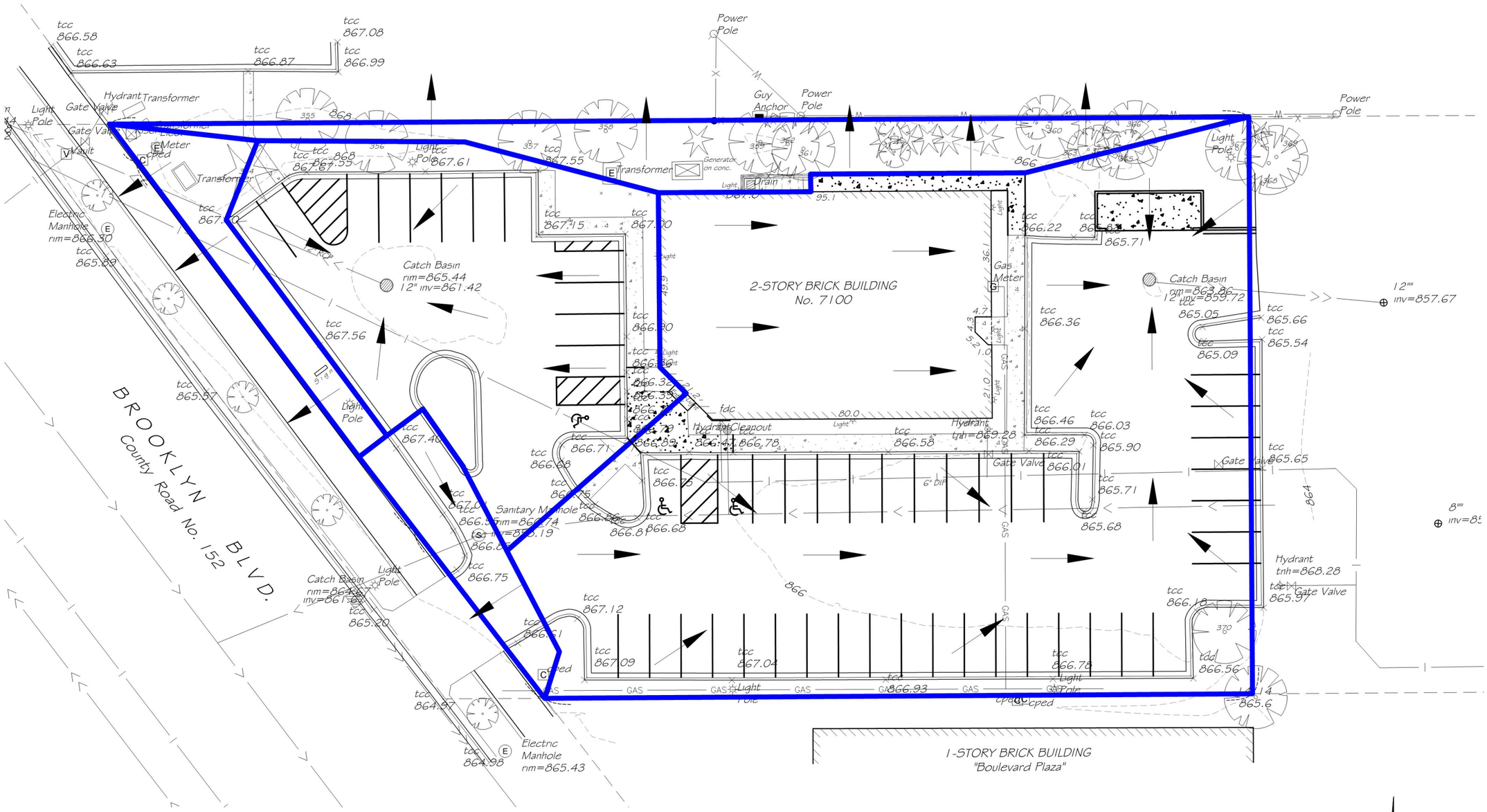
DEMARC
LAND SURVEYING & ENGINEERING

7100 BOULEVARD PLAZA, LLC
7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MN

DRAINAGE AREAS
EXISTING CONDITIONS

FIGURE 1

09.12.2023



DEMARC
LAND SURVEYING & ENGINEERING

7100 BOULEVARD PLAZA, LLC
7100 BROOKLYN BOULEVARD
BROOKLYN CENTER, MN

DRAINAGE AREAS
PROPOSED CONDITIONS

FIGURE 2

09.12.2023

Exhibit B

CITY OF BROOKLYN CENTER
NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold an in-person public hearing on **Thursday, October 12, 2023** at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: https://www.brooklyncentermn.gov/. 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: Site and Building Plan

APPLICANT | PROPERTY OWNER: 7100 Brooklyn Blvd LLC

PROPERTY ADDRESS | PID: 7100 Brooklyn Boulevard, Brooklyn Center, MN 55429 | 27-119-21-33-0097

BRIEF STATEMENT OF CONTENTS OF PETITION: The Applicant is proposing to convert a former office building into a 17-unit multi-family residential building.

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

Meeting Number (Access Code): 2633 772 9306
Password: BCPC10122023
By Phone: 1 (312) 535-8110
(Enter Access Code)

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

Respectfully,
Ginny McIntosh
City Planner and Zoning Administrator

Published in the
Sun Post
September 28, 2023
1343784

Exhibit C

PLANNING COMMISSION FILE CHECKLIST

File Purge Date: 3/12/95

FILE INFORMATION

Project Number: 85011 See also 85012, 85013

PROPERTY INFORMATION

Zoning: R5

PLAN REFERENCE

Note: If a plan was found in the file during the purge process, it was pulled for consolidation of all plans. Identified below are the types of plans, if any, that were consolidated.

- Site Plans ✓
- Building Plans ✓
- Other: ✓ landscape grading sewer

FILE REFERENCE

Note: The following documents were purged when this project file became inactive. We have recorded the information necessary to retrieve the documents.

Document Type	Date Range	Location
Agendas: Planning Commission		Office
Minutes: Planning Commission	4/12/84 5/9/85	City Vault
Minutes: City Council	6/24/78 5/20/85 5/19/86	City Vault

Document Type	Number	Location
Resolutions: Planning Commission		City Vault
Resolutions: City Council	78.40	City Vault
Ordinances: City Council		City Vault

COMMERCIAL/INDUSTRIAL PROPERTY FILES CHECKLIST

CITY OF BROOKLYN CENTER
PLANNING COMMISSION APPLICATION

Application No. 85011

Please Print Clearly or Type

Street Location of Property 7100 Brooklyn Blvd., Brooklyn Center, Mn.

Legal Description of Property (See Exhibit A attached for Legal Description)

Owner UHDE / NELSON, inc. David Nelson, Gary Uhde

Address 3825 85th Ave. N. Mpls. 55443 Phone No. ~~425-5550~~ 424-8559

Applicant same as above

Address _____ Phone No. _____

Type of Request: ____ Rezoning ____ Subdivision Approval

____ Variance X Site & Bldg. Plan Approval

X Special Use Permit ____ Other: _____

Description of Request: approval for Commercial office building development in R-4 Zoning area.

The applicant requests processing of this application and agrees to pay to the City of Brooklyn Center, within fifteen (15) days after mailing or delivery of the billing statement, the actual costs incurred by the City for Engineering, Planning and Legal expenses reasonably and necessarily required by the City for the processing of the application. Such costs shall be in addition to the application fee described herein. Withdrawal of the application shall not relieve the applicant of the obligation to pay costs incurred prior to withdrawal.

UHDE/NELSON

[signature]
Applicant's Signature

Fee $ 150.00

Receipt No. _____

Date: David Nelson
4-25-85

PLANNING COMMISSION RECOMMENDATION

Dates of P.C. Consideration: _____

Approved ✓ Denied ____ this 9 day of May 1985, subject to the following conditions: _____

[signature]
Chairman

- -

CITY COUNCIL ACTION

Dates of Council Consideration: _____

Approved X Denied ____ this 20 day of May 1985, with the following amendment: _____

Geralyn Barone
Clerk

Lot 7 and commencing at a point in West line of NW 1/4 of SW 1/4 of Section 27, Township 119, Range 21, North a distance of 5 rods North from the SW corner thereof thence East 561 feet thence South 0 degrees, 49 minutes East distance of 82 5/10 feet to North line of Lot 4 thence West to a point in the North line of said Lot 4 distance 396 feet East from the East line of Lot 7 thence South 82 5/10 feet thence West to NEly line of State Highway 152 thence NWly along said NEly line to South line of Lot 7 thence East to SE corner of Lot 7 thence North to NE corner thereof thence West to West line of NW 1/4 of SW 1/4 of said Section 7 thence North to beginning except State Highway.

Planning Commission Information Sheet

Application No. 85011
Applicant: Uhde/Nelson, Inc.
Location: 7100 Brooklyn Boulevard
Request: Site and Building Plan/Special Use

The applicant requests site and building plan and special use permit approval to construct two office buildings totalling 21,180 sq. ft. on the former City Hall property at 7100 Brooklyn Boulevard. The property in question is zoned R5 and is bounded on the west by Brooklyn Boulevard; on the north by the Brooklyn United Methodist Church parking lot and by single-family residences; on the east by the back yard of a residence and parking area for the Boulevard Plaza office condominiums; and on the south by those office condominiums. Offices are special uses in the R5 zoning district. Access to the site would be from a single driveway at the southwest corner of the site where the old City Hall entrance is located.

The applicant proposes to build the project in two phases. The first and larger phase is a two-storey, 13,920 sq. ft. office building on the westerly side of the property. The expected tenant for that building is Edina Realty which presently offices at 7000 Brooklyn Boulevard and is looking for a larger building. The parking requirement for this building is 70 spaces. Seventy (70) spaces are provided within the area to be completed with phase one. The second phase is to be a two-storey, 7,260 sq. ft. office building on the easterly portion of the property. The parking requirement for the second phase is 36 spaces. The plan provides 44 spaces in the area for phase two. Therefore, some medical use could be allowed in the second building. The second phase area covers approximately the easterly 150' of the property. Until construction proceeds on the second building, this area will be graded and seeded and improvements will be deferred.

The landscape plan for the site calls for 12 shade trees (Japanese White Birch, Pin Oak, or Green Seedless Ash), all within phase one. A 30" diameter oak tree just north of the entrance is to be preserved. There is a dense, existing hedge of cedar trees along the east property line and the easterly half of the north property line. Staff recommend that this hedge be extended somewhat to the west with new plantings to provide complete screening of the end residence to the north from the parking lot. The plan schedules 13 coniferous trees (Colorado Green Spruce) and two ornamental trees (Canada Red Cherry, Red Splendor Crab) on the westerly Phase I area of the site. Seven ornamental trees are scheduled for the easterly Phase II portion of the site. Numerous shrubs are also proposed around the foundation of the buildings, in parking delineators and some in perimeter greenstrip area. A trash enclosure is proposed in the parking lot at the northeast corner of the Phase I (Edina Realty) building. A 3' to 4' berm is indicated in the front 35' greenstrip adjacent to Brooklyn Boulevard. Berming on the grading plan is almost nonexistent and should be augmented to match the landscape plan. However, berming should be kept back about 25' from the access to keep sight lines open.

The grading, drainage and utility plan proposes that most runoff from the parking lot will drain toward the northeasterly portion of the site. One catch basin is to be located on the westerly portion of the site and will be connected to storm sewer in Brooklyn Boulevard. Two catch basins on the easterly portion of the site will convey drainage to a City storm sewer line which runs along the west edge of the St. Alphonsus Church property. The connecting storm sewer line will have to cross the Boulevard Plaza property. An easement will have to be granted for that storm sewer connection and a copy of the easement document should be submitted to the City Engineer prior to the issuance of building permits. A 6" waterline will also extend through the property from Brooklyn Boulevard to the St. Alphonsus property and will be covered by the same easement. This will provide better water pressure by looping the system. Sanitary sewer service for both buildings will be connected to sanitary sewer in Brooklyn Boulevard.

The buildings proposed on the plan meet all setback requirements. The exterior elevations of the Edina Realty building are to be brick with a pre-finished metal mansard around the top of the building. No elevations for the second phase building have been provided, however, we assume that it will be similar and compatible. Approval of the second phase is not final until full information on the building has been provided.

Regarding the Standards for Special Use Permits, the applicant has submitted no letter addressing the standards. Neighboring property owners have been consulted in the past as to preferred use of the property. It was agreed that the preferred use of the old City Hall site would be office rather than a multi-family residential use. Staff certainly agree that an office use is consistent and compatible with surrounding land uses. Traffic generated by the site will add to peak hour traffic volumes on Brooklyn Boulevard, but the size of the development should not actually cause an interruption in the flow of traffic on the public streets.

Altogether, we feel the application is in order and approval is recommended, subject to at least the following conditions:

1. The special use permit is subject to all applicable codes, ordinances, and regulations and any violation thereof shall be grounds for revocation.

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

3. Grading, drainage, utility and berming plans are subject to review and approval by the City Engineer, prior to the issuance of permits. Specifically, the applicant should comply with the conditions of the City Engineer's memo of May 2, 1985 to the Director of Planning and Inspection and other conditions as imposed by the City Engineer.

4. A site performance agreement and supporting financial guarantee (in an amount to be determined by the City Manager) shall be submitted prior to the issuance of permits to assure completion of approved site improvements.

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

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

7. An underground irrigation system shall be installed in all landscaped areas to facilitate site maintenance.

8. Plan approval is exclusive of all signery which is subject to Chapter 34 of the City Ordinances.

9. B612 curb and gutter shall be provided around all parking and driving areas.

10. The plat for the property shall receive final approval and be filed at the County prior to issuance of building permits.

11. Plan approval acknowledges the existing cedar hedge along the north and east property lines as providing appropriate screening from neighboring residential uses as required by City ordinance. If this landscape screening fails, it shall be replaced by comparable landscaping or by a 4' high opaque fence.

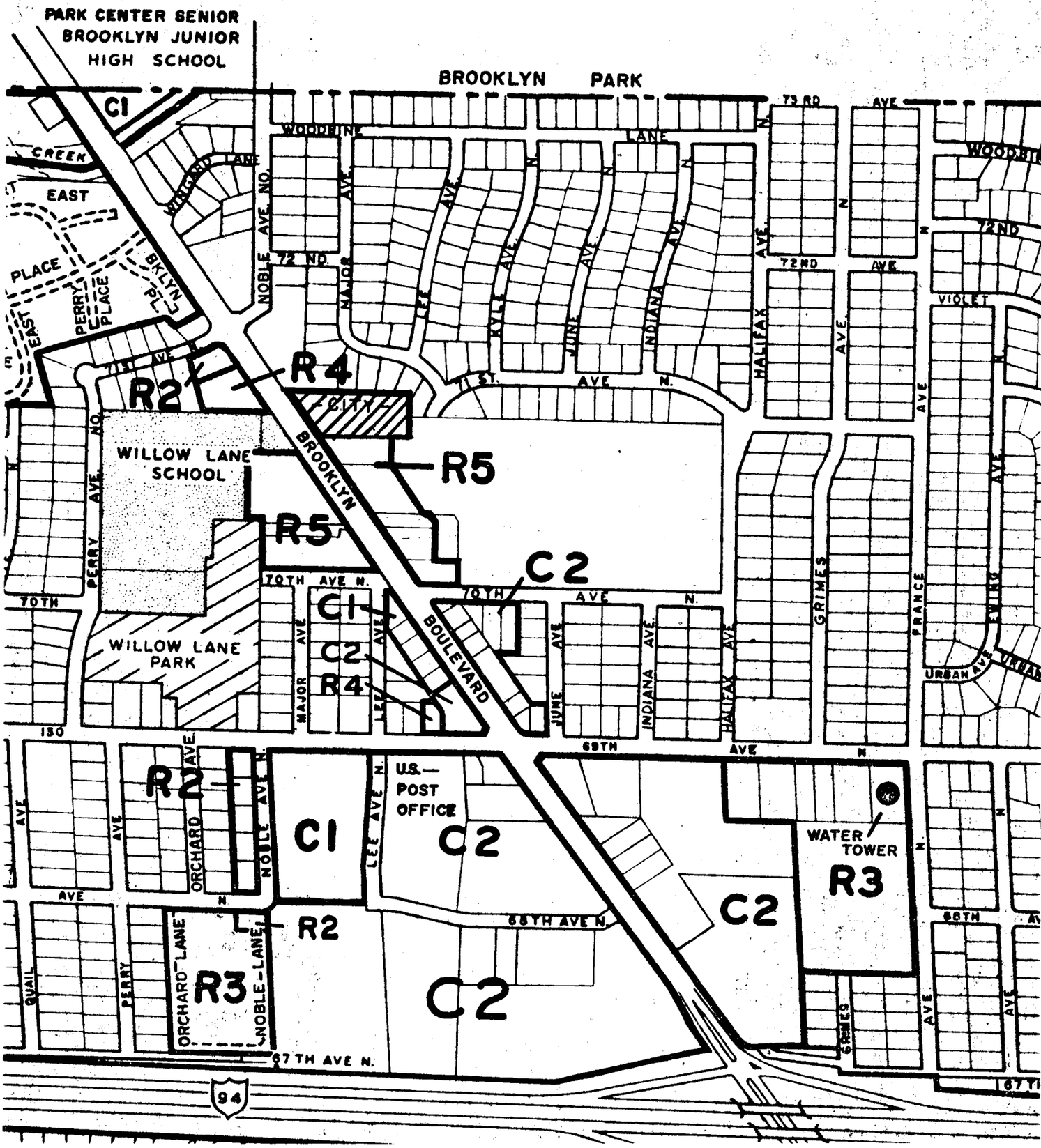
12. Absent change in the utility plans acceptable to the City Engineer, the applicant shall provide the City with a copy of a utility easement over the neighboring Boulevard Plaza property prior to the issuance of building permits.

13. The applicant shall submit a $1,000 cash guarantee to insure proper and timely replacement of the sidewalk along Brooklyn Boulevard.

14. Utility "as-built" information shall be provided to the City prior to release of the performance guarantee cited in Condition No. 4.

15. The applicant shall enter into a standard utility maintenance agreement prior to the issuance of permits.

16. The site and building plans shall be certified by a registered architect prior to the issuance of building permits.


PARK CENTER SENIOR
BROOKLYN JUNIOR
HIGH SCHOOL
BROOKLYN PARK
C1
CREEK
EAST
PLACE
EAST
PERRY PLACE
BKLYN PL.
WOODBINE LANE
WINGARD LANE
NOBLE AVE. NO.
72 ND.
MAJOR AVE.
LEE AVE.
KYLE AVE.
JUNE AVE.
INDIANA AVE.
HALIFAX AVE.
73 RD AVE
72ND AVE
VIOLET
71 ST. AVE N.
R2
R4
CITY
R5
WILLOW LANE SCHOOL
BROOKLYN
R5
C2
70TH AVE N.
70TH
C1
C2
R4
WILLOW LANE PARK
BOULEVARD
PERRY AVE. NO.
GRIMES
FRANCE AVE
EWING AVE
URBAN AVE
130
69TH AVE N.
R2
ORCHARD AVE
NOBLE AVE N.
C1
LEE AVE N.
U.S.— POST OFFICE
C2
WATER TOWER
R3
C2
68TH AVE N.
R2
ORCHARD LANE
NOBLE LANE
R3
C2
QUAIL
PERRY
67 TH AVE N.
94

DECIDUOUS TREES: 2½" CAL. MIN. B&B
JAPANESE WHITE BIRCH, PIN OAK, GREEN SEEDLESS ASH

DECIDUOUS SHRUBS: 18" - 36" HT. CONTAINER STOCK
REDTWIGGED DOGWOOD, GOLDFLAME SPIREA, LILAC (FR. HYBRIDS)

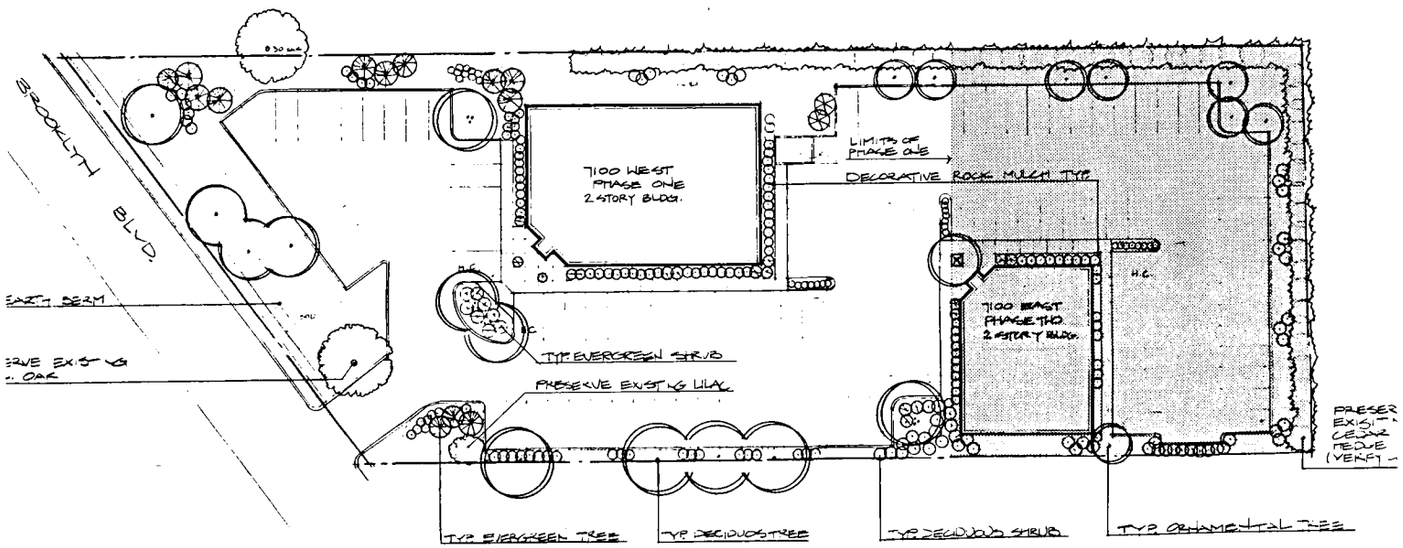
EVERGREEN TREES: 8' - 12' HT. B&B
COLORADO GREEN SPRUCE

EVERGREEN SHRUBS: 24" OVERALL - 48" HT. CONTAINER STOCK
MUGHO PINE, MOPPET JUNIPER, MINT JULEP JUNIPER

ORNAMENTAL TREES: 2½" CAL. MIN. B&B
CANADA RED CHERRY, RED SPLENDOR CRAB

NOTE: PHASE TWO AREA TO BE HYRO-SEEDED AFTER PHASE GRADING IS COMPLETED.

TOTAL DECIDUOUS TREES: 13, TOTAL DECIDUOUS SHRUBS: 190
TOTAL ORNAMENTAL TREES: 8, TOTAL EVERGREEN TREES: 15
TOTAL EVERGREEN SHRUBS: 27



PRELIMINARY LANDSCAPE

1 : 30' NORTH

DECIDUOUS TREES: 2½" CAL. MIN. B&B
JAPANESE WHITE BIRCH, PIN OAK, GREEN SEEDLESS ASH

DECIDUOUS SHRUBS: 18" - 36" HT. CONTAINER STOCK
REDTWIGGED DOGWOOD, GOLDFLAME SPIREA, LILAC (FR. HYBRIDS)

EVERGREEN TREES: 8' - 12' HT. B&B
COLORADO GREEN SPRUCE

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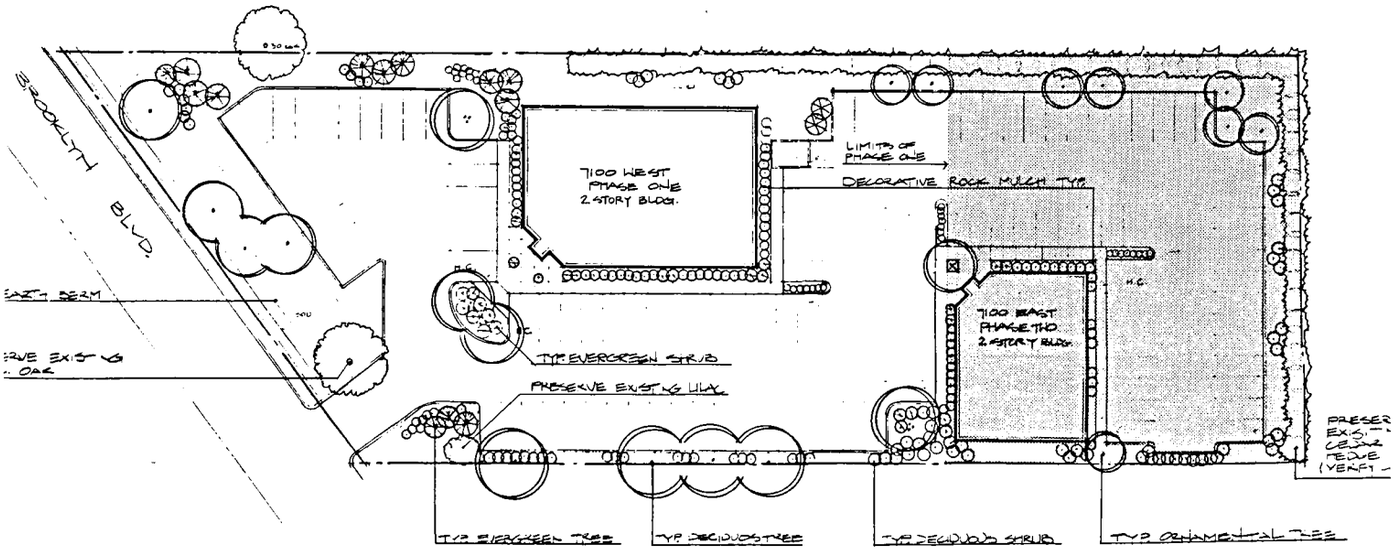
MUGHO PINE, MOPPET JUNIPER, MINT JULEP JUNIPER

ORNAMENTAL TREES: 2½" CAL. MIN. B&B
CANADA RED CHERRY, RED SPLENDOR CRAB

NOTE: PHASE TWO AREA TO BE HYRO-SEEDED AFTER PHASE GRADING IS COMPLETED.
TOTAL DECIDUOUS TREES: 13, TOTAL DECIDUOUS SHRUB: 190
TOTAL ORNAMENTAL TREES: 5, TOTAL EVERGREEN TREES: 15
TOTAL EVERGREEN SHRUBS: 27



PRELIMINARY LANDSCAPE

1 : 30' - 0"

EASEMENT GRANT

Dated: October 17, 1985

This Easement Grant is made on the above date by H. E. Homes, Inc., a corporation under the laws of the State of Minnesota to Uhde/Nelson, Inc., a corporation under the laws of the State of Minnesota, its successors and assigns, for utility and drainage purposes over and across the following described property in Hennepin County, Minnesota:

> That part of Lot 1, Block 1, Boulevard Plaza described as commencing at the most Northeasterly corner of said Lot 1, thence along the Northerly line of said Lot 1, 83 feet to the most Northwesterly corner of said lot thence Southerly 0 degrees, 15 minutes, 21 seconds, East, 15 feet; thence East parallel to the Northerly line of said lot to the Easterly line of said lot and thence North to the point of commencement.

Grantees at all times shall maintain any utilities placed upon said premises in a good condition and in the event of any construction thereon shall promptly complete the repairs and restore said premises to the same condition as it was prior to construction. Grantee shall hold Grantor or its successors harmless from all liability arising out of any of Grantee's activities upon the property.

IN WITNESS WHEREOF, the undersigned has caused this document to be executed the day and year above provided.

H. E. HOMES, INC.

By Terry L. Hartmann

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 17 day of October, 1985, by Terry L. Hartmann, the Vice President of H. E. Homes, Inc., a Minnesota corporation on behalf of the corporation.

Kathleen A. Stevens
Notary Public

KATHLEEN A. STEVENS
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires Sep. 28, 1991

Norwest Bank Northwest N.A., mortgagee of the premises herein described hereby consents to the easement herewith given.

Norwest Bank Northwest, N.A.

By Barbara L Toy

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 17 day of October, 1985, by Barbara Toy, the Vice President of Norwest Bank Northwest, N.A., a Minnesota corporation on behalf of the corporation.

KATHLEEN A. STEVENS
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires Sep. 08, 1991

Kathleen A Stevens
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

Lawrence P. Marofsky
Attorney at Law
7022 Brooklyn Boulevard
Brooklyn Center, MN 55429
(612) 566-4570

M E M O R A N D U M

DATE: October 4, 2023

TO: Ginny McIntosh, City Planner/Zoning Administrator

FROM: James Soltis, Assistant City Engineer

SUBJECT: Public Works – 7100 Brooklyn Blvd Development Site Plan Review

---

Public Works staff reviewed the following documents submitted for review for the proposed 7100 Brooklyn Blvd development.

- *Architectural Plans (091123-Permit)*
- *Civil Plans (091223-Preliminary)*
- *Survey (081023)*
- *Photometric Plans (061523-Rev 1)*
- *Landscape Plans (091123-Preliminary)*
- *Stormwater Management Plans (091123)*

Subject to final staff approval, the referenced plans must be revised in accordance with the following comments/revisions and approved prior to issuance of any permits.

Plan Items

L-100

1. Per **MN Administrative Rules 1341.0502 A117.1 Section 502, Parking Spaces** identification signage can not be more then 96 inches from center head of an accessible space. Plan note indicates signage to be mounted on building which appears to be further then 96 inches. Correct or remove note.
2. Parking layout and number of provided parking spots do not match Civil Plans (091223-Preliminary). Revise to match and correct provided parking numbers.

C-5 Grading Details

3. Proposed sidewalk grading does not meet ADA. Please revise per **2020 Minnesota Accessibility Code Section 406** indicating designated landings and ramps including dimensions and slopes. If existing signage is to be replaced please include details for signage and placement.

General Items

4. The final construction plans must be certified by a licensed engineer in the state of Minnesota and forwarded to the City Engineer for approval.
5. Inspection for the private site improvements must be performed by the developer's design/project engineer. Upon project completion, the design/project engineer must formally certify through a letter that the project was built in conformance with the approved plans and under the

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design/project engineer's immediate and direct supervision. The engineer must be certified in the state of Minnesota and must certify all required as-built drawings.

6. C4-Site Plan indicates a disturbance area of 0.05 acres with a proposed reduction in impervious area. As the disturbed areas falls below the City and Shingle Creek Watershed Management Commission threshold of 0.5 acres of disturbance no stormwater management review is required.

Anticipated Permitting

7. As the indicated disturbance falls below 10,000 sf this project does not trigger a City Land Disturbance Permit.
8. If applicable, applicant will need to obtain required permits to work in County right-of-way.
9. Other permits not listed herein may be required. It is the Responsibility of the applicant to obtain such permits as warranted.

All aforementioned items, comments and recommendations are provided based on the information submitted by the applicant at the time of this review. The *site plan* must be developed and maintained in substantial conformance with the referenced plans, unless modified by the staff recommended conditions above. Subsequent approval of the final plan may require additional modifications based on engineering requirements associated with final design of the water supply, storm drainage, sanitary sewer, final grading, geometric design and other design elements as established by the City Engineer and other public officials having jurisdiction over approval of the final site plans

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Exhibit E

Community Development
763-569-3330

October 9, 2023

7100 Brooklyn Blvd

Building review comments for newly proposed apartment building to be located at 7100 Brooklyn Blvd.

1. Prior to a Building permit being issued. A SAC determination for the new building will need to be done by MET Council and SAC determination letter received.

2. Separate permits and signed plans required for Building, Mechanical, Plumbing & Electrical. A Fire sprinkler and Fire alarm permit with plans is required to be submitted to the Building Department for this building review. The Community Development department must be contacted on all proposed signage for this building. Permits are required for all exterior signage.

3. The building will be required to have a sprinkler system installed if not already installed. City of Brooklyn Center zoning ordinance 3-101 B. (2) as adopted by the Minnesota State Building code 1306 Special Fire Protection system 1306.0020 Subp. 2, Existing and New buildings.

4. Hennepin County Health Department shall approve the kitchen area located in the basement prior to any City permits being issued.

5. All plumbing plans shall be reviewed by the Department of Labor and Industry Plumbing Department. All submitted documents shall be signed as required by Minnesota state statues.

6. Building plans to be submitted to the City Building Department for review. If any items need to be addressed, comments will be provided in a plan review letter addressed to the architect of record.

Sincerely,

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

Exhibit F

TUZINSKI & ZICK, L.L.C.

ATTORNEYS AT LAW
7050 BROOKLYN BOULEVARD
MINNEAPOLIS, MINNESOTA 55429
(763) 560-3900 FAX (763) 566-4416
www.tuzinskizicklaw.com

JEANETTE M. TUZINSKI
jmtuzinski@tuzinskizicklaw.com

SANDRA CONNEALY ZICK
sandra.zick@tuzinskizicklaw.com

October 6, 2023

Via US Mail, Email, Fax (763-569-3494)

Ginny McIntosh
City Planner and Zoning Administrator
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Re: Site and Building Plan
7100 Brooklyn Boulevard

Dear Ms. McIntosh:

I left a telephone message with you on the morning of October 4, 2023, but to date I have not received a returned call. I called to discuss the proposed conversion of an office building at 7100 Brooklyn Boulevard to a 17-unit multi-family residential building. This proposed site is immediately adjacent to Boulevard Plaza, an 18-unit office condominium unit located at 7022-7086 Brooklyn Boulevard. Each unit is separately owned. All units are office units where business is conducted. There are no residential units at Boulevard Plaza and no one is living here. Business is conducted generally from 8 am until 5 pm, Monday through Friday.

The purpose of this letter is to document our strenuous objection to the proposal to convert the office building at 7100 into a 17-unit multi-family residential building. Attached is a petition from the Boulevard Association members who oppose the City's proposal. There is additional opposition than the attached petition provides; however, due to time constraints it was not possible to obtain access to all Boulevard Plaza members.

Every individual Boulevard Plaza member that I spoke to was opposed to a conversion of the Federal Union commercial building at 7100 Brooklyn Boulevard being converted into a 17-unit multi-family residential building. The concerns expressed included, but were not limited to:

Changing the environment of the area to one of a residential area rather than business district;

Ongoing and continued safety concerns;
Ongoing and increased traffic (both foot and vehicle);
Dumping concerns; and
Privacy concerns.

There are existing issues with illegal dumping at our site, together with crime and other issues that we have worked so feverishly to eradicate. The conversion of an office building to a 17-unit multi-family residential building at 7100 will only add to the existing problems we have tried so hard as businesses to ameliorate. The construction of these residential units among a business district will undoubtedly adversely affect the value of our units; the safety of our tenants, owners and customers; increase the levels of traffic; and create other negative ramifications.

The Boulevard Plaza units were all assessed by the Hennepin County Property Tax Assessor with a substantial increase in the value of each unit - $100,000.00 per unit approximately. Hence, all of our property taxes will increase in 2024 due to the increased value placed on our real estate by the assessor. We all pay taxes and we want our voices heard. This proposed change to the existing use at the 7100 building will ultimately have a negative impact on our units and the aesthetics of the area in general.

We strongly oppose the proposal to modify the existing commercial building into a 17-unit multi-family residential building.

Please consider our opposition to this proposal at the meeting and vote no to the proposed plan to transform what was a Federal Credit Union into a 17-unit multi-family residential building. Please feel free to share our concerns at the meeting and please vote no to this proposal. Please contact me with any questions. Thank you.

Sincerely,

Jeanette M. Tuzinski
Attorney at Law

cc: Boulevard Plaza
Councilmember Marquita Butler
Councilmember Dan Jerzak
Councilmember Teneshia Kragness
Councilmember Kris Lawrence-Anderson

PETITION OPPOSING THE PROPOSED APPLICATION TO CONVERT THE ADJACENT BUILDING AT 7100 BROOKLYN BOULEVARD TO A 17-UNIT MULTI-FAMILY RESIDENTIAL BUILDING

Print Name	Address	Type of Business	Signature/Date	Contact Email	Contact Telephone Number
Jeanette Tuzinski	7058 Brooklyn Blvd	Legal	10/4/2023	[redacted]	
Ly Lor	7074 Brooklyn Blvd	Optical	10/4/23		
Joua Yang	7074 Brooklyn Blvd	optical	10/4/23		
SANDY PHAM-VANG	7074 Brooklyn Blvd	Optical			
Keo Vang	7074 Brooklyn Blvd	optrial	10/4/23		
Jacqueline M King	7070 Brooklyn Blvd	mtg			
Jaida Adamski	7070 Brooklyn Blvd	mtg			
DAWN Flermoen	7083 Brooklyn Blvd	Home Healthcare			
Jana Ahn	7083 Brooklyn Blvd	Home Health Care			
JACK DALIN	7078 BROOKLYN BLVD	FINANCIAL	10/4/23		
Michelle Berthiaume	7072 Brooklyn Blvd	Home Health Care	10/4/23		
Shelley Fluekiger	7082 Brooklyn Blvd.	IHS Coordinator	10/4/23		

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PETITION OPPOSING THE PROPOSED APPLICATION TO CONVERT THE ADJACENT BUILDING AT 7100 BROOKLYN BOULEVARD TO A 17-UNIT MULTI-FAMILY RESIDENTIAL BUILDING

Print Name	Address	Type of Business	Signature/Date	Contact Email	Contact Telephone Number
Windi Willette	7082 Brooklyn Blvd	Health Care	Windi Willette	[redacted]	
Sandra Zick	7050 Brooklyn Blvd	Law Firm	Sandra Zick		
Lor Thor	7042 Brooklyn Blvd	Accounting	DocuSigned by: michaelthor75@yahoo.com 10DFB0E307FC4DF...		
Mary Ann Fairbanks	7050 Brooklyn Blvd.	Law Firm	Mary Ann Fairbanks 10/5/23		
TOM COKER	7060 Brooklyn Blvd	rental			
Emmanuel Cole	7062 Brooklyn Blvd	Social services			
Yennis Cole	7062 Brooklyn Blvd	Social Servis			
Kelli Foster	7062 Brooklyn Blvd.	Social Services			
Sony Anderson	7026 Brooklyn Blvd	Health			
Caleb Anderson	7026 Brooklyn Blvd	Health care	Caleb Anderson		
Joshua Anderson	7026 Brooklyn Blvd	Healthcare			
David Ogundipe	7046 Brooklyn Blvd	[illegible]	David Ogundipe		

PETITION OPPOSING THE PROPOSED APPLICATION TO CONVERT THE ADJACENT BUILDING AT 7100 BROOKLYN BOULEVARD TO A 17-UNIT MULTI-FAMILY RESIDENTIAL BUILDING

Print Name	Address	Type of Business	Signature/Date	Contact Email	Contact Telephone Number
Windi Willett	7082 Brooklyn Blvd	Health Care	Windi Willett	[redacted]	
DR. ESTHER SIGVERSEN	7054 BROOKLYN BLVD	GRADUATE SCHOOL	Esther Sigversen		
REV. ESTHER SIGVERTSEN	7058 BROOKLYN BLVD	CHURCH	Esther Sigversen		
Jon Sigvertsen	7058 Brooklyn BLVD	School			
Maggie Bone	7054 Brooklyn Blvd.	Clinic			
Sandy Zell	7050 Brooklyn Blvd	Law Firm	Sandy Zell		
Mary Ann Fairbanks	7050 Brooklyn Blvd.	Law Firm	Mary Ann Fairbanks		

Pham-Vang Optometry LLC DBA Eye Doc
Sandy Pham-Vang
7074 Brooklyn Blvd
Brooklyn Center MN 55429

October 13, 2023

Re: Site & Building Plan
7100 Brooklyn Blvd

Dear Ms. McIntosh,

I hope this letter finds you well. I am writing on behalf of Pham-Vang Optometry LLC dba Eye Doc, located at 7074 Brooklyn Blvd, Brooklyn Center MN 55429. We recently became aware of the proposed new apartment development at 7100 Brooklyn Boulevard, and I would like to express our concerns and objections to this project. While I understand the importance of urban development and growth, I believe that the construction of new apartments in close proximity to our business could have several negative impacts. Our primary concerns include:

Increased Traffic Congestion: The addition of a residential complex is likely to lead to an increase in traffic in the area. This could potentially make it more challenging for our customers, clients, and employees to access our business.
Parking Issues: The limited parking space available may be further strained with the addition of residents and their vehicles. This could inconvenience both our staff and our customers who rely on accessible parking.
Noise and Disturbance: Construction activities and the subsequent increase in population density may result in elevated noise levels, potentially disrupting the peaceful environment we strive to maintain for our customers and employees.
Impact on Business Operations: The changes in the neighborhood dynamics could affect our business operations, and we are concerned about potential disruptions that may arise as a consequence of the new development.
Illegal Dumping: We are dealing with ongoing issues of illegal garbage dumping at our businesses for some time now. The new apartment/ traffic can potentially add to this problem.

Considering these factors, we kindly request that you reconsider the location of the proposed apartment development. We believe that collaboration between our respective

parties could lead to a more thoughtful and mutually beneficial solution that addresses our concerns while still contributing to the growth and development of the community. I strongly oppose the proposal to modify the existing commercial building into a 17-unit multi-family residential building.

I would greatly appreciate the opportunity to discuss this matter further with you. If you are open to a meeting or discussion, please let us know a convenient time, and I will make the necessary arrangements.

Thank you for your attention to this matter. I look forward to the possibility of finding a solution that is favorable for all parties involved.

Sincerely,



Dr. Sandy Pham-Vang
Optometrist
Owner of Eye Doc in Brooklyn Center.

CC: Councilmember Marquita Butler
Councilmember Dan Jerzak
Councilmember Teneshia Kragness
Councilmember Kris Lawrence-Anderson

Ginny McIntosh

From: [redacted]
Sent: Wednesday, October 11, 2023 2:50 PM
To: Ginny McIntosh
Subject: Planning Commission 27-119-21-33-0097

7200 Brooklyn Blvd

Brooklyn Center, MN 55429

From: Brooklyn United Methodist Church 12 Oct 2023

To: Ginny McIntosh

City Planner and Zoning Administrator

Brooklyn Center Planning Commission

Subject; Multi Family Housing

PID: 7100 Brooklyn Boulevard, Brooklyn Center MN 55429 | 27-119-21-33-0097

Brooklyn United Methodist Church (BUMC) has a vested interest it the housing proposal because our parking lot abuts the property in question. The parking lot already has a lot of extraneous, unauthorized use. We are concerned that converting this property could increase overflow parking by residents and visitors.

Is there adequate parking space available on the property for the expected occupancy? BUMC would be willing to have a discussion on the lease or sale of a section of our parking lot.

Safety is a grave concern. With increased movement in and out of the housing area, and Brooklyn Blvd. being a very busy street, has the City considered increased accident potential. In conjunction with safety, will the City see a need for any additional streetlights in this area?

If approved, we request that the developer construct a privacy fence between the two properties. Our BUMC board of trustees would expect to be involved in the design and placement of this fence.

Thank you,

Tom Foster

Trustee Chair

[redacted]

[redacted]

officeadm@bumc.org BUMC Office Administrator email

Ginny McIntosh

From: [redacted]
Sent: Friday, October 13, 2023 10:27 AM
To: Ginny McIntosh
Subject: 7100 Brooklyn Blvd Multi-Housing proposal

Hello Ginny,

Diane and I were surprised with the disapproval of the proposal. We understand that it can move forward to the City Counsel. Are there steps they will be required to take prior to presenting to the City Counsel? Since the Chair recommended that a fence would be in the best interest of both parties, will it go forward as a requirement or just a recommendation?

I'd surmise that the owners will want to continue pursing approval. Will we be notified if and when this will be presented? We want to make sure our request for a privacy fence stays in the package.

Thank you,
Tom Foster
BUMC Trustee Chair

Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Jesse Anderson, Community Development Director
BY: Xiong Thao, Housing and Community Standard Supervisor

SUBJECT: Follow Up from Special Assessment Hearing for Proposed Special Assessments for Administrative Fines/Citation Costs

Requested Council Action:

- *Motion to approve a resolution reducing the certified special assessments for certain properties for administrative fines and citation cost from the Hennepin County Tax Rolls*

Background:

At the City Council Meeting on October 23, 2023, two properties appealed the Administrative Fines/Citation Costs during the Special Assessment Hearing. City Council asked staff to bring back information regarding the properties to the November 13, 2023 City Council meeting. Properties 5936 Fremont Ave N and 5520 James Ave N appealed and attached are the summaries for both properties.

Staff is recommending that the amount of the Administrative Fines/Citation Costs be reduced. There are separate reasons for decreasing the Administrative Fines/Citations. The reasons are outlined in the summary for each property.

If the City Council would prefer to not reduce the citations, no action is needed.

If the City Council prefers to adjust the amount of the reduction, the resolution can be amended with the motion to approve.

Budget Issues:

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

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/7/2023	Resolution Letter
Code Enforcement Summary	11/7/2023	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION REDUCING THE CERTIFIED SPECIAL ASSESSMENTS FOR CERTAIN PROPERTIES FOR ADMINISTRATIVE FINES AND CITATION COST FROM THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused Administrative Fines/Citation costs for certain properties within the City from September 16, 2022 thru September 16, 2023 under the authority of City Ordinance Section 18-204 and Minnesota Statutes, Section 429; and

WHEREAS, on October 23, 2023, City Council had a public hearing for unpaid Administrative Fines/Citations, approved the special assessment, and heard two appeals; and

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

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

WHEREAS, staff reviewed the history of the two properties that appealed on October 23, 2023,

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

1. The amount of $4,000.00 will be removed from 5936 Fremont Ave N and impose $2,100.00 to the County tax rolls.

2. The amount of $6,000.00 will be removed from 5520 James Ave N and impose $3,000.00 to the County tax rolls

RESOLUTION NO. _____

November 13, 2023 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Property Number 1

Address: 5936 Fremont Ave N	**Owner:** Cody Lafleur & Alexis Moore

Appellant's Statement: Appellant's mother, Carol Lafleur, spoke on his behalf stating that they hired a property manager to manage the property. They were not aware that the property manager did not obtain a rental license until they saw the special assessment notice and called the City.

Findings: During a proactive property code enforcement inspection on August 18, 2022, staff found junk/debris and furniture on the curb, which appeared that someone had just moved out of the property. Staff went to the property and attempted to talk to someone about the junk/debis and furniture on the curb. Staff found the property vacant. A renting without a license compliance notice was sent to owner.

A follow up inspection was completed and the property appeared to be occupied. A second compliance notice was sent to the owner. The property was then posted as an unlicensed rental property. After several inspections and talking with the tenant, staff issued a $300.00 Administrative Citation for operating without a rental license. Staff continued to issue additional Administrative Citations of $600, $1200, and $2000 upon finding the property continued to remain occupied. The compliance notices were returned to the City as undeliverable and the unlicensed rental posting on the door was removed.

A recent inspection was completed and the property is still occupied. Staff spoke with the property owner and confirmed that the property has been managed by a real estate agent since October 2021. Staff talked to the property manager regarding the rental license requirement and confirmed that the property has been occupied as a rental property since 2021. The property manager has stated that the current tenant has put a notice to vacate for January 31, 2024. In the meantime, a rental license will be obtained for the property. An email was sent to the property owners and property manager to complete the rental license application.

Recommendation: Administrative Citations for renting without a license was issued after finding the property occupied and sending several compliance notices. The Administrative Citations were issued according to the city policies for operating without a license and they were not appealed by the property owner or property manager.

The property owner notified city staff after receiving the special assessmenet notice and informed staff that they had a property manager that is managing the property. The property owner is responsible for the Administrative Citations, however, the property owner worked quickly to start the rental license application process.

Staff is recommending that amount of $4,000.00 be dismissed and the owner completes the rental license application before December 1, 2023. If the rental license application is not completed by December 1, 2023 the City may continue to issue Administrative Citations for operating a rental property without a license. The total amount to be specially assessed is $2,100.00 plus the Certification fee of $40 to the property tax rolls.

Violation Type	Dates	Action	Fees
Operating rental dwelling without a license	08/18/2022	A routine code enforcement inspection was conducted and found trash/debris and furniture on the curb. Staff knocked on the door and found the property vacant. A compliance notice was sent to the property owner to submit a rental license application.	
	09/06/2022	During a routine code enforcement inspection the property was cited for tall grass and weeds. Staff spoke to the property occupant about the tall grass violation. Verbal orders were given to mow the lawn.	
	09/07/2022	The compliance notice mailed on August 18, 2022 (renting without a license notice) was returned to the City as undeliverable and was not able to be forwarded to a current address.	
	09/12/2022	A follow up inspection was completed for tall grass and weeds and the property was in compliance.	
	09/14/2022	A follow up inspection was conducted and found the property is occupied. A second compliance notice was sent to the owner to submit a rental license application.	
	10/05/2022	A third inspection was conducted and staff spoke to an occupant. Staff explained to the occupant that the property is not licensed as a rental property. Staff posted the property as an unlicensed rental property and gave the occupant a business card to have the leaseholder call the City. A $300 Administrative Citation was issued for operating a rental property without a license.	$300
	10/06/2022	The compliance notice dated September 14, 2022 (renting without a license) was returned to the City as undeliverable and unable to be forwarded.	
	10/21/2022	A fourth inspection was conducted and the property appeared to still be occupied. Staff knocked on the door but no one answered the door. A $600 Administrative Citation was issued for operating a rental property without a license.	$600
	11/02/2022	Administrative Citation dated October 5, 2022 was returned to the City as undeliverable.	

	11/04/2022	A fifth inspection was conducted and the property appeared to be occupied. Staff attempted to talk to someone but no one answered the door. A $1200 Administrative Citation was issued for operating a rental property without a license.	$1200
	11/18/2022	A sixth inspection was conducted and the property appeared to be occupied. Staff knocked on the door but no one answered the door. A $2000 Administrative Citation was issued for operating a rental property without a license.	$2000
	12/08/2022	Administrative Citations dated October 21, November 4, and November 8 was returned to the city.	
	12/22/2022	A seventh inspection was conducted and the property appeared to be occupied. Staff knocked on the door but no one answered the door. A $2000 Administrative Citation was issued for operating a rental property without a license.	$2000
	12/27/2022	The Administrative Citation issued on December 22, 2022 was returned to the City as undeliverable.	
	05/22/2023	During a routing code enforcement inspection the property had trash bins that were left at the curb. A compliance notice was posted on the door and mailed.	
	05/25/2023	A follow up inspection was completed for the trash at the curb violation and the property was in compliance.	
	06/05/2023	During a routine code enforcement inspection the property was cited for tall grass and weeds and trash bin left at the curb. A compliance notice was posted on the door and mailed.	
	06/14/2023	A follow up inspection was completed and found the property still in violation for tall grass and weeds.	
	06/23/2023	A follow up inspection was completed and found the property was in compliance.	


5936
THIS PROPERTY IS NOT
LICENSED FOR RENTAL

Property Number 2

Address: 5520 James Ave N	**Owner: Matthew Gildemeister**

Appellant's Statement: Mr. Gildemeister stated that the other occupants in his home left their inoperable vehicle at the property and he was not able to get the vehicle towed. He also stated that due to the overwhelming amount of advertising mail, he did not open his mailbox. He further stated that due to his financial situation, he is not able to pay the citation amounts.

Findings:

There have been several property code violations each year since 2018 due to complaints and proactive code enforcement actions. In the past, the City has met with Mr. Gildemesiter to discuss the code violations and an action plan prior to issuing Administrative Citations. Several Administrative Citations have been issued due to ongoing property code violations and lack of effort to work towards compliance. The Administrative Citations were not appealed by Mr. Gildemeister and have been specially assessed to the property tax rolls.

The city received a complaint about the property conditions and staff completed an inspection of the property. During the inspections, staff noted several property code violations and spoke with Mr. Gildemeister about the property code violations. After several compliance notices and several conversations with Mr. Gildemeister about a plan, there was little to no improvement on addressing the property code violations.

After several inspections and conversations with Mr. Gildemeister, Administrative Citations were issued totaling $9,000 for several property code violations. The Administrative Citations were not appealed

Recommendation: After several attempts to work with Mr. Gildemeister on compliance with city ordinance, the property remained in violation. Legal notification requirements were followed in issuing notices and Administrative Citations. The Administrative Citations were issued according to the city policies and they were not appealed by the property owner.

Staff is recommending that the amount of $6,000 be dismissed. The property has remained in compliance and maintained by the property owner. The amount to b impose is $3,000.00 plus the Certification fees of $40 be specially assessed to the property tax rolls.

Violation Type	Dates	Action	Fees
	06/13/2022	The city received a complaint about the property conditions. The complainant stated that there were several broken down vehicles in the driveway, a broken down camper, and a fallen tree on the property.	
Accumulation of Junk/furniture; Illegal storage of vehicles; Inoperable vehicles; dead/diseased tree; accessory building	06/14/2022	An initial inspection was completed and found the property with several property code violations. Staff knocked on the door and no one came to the door. A compliance notice was posted to the door and sent. - Garage door: Garage overhead door is broken and not able to close. - Accumulation of Junk/furniture: Remove sofa, tote bins, and tires in the driveway. Remove windows, scrap metal, a/c units, cardboard boxes, extension cords, and miscellaneous items from the back yard. - Inoperable vehicle: Black truck, Maroon Saturn, and Red Dodge truck all have expired tabs. - Dead/diseased tree: Remove fallen spruce tree in front yard. - Storage of vehicle: Remove trailer parked on the grass in the front yard.	
	06/23/2022	A follow up inspection was done for the rubbish and parking on the grass violation. Staff spoke with Mr. Gildemeister and explained the property code violations and discussed a plan on addressing the property code violations. Some of the rubbish was cleaned but the tall grass violation remained. The vehicle was not parked on the grass. A compliance notice was sent for the remaining property code violations.	
	07/05/2022	Staff met with a complainant who expressed concerns about the property. The complainant wanted to know why the complaint entered was closed and the property is still in violation of city ordinance.	

		It was explained that there is already a case for the same violations and the complaint was closed due to an already existing case. The complainant showed photos documenting the condition of the property.	
	07/14/2022	A follow up inspection was completed and there was no progress made on improving the conditions on the property. An Administrative citation was issued for the following violations: - Unlicensed/inoperable vehicle - $125.00 - Accumulation of Junk/furniture - $125.00 - Illegal parking/storage of vehicle - $125.00 - Dead/disease tree - $125.00 - Accessory building - $125.00 The property also had tall grass and weeds. A compliance notice was sent for the tall grass and wees violation.	$625.00
	07/21/2022	Mr. Gildemeister did mow the property but there were several areas that were not mowed.	
	07/28/2022	A follow up inspection was completed and there was some progress made, however, the property remained in violation. A compliance notice was sent. An Administrative Citation was issued for the following violations: - Unlicensed/inoperable vehicle - $250.00 - Accumulation of Junk/furniture - $250.00 - Dead/disease tree - $250.00 - Accessory building - $250.00 The tall grass and weeds still remain in violation and an abatement was ordered and sent to the grass contractor.	$1,000.00
	08/02/2022	Received confirmation from the grass contractor that the property has been mowed by the owner and is no in compliance.	

	08/12/2022	A follow up inspection was completed. The inoperable vehicle had updated tabs while the rest of the property remained in violation.	
	08/16/2022	An inspection was completed and the property conditions did not improve. A compliance notice was sent.	
	08/26/2022	A follow up inspection was completed and the inoperable vehicles were posted to be towed. The property code violations were not corrected and remained in violation. A tall grass and weed compliance notice was posted and mailed.	
	09/02/2022	A follow up inspection was completed on the tall grass and weeds violation. The property remained in violation. An abatement was ordered.	
	09/06/2022	A follow up inspection was completed on the tall grass and weeds violation. The contractor had abated the code violation. Ther is a small section that used to be a flower bed that has not been maintained and is now weeds. Contractor was sent back out to mow the area.	
	09/08/2022	A follow up inspection was completed and the contractor had mowed the former flower bed area. An abatement fee was charged.	$275.00
	09/15/2022	A follow up inspection was completed and 2 vehicles were in compliance however, there were 2 other vehicles that were still inoperable. A tow company was called however the vehicles could not be towed because they were blocked in by the other vehicles. An Administrative Citation was issued for the following violations: - Unlicensed/inoperable vehicle - $500.00 - Accumulation of Junk/furniture - $500.00 - Accessory building - $500.00	$1,500.00
	10/03/2022	A follow up inspection was completed and the property remained the same, the inoperable vehicles were still in violation. An Administrative Citation was issued and posted for the following violations:	$3,000.00

		- Unlicensed/inoperable vehicle - $1,000.00 - Accumulation of Junk/furniture - $1,000.00 - Accessory building - $1,000.00	
	10/10/2022	The amount of $3,125.00 was approved to be specially assessed to the 2023 property tax rolls.	
	10/17/2022	A follow up inspection was completed and the RV had updated tabs. There was significant improvement in backyard. There is still an inoperable vehicle on the property with expired tabs from 2021 and the garage door did not properly close. A compliance notice was sent. An Administrative Citation was not issued due to the progress that was made on addressing the property code violations.	
	10/26/2022	A follow up inspection was completed and there was no progress on correction the property code violations. The property conditions did not change from the last inspection on 10/26/2022. An Administrative Citation was issued for the following violations: - Unlicensed/inoperable vehicle - $2,000.00 - Accumulation of Junk/furniture - $2,000.00 - Accessory building - $2,000.00	$6,000.00
	11/08/2022	A complaint was received about an inoperable vehicle parked in the street for over a month. The complaint was forwarded to BCPD for follow up since it is a street parking violation.	
	11/09/2022	A follow up inspection was completed and there was no improvement on the property conditions. Staff spoke with Mr. Gildemeister and informed him of the new code vioaltions Additional property code violations found at the property were added along with the previous code violations. - Accessory building - Illegal parking/storage of vehicles - Unlicensed/inoperable vehicles - Accumulation of junk/furniture	

		- Garbage storage/excessive volume - Waste container storage The vehicle was still parked on the street and saw that CSO had chalked the vehicle's tires.	
	11/14/2022	A follow up inspection was completed and staff spoke with Mr. Gildemeister. The inoperable vehicle is accessible for towing and the garage door is still not repaired. The trash/junk is still on the property and a plan was discussed on when it will get removed. Mr. Gildemeister was informed that the recycling bins need to be pulled back to the property if Waste Management is not picking it up. The vehicle parked in the street was moved and the case was closed.	
	11/15/2022	A follow up inspection was completed and the property was in substantial compliance. Posting of the impound lot information was posted on the door. There were only 2 remaining code violations. - Accessory building - Accumulation of junk/furniture	
	11/30/2022	A follow up inspection was completed and the property is in compliance with city ordinances.	

June 14, 2022 Photos






DODGE
4X4


MLC 827


DTJ 893


Minnie Winnie


DODGE
4X4








5520



July 14, 2022 Photos

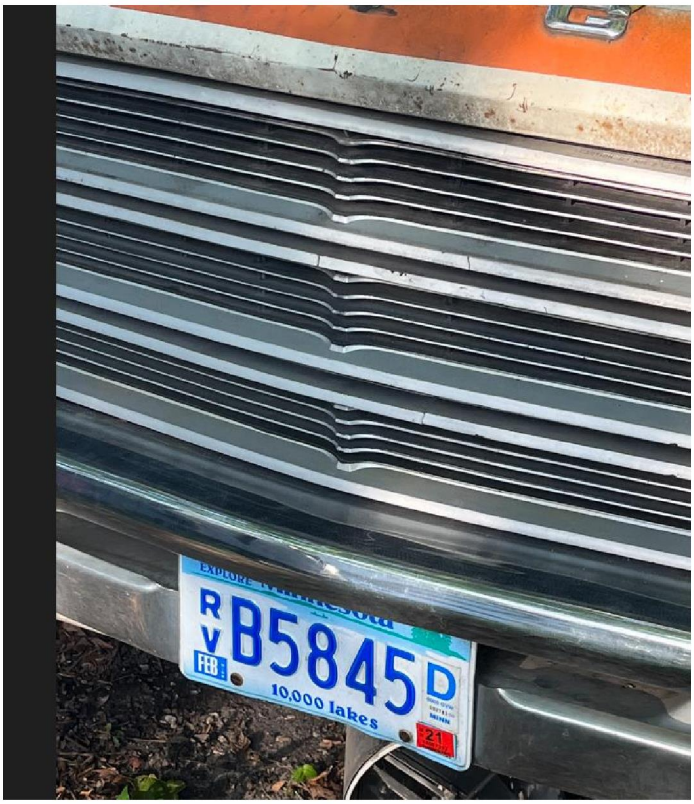







EXPLORE Minnesota.com
DTJ 893
JAN
10,000 lakes


EXPLORE Minnesota.com
MLC 827
AUG
10,000 lakes


RV
B5845
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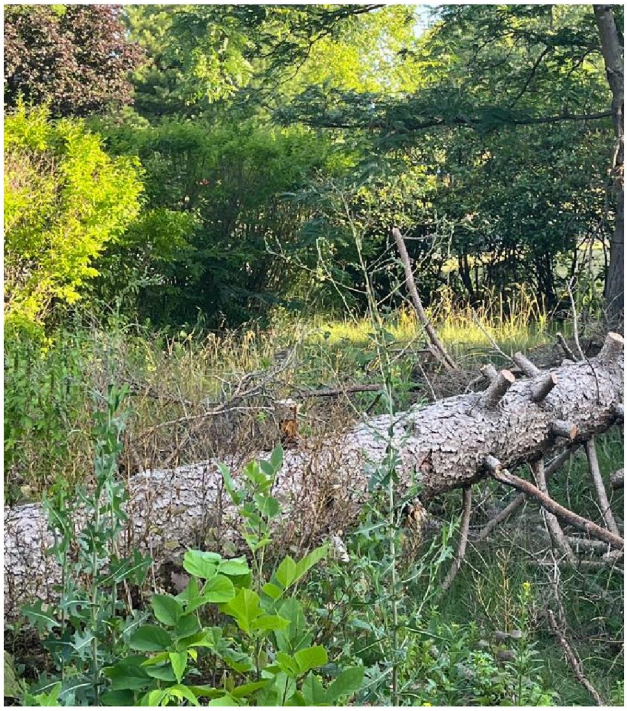







5520


FX4
OFF ROAD

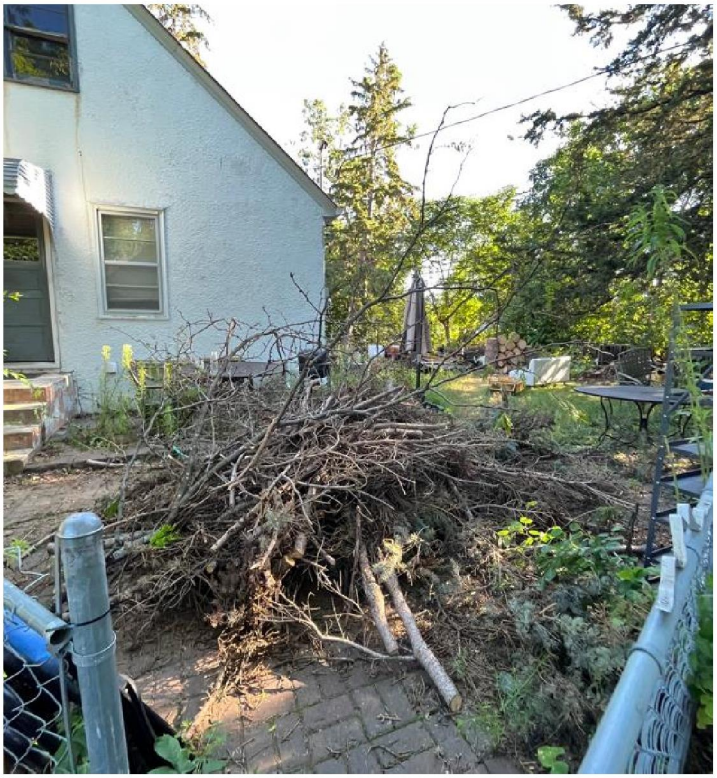

EXPLORE Minnesota.com
NBF 415
FEB
10,000 lakes
'22

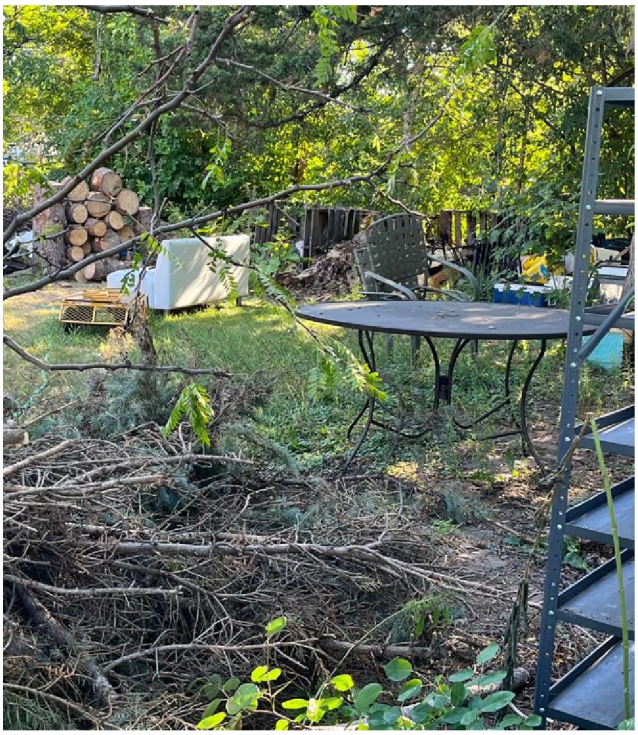

DODGE
4X
Minnesota
ADC 885
AUG
10,000 lakes
20

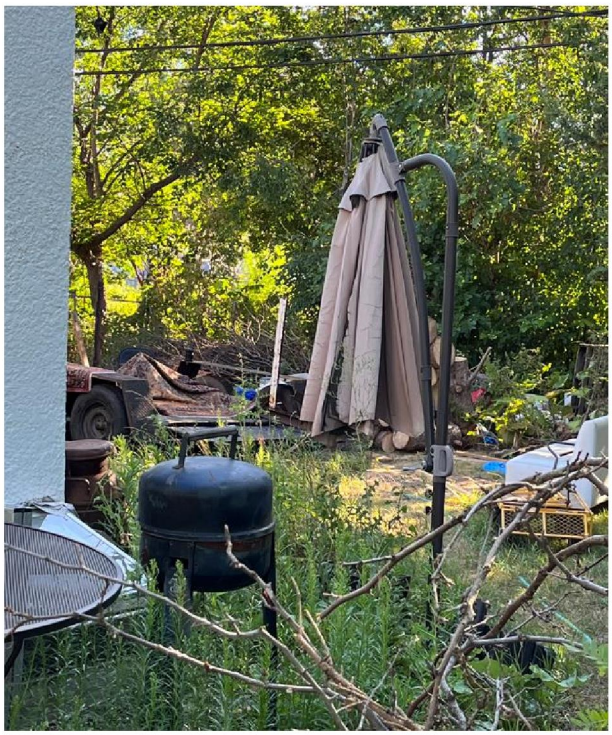

EXPLORE Minnesota.com
ADC 885
AUG
10,000 lakes
20

July 28, 2022 Photos











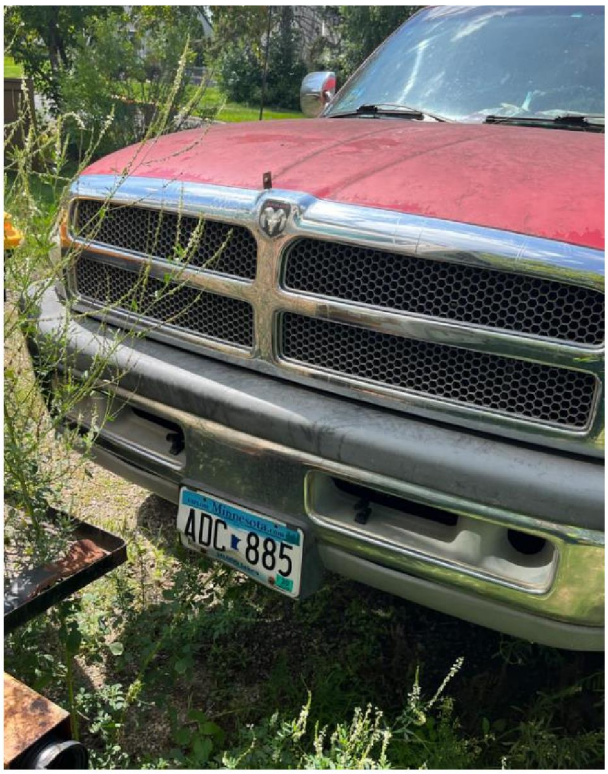



RV B5845 D
10,000 lakes


EXPLORE Minnesota.com
DTJ 893
JAN
10,000 lakes
23


EXPLORE Minnesota.com
MLC 827
AUG
10,000 lakes
21

August 29, 2022 Photos






DODGE
RV B5845 D


Posted for Towing
DODGE
RV B5845 D




Posted for
Towing


Posted for
Towing


MLC 827









September 2, 2022 Photos





September 15, 2022 Photos






EXPLORE Minnesota.com
MLC 827
AUG
10,000 lakes





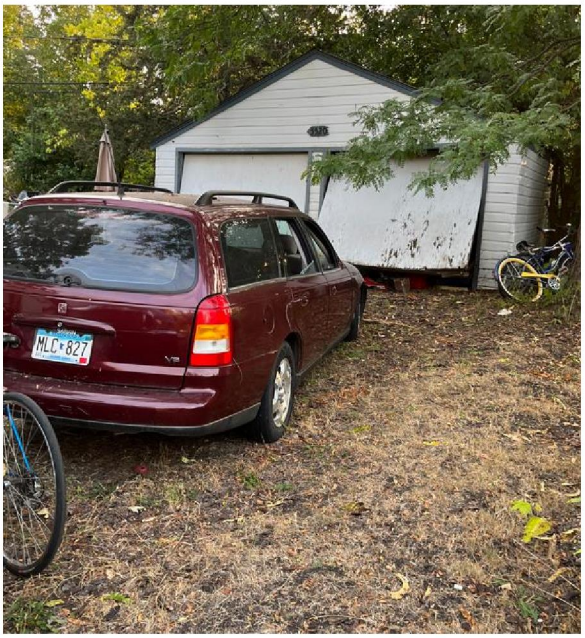

DODGE
RV B5845 D
10,000 lakes


RV B5845 D
10,000 lakes
MINN
21





October 3, 2022 Photos










inSTEP


RV B5845 D


EXPLORE Minnesota
RV B5845 D
10,000 lakes









October 26, 2022 Photos











Council Regular Meeting

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Angela Holm, Finance Director

SUBJECT: Resolution Approving the Grant Administration Policy

Requested Council Action:

Motion to approve a resolution adopting the Grant Administration Policy located in the City Code of Policies; Financial Policies Section 2.25

Background:

As a result of the City's increased pursuit of and being awarded grants from governmental as well as non-governmental entities, the City Council requested a Grant Administration Policy be established. This was initially given to staff and was later referred to the Finance Commission for completion.

The Finance Commission members met in early 2023 to discuss the request and determine the most efficient way to complete the task. City staff had obtained sample grant policies from other local municipalities as well as municipalities in other states. It was determined that each member of the Commission would review one of the policies and the group would reconvene to discuss the components of their respective policies that best represented the City's priorities.

The group attempted to reconvene several times but struggled to secure the necessary quorum to take official action.

One policy that was received by the group was from the City of Bloomington, MN. This policy was a portion of Bloomington's larger comprehensive financial policy. It had been vetted by their legal counsel and their City Council. There were many components that aligned well with Brooklyn Center's priorities. Due to not having quorum for multiple meetings, City staff elected to proceed forward with a version of the Grant Administration Policy and presented to City Council on May 22, 2023
.
At that Council meeting, a concern was brought forward from a member of the community, and there was a concern that all members of the Finance Commission had not approved the Policy. Due to this, the Council requested that additional work be done to address the concerns.

Over the course of the next several months, there were attempts to reconvene the Finance Commission. Each of these attempts was unsuccessful. Due to this, staff elected to have one additional meeting, and if that was not successful the policy would be brought back to Council.

The final meeting regarding the Grant Administration Policy was held on Tuesday, November 8th at 6:00 pm at City Hall. The meeting was posted on the City calendar several days in advance. Email communication

was sent to all Finance Commission members requesting their attendance. A remote access link was provided for interested parties. This meeting did not have quorum. The members present did have a discussion about the policy.

The most recent version of the policy is on the consent agenda for the Council meeting on Monday, November 13, 2023.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Grant Administration Policy	11/8/2023	Exhibit
Resolution - Grant Administration Policy	11/8/2023	Resolution Letter

GRANT ADMINISTRATION

The City of Brooklyn Center

DRAFT

Grant Administration Policy

Contents

Introduction
Key Resources for Grant Management
Policy Statements
Authorization to Apply for Grant Funds
Award Notification, Review, and Acceptance
Post-Award (Grant Execution and Reporting)
Grant Closeout Policy
Special Tests and Provisions

Introduction

The purpose of the Grant Administration Policy is to develop, implement, and maintain meaningful grant oversight and coordination for the City of Brooklyn Center (the "City"), the Economic Development Authority (the "EDA"), and the Housing and Redevelopment Authority (the "HRA") thereby increasing grant-related revenue, limiting exposure to grant-related legal liability, and improving the efficiency and impact of programs and services funded through grants. To simplify the reference to the City, the EDA, and the HRA within this policy, hereafter they will be referred to collectively as the "The City," unless specific emphasis is required.

The Grant Administration Policy is intended to provide a uniform method of applying for and managing grants. Procedures represent an implementation of policy and should evolve over time as new tools emerge, new processes are designed, and risks change due to environmental changes. Employees throughout the City take on the role of a grant program administrator for a specific grant when they apply for a grant and use those funds. They are the main department or division contact for that specific grant.

The Office of Management and Budget's (OMB) "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" require all recipients and sub-recipients of Federal funds to establish and maintain internal controls designed to reasonably ensure compliance with Federal laws, regulations, and program compliance requirements. Written policies and procedures are part of necessary internal controls and are required as a precondition to receiving grant funds. This policy is intended to be sufficiently comprehensive to adequately meet such requirements. However, in no case is this policy intended to supersede or limit Federal or State laws or regulations, or the provisions of individual grant agreements.

Key Resources for Grant Management

OMB Uniform Grant Guidance – Guidance provided by the Federal government that is updated yearly. Such updates are reviewed by the City as they become available, and policies and procedures will be revised accordingly when necessary. An example of the May 2022 version can be found at: www.whitehouse.gov/wp-content/uploads/2022/05/2022-Compliance-Supplement_PDF_Rev_05.11.22.pdf

The Code of Federal Regulations (CFR) - The codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government. It is divided into fifty titles representing broad areas subject to Federal regulation. The ***Electronic Code of Federal Regulations (eCFR)*** is a continuously updated online version of the CFR and provides enhanced features that are not part of the published CFR: https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1

City of Brooklyn Center Personnel Policy – All City employees working on grants will comply with the City's employment rules and policies as defined in the City's Personnel Policy.

City of Brooklyn Center Purchasing Guidelines – All grant purchases will comply with the City's Purchasing Policy.

City of Brooklyn Center Grant Administration Procedure Manual – All employees engaged in grant activities will reference the Grant Administration Procedures Manual for guidance on executing required grant policies. (Note: This procedure manual is currently being drafted to incorporate the policy provisions included in the final version of this policy)

Policy Statements

- **Hierarchy of Authority.** Following the guidance provided in the grant award documentation is the primary resource. In the event of conflicting guidance on the administration of Federal awards, the City has deemed Federal guidance to be most authoritative, followed by other State guidance and then local agency guidance.

- **Revisions.** The City is required to establish and document policies and procedures to ensure compliance with the provisions of Federal and State regulations and the provisions of grant agreements. Grant policy and procedures revisions will be reviewed and updated as necessary, but not less than once every five years.

- **Training.** City personnel will be provided necessary finance, procurement, and grant training. Procedures related to the policies within this document will be detailed in a separate Grant Administration Procedure Manual.

- **Compliance Failures.** Compliance failures, whether noted internally or through the external audit process, will be addressed immediately by reviewing the reason for the failure with responsible personnel and devising an improved process to encourage compliance in the future. If discipline is deemed appropriate, the discipline outlined in the City's Personnel Policy will be followed.

- **Contractual Requirements.** The City will comply with all contractual requirements detailed in its duly executed grant agreements with awarding agencies. This includes adhering to all reporting requirements, eligible expenditure requirements, and grant periods as stated in the agreement.

- **External Financial Audit.** The City will contract annually with an independent Certified Public Accountant firm for the purposes of conducting the City's external financial audit. To the extent that the City has expended Federal awards more than the applicable Federal Single Audit limit (currently $750,000), the City will have a Federal Single Audit performed in accordance with the Uniform Grant Guidance, Code of Federal Regulations, Title 2, Subtitle A, Chapter II, Part 200, Subpart F, Audits.

- **Retention Policy.** Accounting and financial records (including journal entries, timesheets, invoices, audit reports, and similar documents) shall be retained as required by contractual or regulatory requirements. The City has adopted a records retention schedule as its official guide for records storage, filing, and destruction of accounting and financial records. If the grant specifically requires a longer records retention policy, that grant requirement supersedes the City's retention policy requirements.

- **Federal Suspension and Debarment List.** Department and division Grant Program Administrators will be responsible for verifying that any vendor paid with Federal grant dollars is not on the Federal suspension and debarment list. This list is also a helpful tool for all vendors paid with grant dollars and should be consulted as appropriate.

- **Federal Capital Purchases.** Inventory of Federal capital purchases will be maintained by the Finance Department, and all items will be tracked annually.

- **Publicity Statements.** All department and division Grant Program Administrators will adhere to the funder's guidelines for publicity statements in coordination with the City's Communication Division. Proper acknowledgement will be given to the funder.

- **Minority and Women's Business Enterprises.** In accordance with the Code of Federal Regulations, all department and division Grant Program Administrators will take all necessary affirmative steps to ensure that minority businesses and women's business enterprises, and labor surplus area firms are used when possible.

- **Preference for materials purchased in the United States.** In accordance with the Code of Federal Regulations, as appropriate and to the greatest extent practicable under the Federal grant award, there should be a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).

Authorization to Apply for Grant Funds

The City Manager will authorize grant application submissions and City Council will authorize award acceptance. All award acceptance authorized by the City Council shall also authorize any required budget adjustments for the City. The HRA or EDA Boards will approve authorization for HRA or EDA

grant application submissions, award acceptance, and required budget adjustments. This is necessary to:

- Ensure grant funds are aligned with strategic priorities;
- Highlight any requirements for matching funds;
- Allow for City Council, Commission, or Board consideration of the sustainability of the project or program after the grant period ends;
- Ensure that grant funded personnel are on a contract basis;
- Consider staff capacity to effectively manage the project or program; and
- Bring awareness to the City Council, Commission members, Board members, and public of grant applications.

Formula grants, recurring Federal funds, and recurring State aids are not required to follow these authorizations. All grant awarded shall have a resolution created and submitted to the City Council, EDA, or HRA Board to accept the award and approve any required budget adjustments. The resolution shall include the original grant solicitation and application including all documents submitted as part of the application as well as communications with the grantor regarding the grant application and award.

All grant applications and supporting application documentation, including initial grant solicitations or advertisements, must be stored in accordance with the City's Document Retention Policy.

Award Notification, Review, and Acceptance

- Within five (5) calendar days of receipt of the grant award, the department or division's grant program administrator must forward a copy of the award notification, the grant agreement or contract, and any memoranda of understanding to the City's Finance Department.

- The City's Finance Department, in collaboration with the City Attorney, shall conduct a review of all grant agreements to assess the terms and conditions of the agreements and ensure the City's interests and obligations are identified.

- If the legal review identifies any potential legal issues stemming from the terms and conditions of the agreement, the submitting department or division must contact the granting entity and seek to resolve the issue.

- If the legal review identifies no potential legal issues stemming from the terms and conditions of the agreement, the Finance Department will forward the grant agreement and any related exhibits to the City Clerk for signature by the City Manager or the Mayor, remaining consistent with the signature guidelines contained within the City's purchasing policy.

Post-Award (Grant Execution and Reporting)

- No grant funds shall be disbursed until the award letter has been received from the awarding agency, and a fully executed agreement has been signed by the City/EDA/HRA, as applicable, and the granting entity.

- Grant funds awarded to the City shall not be used to supplant an existing expense so that current funds can be diverted to another use unless such use of grant funds is explicitly identified as allowable in writing by the granting entity in the grant award.

- All revenue resulting from a grant-funded project or program shall adhere to the City's policies and procedures and be managed and maintained as established in the award letter, grant agreement, contract, special conditions, or other documents generated by the granting entity.

- All procurement activity associated with grant-funded projects or programs shall follow the procedures outlined in City's Purchasing Policy.
- All property acquired through grant funds shall be subject to the City's Purchasing Policy and Statewide procurement requirements, as well as any restrictions and/or requirements set forth within the terms of the grant, including any applicable Federal rules or regulations.

- Department and division grant program administrators are ultimately responsible for adherence to the conditions outlined in the approved grant award/contract to ensure that allowable expenditures are incurred.

- Department and division grant program administrators in collaboration with the Finance Director are responsible for monitoring all grant related activities and expenditures to ensure compliance with the grant.

- Department and division grant program administrators in collaboration with the Finance Director are responsible for the oversight and monitoring of any sub-recipients or sub-awardees.

- All grant documentation including award letters, signed grant agreements, related appendices or exhibits, addendums, subsequent communications, and interim financial reporting must be stored in accordance with the City's Document Retention Policy.

Grant Closeout Policy

- Upon completion of the grant period of performance, the department or division grant program administrator must prepare a memorandum to the Finance Director identifying the name of the grant and description of the final disposition of the funds and required activities.

- If the grant is at risk of not being fully expended within six months prior to the end of the grant cycle, the department or division Grant Program Administrator and the Finance Director will develop a plan.

- Upon review of the closeout memorandum and addressing any discrepancies, the Finance Director will confirm grant closeout and submit any final documentation to the granting entity.

Special Tests and Provisions

To ensure compliance with these requirements, the Finance Director will be assigned the responsibility of identifying financial-related compliance requirements for special tests and provisions, determining approved methods for compliance, and retaining any necessary documentation. Program-related compliance requirements will be the responsibility of the department or division administering the grant.

Effective Date:

(Originated 07-2023)
Policy should be updated at least every 3 years.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING THE GRANT ADMINISTRATION POLICY FOR THE CITY OF BROOKLYN CENTER

WHEREAS, the City Council tasked the Finance Commission to develop a city grant administration policy to establish consistent procedures for all grants secured by the city; and

WHEREAS, the Finance Commission has crafted a Grant Administration Policy based on information from other municipalities; and

WHEREAS, the Grant Administration Policy will be added to the City Code of Policies; Financial Policies; Section 2.25; Grant Administration Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota adopts the Grant Administration Policy located in the City Code of Policies; Financial Policies Section 2.25.

November 13, 2023
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council/EDA Work Session
City Hall Council Chambers
November 13, 2023

AGENDA

ACTIVE DISCUSSION ITEMS

1. Fire Truck Purchase Plan

PENDING LIST FOR FUTURE WORK SESSIONS

1. Upcoming Items
    - Memorial Policy
    - Special Assessment Policy/Franchise Fees *(referred to Financial Commission)*
    - Beautification and Public Art Commission
    - Liquor Store 2
    - Organizational Chart-Budget work sessions
    - New and Repeat Type IV Rental License Review *(referred to Housing Commission)*
    - Food Truck Ordinance/License
    - Emerald Ash Borer Policy Review (*referred to Park & Rec Commission November)*
    - Opioid Settlement
    - ARPA Funds
    - Grants: Revenues & Expenses
    - Purchasing Policy
    - Interveners Impact
    - Revisit Resolution 2021-73

Council/EDA Work Session

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Todd Berg, Fire Chief/Emergency Manager and Angela Holm, Finance Director

SUBJECT: Fire Truck Purchase Plan

Requested Council Action:

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Council/EDA Work Session

DATE: 11/13/2023

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Dr. Reggie Edwards, City Manager

SUBJECT: Upcoming Items

Requested Council Action:

- Memorial Policy
- Special Assessment Policy/Franchise Fees *(referred to Financial Commission)*
- Beautification and Public Art Commission
- Liquor Store 2
- Organizational Chart-Budget work sessions
- New and Repeat Type IV Rental License Review *(referred to Housing Commission)*
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Background:

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