

AGENDA



1. City Council Discussion of Agenda Items and Questions - 6 p.m.

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

2. Miscellaneous

3. Discussion of Work Session Agenda Item as Time Permits

4. Adjourn

**CITY COUNCIL
MEETING**

City Hall Council Chambers
October 8, 2018

AGENDA



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

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

2. Invocation - 7 p.m.

3. Call to Order Regular Business Meeting

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

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- *Motion to approve the minutes for:*

- *September 17, 2018 Joint City Council and Financial Commission*
- *September 24, 2018 City Council Regular Session*
- *September 24, 2018 City Council Work Session*

b. Approval of Licenses

- *Motion to approve of the licenses as presented*

c. Resolution Granting the Approval of Phase II Project at Carrington Drive Apartment Complex

- *Motion to approve a resolution for Phase II Project at Carrington Drive Apartment Complex.*

d. Resolution Declaring a Public Nuisance and Ordering the Removal of Dead Trees at Certain Properties in Brooklyn Center, Minnesota

- *Motion to approve a resolution Declaring a Public Nuisance and Ordering the Removal of Dead Trees for Certain Properties as listed in the resolution*

e. An Ordinance Amending Chapter 23 of the City Code of Ordinances

Regarding Tobacco and Tobacco Related Products

- Motion to approve the first reading of the ordinance and call for a Public Hearing and second reading which will be held on November 13, 2018.

- f. Resolution Declaring a Public Nuisance and Ordering the Removal of Diseased Trees at Certain Properties in Brooklyn Center, Minnesota
 - Motion to approve a resolution Declaring a Public Nuisance and Ordering the Removal of Diseased Trees at Certain Properties in Brooklyn Center, MN*

7. Presentations/Proclamations/Recognitions/Donations

- a. Proclamation for Pregnancy and Infant Loss Remembrance Day
 - Motion to proclaim October 15th as Pregnancy and Infant Loss Remembrance Day*
- b. Proclamation Recognizing National Community Planning Month
 - Motion to proclaim October as National Community Planning Month*

8. Public Hearings

- a. An Ordinance Amending Chapter 12 of the City Code of Ordinances Regarding Rental Licensing
 - Motion to adopt an ordinance amending Chapter 12 of the City Code of Ordinances regarding rental licensing.*

9. Planning Commission Items

10. Council Consideration Items

- a. Resolution Approving a Type IV - 6 Month Provisional License
 - Motion to approve a resolution for a mitigation plan and Type IV-6 Month Provisional license for 5331 70th Circle*
- b. Release of Draft 2040 Comprehensive Plan for Public Comment
 - Motion to accept the Draft 2040 Comprehensive Plan and release it for public comment*

11. Council Report

12. Adjournment

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the minutes for:*

- *September 17, 2018 Joint City Council and Financial Commission*
- *September 24, 2018 City Council Regular Session*
- *September 24, 2018 City Council Work Session*

Background:

Strategic Priorities and Values:

Operational Excellence

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

JOINT WORK SESSION WITH FINANCIAL COMMISSION
SEPTEMBER 17, 2018
CITY HALL - COUNCIL CHAMBERS

I. CALL TO ORDER

The Brooklyn Center City Council met in Joint Work Session with the Financial Commission and the session was called to order by Mayor Tim Willson at 6:30 p.m.

Mayor Tim Willson and Councilmembers Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, and Deputy City Clerk Rozlyn Tousignant. Councilmember Marquita Butler was absent and excused. Councilmember Lawrence-Anderson was absent. Councilmember Graves arrived at 6:40 p.m.

Others present were Financial Commission Chair Teneshia Kragness and Commissioners Abate Terefe, Tia Hedenland, and Dean Van Der Werf.

II. APPROVAL OF AGENDA

Mayor Willson opened the session as an informational meeting citing an absence of Council quorum.

III. 2019 CITY MANAGER RECOMMENDED LEVY

City Manager Curt Boganey said that staff had prepared the budget under the guidelines set forth by the City Council. After Council review, modifications were made and the proposed budget is within the maximum parameters provided at the beginning of the process. Councilmember Graves

Commissioner Van Der Werf inquired whether the Fire Inspector and Safety Tech. are to be deferred to another year. Mr. Boganey explained that they are two new Full-Time positions, which were created in response to the need for daytime firefighters. Mr. Boganey went on to state that this will be deferred and that staff is hoping, within the year, to come up with a better solution than hiring Full-Time positions.

Mayor Willson referenced the \$16.16 minimum wage initiative discussed at previous Council meetings, and inquired how a 3% raise would affect the initiative. Mr. Boganey stated that the 3% does not apply to the livable wage contribution. Mr. Boganey continued that the City would hire a consultant to assess what the effect of the adjustment would be.

Councilmember Graves addressed a concern for transparency with police data and record keeping. A discussion was held regarding best practices regarding police data.

Councilmember Ryan inquired about the four Neighborhood Engagement Liaison positions and

how those differ from the Community Engagement Specialist. Mr. Boganey responded that the Community Engagement Specialist would serve as the supervisor for the Neighborhood Engagement Liaisons who will be working out in the community.

Mayor Willson inquired where Code Enforcement would be doing sweeps within the City in 2019. Mr. Boganey responded that the City does not designate specific neighborhoods to run code enforcement checks, rather the City has an ongoing proactive approach as well as responding to code complaints received.

A discussion was held regarding body-worn cameras for Police Officers and best practices when receiving complaints on cases.

Councilmember Ryan inquired how much of a property tax increase the median home could expect to receive. Mr. Reinhardt responded that approximately 4%, or \$119, is what homeowners can expect.

IV. ADJOURNMENT

Mayor Willson explained that there would be no need for adjournment because there was not a quorum when the informational meeting began.

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

REGULAR SESSION
SEPTEMBER 24, 2018
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

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

ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, Public Works Director Doran Cote, Community Development Director Meg Beekman, City Clerk Barb Suci, Police Chief Tim Gannon, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

Mayor Tim Willson opened the meeting for the purpose of Informal Open Forum. He announced the City Council is working on a parking ordinance and should it be adopted, that information will be provided at this point in the meeting going forward.

Paul Yang, 5925 Pearson Drive, described his work with City staff to renew a rental license and why he believes there is a record of the Enforcement Officer's actions as recklessness. He stated he had sent in the required report but staff indicated they have no record. During his second visit to City Hall, he was told his rental property had eight violations to correct. Mr. Yang stated he received a letter saying his property has a validated number of police calls and labeling his property as a problem property and his renters as bad. Mr. Yang stated if the rules apply to all, he accepts them but this is not fair.

Emily Anderson, 4136 Columbus Avenue, Minneapolis, Association for Nonsmokers of Minnesota (ANSR), stated they are dedicated to reducing the impact of tobacco use and strongly encourage the City to restrict the sale of flavored tobacco products to 21 years of age. She showed the City Council several tobacco products that are flavored and encouraged including menthol in the option of flavored restriction. Ms. Anderson stated she believed the use of tobacco was on the backs of minorities and the poor.

Maima Freeman, 6852 Grand Place North, tenant of Victoria Townhomes, stated she is being charged for repairs in her unit, late fees on these charges, and then the City inspects and the repair is completed incorrectly, the maintenance person has to make the correction in the repair, which results in another repair charge to her.

Mayor Willson stated the City is already meeting with the management of Victoria Townhomes on some of these issues. He encouraged Ms. Freeman to contact management as well as City staff to participate in those discussions.

Denise Butler, 7552 Brunswick Avenue N., tenant of Victoria Townhomes and African Career Education Resource (ACER) employee, stated she has been working with residents and City staff to address Victoria Townhome issues but things are not changing. She believed there has been exploitation by management who are extorting fees for making repairs, a continuous cycle with late fees, and a 10% interest rate on late fees so residents are not able to get ahead. In addition, Victoria Townhomes has not had livable conditions for a long time. With regard to the parking issue, Ms. Butler believed it is not fair and discriminatory practices when residents cannot park in the complexes and are then double charged to park on City streets, especially during winter months as they deal with shoveling around cars. Ms. Butler asked the City to look into and address these issues appropriately.

Mayor Willson asked Ms. Butler whether she had contacted the State Attorney General's office about the fees being charged. Ms. Butler stated she would take that suggestion into consideration.

Veronica Lewis, 2830 North Way Drive, stated there are not a lot of parking spaces. She explained most women work late and since the lights are not on in the back of the complex, they park in a safe place on the street and then get citations. Ms. Lewis stated last year, they asked the City to look into parking for young mothers with children.

Hamza Hussan, 2406 Lyndale Avenue South, ACER community organizer, was introduced but made no comments at this time.

Councilmember Ryan moved and Councilmember Graves seconded to close the Informal Open Forum at 6:57 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Lawrence-Anderson read a quote relating to peace as the Invocation.

3. CALL TO ORDER REGULAR BUSINESS MEETING

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

4. ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were Deputy City Manager Reggie Edwards, Finance

Director Nate Reinhardt, Public Works Director Doran Cote, Community Development Director Meg Beekman, Planner and Zoning Administrator Ginny McIntosh, City Clerk Barb Suci, Police Chief Tim Gannon, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Ryan stated he thought about requesting to remove Item 6f, First Reading of an Ordinance Amending Chapters 1 and 19 of the City Code of Ordinances Regarding Chickens, from the Consent Agenda to allow for discussion. However, given the nature of the ordinance and its complexity, feels it would place staff at a disadvantage. Councilmember Ryan noted the City Council considers routine matters or first reading of ordinances on the Consent Agenda but the public is not then aware of the item. He believed by calling attention to the item, the press will report on it and folks at home will become aware and contact elected officials about the issue. Councilmember Ryan stated the City Council has heard from those who are interested in allowing chickens in residential yards but not heard much from people who may have a different take on it.

Mayor Willson stated he tends to agree as he is not in favor of a first reading of this ordinance on the Consent Agenda and would prefer it be considered on the regular agenda along with a public hearing so residents have time to formulate an opinion by the time it is considered for second reading. He supported removing Item 6f for consideration as Item 10c on the regular agenda.

Councilmember Butler stated this topic has been discussed and received press coverage but she would not object if the City Council wants to remove it from tonight's Consent Agenda.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to approve the Agenda and Consent Agenda, as amended, to remove Item 6f, First Reading of an Ordinance Amending Chapters 1 and 19 of the City Code of Ordinances Regarding Chickens, for consideration as Item 10c, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. September 10, 2018 – Study Session
2. September 10, 2018 – Regular Session
3. September 10, 2018 – Work Session

6b. LICENSES

MECHANICAL

AirTech Thermex, LLC
Heating & Cooling Design, Inc.
Knott Mechanical, Inc.

4918 W. 35th Street, St. Louis Park, 55416
13234 Urbank Ct. NE, Blaine, 55449
3051 220th Street E., Prior Lake, 55372

MNP Mechanical LLC
Pierce Refrigeration

16320 Harvard Drive, Lakeville, 55044
1920 2nd Avenue, Anoka 55303

TOBACCO RELATED PRODUCTS

Casey's Retail Company 2101 Freeway Blvd., Brooklyn Center 55430
Dbas: Casey's General Store

RENTAL

INITIAL (TYPE III – one-year license)

4201 Lakeside Ave. #203

Cary Liesinger

INITIAL (TYPE II – two-year license)

5207 63rd Avenue N

6261 Brooklyn Dr.

4741 Twin Lake Ave.

Samuel Carrillo

Ruben Zempoaltecatl

Joseph Cheney

RENEWAL (TYPE III – one-year license)

5500 Bryant Avenue N.

Donovan Gilbert

Missing 1 ARM Meeting

6907 Palmer Lake Dr. W.

RHA 3, LLC

5900 Pearson Dr.

Mary T. Properties

Missing 1 ARM Meeting

RENEWAL (TYPE II – two-year license)

2318 55th Avenue N.

Helen Osonowo

4908 Abbot Avenue N.

Aaron Burmeister

7031 Humboldt Avenue N.

Invitation Homes

5812 Scott Avenue N.

Lankia Lartey

RENEWAL (TYPE I – three-year license)

2806 65th Avenue N.

A-Jelil Abdella

1325 68th Lane N.

Konrad Wagner c/o Phil Beaumia

2932 69th Lane N.

Mayerling Rios

5356 71st Circle

Xiaoyan Hu

5927 Aldrich Avenue N.

Yue Liu

6315 Brooklyn Blvd.

Raymond He

5819 Dupont Avenue N.

Tiet Nguyen

5230 Great View Ave.

JDA Group LLC c/o Julie Atkinson

4013 Joyce Lane

Frederick Heim

6701 Scott Avenue N.

Olaleye Oluwabukunmi Olagbaju

**6c. RESOLUTION NO. 2018-164 ACCEPTING WORK PERFORMED AND
AUTHORIZING RELEASE OF FUNDS FOR CERTAIN FINANCIAL
GUARANTEES BEING HELD BY THE CITY**

- 6d. RESOLUTION NO. 2018-165 DECLARING PUBLIC NUISANCE AND ORDERING THE REMOVAL DEAD TREE**
- 6e. RESOLUTION NO. 2018-166 OPPOSING OFF SALE OF ANY STRONG BEER, SPIRITS & WINE AT ANY OUTLET OTHER THAN A BROOKLYN CENTER MMUNICIPAL LIQUOR STORE**
- 6f. APPROVE FIRST READING OF AN ORDINANCE AMENDING CHAPTERS 1 AND 19 OF THE CITY CODE OF ORDINANCES REGARDING CHICKENS.** This item was considered as Agenda Item 10c.

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. NATIONAL SUICIDE PREVENTION AWARENESS MONTH

Mayor Willson read in full a Proclamation declaring September as National Suicide Prevention Awareness Month. He noted September is also Drug Addiction Awareness Month and he hopes a proclamation will come forward on that issue as well.

Councilmember Graves moved and Councilmember Lawrence-Anderson seconded to Proclaim September as National Suicide Prevention Awareness Month.

Motion passed unanimously.

8. PUBLIC HEARINGS

8a. ORDINANCE NO. 2018-11 AMENDING CHAPTER 27 OF THE CITY CODE OF ORDINANCES RELATING TO SNOW EVENT PARKING RESTRICTIONS

Deputy City Manager Reggie Edwards recognized Police Chief Gannon to present this item.

Police Chief Gannon discussed the history and stated the purpose of the proposed ordinance to revise the parking ordinance. He reviewed the City's current parking restrictions that are enforceable. The consideration is for additional restriction of no on-street parking during any event of 2.5 inches or more until roads are plowed curb to curb, enhanced enforcement and towing during snow events, and enhanced public education and outreach.

Police Chief Gannon reviewed the benefits of such restrictions for Public Works to maintain safe roadways, keep the streets clean and open for emergency personnel, make it easier for police to identify suspicious vehicles, and address citizen complaints about plow arounds that result in leaving behind a big bank of snow.

Police Chief Gannon presented feedback from Public Works relating to the number of vehicles cited during 2017 snow events and displayed pictures of cars parked during snow events. He

described the communication plan developed by staff to ensure the public is well aware of the revised parking ordinance, noting this plan outlines the means and methods by which the public will be provided the changes to the ordinance as well as the current parking restrictions on record in the City. In addition, Community Outreach can be used to get out the word and the information will be printed in English and Spanish so all will know. Police Chief Gannon stated his hope is that no vehicles have to be towed during the first snow event of the season.

Chief Gannon noted the City's 26 entry signs display current overnight parking restrictions so each will have to be replaced with the new parking restrictions identified.

Councilmember Butler stated it is known that apartment parking is a concern, noting the City has a regulation on the number of parking spaces that have to be provided and asked how the City can assure apartment residents are not impacted. Dr. Edwards confirmed apartments are required to provide 'x' amount of parking and that comes from licensing.

City Attorney Troy Gilchrist explained if the apartment building was constructed several years ago, the parking restrictions at that time would have been applied. That may not be the same requirement in the current ordinance. He stated if the concern is that the parking does not meet today's ordinance, it is likely that was not the requirement at the time the apartment building was constructed. Mr. Gilchrist explained that once the apartment exists and is permitted, it can continue even though it does not comply with current standards.

Councilmember Graves stated she raised the issue of parking at a Work Session because of concern whether the current ordinance was equitable or disproportionately affecting low-income households and people of color, and was counterproductive with the City's strategic goal of residential economic development. She noted that initially, the feedback from the City Council was that they did not want to discuss changing it further. Councilmember Graves stated it should be equitable for more residents and that is why she voted nay on this ordinance. She raised the option of talking to business owners with empty lots to facilitate residents for having a place to park as people are already getting tickets and now it will be compounded by towing cars. Councilmember Graves stated she understands the importance of having safe and clean streets, but the City is doing a good job of that already. She stated she will vote nay on this ordinance because the City Council has not been able to discuss the things that are also important.

Councilmember Ryan moved and Councilmember Butler seconded to open the Public Hearing. Motion passed unanimously.

Denise Butler, 7552 Brunswick Avenue N, stated her agreement with Councilmember Graves that discussion of inequities is being avoided and not taken into consideration. She asked how many people are allowed in a one-bedroom apartment, noting if there are three occupants and the apartment has one parking space, then the other person legally on the lease does not have a spot and has to park on the street. Also, college students are returning to live at home and bringing their vehicle. Ms. Butler stated another issue is small driveway space for multiple drivers in one household so they also need to access the streets. Ms. Butler asked the City Council to look at economic impact as we are trying to build the tax base. She also asked who we are trying to accommodate, existing residents or future residents we want to live here.

Abate Terefe, 5101 Howe Lane, stated last year, his wife went to Minneapolis and her car was towed on a snow day. He went to the impound lot at 5 p.m. but didn't get the car until midnight. He stated if this ordinance goes into effect, single moms will not have the opportunity to pick up their car. Single moms will need someone to watch their kids, and someone will need to give them a ride. He agreed with the need for safety of streets, and suggested some way to increase a charge to pay \$45 now, thinking that would be equitable to low-income and single mom families.

Ephraim Olani, 3813 51st Avenue N, stated he likes both ways and thinks what the Police Chief proposes is nice to have a clean street but it will be a huge burden on our community. He suggested the City allow time between when the snow is 2.5 inches to allow 12 hours or 24 hours before the ordinance takes place so people have enough time to remove their cars.

Mayor Willson asked if he was suggesting that with a ten-inch snowfall, the streets would not be plowed for 12 to 24 hours. Mr. Olani stated residents need ample time, like 6 hours or 12 hours, to move their car. Mayor Willson noted during that time then, emergency vehicles would not be able to use the City's streets. Mr. Olani stated it is a huge burden on the people of the community because they do not have enough space to park. He believed the probability is small that an emergency vehicle is needed compared to the number of residents impacted if their car is towed. Mayor Willson commented on the impact to a family should emergency vehicles not be able to reach a family member experiencing a medical emergency.

Councilmember Graves asked about plowing that is timed and staggered in specific areas so people know when the plow is coming, which may solve some of the problems. If possible, then people would know where they could move their cars to an area already plowed and once their street is plowed, they could move it back. She stated she does not know if that system is used by other cities but if done right, it could solve both problems.

Hamza Hussan, 2406 Lyndale Avenue South, ACER community organizer, asked if an odd/even plowing system like they use in Minneapolis would be a resolution to that issue.

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

Motion passed unanimously.

Councilmember Ryan stated at first an odd/even plowing schedule may sound like an idea worth exploring but snowfall does not occur on a regular schedule and the City needs to respond flexibly to weather events. He stated he is not oblivious to the concerns expressed and has experienced them himself when he lived in St. Paul so he is sensitive to the experience. But at the same time, the City has a safety obligation to clear the streets. He noted there are streets in Minneapolis that become impassible for two oncoming cars after several snow events and Brooklyn Center cannot let that happen.

Councilmember Ryan stated support for staff to explore the option of cooperative agreements between apartment and business owners where the business parking lot can be used. But, that is

still at the discretion of the retail spaces that have parking lots and not something the City can mandate. He noted there is a public safety mandate to clear streets.

Councilmember Ryan stated many apartments were constructed in the 1960s when fewer parking spaces were required and now for affordability, more people may be sharing an apartment. He stated he wished the City Council could address every equity but would ask how the City would have the resources to do so. He stated addressing the safety imperative will cause a lot of people to be angry and he does not see a solution there.

Councilmember Graves stated the ordinance is before the City Council and the other options around parking are not under discussion but she would support having that consideration. She suggested a routine staggered plowing schedule, not something based on a whim. She stated some areas may be more congested because there is not adequate parking but 135 to 145 cars are typically plowed around and that has not been enough to create an emergency, and that is without the towing. Councilmember Graves asked about the cost to families versus the inconvenience. She stated she has not heard about accidents or incidents around the plowing but understands the convenience part. She suggested the conservation include the time when the plows will be in their neighborhood and how to communicate that to residents, which adds to the effort on the changes being made

Mayor Willson stated if the City could guarantee when 2.5 inches of snow is hit, then the process suggested by Councilmember Graves makes sense. But if it occurs at 6 p.m. and the City can't plow that street until 8 p.m. because that is the timeline, it goes against the concern of maintaining public safety and emergency vehicle access. He stated should a fire truck or ambulance not be able to get through the streets or there is a delayed response, then there would be a law suit against the City.

Councilmember Graves asked if that has ever happened. She stated she is not suggesting the streets not be plowed, which is important to the safety of the residents, but the issue is ticketing 135 cars possibly when she does not think the need has been demonstrated. Councilmember Graves felt there must be a way to minimize the number being ticketed. She stated whoever is in charge of plowing probably knows the areas plowed first, such as the most trafficked streets, and then the less trafficked residential streets are plowed and on to the next, creating a staggered timeline so you can expect when the plows will be in your neighborhood. She suggested that information be part of the communication plan.

Mayor Willson stated Public Works could be asked about that option. He asked how that could be communicated to the public.

Councilmember Graves stated it can be communicated using public media, noting if there is a window of time that it is known the plows will be in your neighborhood, then you will know the vehicle needs to be moved during that time. She stated she has had her car towed and ticketed and if she can't get to work, she can't feed her family or pay rent. For those of low income, that can be enough to make them lose their homes and become homeless and she does not want to be part of that to keep streets cleaner.

Councilmember Ryan stated the search for a solution is laudable but the City Council is not Public Works and does not know if that is an option. He stated he thinks smart phones and texting can make residents aware of the snow event and that cars have to be moved. He noted that both Minneapolis and St. Paul tow vehicles and he has experienced that himself but baring a practical solution that gets the streets plowed and cleared and ensure streets are not blocked by cars parked on both sides, an enforcement mechanism is needed. He stated he would be interested in finding out options to get more off-street parking but the City does not have the means to create that without voluntary cooperation of retail spaces, which may then be at a distance and not practical.

Councilmember Butler stated when this was first brought to the City Council's attention, she viewed it with a privileged eye as it is not a problem for her to keep her car off the street. Councilmember Butler agreed the City has a responsibility for clean and safe streets but also not put residents in a position when it knows some apartment parking is not up to today's code so residents have to park along the street. She stated she is not comfortable with the City Council not addressing that issue and trying to get rid of an annoyance, which is a travesty for residents.

Councilmember Lawrence-Anderson stated she had an ambulance at her house last Monday and will likely have that occur again so she is sensitive to the need for emergency vehicle access.

Mayor Willson stated he also understands need for public safety and clean streets, noting Brooklyn Center is not Minneapolis with that many cars or streets. He stated public safety is a primary goal of any Council to assure safe streets and emergency service access, so fire and police departments and EMT service can to get to homes. Mayor Willson stated the City cannot dictate to provide more parking. The apartments are a business and if their business model is not working due to parking, then the apartment will go out of business. Mayor Willson noted the City is not a landlord or parking official or charged with providing parking for residents across the City. For the City to consider that, property owners would have to step up and agree to pay more taxes to build parking lots for apartments. Mayor Willson stated he does not support the City being involved in that aspect.

Mayor Willson moved and Councilmember Ryan seconded to adopt ORDINANCE NO. 2018-11 Amending Chapter 27 of the City Code of Ordinances Regarding Parking.

Councilmembers Butler and Graves voted against the same. Motion passed.

**8b. RESOLUTION NO. 2018-167 AND CONTINUED SPECIAL ASSESSMENT
HEARING FOR PROPOSED SPECIAL ASSESSMENTS AND
ADMINISTRATIVE FINES**

Deputy City Manager Reggie Edwards introduced Community Development Director Meg Beekman to present this item.

Community Development Director Meg Beekman noted on September 10, 2018, the City Council moved to continue the Public Hearing until tonight for 3318 50th Avenue N., 6138 Colfax Avenue N., 4207 Lake Side Avenue N., Unit 0240, and 6612 Ewing Avenue N. due to

appeals. Ms. Beekman referenced the staff report that contained information specific to the property's special assessment appeal as follows:

3318 50th Avenue N.

A proactive inspection noted a repeat violation with an improperly stored vehicle so a citation was issued, and the owner appealed the violation. Staff recommends the citation be removed from the special assessment roll as the fine was stayed by a hearing officer.

6138 Colfax Avenue N.

A proactive inspection noted inoperable vehicles at the property and multiple complaints were also received. After multiple notices and verbal warnings, citations were issued. Staff received a written appeal from the owner saying the vehicle in violation only had a flat tire for 12 hours. Three citations were issued. The first \$125 citation was paid, the \$250 citation issued on June 8, 2018, was for multiple inoperable vehicles on multiple occasions. A \$500 citation was issued on June 26, 2018, for another vehicle with a missing tire. After additional review, staff found the violation was temporary and corrected in a timely manner. Therefore, staff is recommending the \$500 fee be waived and the special assessment reduced to \$250 plus the \$40 certification fee.

Mayor Willson asked if the red vehicle in the picture does not have a license plate, noting that is required by ordinance. Ms. Beekman stated there were multiple inoperable vehicles and the third citation was for a specific vehicle but staff could not verify it was inoperable for 48 hours.

Mayor Willson stated vehicles still need a license plate otherwise it is not licensed to drive on the streets in Minnesota. He stated he spent a lot of time in neighborhoods this past summer and found there is a problem with vehicles without current tags parked in neighborhoods.

City Attorney Troy Gilchrist clarified that the vehicle mentioned by Mayor Willson was part of an earlier citation.

4207 Lakeside Avenue N. #0240

The owner stated he was out of the country, had moved, and asked the fee to be reduced or removed. Staff found the property's rental license expired on September 30, 2017. The owner was sent two notices for delinquent property taxes before a citation was issued on November 16, 2017, for renting without a license. On November 21, 2017, the taxes were paid and the license was issued on December 11, 2017. Staff recommends the assessment of \$300 plus the certification fee of \$40 be specially assessed to the property taxes.

6612 Ewing Avenue N.

The owner stated he was not sure what the citation was for as he had purchased the house in February 2018. Staff found the citation was issued to the previous property owner for exterior storage violations after verbal warnings and notices. Typically pending assessments are paid at the time of closing when the property is sold since this violation was on the record. She explained in the past, the City has moved forward with the assessment and suggested the property owner appeal to the title company. But those situations involved an abatement. In this case, it is a citation so you could argue the \$125 cost was not born by the City. Staff

recommends the citations incurred by the previous property owner be waived and the special assessment be removed.

Mayor Willson agreed the title company should have found the citation and since this is a new owner, he supports staff's recommendation to waive the citation.

Councilmember Ryan asked if any of the appellants are present tonight. Ms. Beekman stated they are not.

As no appellants were in attendance, the public hearing was waived.

Mayor Willson stated the City continually puts these citations on the property taxes and it is almost \$1 million every year with the property owner having ten years to pay it back. His concern relates to the impact to staff time and revenue flow for budgeted purposes. Ms. Beekman stated that number seems extremely high for citations but may be at that level for delinquent utility bills.

Councilmember Graves noted there are energy assistance programs that low-income residents can make application for, which may bring down some assessed costs. She suggested including that information with the City's utility bills.

Councilmember Ryan stated that information is regularly included in the City's *Quarterly Watch*. He stated the vastly large portion of the dollars assessed to property taxes relate to delinquent utility bills and the City Administrator is looking into that issue. Councilmember Ryan noted many are also late payments that incur late fees so the fiscal impact is not as great as one would assume, but he agreed it should be looked at once more information is available.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2018-167 Certifying Special Assessments for Administrative Fines/Citation Costs to the Hennepin County Tax Rolls.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

9a. RESOLUTION NO. 2018-168 REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2018-015 SUBMITTED BY VON PETERSEN OF TSP, INC. ONBEHALF OF BROOKLYN CENTER SCHOOL DISTRICT, REQUESTING SITE AND BUILDING PLAN APPROVAL (LOCATED AT 1500 59TH AVENUE NORTH)

Deputy City Manager Reggie Edwards introduced Planner and Zoning Administrator Ginny McIntosh to present this issue.

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2018-015 and advised the Planning Commission recommended

approval of the applications at its September 13, 2018 meeting. The request of Von Petersen of TSP, Inc., on behalf of the Brooklyn Center School District is to allow construction of an approximately 1,200-square foot new front entry addition, 23,551-square foot second story addition, and select site improvements along the front entry of Earle Brown Elementary School at 1500 59th Avenue North.

Councilmember Graves asked about displacement of students and protecting them from construction debris. She also asked about upgrades to plumbing and heating and cooling systems to assure they are adequate. Ms. McIntosh displayed a drawing of the building and stated the intent is to have high school students relocate out of that building to expedite these improvements. It was noted, this project as presented will not start until June.

Bob Peterson, TSB Architects, stated this construction will start after the school year when there are no students present. He described the stages of construction so it will be safe and operational by September.

Jim Lonsman, Brooklyn Center School District Director of Operations, was present to answer questions.

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded to approve RESOLUTION NO. 2018-168 Regarding the Recommended Disposition of Planning Commission Application No. 2018-015 submitted by Von Petersen of TSP, Inc. on behalf of Brooklyn Center School District, requesting Site and Building Plan approval (Located at 1500 59th Avenue North).

Motion passed unanimously.

9b. RESOLUTION NO. 2018-169 REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2018-016 SUBMITTED BY LUX APARTMENTS, LLC, FOR AN AMENDMENT TO THE 1992 PLANNED UNIT DEVELOPMENT PLANS AND DOCUMENTS AND PARKING/SITE IMPROVEMENTS (LOCATED AT 6100 SUMMIT DRIVE NORTH)

Deputy City Manager Reggie Edwards introduced Planner and Zoning Administrator Ginny McIntosh to present this issue.

Planner and Zoning Administrator Ginny McIntosh provided background and an overview of Planning Commission Application No. 2018-016. The request is for an amendment to the 1992 Planned Unit Development (PUD) plans and documents and parking/site improvements for Lux Apartments at 6100 Summit Drive. The project includes the construction of an 11-story, 140-unit apartment complex, 245 off-street parking spaces, which would meet the approved parking ratio of 1.7 parking stalls per dwelling unit. She stated the applicant will need to provide sufficient ADA parking and loading spaces and staff recommends incorporating safety features between the parking located on the parking structure and parking located along the drive access

to the parking structure. The applicant's internal survey results of existing parking at other Soderberg Apartment Specialist owned apartment buildings was presented.

Ms. McIntosh concluded the overview of the application, lighting plan, landscaping plan, staff reviews and findings, and signage. She advised of the Planning Commission's comments and unanimous recommendation for approval of the applications at its September 13, 2018 meeting.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to approve RESOLUTION NO. 2018-169 Regarding the Recommended Disposition of Planning Commission Application No. 2018-016 submitted by Lux Apartments, LLC, for an Amendment to the 1992 Planned Unit Development plans and documents and parking/site improvements (Located at 6100 Summit Drive North).

Motion passed unanimously.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2018-170 APPROVING THE PRELIMINARY TAX CAPACITY LEVEL FOR THE GENERAL FUND AND DEBT SERVICE FUNDS AND A MARKET VALUE TAX LEVY FOR THE HOUSING AND REDEVELOPMENT AUTHORITY FOR PROPERTY TAXES PAYABLE IN 2019 AND RESOLUTION NO. 2018-171 ADOPTING A PRELIMINARY BUDGET FOR 2019 FISCAL YEAR

Deputy City Manager Reggie Edwards described the strategic nature of the budget process and introduced Finance Director Nate Reinhardt to present this item.

Finance Director Nate Reinhardt presented the City Administrator recommended 2019 preliminary levy and budget and summarized the joint Work Sessions between the City Council and Finance Commission. He stated the general levy is \$16,968,997, a 6.22% increase over 2018. The total 2019 City levy is \$18,427,116, a 7.72% increase over 2018. The 2019 HRA levy is \$380,098, a 9.86% increase over 2018. The 2019 debt service levy is \$1,392,119, a 1.45% increase over 2018. He noted a 1% increase/decrease is approximately \$171,000 in revenue.

Mr. Reinhardt displayed a series of charts depicting a comparison of change in City levy to the Statewide average, general fund revenues by source, general fund expenses by function, general fund expense by object, taxable market value, and tax capacity estimates. He noted the 2019 median value home is \$184,000 compared to \$267,000 in 2018, which is the highest since 2008 when it was \$180,400.

Mayor Willson stated the median value home may be just over \$200,000 when based on the newest information, which shows that median home values are heading in the right direction.

Mr. Reinhardt reviewed the City's property tax rates for general fund revenue, debt service, and HRA, showing property values are increasing at a higher rate than the tax levy. He stated the

same valued home as last year will see a decrease in property taxes but a significant change in market value will impact the amount of taxes paid.

Mr. Reinhardt stated next steps are to consider adoption of a preliminary property tax levy establishing the maximum property tax levy for 2019 and adopt a preliminary operating budget that is funded by property tax revenues. He stated in October through November, the City will review special revenue, debt service, utilities, enterprise and internal service funds. The public hearing will be held on December 3, 2018.

Councilmember Graves asked if the City has a procurement department. Mr. Reinhardt stated purchasing is executed by individual departments with the Finance Department providing oversight.

Councilmember Graves stated she knows the community center has applied for some grants and she would like Community Activities, Recreation and Services (CARS) to have more than 8%. Mr. Reinhardt stated grant applications are handled on a department level as they are more aware of what grants are available.

Councilmember Ryan commented on the complicated tax and home evaluation system, noting on a median value home in Brooklyn Center, there will be an increase of \$120 a year on the City portion, or \$10 a month. Mr. Reinhardt stated that is correct.

Councilmember Ryan stated nicer homes on Twin Lake or the River also pay a higher assessment under State rules pertaining to their property assessment. Mr. Reinhardt stated he is not sure of that formula. Mayor Willson stated properties on water are assessed differently.

Councilmember Ryan moved and Councilmember Graves seconded to adopt RESOLUTION NO. 2018-170 Approving a Preliminary Tax Capacity Levy for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable 2019.

Motion passed unanimously.

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2018-171 Adopting a Preliminary Budget for the 2019 Fiscal Year.

Motion passed unanimously.

10b. RESOLUTIONS APPROVING TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSES

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

Mayor Willson polled the audience and asked whether anyone was in attendance to provide testimony on any of the rental licenses as listed on tonight's meeting agenda.

Paul Yang, 5925 Pearson Drive, stated his property is 4200 Joyce Lane. Mayor Willson asked if he is requesting a formal hearing. Mr. Yang answered in the affirmative.

Mayor Willson indicated the City Council would consider the Agenda Item 10b4 separately and called for a motion on Agenda Items 10b1-10b3 and 10b5.

- 10b1. RESOLUTION NO. 2018-172 APPROVING A TYPE IV RENTAL LICENSE FOR 5715 EMERSON AVENUE NORTH**
- 10b2. RESOLUTION NO. 2018-173 APPROVING A TYPE IV RENTAL LICENSE FOR 6740 GRIMES PLACE**
- 10b3. RESOLUTION NO. 2018-174 APPROVING A TYPE IV RENTAL LICENSE FOR 7131 HALIFAX AVENUE NORTH**
- 10b4. RESOLUTION NO. 2018-175 APPROVING A TYPE IV RENTAL LICENSE FOR 4200 JOYCE LANE** This item was considered separately.
- 10b5. RESOLUTION NO. 2018-176 APPROVING A TYPE IV RENTAL LICENSE FOR 7030 REGENT AVENUE NORTH**

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2018-172 Approving a Type IV Rental License for 5715 Emerson Avenue North; RESOLUTION NO. 2018-173 Approving a Type IV Rental License for 6740 Grimes Place; RESOLUTION NO. 2018-174 Approving a Type IV Rental License for 7131 Halifax Avenue North; and, RESOLUTION NO. 2018-176 Approving a Type IV Rental License for 7030 Regent Avenue North, with the requirement that the mitigation plans and all applicable ordinances must be strictly adhered to before renewal licenses would be considered.

Motion passed unanimously.

- 10b4. RESOLUTION NO. 2018-154 APPROVING A TYPE IV RENTAL LICENSE FOR 4200 JOYCE LANE**

Community Development Director Meg Beekman explained this property would qualify for a Type I license based on one property violation and zero validated police calls. However, the owner failed to comply with the mitigation plan and did not submit timely reports. She noted a brief summary of the property is in the meeting packet including letters sent and history of violations. Ms. Beekman stated the applicant has submitted a mitigation plan that complies with our ordinance.

Councilmember Graves left the Council Chambers at 9:03 p.m.

Mayor Willson stated he was assured by staff the City is on target and not exceeding staff's capacity and there are no subsequent changes from staffing perspective to the ordinance itself. Ms. Beekman stated staff is looking at some changes to the rental ordinance that will be brought to the City Council for first reading. The change relates to processing of Type IV licenses to lessen the amount of staff time and be more effective with properties that are continually out of code compliance. Mayor Willson stated he looks forward to that discussion.

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

Motion passed 4-0-1 (Councilmember Graves absent).

Paul Yang, 5925 Pearson Drive, stated the letter he received from Ms. Beekman said he did not submit the report but in fact, the first report was done electronically and the City has it on the record.

Councilmember Graves returned to the Council Chambers at 9:05 p.m.

Mr. Yang stated staff said they didn't have the report but the record shows they do have it. He stated it is not good for the 'big man' to lie. He stated the law is not from God, the lawyer writes the law, and the City official implements the law but the law can change and be fair. Mr. Yang stated the 'big man' told him the definition of rental license says he has 9-15 items to be corrected and that's the definition. He believed there needed to be more information because it took six months and cost him \$300, which is not fair.

Mayor Willson stated the City Council will ask staff to review whether an impropriety occurred or if there should be a change in the process. Tonight, the City Council is considering the Type IV license and mitigation plan. He asked Mr. Yang if he has concerns with those two items.

Mr. Yang stated the report said he did not submit the report and Ms. Beekman is the one who responded by e-mail and said he did submit it in plain English. He stated if staff got that one report, they may have gotten the rest of them. Mr. Yang stated if using public money, you should be accountable to the public.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to close the hearing.

Motion passed unanimously.

Councilmember Graves asked how long this particular license had been a Type I before this application.

Mr. Yang stated staff told him there were eight violations so it was a Type IV. Now with the July inspection, there was only one correction but because you have a validated police report, it is Type IV.

Ms. Beekman stated the first license issued was Type IV and this is the second rental license. She explained the form letter referenced by Mr. Yang is sent to landlords and says the license type is based on code violations and validated police calls. Staff believes there has been a misunderstanding. In this case, there have not been any police calls and it was not staff's intention to assert that police calls had occurred at the property. Ms. Beekman agreed this form

letter is not worded clearly and Mr. Yang's interpretation is reasonable but it was explained that was not the intention.

Ms. Yang read from the letter and stated his interpretation that a person labeled his property as a trouble property and his people as bad people. He asked why the City does not reward good property and people.

Mayor Willson clarified that no one is accusing Mr. Yang's residents of being bad people and if a mistake was made, staff fully admits to that and if there is a mistake with the license, that will be corrected. He stated tonight the City Council will take Mr. Yang's input and staff's input and made a determination on the rental license.

Councilmember Butler asked why is this property is a Type IV license. Ms. Beekman stated the ordinance requires monthly reports and ARM meeting attendance. Staff received a January electronic report but did not receive any reports after that.

Councilmember Ryan stated the issue is whether the City received the required mitigation plan reports as required under the ordinance. If not received, the ordinance is clear the eligibility of the license reverts to Type IV. Ms. Beekman confirmed the mitigation plan stipulates monthly reports and attendance at ARM meetings as well as considering the inspection and police calls. If even one report is missed, then the license reverts to Type IV.

Councilmember Ryan stated under the ordinance, the City Council has no option except to consider a Type IV license. City Attorney Troy Gilchrist confirmed that was correct.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2018-175 Approving a Type IV Rental License for 4200 Joyce Lane, with the requirement that the mitigation plans and all applicable ordinances must be strictly adhered to before renewal licenses would be considered.

Councilmember Graves asked if a new application is automatically a Type IV. Ms. Beekman stated when an application is made, an inspection is conducted and the results of that inspection determines the type. Going forward, the police calls, inspection, and meeting the mitigation plan determines license type.

Motion passed unanimously.

6f. AN ORDINANCE AMENDING CHAPTERS 1 AND 19 OF THE CITY CODE OF ORDINANCES REGARDING CHICKENS

Deputy City Manager Reggie Edwards introduced Community Development Director Meg Beekman to present this item.

Community Development Director Meg Beekman explained ordinances are typically discussed by the City Council during a Work Session, direction is provided to staff, and then first reading is placed on the consent agenda with second reading and public hearing considered as an item on

the regular agenda. She stated in May of 2018, residents approached the City Council to have chickens in back yards as an allowable use. The City Council referred the matter to the Housing Commission who spent a significant amount of time on this issue during three meetings, met with proponents, reviewed other City's ordinances, and provided recommendations that the City Attorney used to draft into an ordinance from. Ms. Beekman presented an overview of the draft ordinance and stated if the first reading is approved, the public hearing and second reading would be scheduled for October 22, 2018.

Mayor Willson noted composting is often part of having chickens. The City has a separate ordinance dealing with composting so those with chickens should be familiar with it.

Councilmember Ryan noted a license is not required to have chickens. Ms. Beekman stated that was discussed by the Housing Commission but they recommended a license not be required due to the administration time and knowing if it is an issue, it could be instituted.

Councilmember Ryan stated licenses would create a clear path to address issues that may arise. Mayor Willson stated the City has a nuisance ordinance that would pertain to that case. City Attorney Troy Gilchrist advised the issuance of a license would be one method to address concerns but there is a nuisance provision and City staff is familiar with issuing nuisance citations.

Councilmember Ryan stated his concern is with enforcement as he has seen numerous examples of properties that are obvious nuisance conditions that neighboring residents are having a difficult time getting mitigated. He stated he knows the proponents are conscious people but his concern is that there are others who may not follow best practices with chickens and then it will be an issue of how effective the City can mitigate those issues. He stated for those reasons, he will not support this ordinance.

Councilmember Butler stated the City Council often talks about staff time and she does not feel there will be enough participation to waste resources by requiring a certification. She stated the City Council has already talked about this extensively, noting Coon Rapids has a registration process and no one has signed up. She feels requiring certification may create a barrier to those who have done the research and want to participate.

Mayor Willson noted the ordinance, as drafted, does not have a provision for licensing.

Councilmember Lawrence-Anderson asked if the chickens have to be contained within a run. Councilmember Graves stated that is correct and a run is an enclosed space and attached to the coop.

Councilmember Graves stated she supports moving this forward to second reading so public input can be heard.

Councilmember Graves moved and Councilmember Butler seconded to approving first reading of an Ordinance Amending Chapters 1 and 19 of the City Code of Ordinances Regarding Chickens, and schedule second reading for October 22, 2018.

Councilmember Ryan voted against the same. Motion passed.

11. COUNCIL REPORT

Councilmember Ryan reported on his attendance at the following:

- September 17, 2018: Joint City Council/Finance Commission Budget Work Session
- September 24, 2018: Joint City Council Study Session with the Urban Land Institute

Councilmember Lawrence-Anderson reported on her attendance at the following:

- September 17, 2018: Unable to attend the Joint City Council/Finance Commission Budget Work Session because she was at Hennepin County Medical Center with her husband
- September 24, 2018: Joint City Council Study Session with the Urban Land Institute

Councilmember Graves reported on her attendance at the following:

- September 11, 2018: Chamber Women's Voters Forum Candidate Forum
- September 12, 2018: Top Golf Media Preview Event
- September 15, 2018: Open Streets West Broadway Meeting
- September 17, 2018: Joint City Council/Finance Commission Budget Work Session
- September 18, 2018: Participated in CCX TV Show
- September 22, 2018: Jammin for Justice on the Upper Harbor
- September 24, 2018: Joint City Council Study Session with the Urban Land Institute

Councilmember Butler reported on her attendance at the following:

- September 11, 2018: Neighborhood West Palmer Lake
- September 11, 2018: Chamber Women's Voters Forum Candidate Forum
- September 12, 2018: Top Golf Media Preview Event
- September 17, 2018: Unable to attend the Joint City Council/Finance Commission Budget Work Session because her son was sick.
- September 18, 2018: Housing Commission Meeting
- September 21, 2018: Ribbon Cutting for Top Golf
- September 24, 2018: Joint City Council Study Session with the Urban Land Institute

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

- September 11, 2018: Rotary Luncheon
- September 11, 2018: West Palmer Lake Neighborhood Meeting
- September 11, 2018: Chamber Women's Voters Forum Candidate Forum
- September 12, 2018: Top Golf Media Preview Event
- September 15, 2018: Rotary Club Centennial Park Cleanup
- September 15, 2018: Golden Valley Days Chess Match Competition with Kids
- September 17, 2018: Joint City Council/Finance Commission Budget Work Session
- September 20, 2018: McDonalds VIP Ribbon Cutting
- September 21, 2018: Ribbon Cutting for Top Golf
- September 24, 2018: Meeting with City Manager Curt Boganey

- September 24, 2018: Joint City Council Study Session with the Urban Land Institute

12. ADJOURNMENT

Councilmember Graves moved and Councilmember Ryan seconded adjournment of the City Council meeting at 9:40 p.m.

Motion passed unanimously.

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

WORK SESSION
SEPTEMBER 24, 2018
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Tim Willson at 10:00 p.m.

ROLL CALL

Mayor/President Tim Willson and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were Deputy City Manager Reggie Edwards, Community Development Director Meg Beekman, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

CITY OF BROOKLYN CENTER T-21 ISSUE RESPONSE

Deputy City Manager Reggie Edwards introduced the item and reviewed the background of this consideration. He stated the City Council is asked to review the draft ordinance and provide direction to staff regarding the amendment to the City ordinance. It was noted that in 2017, the Council adopted a new strategic plan and priorities for the years 2018-2020. Two related strategic priorities adopted were “Safe, Secure, Stable Community” and “Resident Economic Stability.” The deliberation of the issue of the use of tobacco by youth is a health, safety, and economic issue. On May 10, 2018, the Brooklyn Youth Council and Hennepin County Public Health Department presented a report and recommendations regarding the issue of T-21 tobacco. On August 27, 2018, the City Council heard a presentation from staff regarding possible options to address the issue regarding the use of tobacco by youth in the City.

Dr. Edwards read the six options presented and Council direction on each. He stated based on the Council’s direction, staff drafted an amendment to the ordinance for the Council’s review. He detailed each significant change to the ordinance and noted staff also modified the time schedule.

Mayor/President Willson asked if the language should include the number of days it is suspended. Dr. Edwards stated staff will clarify that language.

Dr. Edwards presented the proposed ordinance amendment timeline, noting it would take effect December 21, 2018, if moved forward.

Councilmember/Commissioner Graves asked if the past ordinance cited underaged smokers, which was recommended. She stated other cities have stricken citing underaged smokers. City Attorney Troy Gilchrist referenced Page 12, subparagraph c) Minors, containing language citing underaged smokers, noting it has been deleted.

Mayor/President Willson stated the City can be more restrictive than State Statute but not less restrictive. Dr. Edwards explained if an underaged smoker was cited, it was in consultation with other jurisdictions to determine what was appropriate, but that language has been stricken from this draft ordinance.

Dr. Edwards asked if there is consensus on the City Council's recap of previous deliberation, direction and intent outlined in the draft amended ordinance, and the schedule as outlined to amend said ordinance.

Mayor/President Willson stated his support.

Councilmember/Commissioner Ryan stated the information provided is accurate as he remembers the discussion but he wished the City Council had agreed to restrict sale of all electronic cigarettes and vaping products to adult tobacco shops and that all flavored products had been restricted. He supported working in partnership with other cities in this effort. He referenced American Cancer Society information on the amount of taxes collected on sale of tobacco products, noting it could be used for programs to promote cessation and prevent youth tobacco use.

Councilmember/Commissioner Lawrence-Anderson referenced an email from Emily Anderson, Association of Nonsmokers of Minnesota, noting the draft ordinance does not restrict other flavored tobacco products to adult only shops. Mayor/President Willson stated that is correct as there was not City Council/EDA consensus to support it.

The majority consensus of the City Council/EDA was to direct staff to move this item forward for first reading.

ART CONTEST JUDGING

Deputy City Manager Reggie Edwards introduced Community Development Director Meg Beekman to present this item.

Community Development Director Meg Beekman provided each member with a packet of artwork entries to be judged, noting a criterion score sheet is also included. She stated the City Council/EDA could consider them tonight or take them home for review and judging.

Mayor/President Willson suggested the Councilmember/Commissioner take the artwork entries home for review and submit their score card to staff.

Community Development Director Meg Beekman asked the City Council/EDA to return their scoring information by next Monday.

Councilmember/Commissioner Graves suggested staff put out an update on this item so it is known that the entries are now being considered by the City Council/EDA.

The majority consensus of the City Council/EDA was to review the artwork entries and submit their scores to Community Development Director Beekman by next Monday.

ADJOURNMENT

Councilmember/Commissioner Ryan moved and Councilmember/Commissioner Graves seconded adjournment of the City Council/Economic Development Authority Work Session at 10:22 p.m.

Motion passed unanimously.

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Rozlyn Tousignant, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- Motion to approve of 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 CONTRACTOR

Angell Aire Inc.	12253 Nicollet Ave S, Burnsville, MN 55337
Boiler Services, Inc..	10327 Flanders St NE, Blaine, MN 55449
Preventative Mechanical Service	1875 Buerkle St NW, White Bear Lake, MN 55110
Schuler Plumbing LLC	17850 Erkium ST NW, Ramsey, MN 55303

SIGN CONTRACTOR

Pajor Graphics Inc.	1301 Washington Ave N,
DBA: ASI Signage Innovations	Minneapolis, MN 55411

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

COUNCIL ITEM MEMORANDUM

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

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

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

Rental Licenses for Council Approval on October 8, 2018

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***	Unpaid Utilities	Unpaid Taxes
5731 Northport Dr	Single Family	Initial	Ross Herman	1	I	0	II		OK	OK
5312 Queen Ave N	Single Family	Initial	Renee Anoje	0	I	0	II		OK	OK
Marvin Gardens Townhomes 6710 Orchard La N	9 Bldg 52 Units	Renewal	Redevco Management Company	52 (1/Unit)	II	0	II	III	OK	OK
5209 Xerxes Ave N	1 Bldg 12 Units	Renewal	Chad Johnson	17 (1.4/Unit)	II	0	II	I	OK	OK
5211 Xerxes Ave N	1 Bldg 12 Units	Renewal	Chad Johnson	28 (2.3/Unit)	III	0	III	I	OK	OK
2307-09 54th Ave N	Two Family (2)	Renewal	James Johnson	0	I	0	I	III	OK	OK
6813 Noble Ave N	Two Family (1)	Renewal	Brian Reese	4	II	0	II	II	OK	OK
5901 Aldrich Ave N	Single Family	Renewal	RHA 3, LLC	1	I	0	I	II	OK	OK
5956 Beard Ave N	Single Family	Renewal	Ann Cook	1	I	0	I	III	OK	OK
5501 Brooklyn Blvd	Single Family	Renewal	Mains'I Properties	0	I	0	I	II	OK	OK
5432 Bryant Ave N	Single Family	Renewal	Christopher Michael Raisch	2	I	0	I	I	OK	OK
6538 Ewing Ave N	Single Family	Renewal	TuUyen Tran	5	II	0	II	II	OK	OK
1537 Humboldt Pl N	Single Family	Renewal	ShoeMiller Properties LLC	2	I	0	I	II	OK	OK
7018 Irving Ave N	Single Family	Renewal	Omar Adams	3	II	0	II	II	OK	OK
7200 Morgan Ave N	Single Family	Renewal	Dwayne Holmstrom	0	I	0	I	I	OK	OK
3213 Quarles Rd	Single Family	Renewal	Infinite Property LLC	2	I	0	I	II	OK	OK
6424 Scott Ave N	Single Family	Renewal	Cosco Properties LLC c/o MSP Home Rental	3	II	0	II	IV	OK	OK
819 Woodbine La	Single Family	Renewal	RHA 3, LLC	5	II	0	II	II	OK	OK

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

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

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

All properties are current on City utilities and property taxes

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Resolution Granting the Approval of Phase II Project at Carrington Drive Apartment Complex

Requested Council Action:

- Motion to approve a resolution for Phase II Project at Carrington Drive Apartment Complex.

Background:

Aeon is schedule to close on the purchase of the Carrington Drive Apartment Complex on October 11, 2018. Aeon has requested the City authorize Aeon to apply for Minnesota Brownfield funding from Hennepin County.

The Minnesota Brownfield Funding program from Hennepin County allows private property owners to apply for funds to assist with environmental investigation work. Hennepin County requires a resolution from the local jurisdiction granting permission for the property owner to apply for the funds. All funds flow directly to the property owner and not through the City.

Aeon's environmental consultant, The Javelin Group, Inc., is recommending the following:

PROJECT SCOPE: Conduct a Limited Phase II Environmental Site Assessment to include the following services:

Groundwater – Install temporary wells in three (3) borings (estimated at 25 feet below grade) to collect groundwater samples for volatile organic compounds (VOCs), diesel range organics (DRO), and gasoline range organics (GRO) at the water table.

Building Sub-Slab Soil Vapor (Summer Season) – Install a total of twenty-four (24) vapor pin sampling points, six (6) per building, in the floor slabs of the buildings for collection of summer season soil vapor samples for laboratory analysis of VOCs using EPA Method TO-15. Note: The MPCA requires 2 rounds of vapor testing (summer & winter) to determine whether a vapor intrusion risk is present that would require the installation of a vapor mitigation system.

Total Cost: Groundwater and Sub-Slab Soil Vapor Sampling & Testing (summer season): \$14,460

Budget Issues:

There are no budget issues relating to the grant, as all funds will transfer directly to the grant recipient from Hennepin County.

Strategic Priorities and Values:

Safe, Secure, Stable Community

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION GRANTING THE APPROVAL OF PHASE II PROJECT AT CARRINGTON DRIVE APARTMENT COMPLEX

WHEREAS, the property PID 25-119-21-33-0045, 25-119-21-33-0046, 25-119-21-33-0047, and 25-119-21-33-0048 is located in the City of Brooklyn Center; and

WHEREAS, the property PID 25-119-21-33-0045, 25-119-21-33-0046, 25-119-21-33-0047, and 25-119-21-33-0048 is a rental property and has a purchase agreement to be purchased by Aeon; and

WHEREAS, Aeon is submitting an application to Minnesota Brownfields for Brownfield Gap Financing Program funded with Environmental Response Fund gran from Hennepin County Department of Environmental Services.

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

1. The Phase II project at Carrington Drive Apartments, for which an application is being submitted by Aeon to the Minnesota Brownfields' Brownfield Gap Financing program funded with Environmental Response Fund grant from Hennepin county Department of Environmental Services.

October 8, 2018

Date

Mayor

ATTEST: _____

City Clerk

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



Brownfield Gap Financing Program

The Brownfield Gap Financing Program (BGFP) provides grants to nonprofit developers for environmental assessment of property in Hennepin County through funding from the County's Environmental Response Fund (ERF). This fund is intended to be used for unexpected environmental issues, to prepare for a larger funding request in the County funding cycle, or to identify/clarify and, in some cases, remediate suspected environmental concerns. Minnesota Brownfields is the co-administrator of the BGFP.

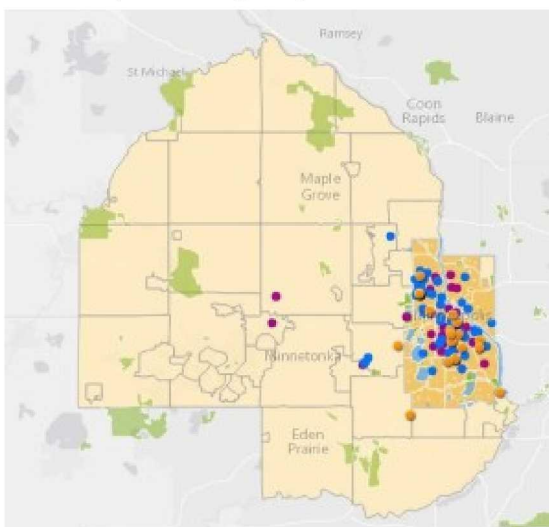
Applications are accepted on a rolling basis, and all funding decisions are made by Hennepin County. All nonprofit developers are encouraged to apply for funds.

Typical BGFP grants are <\$15,000. Projects may apply for a **maximum** of \$15,000 total in a 12-month span. Projects benefit the community through the development or clean-up of greenspace, recreation centers, affordable housing, education centers, community centers, and neighborhood level economic development opportunities. Information about developing brownfields for community gardens can be found [here](#).

In 2017, the Brownfield Gap Financing Program:

Granted a total of **\$170,373** to **21 projects**:

- Affordable housing: 13 projects
- Youth and family services: 5 projects
- Neighborhood revitalization: 3 projects



Click [here](#) to view an interactive BGFP map (2002-17)

To Apply:

- 1) View our [criteria checklist](#) for eligible projects
- 2) Complete a [BGFP Application](#) (completed by non-profit developer).
- 3) Obtain a City Council resolution in support of the project's application for funding through the BGFP. A blanket resolution is available for Minneapolis projects. Projects outside of Minneapolis may use this template [City Council resolution](#).
- 4) Obtain an itemized cost estimate from one of our approved contractors here: [BGFP Contractors](#)

We look forward to working with you. Please send completed applications and direct questions to:

Minnesota Brownfields
Hava Blair, Program Manager
612-513-4301
hblair@mnbrownfields.org

For Consultants:

If you are interested in applying to become an approved contractor for the Brownfield Gap Financing Program, please review the Request for Qualifications document to learn more. **Any consultant** who meets the general qualifications listed below may apply.

General Qualifications:

- Must have an executed Master Agreement for Professional Consulting Services with Hennepin County for the following work types:
 - Asbestos, Lead Paint, and Regulated Building Materials Assessment and Removal Oversight and/or
 - Environmental Property Assessment and Cleanup; and,
- Must have demonstrated experience with relevant activities listed in Request for Qualifications document
- Must meet insurance requirements
- If selected, must execute a Professional Services Agreement with Minnesota Brownfields

Learn more about becoming an eligible contractor:

Consultant RFQ

NEW:

Radon testing is supported in these limited situations:

- applicant is a non-profit organization or a government entity (i.e., HC Community Works)

- project involves affordable housing (i.e. not market rate), and
- radon testing is required as part of financial support.

Eligible Brownfield Gap Financing Projects:

Location of the Project	Hennepin County
Status of Applicant (Requests must meet one of the organization that is listed):	• Registered as non-profit within the state of Minnesota • A community Group • Government supported Organization • Government Entity
Property Ownership	Applicant must have Ownership of the property or a valid purchase agreement in place or a lease agreement with another non-profit owner or government entity, or a letter of intent to purchase by the applicant from the owner.
City Council Resolution of Support	Applicant must secure a city council resolution from the municipality where the project is located. * A generic resolution of support from Minneapolis has been obtained by Minnesota Brownfields.
Estimated Cost	The estimated project cost should be under \$15,000, or preferably under \$12,000

Ineligible for Brownfield Gap Financing Projects:

Privately owned Sites
Non-Residential asbestos and or lead-paint abatement
Mold remediation or radon testing/remediation

* All sites and applications are reviewed on a case by case basis.

Project Examples:

Anishinabe Wakiagun – “Bii-Gii-Wiin” Housing Addition: Located adjacent to the



Minneapolis American Indian Center, just west of the Hiawatha corridor, Anishinabe Wakiagun was the first housing unit established by the American Indian Community Development Corporation (AICDC) in Minneapolis, back in 1993. As a means to continue filling the gap in such services, the AICDC has gone forward with the successful acquisition of a 2015 BGFP grant. This funding will help to complete Phase I/Phase II ESA, complete a Response Action Plan and request for supplemental Application Consultation during this expansion of the original building. With assistance from the Project for Pride in Living, the expansion is expected to be completed by May 2016 and will provide the site with an additional 32 units of housing, expanded parking lot as well as green space for the community.

**Clara Barton
Open School:**

BGFP funded soil sampling to aid in the construction of Clara Barton Open School's community. The program helped make significant gains in



reaching the school's goals of enhancing the Open Curriculum by providing opportunities for hands-on learning to cultivate student curiosity and exploration, and to make the school grounds a greener and healthier environment by co-creating a successful, sustainable vegetable garden using organic methods.

The Cookie Cart: Located in north Minneapolis, the Cookie Cart provides teens with work, life and leadership skills through experience and training in an



urban nonprofit bakery. Through the BGFP, the nonprofit was able to conduct a Phase I ESA and asbestos/hazardous materials survey to mitigate the costs of their full renovation, enabling them to double the number of teens they employ.

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Doran Cote, Public Works Director

SUBJECT: Resolution Declaring a Public Nuisance and Ordering the Removal of Dead Trees at Certain Properties in Brooklyn Center, Minnesota

Requested Council Action:

- Motion to approve a resolution Declaring a Public Nuisance and Ordering the Removal of Dead Trees for Certain Properties as listed in the resolution

Background:

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

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

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

Budget Issues:

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

Strategic Priorities and Values:

Enhanced Community Image

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING A PUBLIC NUISANCE AND ORDERING THE REMOVAL OF DEAD TREES AT CERTAIN PROPERTIES IN BROOKLYN CENTER, MINNESOTA

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

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

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

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

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

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

Property Address	Tree Type	Tree Number
6912 Logan Avenue N	Boxelder	65

2. After ten (10) days from the date of the initial notice, the property owner(s) was notified of the City Council action regarding the determination by the City Council declaring the dead tree a public nuisance.
3. The property owner(s) will receive a final written notice providing five (5) business days in which to contest the determination of the City Council by requesting, in writing, a hearing. Said request shall be filed with the City Clerk.
4. After five (5) days, if the property owner fails to request a hearing, the tree(s) shall be removed by the City. The cost of abatement shall be recorded and become the personal responsibility of the owner of record. If unpaid, the costs shall be specially assessed to the property in accordance with City codes and Minnesota Statutes Chapter 429.

RESOLUTION NO. _____

October 8, 2018

Date

Mayor

ATTEST: _____

City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Dr. Reggie Edwards, Deputy City Manager

SUBJECT: An Ordinance Amending Chapter 23 of the City Code of Ordinances Regarding Tobacco and Tobacco Related Products

Requested Council Action:

- Motion to approve the first reading of the ordinance and call for a Public Hearing and second reading which will be held on November 13, 2018.

Background:

In 2017, the Council adopt a new strategic plan and priorities for the years 2018 - 2020. Two related strategic priorities adopted by the Council were “Safe, Secure, Stable Community” and “Resident Economic Stability.” The deliberation of the issue of “the use of tobacco by youth” is a health, safety and economic issue.

On Monday, May 10, 2018, the Brooklyn Youth Council and the Hennepin County Public Health Department presented the City Council with a report and recommendations regarding the issue of T-21 tobacco in Brooklyn Center.

On Monday, August 27, 2018, the City Council heard a presentation from staff regarding possible options to address the issue regarding the use of tobacco by youth in the City of Brooklyn Center. Staff presented the options listed below, for which Council subsequently provided direction for each option. The options presented and direction of each individual option are as follows:

Options in Response to Brooklyn Youth Council:

1. Restrict the sales of flavored tobacco products to tobacco shops that restrict minors
Council's direction – No consensus, but consensus of restricting the sale of all electronic cigarettes and vaping products to adult tobacco shops
2. Increase the cost of tobacco products
Council's direction – No consensus
3. Restrict the proximity of new tobacco retailers to within 1,000 ft. of schools, parks community centers, and libraries
Council's direction – No consensus
4. Reduce the number of tobacco retailers to 15 retail stores
Council's direction - Consensus
5. Raise the minimum legal sales age to 21
Council's direction - Consensus
6. Increase tobacco retail compliance requirements and penalties for violation
Council's direction - No consensus on additional compliance checks, but consensus on retail training of staff, and increase application and penalty fees

Additional options developed by staff:

- A. Partner with the schools in Brooklyn Center, Hennepin County, and the Brooklyn Youth Council to

develop and fund a program to address peer pressure and stress

Council's direction – Consensus, bring back

with detail plan prior to funding a program

- B. Establish continued city/local research and benchmarking of for behavior trends and changes of behavior of the use of tobacco by youth in Brooklyn Center

Council's direction – Consensus, with the caveat that staff bring back with detail plan prior to funding a program

- C. Partner with other cities to seek statewide legislation to raise the age limit of the sale of tobacco related products from 18 to 21 years of age

Council's direction - Consensus

Based upon the direction set forth by the Council staff drafted an amendment City Ordinance 2018-14, Chapter 23, Tobacco and Tobacco Related Products, which is attached. The Council will also find an attached modified time schedule that outlines the process and when the amended Ordinance would go in effect on December 21, 2018.

On Monday, September 24, 2018, the City Council reached consensus and directed staff to proceed forward with the process to amend City Ordinance # _____, Chapter 23, Tobacco and Tobacco Related Products.

Strategic Priorities and Values:

Safe, Secure, Stable Community

CITY OF BROOKLYN CENTER

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

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 23 OF THE CITY CODE OF
ORDINANCES REGARDING TOBACCO AND TOBACCO RELATED PRODUCTS

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

Article I. Legislative Findings. The City Council of the City of Brooklyn Center hereby finds as follows:

1. The City of Brooklyn Center (“City”) recognizes that tobacco use has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; this ordinance is intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, and to protect minors and young adults against the serious effects associated with use and initiation.
2. The City also recognizes that the use of tobacco products has devastating health and economic consequences. Tobacco use is the foremost preventable cause of premature death in America. It causes half a million deaths annually and has been responsible for 20.8 million premature deaths in the U.S. over the past 50 years since the first Surgeon General’s report on smoking in 1964. This leads to more than \$300 billion in health care and lost worker productivity costs each year. In Minnesota, smoking was responsible for \$3.19 billion in excess medical expenditures and the deaths of 6,312 individuals in 2014.
3. The City further recognizes that young people are particularly susceptible to the addictive properties of tobacco products, and are particularly likely to become lifelong users. An estimated 5.6 million youth aged 0 to 17 are projected to die prematurely from a tobacco-related illness if prevalence rates do not change. National data show that about 95 percent of adult smokers begin smoking before they turn 21. The ages of 18 to 21 are a critical period when many smokers move from experimental smoking to regular, daily use. Electronic delivery device use among minors has recently tripled and is shown to be on the rise among youth. Young minds are particularly susceptible to the addictive

properties of nicotine. As a result, approximately 3 out of 4 teen smokers end up smoking into adulthood.

4. In 2015, the Institute of Medicine concluded that raising the minimum legal sales age for tobacco products nationwide will reduce tobacco initiation, particularly among adolescents aged 15 to 17, improve health across the lifespan, and save lives; and that raising the minimum legal sales age for tobacco products nationwide to 21 would, over time, lead to a 12 percent decrease in smoking prevalence. The Institute of Medicine also predicts that raising the minimum legal sales age for tobacco products nationwide to 21 would result in 223,000 fewer premature deaths, 50,000 fewer deaths from lung cancer, and 4.2 million fewer years of life lost for those born between 2000 and 2019, and would result in near immediate reductions in preterm birth, low birth weight, and sudden infant death syndrome.
5. Cigar and pipe smokers are more than twice as likely to have decreased lung function compared to non-smokers. Cigar and pipe smokers who also smoke cigarettes may triple their risk of decreased lung function.
6. Scientific evidence on the toxicity of secondhand tobacco smoke is both overwhelming and indisputable. The complex mixture of gases and particles that make up secondhand smoke (also known as environmental tobacco smoke) contains at least 250 chemicals known to be lethal, including more than 50 that can cause cancer. Medical authorities from around the world have concluded that secondhand smoke exposure causes heart disease, stroke, respiratory disease and lung cancer, has immediate adverse effects on the cardiovascular system, and causes sudden infant death syndrome, acute respiratory infections, ear infections, and asthma attacks in children.
7. Tobacco industry documents and marketing and public health research reveal that tobacco companies have used fruit, candy, and alcohol flavors as a way to target youth and young adults. The presence of flavors such as menthol in tobacco products can make it more difficult for youth, young adults, and adult tobacco users to quit.
8. In making these findings, the City Council accepts the conclusions and recommendations of the U.S. Surgeon General reports, “E-cigarette Use Among Youth and Young Adults” (2016), “The Health Consequences of Smoking—50 Years of Progress” (2014) and “Preventing Tobacco Use Among Youth and Young Adults” (2012); a BlueCross BlueShield of Minnesota report, “Health Care Costs and Smoking in Minnesota: The Bottom Line” (2017); the Institute of Medicine in their study, “Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products” (2015); the Centers for Disease Control and Prevention in their studies, “Tobacco Use Among Middle and High School Students—United States, 2011– 2015,” and “Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997”; and of the following scholars in these scientific journals: Xin Xu et al., Annual Healthcare Spending Attributable to Cigarette Smoking: An Update, *Am. J. Prev. Med.* 48(3): 326-33 (Mar. 2015); Giovino GA, “Epidemiology of Tobacco Use in the United States,” *Oncogene* (2002) 21, 7326-40; Khuder SA, et al., “Age at

Smoking Onset and its Effect on Smoking Cessation,” Addictive Behavior 24(5):673-7, September-October 1999; D’Avanzo B, et al., “Age at Starting Smoking and Number of Cigarettes Smoked,” Annals of Epidemiology 4(6):455-59, November 1994; Chen, J & Millar, WJ, “Age of Smoking Initiation: Implications for Quitting,” Health Reports 9(4):39-46, Spring 1998; Everett SA, et al., “Initiation of Cigarette Smoking and Subsequent Smoking Behavior Among U.S. High School Students,” Preventive Medicine, 29(5):327-33, November 1999; and Rodriguez J, Jiang R, Johnson WC, MacKenzie BA, Smith LJ, Barr RG; The Association of Pipe and Cigar Use With Cotinine Levels, Lung Function, and Airflow Obstruction: A Cross-sectional Study; Ann Intern Med. 2010;152:201–210 copies of which are adopted by reference.

9. The City determines that taking action to protect youth and to limit access to tobacco is an important public health issue and it was the first city in the state of Minnesota to set a minimum price for cigars as to curb the appeal of these products to youth and reduce the number of youth who initiate tobacco use.
10. The City’s action paved the way for five more Minnesota communities, including Minneapolis and St. Paul, to set a minimum price for cigars with the shared goal of youth tobacco prevention.
11. The City determines that e-delivery products and e-liquids are particularly attractive to youth and that steps are needed to limit youth exposure and access to such products.
12. The City values youth and seeks their input in order to positively raise awareness and seek solutions to problems facing youth, such as tobacco industry targeting and youth tobacco use.
13. The City’s mission is to ensure an attractive, clean, safe, and inclusive community that enhances the quality of life for all people, and preventing youth tobacco use helps achieve these goals.
14. Sections 23-101 through 23-108 and the amendments contained herein are intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious effects associated with use and initiation, and to further the official public policy of the state in regard to preventing young people from starting to smoke as stated in Minnesota Statutes, section 144.391.

Article II. Brooklyn Center City Code, Section 23-101 is hereby amended as follows:

Section 23-101. LICENSE REQUIRED. No person shall directly or indirectly, or by means of any device, keep for retail sale, sell at retail, or otherwise dispense any ~~tobacco-related~~ covered product at any place in the city of Brooklyn Center unless a license therefor shall first have been obtained as provided in Sections 23-101 through 23-108.

Article III. Brooklyn Center City Code, Section 23-102 setting out definitions is ~~hereby~~ amended as follows, ~~including the and by~~ renumbering ~~of the paragraphs~~ provisions in this Section as needed:

Section 23-102. DEFINITIONS. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of Sections 23-101 through 23-108, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

2. *“Compliance checks”* means the system the City uses to investigate and ensure that those authorized to sell ~~tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices~~ covered products are following and complying with the requirements of Sections 23-101 through 23-108. Compliance checks shall involve the use of ~~minors~~ persons under the age of 21 as authorized by Sections 23-101 through 23-108. Compliance checks shall also mean the use of ~~minors~~ persons under the age of 21 who attempt to purchase ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices~~ covered products for educational, research and training purposes as authorized by state and federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate federal, state or local laws and regulations relating to ~~tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices~~ covered products.
3. *“Covered products”* means any tobacco, tobacco-related device, electronic delivery device, e-liquid, or nicotine or lobelia delivery product as those terms are defined in this section.
- 3.4. *“Electronic delivery device”* shall mean a ~~an electronic product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person that is designed to use, or that uses, e-liquid~~ to simulate smoking in the delivery of nicotine or any other substance through inhalation of the aerosol or vapor produced from the product substance. Electronic delivery devices shall include any component part of such a product whether or not sold separately. Electronic delivery devices shall not include any product that ~~had~~ has been approved or otherwise certified by the United States Food and Drug Administration for legal sales for use in tobacco cessation treatment or other medical purposes, and is being marketed and sold solely for that approved purpose.
- *“E-liquid”* means any liquid intended for human consumption through an electronic delivery device used to simulate smoking in the delivery of nicotine, lobelia, or a product containing the taste or smell related to chocolate, cocoa, mint, menthol, wintergreen, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb, or spice through inhalation of the

aerosol or vapor produced from the liquid. E-liquid shall not include any product that has been approved or otherwise certified by the United States Food and Drug Administration for legal sales for use in tobacco cessation treatment or other medical purposes, and is being marketed and sold solely for that approved purpose.

7. *“Minor”* means any natural person who has not yet reached the age of 18 years.

8. *“Nicotine or lobelia delivery product”* means any product containing or delivering nicotine, including any synthetic variation thereof, or lobelia intended for human consumption, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section. Nicotine or lobelia delivery product does not include any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or for other medical purposes, and is being marketed and sold solely for that approved purpose.

9. *“Retail establishment”* means any place of business where ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices~~ covered products are available for sale to the general public. The phrase term shall include, but is not be limited to, grocery stores, convenience stores, restaurants, and drug stores.

11. *“Self-service merchandising”* means open displays of ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices~~ covered products in any manner where any person shall have access to the ~~tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices,~~ covered products without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the ~~tobacco, tobacco product, tobacco-related device, or nicotine or lobelia delivery device~~ covered product between the customer and the licensee or employee. Self-service sales are interpreted as being any sale where there is not an actual physical exchange of the covered product between the clerk and the customer.

14. *“Tobacco-related devices”* means and includes any tobacco product as well as a pipe, rolling papers, or other device intentionally designed or intended to be used in a manner that enables the chewing, sniffing or smoking of tobacco or tobacco products including electronic delivery devices. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

15. *“Vending machine”* means any mechanical, electric or electronic, or other type of device that dispenses tobacco, tobacco products or tobacco-related devices upon the insertion of money, tokens or other form of payment

directly into the machine by the person seeking to purchase the ~~tobacco,~~
~~tobacco product or tobacco-related device~~ covered product.

Article IV. Brooklyn Center City Code, Section 23-103 is hereby amended as follows:

Section 23-103. LICENSE REQUIRED.

1. *Generally.* No person may directly or indirectly or by means of any device keep for retail sale, sell at retail, offer to sell or otherwise dispose of any ~~tobacco, tobacco products, tobacco-related devices, or electronic delivery device~~ covered product at any place in the eCity unless a license has first been issued by the City as provided in this Section.
2. *Application.* An application for a license to sell ~~tobacco, tobacco products, tobacco-related devices, and electronic delivery devices~~ covered products shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses, and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary.
3. *Action.* Upon receipt of a completed application, the City Clerk shall forward the application to the police department for investigation. The police department shall conduct an investigation of the applicant and application regarding the fitness of the applicant to hold a license pursuant to the standards set forth in Sections 23-101 through 23-108, and report the results of its investigation to the City Clerk within 30 days of receipt of the application. The City Clerk shall forward the application for consideration by the City Council.
4. *Fees.* No application for a license under Sections 23-101 through 23-108 shall be accepted until the appropriate license or investigation fee is paid in full. The fee(s) shall be established by the City Council by resolution from time to time.
5. *Sanctions for violation.* Sanctions for violating a provision of Sections 23-101 through 23-108 ~~shall~~ be set by the City Council at the penalty phase and shall not ~~to~~ be less than state mandated guidelines.
6. *Transfers.* All licenses issued under Sections 23-101 through 23-108 shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued.
7. *Moveable place of business.* No license shall be issued to a moveable place of business. Only fixed-location businesses shall be eligible to be licensed under Sections 23-101 through 23-108.

8. *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premises.
9. *Term and Renewals.* Every such license shall expire on December 31 next after its issuance. A fee for the renewal of any license issued under Sections 23-101 through 23-108 shall be paid to the City Clerk with the renewal application. Applications for renewal must be submitted by November 30 of the year prior to the license year.
10. *Issuance is a privilege and not a right.* The issuance of a license is a privilege and does not entitle the holder to an automatic renewal of the license.
11. *Maximum number of licenses.* The maximum number of licenses issued by the City in any year is limited to 15, except that any licensee holding a valid license as of ~~September~~October 1, 2018 is permitted to retain and renew said license. If the maximum number of licenses has already been issued, a licensee that allows its license to expire or has its license revoked shall not be eligible for a new license. Persons desiring to apply for a license may be placed on a waiting list and be eligible to apply on a first-come, first-serve basis ~~as existing licenses are not renewed or are revoked~~once the number of issued licenses falls below the maximum number allowed. Notwithstanding the maximum number of allowed licenses, an applicant who purchases a business location holding a current license shall be allowed to apply for and obtain, if eligible, a new license for the business location provided it is obtained within the same license year as the current license.
12. *Instructional Program.* All licensees shall ensure that all employees engaged with customers at the point of sale go through a training program on the legal requirements relating to the sale of covered products and the possible consequences for violations. Any training program must be pre-approved by the City. Licensees must maintain and provide to the City documentation demonstrating compliance at the time of renewal, or whenever requested during the license term.

Article V. Brooklyn Center City Code, Section 23-104 is hereby amended as follows:

Section 23-104. RESTRICTIONS.

1. The following shall be grounds for denying the issuance of or renewal of a license under Sections 23-101 through 23-108.
 - a. The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to ~~tobacco products, or tobacco-related devices~~ covered products, or has had a license to sell ~~tobacco~~

~~products or tobacco-related~~ covered products revoked or suspended within the past five years.

- b. The applicant fails to provide any information required on the application, or provides false or misleading information.
2. No license may be issued or renewed:
 - a. To any applicant who is under ~~18~~ 21 years of age.
 - b. To any applicant who is prohibited by federal, state, or other local law, ordinance, or regulation from holding such a license.
 - c. To any applicant who has fees or charges to the City or the County that are due and unpaid.
 - d. For any premises for which property taxes or City utility charges are due and unpaid.

Article VI. Brooklyn Center City Code, Section 23-105 is hereby amended as follows:

Section 23-105. PROHIBITED SALES.

1. It shall be a violation of Sections 23-101 through 23-108 for any person to sell or offer to sell any ~~tobacco, tobacco product, or tobacco-related device~~ covered product:
 - ~~a. To a minor;~~
 - ~~ba.~~ By a means of any type of vending machine;
 - ~~eb.~~ By self-service displays;
 - ~~ec.~~ As~~By~~ means of loosies;
 - ~~ed.~~ If the ~~tobacco or tobacco products contain~~ Containing opium, morphine, jimsonweed, belladonna, strychnos, cocaine, marijuana, or other ~~delirious deleterious~~, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process; or
 - ~~fe.~~ To any other person, in any other manner or form prohibited by federal or state law or regulation, or by local ordinance.
2. No person shall sell any covered product to any person under the age of 21.

- a. Age verification. Licensees must verify by means of government-issued photographic identification that the purchaser of the covered product is at least 21 years of age. ~~Verification is not required for a person over the age of 30.~~ That the person appeared to be ~~30 years of age or older~~ old enough to lawfully purchase a covered product does not constitute a defense to a violation of this Section.
 - b. Signage. Notice of the legal sales age and age verification requirement must be posted at each location where covered products are offered for sale. The required signage, which will be provided to the licensee by the City, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase of covered products.
3. No person shall sell or offer for sale any electronic delivery device or e-liquid to any person unless the sale is on the premises of a retail establishment that:
 - a. Prohibits persons under the age of 21 from entering at all times; and
 - b. Derives at least 90 percent of its revenues from the sale of covered products. Any retail establishment that sells electronic delivery devices or e-liquids must provide to the City upon request financial records that document annual sales.
4. It shall be a violation of Sections 23-101 through 23-108 for any retail establishment to sell, offer for sale, or distribute a single cigar unless the cigar is sold in an original package of at least five cigars, provided that:
 - a. This restriction shall not apply to any sale, offer to sell, or distribution of a single cigar that has a retail sales price of no less than \$2.10 before sales tax.
 - b. Cigars to which price promotions or discounts apply shall not be excluded from this restriction.

Article VII. Brooklyn Center City Code, Section 23-106 is hereby amended as follows:

Section 23-106. SMOKING PROHIBITED. Smoking shall not be permitted in, and no person shall smoke in, any licensed premises. Smoking in any licensed premises for the purpose of sampling a covered product is prohibited under this Section.

Article VIII. Brooklyn Center City Code, Section 23-107 is hereby amended as follows:

Section 23-107. COMPLIANCE CHECKS AND INSPECTIONS. All licensed

premises shall be open to inspection by the City police or other authorized City official during regular business hours. From time to time, but at least ~~once~~ twice per year, the City shall conduct compliance checks by engaging with ~~the written consent of their parents or guardians, minors~~ persons over the age of 15 years but less than ~~18~~ 21 years to enter the licensed premise to attempt to purchase ~~tobacco, tobacco products or tobacco-related devices~~ covered products. ~~Minors~~ Persons under the age of 21 used for the purpose of compliance checks shall be supervised by City designated law enforcement officers or other designated City personnel. ~~Minors used for compliance checks shall not be guilty of unlawful possession of tobacco, tobacco products or tobacco-related devices when those items are obtained as a part of the compliance check.~~ No ~~minor~~ person used in compliance checks shall attempt to use a false identification misrepresenting the ~~minor's~~ person's age, and all ~~minors~~ persons lawfully engaged in a compliance check shall answer all questions about the ~~minor's~~ person's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which ~~he or she~~ the person is asked.

Article IX. Brooklyn Center City Code, Section 23-108 is hereby amended as follows:

Section 23-108. VIOLATION AND PENALTY.

1. *Licensees responsible.* All licensees are responsible for the actions of their employees in regard to the sale of covered products on the licensed premises and the sale of a covered ~~item~~ product by an employee shall be considered a sale by the licensee for the purposes of constituting a license violation under this Section.
12. *Misdemeanor prosecution.* Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of Sections 23-101 through 23-108.
23. *Administrative penalties.*
 - a) *Licensees.* ~~Administrative Penalties: Licensees.~~ If a licensee or employee of a licensee sells ~~tobacco~~ covered products to a person under the age of ~~18~~ 21 years, or violates any other provision of Sections 23-101 through 23-108, the licensee shall be charged an administrative penalty of \$~~100~~ \$200. An administrative penalty of \$~~200~~ \$500 shall be imposed for a second violation at the same location within 24 months after the initial violation. For a third or subsequent violation at the same location within 24 months after the initial violation, an administrative penalty of \$~~250~~ \$750 shall be imposed, and the licensee's authority to sell tobacco products at that location shall be suspended for not less than ~~seven days~~ 30 days. Upon a fourth violation, the license will be revoked.

- b)~~2~~ *Other individuals.* Other individuals, ~~other than minors regulated by Sections 23-101 through 23-108,~~ found to be in violation of Sections 23-101 through 23-108 shall be charged an administrative fine of \$50.00.
- e) ~~*Minors.* Minors found in unlawful possession of or who unlawfully purchase or attempt to purchase, tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices, shall be subject to an administrative fine, or may be subject to tobacco-related education classes, diversion programs, community services, or another penalty that the City believes will be appropriate and effective. The administrative fine or other penalty shall be established by City Council ordinance upon the City Council's consultation with interested parties of the courts, educators, parents and children to determine an appropriate penalty for minors in the city. This administrative fine or other penalty may also be established from time to time by the ordinance or resolution establishing fees and charges, as it may be amended from time to time.~~
- d)~~c~~. *Statutory penalties.* If the administrative penalties authorized to be imposed by Minnesota Statutes, Section 461.12, as it may be amended from time to time, differ from those established in this Section, then the more severe penalty shall prevail.

- ~~4~~ 3. *License revocation, suspension, or non-renewal.* In addition to misdemeanor prosecution and administrative penalties, violation of Section 23-101 through 23-108 is grounds for revocation or suspension under Section 23-006 or nonrenewal under Section 23-104.

Article X. Brooklyn Center City Code, Chapter 23 is hereby amended by adding a new Section 23-014 as follows:

Section 23-014. SEVERABILITY. If any Section or provision of the Chapter is held to be invalid by a court of competent jurisdiction, such invalidity ~~will~~shall not affect any other Section or provision that can be given force and effect without the invalidated Section or provision.

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

Adopted this ____ day of _____, 2018.

Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

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

Document comparison by Workshare Compare on Monday, September 17, 2018
9:27:49 AM

Input:

Document 1 ID PowerDocs://DOCSOPEN/535540/2
Description DOCSOPEN-#535540-v2-Amendment_to_Tobacco_Related_Ordinance
Document 2 ID PowerDocs://DOCSOPEN/535540/3
Description DOCSOPEN-#535540-v3-Amendment_to_Tobacco_Related_Ordinance
Rendering set Standard

Legend:

Insertion

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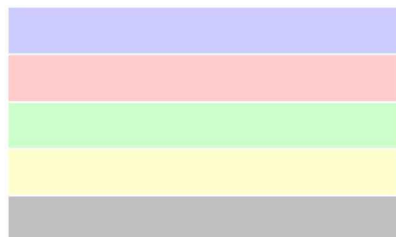
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Statistics:

	Count
Insertions	15
Deletions	13
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	28

BROOKLYN CENTER T-21 RESPONSE



1



STAFF RECOMMENDATION

- **IT IS RECOMMENDED THAT THE CITY COUNCIL CONSIDER PROVIDING DIRECTION TO STAFF REGARDING AMENDMENT OF CITY ORDINANCE # _____, CHAPTER 23, TOBACCO AND TOBACCO RELATED PRODUCTS.**

BACKGROUND



3



BACKGROUND

- **In 2017, the Council adopted a new strategic plan and priorities for the years 2018 - 2020. One of the strategic priorities adopted was “safe, secure, stable community”.**
- **Monday, May 14, the Brooklyn Youth Council and Hennepin County public health department presented finds and recommendations from their T-21 tobacco study.**

BACKGROUND (CONTINUED)

- **On Monday, August 27, 2018, the City Council heard a presentation from staff regarding possible options to address the issue the use of tobacco by youth in the City of Brooklyn Center.**
- **Based upon the direction set forth by the Council staff drafted an amendment city ordinance # _____, Chapter 23, tobacco and tobacco related products, which was included in Council packets.**

COUNCIL'S DIRECTION



OPTIONS IN RESPONSE TO BROOKLYN YOUTH COUNCIL:

- **Restrict the sales of flavored tobacco products to tobacco shops that restrict minors**

Council's direction – no consensus, but consensus of restricting the sale of all electronic cigarettes and vaping products to adult tobacco shops

- **Increase the cost of tobacco products**

Council's direction – no consensus

OPTIONS IN RESPONSE TO BROOKLYN YOUTH COUNCIL:

- **Restrict the proximity of new tobacco retailers to within 1,000 ft. Of schools, parks community centers, and libraries**

Council's direction – no consensus

- **Reduce the number of tobacco retailers to 15 retail stores**

Council's direction - consensus

OPTIONS IN RESPONSE TO BROOKLYN YOUTH COUNCIL:

- **Raise the minimum legal sales age to 21**

Council's direction – consensus

- **Increase tobacco retail compliance requirements and penalties for violation**

Council's direction - no consensus on additional compliance checks, but consensus on retail training of staff, and increase application and penalty fees

ADDITIONAL OPTIONS DEVELOPED BY STAFF:

- **Partner with the schools in Brooklyn Center, Hennepin County, and the Brooklyn Youth Council to develop and fund a program to address peer pressure and stress**

Council's direction – consensus, bring back with detail plan prior to funding a program

- **Establish continued city/local research and benchmarking of for behavior trends and changes of behavior of the use of tobacco by youth in Brooklyn Center**

Council's direction – consensus, with the caveat that staff bring back with detail plan prior to funding a program

ADDITIONAL OPTIONS DEVELOPED BY STAFF:

- **Partner with other cities to seek statewide legislation to raise the age limit of the sale of tobacco related products from 18 to 21 years of age**

Council's direction - consensus

SIGNIFICANT ORDINANCE AMENDMENTS



DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- **Appropriate changes to reflect the Council's direction on each of the options**
- **Definitions:**
 - **Covered products** – means any tobacco, tobacco-related device, electronic delivery device, e-liquid, or nicotine or lobelia delivery product.
 - **E-liquid** - means any liquid intended for human consumption through an electronic delivery device used to simulate smoking in the delivery of nicotine, lobelia, or a product containing the taste or smell through inhalation of the aerosol or vapor produced from the liquid.

DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- **No person shall sell or offer for sale any electronic delivery device or e-liquid to any person unless the sale is on the premises of a retail establishment that:**

A. Prohibits persons under the age of 21 from entering at all times;
and

B. Derives at least 90 percent of its revenues from the sale of covered products. Any retail establishment that sells electronic delivery devices or e-liquids must provide

DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- No person shall sell any covered product to any person under the **age of 21**.
- **Licensees responsible**. All licensees are responsible for the actions of their employees in regard to the sale of covered products on the licensed premises and the sale of a covered item product by an employee shall be considered a sale by the licensee for the purposes of constituting a license violation under this section.

DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- **Maximum number of licenses.** The maximum number of licenses issued by the City in any year is limited to 15, except that any licensee holding a valid license as of October 1, 2018 is permitted to retain and renew said license.

DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- **Instructional program.** All licensees shall ensure that all employees engaged with customers at the point of sale go through a training program on the legal requirements relating to the sale of covered products and the possible consequences for violations. Any training program must be pre-approved by the City. Licensees must maintain and provide to the City documentation demonstrating compliance at the time of renewal, or whenever requested during the license term.

DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- **Licensees/Administrative penalties:** If a licensee or employee of a licensee sells tobacco covered products to a person under the age of ~~18-21~~ years, or violates any other provision of sections 23-101 through 23-108, the licensee shall be charged an administrative penalty of ~~\$100-\$200~~. An administrative penalty of ~~\$200-\$500~~ shall be imposed for a second violation at the same location within 24 months after the initial violation. For a third or subsequent violation at the same location within 24 months after the initial violation, an administrative penalty of ~~\$250-\$750~~ shall be imposed, and the licensee's authority to sell tobacco products at that location shall be suspended for not less than seven days 30 days. Upon a fourth violation, the license will be revoked.

DRAFT AMENDED ORDINANCE: SIGNIFICANT CHANGES

- **Staff will work with partners to develop a work plan and estimate the cost for addressing the additional options a, b, and c.**

ORDINANCE CHANGE TIMELINE

Council Dates	Actions
August 27	Work Session presentation regarding Ordinance Amendment for Tobacco regulations
September 24	Work Session presentation regarding Ordinance Amendment for Tobacco regulations
October 8	1 st Reading of Ordinance Amendment for Tobacco regulations (on agenda as a consent item)
October 18	Publish Public Hearing Notice for Ordinance Amendment for Tobacco regulations
November 13	2 nd Reading – Public Hearing of Ordinance Amendment for Tobacco regulations (and adoption)
November 22	Publish Ordinance in newspaper
December 21	Tobacco Ordinance takes effect

POLICY ISSUES

- **Is there a consensus among the Council with regard to the recap of Council's previous deliberation, the direction and intent outlined in the draft amended ordinance City ordinance # _____, Chapter 23, tobacco and tobacco related products, and with the schedule outlined for amending said ordinance?**

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Doran Cote, Public Works Director

SUBJECT: Resolution Declaring a Public Nuisance and Ordering the Removal of Diseased Trees at Certain Properties in Brooklyn Center, Minnesota

Requested Council Action:

- Motion to approve a resolution Declaring a Public Nuisance and Ordering the Removal of Diseased Trees at Certain Properties in Brooklyn Center, MN

Background:

The attached resolution represents the official City Council action required to expedite removal of diseased trees that were recently marked by the City Tree Inspector. The City has maintained a policy of removing and properly disposing of diseased trees in order to prevent tree diseases from spreading throughout the community. The removal of diseased trees is defined in City Ordinance Chapter 20-301 to 20-306. Although the City has historically focused on Dutch Elm disease, other transmissible diseases and infestations are addressed as well.

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

After a diseased tree is declared a public nuisance by the City Council, another Compliance Notice will be provided to the property owner allowing additional time, at least five (5) days, for voluntary correction, again providing an option for an agreement with the City. If the property owner does not correct the violation or enter into an agreement, the City will remove the diseased tree. An administrative abatement service charge will be imposed based on the cost of the abatement, with a minimum charge of \$150.

Budget Issues:

The City's share of the cost of removal for diseased trees within the public right-of-way and on City property is included in the 2018 budget under the Public Works Forestry operating budget. The cost of removal for diseased trees located on private property is the responsibility of the respective property owner, and if unpaid, is specially assessed to the property.

Strategic Priorities and Values:

Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING A PUBLIC NUISANCE AND ORDERING THE
REMOVAL OF DISEASED TREES AT CERTAIN PROPERTIES IN
BROOKLYN CENTER, MINNESOTA

WHEREAS, Brooklyn Center City Code Section 20-301 declares any diseased tree a public nuisance and provides for abatement by the City if not corrected by the property owner; and;

WHEREAS, removal of diseased trees and abatement of the public nuisances is necessary to prevent the spread of tree diseases and to protect the environmental quality and desirability of neighborhoods; and

WHEREAS, a Notice to Abate Nuisance and a Diseased Tree Removal Agreement has been issued to the owners of certain properties in the City allowing the owners twenty (20) days to remove diseased trees on the owners' property; and

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

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

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

Property Address	Tree Type	Tree Number
7030 Regent Avenue N	Birch	62
5821 Pearson Dr	Elm	57

2. After twenty (20) days from the date of the initial notice, the property owner(s) will receive a second written notice providing five (5) business days in which to contest the determination of the City Council by requesting, in writing, a hearing. Said request shall be filed with the City Clerk.
3. After five (5) days, if the property owner fails to request a hearing, the tree(s) shall be removed by the City. The cost of abatement shall be recorded and become the personal responsibility of the owner of record. If unpaid, the costs shall be specially assessed to the property in accordance with City codes and Minnesota Statutes Chapter 429.

RESOLUTION NO. _____

October 8, 2018

Date

Mayor

ATTEST: _____

City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Proclamation for Pregnancy and Infant Loss Remembrance Day

Requested Council Action:

- Motion to proclaim October 15th as Pregnancy and Infant Loss Remembrance Day

Background:

Infants Remembered In Silence, Inc. (IRIS) works with thousands of people across Minnesota and across the USA who have experienced the death of child during pregnancy through early childhood. This includes death from miscarriage, ectopic pregnancy, molar pregnancy, stillbirth, neo-natal death, sudden unexplained death of a child (SUDC), sudden infant death syndrome (SIDS), birth defects, illness, accidents, and all other types of early childhood death. Many of these parents live in, deliver in, have a child die in, or bury a child in this community.

In 1988, President Ronald Reagan proclaimed October as National Pregnancy and Infant Loss Awareness month. Annually, on October 15, bereaved parents remember these children with a candle lighting. This year on October 15, many landmarks will be lit up in pink and blue including the 35W Bridge, the Lowry Ave. Bridge, Enger Tower (Duluth), and many others throughout the state.

Strategic Priorities and Values:

Enhanced Community Image

Proclamation

DECLARING OCTOBER AS NATIONAL PREGNANCY AND INFANT LOSS AWARENESS MONTH AND OCTOBER 15, 2018, AS NATIONAL PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

WHEREAS, Infants Remembered In Silence, Inc. (IRIS) and many other nonprofit organizations work with thousands of parents all over Minnesota and across the United States who have experienced the death of a child during pregnancy through early childhood; and

WHEREAS, many of these parents live in, deliver in, have a child die in, or bury a child in our community; and

WHEREAS, IRIS, a 501(c)(3) nonprofit organization, was founded in 1987, 30 years ago, to support parents whose child/children died from miscarriage, ectopic pregnancy, molar pregnancy, stillbirth, neo-natal death, sudden unexplained death of a child (SUDC), sudden infant death syndrome (SIDS), birth defects, illness, accidents, and all other types of infant and early childhood death; and

WHEREAS, bereaved parents around the world remember their children annually on October 15 with a candle lighting at 7 p.m. Some will remember their child/children in their homes while others will remember them in small gatherings around the state, across the nation, and around the world; and would unify these parents in tribute to their children; and

WHEREAS, in 1988, President Ronald Reagan proclaimed October as National Pregnancy and Infant Loss Awareness Month; and

WHEREAS, in honor of the thousands of children who die each year in Minnesota, IRIS respectfully requests that October 15, 2018, be recognized as Pregnancy and Infant Loss Remembrance Day.

NOW, THEREFORE, I, AS MAYOR OF THE CITY OF BROOKLYN CENTER, State of Minnesota, with the consent and support of the Brooklyn Center City Council, do hereby proclaim October as National Pregnancy and Infant Loss Awareness Month and October 15, 2018, as National Pregnancy and Infant Loss Remembrance Day in the City of Brooklyn Center.

October 8, 2018

Date

Mayor

Council Members

ATTEST: _____

City Clerk

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Proclamation Recognizing National Community Planning Month

Requested Council Action:

- Motion to proclaim October as National Community Planning Month

Background:

October is National Community Planning Month. This year to celebrate we will be pushing out information about community planning, along with the City's draft 2040 Comprehensive Plan. Residents will have an opportunity to take a survey to provide input on the Plan. In addition, Planning Staff are meeting with administrators at Brooklyn Center High School to discuss ways to introduce the topics of planning and public policy, and the profession of urban planning to students.

Strategic Priorities and Values:

Operational Excellence



COMMUNITY PLANNING MONTH PROCLAMATION

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work, live, and play; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Brooklyn Center, Minnesota; and

WHEREAS, we recognize the many valuable contributions made by professional community planners of the City of Brooklyn Center and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2018 is hereby designated as **Community Planning Month** in the City of Brooklyn Center in conjunction with the celebration of National Community Planning Month.

Adopted this 8th day of October, 2018.

Mayor

City Clerk

(SEAL)

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: An Ordinance Amending Chapter 12 of the City Code of Ordinances Regarding Rental Licensing

Requested Council Action:

- Motion to adopt an ordinance amending Chapter 12 of the City Code of Ordinances regarding rental licensing.

Background:

At the September 10, 2018, Council Meeting the Council approved the first reading to amend the City Code regarding the rental licensing program, and called for a public hearing on the ordinance amendment. The second reading and public hearing is scheduled for this evening, and notice has been published in the newspaper and posted on the City's website.

The ordinance would result in the following modifications to the program:

1. Modify the ordinance to remove the attendance at Association for Responsible Managers (ARM) Meetings and remove the requirement for Monthly Updates.
2. Modify the ordinance to require an inspector consultation for repeat Type IV rental licenses that repeat due to property code violations.
3. Modify the ordinance to allow Mitigation plans to be approved by staff, similar to how Type III Rental License Action Plans are currently approved.
 - The ordinance modification would allow the applicant to appeal staffs decision to the City Council if requested.
4. Modify the Rental License Category Criteria Policy to increase the number of property code violations per category by 1 for one and two family dwellings.

Staff recommends the effective date of the ordinance to be December 1, 2018. After that date, any rental license that goes before Council for approval would not be affected by a failure to attend ARM Meetings and/or submit monthly reports, as well as the other provisions of the ordinance amendment.

If the ordinance amendment is approved Staff will begin working with rental license applicants and upcoming renewals to ensure a fair process as the City transitions to the new provisions.

There is also a proposed modification to the wording in the Rental Licensing Ordinance relating to the requirement for a Crime Free Lease Addendum and the license action sections. These changes are to clean up the wording in the ordinance and will not change the requirement.

Separate from these ordinance amendments, Staff is proposing a number of initiatives designed to improve

communication with residents in the City who are renters, and to provide resources to renters that may have questions about their rights and responsibilities as tenants. Staff has drafted a rental resource booklet that would be available to renters. The booklet would contain information about the City's rental licensing program, what to do if renters feel their rights are being infringed upon, and other various resources renters may find useful.

In addition, Staff is proposing an annual mailer to all rental units in the City that would provide renters with information that they may find useful. In addition to the rental resource booklet, the mailer would provide information similar to what is in the welcome packet that new property owners receive. The intention is to ensure that every renter in the City is welcomed to the community and is provided information on how to engage with the City, as well as their rights and responsibilities as tenants.

Budget Issues:

With the decrease in the number of repeat Type 4 rental license, there could be a decrease in the number of rental application renewals received in a budget year.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY
CODE OF ORDINANCES REGARDING RENTAL LICENSING

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

Article I. Brooklyn Center City Code, Section 12-901(7) is hereby amended as follows:

7. License Category Criteria. License type will be determined on the basis of established criteria based on Police incidents and property Code and nuisance violations as recommended by the City Manager and approved by the City Council as City policy. A copy of the City policy shall be distributed to each licensee.

Article II. Brooklyn Center City Code, Section 12-910(3)(f) is hereby amended as follows:

- f. excessive police calls for service in accordance with criteria determined by the City Manager and approved by the City Council as City policy, based on the number and nature of the calls when, after owner notification, the owner has failed to supply an appropriate written action plan to reduce the police calls for service

Article III. Brooklyn Center City Code, Section 12-910(4) is hereby amended as follows:

4. License Action Sections. Revocation, suspension, and non-renewal may be brought under either this Section or Section 12-911, or both. Each Section provides an independent basis on which to take a license action and only the procedures required of the particular Section being relied upon must be followed to pursue the action.

Article IV. Brooklyn Center City Code, Section 12-913 is hereby amended as follows:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Eligibility. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.
2. Monthly Report. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.
3. Mitigation Plan. The applicant for a provisional license must submit for ~~Council~~ Compliance Official review and approval a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in

Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program. The Compliance Official may require modifications to the proposed mitigation plan to ensure it effectively addresses the issues that resulted in the applicant not being eligible for a different type of license. An applicant may appeal the Compliance Official's decision regarding the mitigation plan by filing a written appeal within 10 days of the date of the decision. The appeal must state the reasons for the appeal, the alleged error, and the relief being sought from the appeal.

4. Council Consideration. The Council shall act on whether to approve the application. Approval of the license shall be conditioned on compliance with the mitigation plan as approved by the Compliance Official. If the applicant filed a timely appeal of the Compliance Official's decision regarding the mitigation plan, the Council shall hear the appeal and may uphold, overturn, or amend the Compliance Official's decision.

~~The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.~~

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or as modified by the Council as a result of an appeal. Failure to implement and comply with the mitigation plan shall constitute sufficient grounds for a license action under Section 12-910. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

Article V. Brooklyn Center City Code, Section 12-914 is hereby amended as follows:

Section 12-914. CRIME FREE HOUSING PROGRAM. For the purpose of this Chapter, the Crime Free Housing Program shall mean the nationally recognized program, unless otherwise indicated. The phases of the program include, but are not limited to, the conditions set forth below.

1. Phase I. For license categories other than Type I, an owner, manager, or local agent responsible for the operation of the rental property must complete the Phase I training of the Crime Free Housing Program or a similar course approved by the City Manager. Certification as a rental property manager may also satisfy this requirement. Phase I includes the following:
 - a. Attend an eight-hour crime-free housing course presented by police, fire, public housing and others.
 - b. Use a written lease including the Minnesota Crime Free Housing Lease Addendum.
 - c. Check the criminal background of all prospective tenants and, upon request, provide a copy of Third Party Background Check procedures for Tenants.
 - d. Actively pursue the eviction of tenants who violate the terms of the lease and/or the Crime Free Lease Addendum.
2. Phase II. Includes Phase I plus the following:
 - a. Complete a Security Assessment and complete the security improvements recommended. This phase will certify that the rental property has met the security requirements for the tenant's safety.
 - b. ~~Attend a minimum of 25 percent of Owners/Managers Association Meetings.~~
3. Phase III. Includes Phases I and II plus the following:
 - a. For properties with more than four units, conduct resident training annually for the residents where crime watch and crime prevention techniques are discussed.
 - b. For properties with more than four units, hold regular resident meetings.
 - c. ~~Attend a minimum of 50 percent of Owners/Managers Association Meetings.~~
 - d. ~~Have no City Code violations that were not resolved in accordance with compliance orders within the past year.~~ For a property that has received consecutive Type IV rental licenses, the applicant, owner, or local agent is required to schedule and attend an inspection consultation at the property.

Article VI. Brooklyn Center City Code, Section 12-915 is hereby amended as follows:

Section 12-915. CRIME FREE/DRUG FREE HOUSING LEASE ADDENDUM REQUIREMENTS. All tenant leases, except for state licensed residential facilities, shall contain the Crime Free/Drug Free Housing Lease Addendum in a form approved by the City. The Crime Free/Drug Free provisions are in addition to all other terms of the lease and do not limit or replace any other provisions. These lease provisions shall be incorporated into every new and renewed lease for a tenancy beginning April 1, 2010. Failure of a licensee to enforce a single violation of the terms of the addendum shall constitute sufficient grounds for action on a license under Section 12-910.

Article VII. This Ordinance shall become effective on December 1, 2018 and upon thirty (30) days following its legal publication.

Adopted this ____ day of _____, 2018.

Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

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

COUNCIL ITEM MEMORANDUM

DATE: 9/10/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Amendments to the Rental Licensing Ordinance and Rental License Category Criteria Policy

Requested Council Action:

It is recommended that the City Council move to approve the first reading of the amendment to the Rental Licensing Ordinance, set the second reading and Public Hearing for October 8, 2018, and approve the amended rental license category criteria policy.

Background:

At the July 23, 2018 City Council Work session the City Council discussed modification to the current Rental Licensing program.

It was recommended that City Staff prepare the following modifications to the program.

1. Modify the ordinance to remove the attendance at Association for Responsible Managers (ARM) Meetings and remove the requirement for Monthly Updates.
2. Modify the ordinance to require an inspector consultation for repeat Type IV rental licenses that repeat due to property code violations.
3. Modify the ordinance to allow Mitigation plans to be approved by staff, similar to how Type III Rental License Action Plans are currently approved.
 - The ordinance modification would allow the applicant to appeal staffs decision to the City Council if requested.
4. Modify the Rental License Category Criteria Policy to increase the number of property code violations per category by 1 for one and two family dwellings.

Lastly, there is also a modification to the wording in the Rental Licensing Ordinance relating to the requirement for a Crime Free Lease Addendum and the license action sections. These changes are to clean up the wording in the ordinance and will not change the requirement.

Budget Issues:

With the change in the Rental License Category Criteria Policy their could be a slight decrease in the number of rental application renewals received in a budget year.

Strategic Priorities and Values:

Safe, Secure, Stable Community

B R O O K L Y N



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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- <u>2</u>
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than <u>2</u> but not more than <u>5</u>
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than <u>5</u> but not more than <u>9</u>
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than <u>9</u>
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

DATE: 7/23/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Rental Licensing Program Review

Recommendation:

It is recommended that the City Council consider providing direction to staff regarding potential modifications to the rental licensing program.

Background:

The City of Brooklyn Center has had a rental licensing program since the 1970's. In 2010 the City Council adopted modifications to the Ordinance. The modifications created a 4-tier performance-based system. That system has been in operation ever since, and has proven to be largely successful in terms of maintaining the City's rental housing stock and providing safe, secure housing.

Over the past eight years the City has been able to gather significant amounts of data regarding inspections, numbers and types of violations, as well as the rates at which properties fall into which type (I, II, III, or IV), and rates at which properties either remain consistent or change type at renewal. The information gathered has allowed staff to identify with precision ways in which the system might be improved in order to further the goals of the program even more.

The City holds monthly Association for Responsible Managers (ARM) meetings. At the March meeting attendees expressed frustration over the existing rental license system, indicating that it was too stringent compared with other cities and was not set up to allow landlords to be successful. Attendees expressed a desire to have input into the system and see revisions that would make it easier to become and maintain Type I or Type II licenses.

Following this meeting, Staff hosted a listening session and invited all of the landlords that had asked to participate, as well as other landlords who represented varying license types in the City. Staff asked specific questions regarding their experience of the rental licensing program, recorded their responses, and then asked participants to vote on which suggested changes they most wanted to see.

Out of that process three primary themes emerged:

1) Allow more infractions per license type - Overwhelmingly, most participants in the listening session expressed a desire to increase the number of violations in each license type category. The result, essentially, would be to make it easier to achieve a higher license type, thus reducing the frequency of inspections. Most notably, participants felt that the 0-1 violations allowance to achieve a Type I license was too low.

2) Base license type on second inspection - Participants in the listening session expressed frustration in the inspection process. Inspectors inspect a property and write corrections. The landlord must then make the

corrections and schedule a second inspection to show that all corrections have been completed; however, their license type (and frequency of inspections) is based on the number of violations noted in the initial inspection. A related suggestion from participants was to have inspectors do a pre-walk through, which would act like an unofficial inspection, noting corrections to be made ahead of the actual inspection. Staff's concern with this, is that it would require more than one inspection on every property, thus increasing the need for inspections staff. This inspection format would also make the City responsible for making sure property was well maintained, rather than the property owner.

3) Weight violations based on severity - Several participants noted that some cities have a weighted points-based system for inspections that places a great emphasis on life/safety issues as opposed to property maintenance issues. The concern expressed by landlords was that their property could be in compliance for all but one very minor issues, such as a ding in the wall and a sagging kitchen drawer and they would have gone from a Type I license to a Type II. Further, there were landlords that noted that violations that were easy to fix, such as a missing light bulb or battery in a smoke detector, were counted as violations even when the landlord was able to correct them on site during the inspection.

Staff's concern with weighting violations is that it creates a significantly more complex inspection process. It also opens debate over what is a minor versus a major violation. A missing light bulb may seem minor; however, given that it creates an exposed electrical circuit, they can also be very dangerous.

Following the listening session Staff met internally to go over the responses from landlords and for the inspectors to weigh-in on the suggestions. Based on that meeting, Staff has prepared the following list of potential modifications to the rental license program.

1) Remove the Association for Responsible Managers (ARM) meeting requirement and Monthly Update requirement. While this was not an item that rose to the top by the participants of the listening session, it was mentioned by more than one landlord.

- 347 Type IV Rental Licenses were issued in 2015-2017. Of those, 155 repeated as a Type IV License. 58% of the repeats were the results of the owner/manager not attending an ARM Meeting or completing monthly updates. However, 86% of repeat Type IV Rental License improved on their inspection.
- Attendance has been high at ARM Meetings which has resulted in difficulty scheduling a City conference room that can accommodate all attendees.
- Feedback from the landlord listening session was to remove the requirement. The landlords stated they would attend based on interest in the subject being presented rather than being required to attend.
- During ARM meetings, attendees who are required to attend are not typically engaged in the subject matter or more negative in their participation, which creates disruption for those that are there because they want to be.
- The tracking of monthly updates is time consuming for staff.
- In cases where the monthly updates are not being turned in by the landlord, Staff finds that typically they are doing the requirements listed in the monthly reports, just not reporting on them.
- Landlords stated they don't find value in reporting the issues they are finding at their properties, as they are handling issues at the time of their visits. (Such as having their tenant pick up litter in the yard).
- Lastly, the City is unable to verify all of the items that are reported in the monthly updates. (such as monthly check-ins with tenant).

2) Add requirement for an Inspector Consultation for all repeat Type IV rental license that repeat due to property code violations.

- This would essentially replace the ARM meeting and Monthly Update requirement, and create a more targeted action for those landlords that have repeat Type IV licenses and might need additional resources to understand how to manage their properties better.
- The inspection consultation would be required for the smaller percentage of repeat Type IV rental

properties that are having difficulty maintaining their property.

- The consultation would be a walk through, not a full inspection of the property, with an inspector explaining rental licensing requirements and how to maintain the property on an ongoing bases.

3) Remove requirement for Mitigation Plans to be submitted for Council Approval.

- The Type IV Rental Licenses require the Mitigation Plan to be submitted and approved by staff before it is brought to City Council for final approval before a rental license can be issued.
- This can delay the process it takes for a landlord to receive their license by 2 weeks to 3 months depending on the response from the owner or manager.
- Properties that qualify for a Type IV license are more likely than other license types to require multiple inspections or take a longer time period to correct the violations. This delay, combined with the additional time it takes to prepare a Mitigation Plan in time for the Council meeting, increases the likelihood that a license will expire before being renewed.
- Type III rental licenses require an Action Plan which does not require Council approval. Removing the Mitigation Plan from Council approval would streamline the Type IV Rental License process, and bring it into consistency with the Type III process.
- Further, removing the required council memo would decrease workload for administrative and management staff.

4) Modify the number of property code violations for each category.

- Increase the number of property code violations by 1 violation per category.
- It was suggested at the landlord listening session that the Type I - 3 Year License be more obtainable.
- The overall rental housing stock has improved from when the performance-based program was adopted; therefore, the types of violations that inspectors see are typically less severe.
- This allows for a property that is in great condition and has 2 minor violations such as a missing backflow preventer or missing light bulb to still obtain a Type I - 3 year license.
- In single-family homes, there are much more items that the inspector looks at (furnace, water heater, more bathrooms, etc) that are potential violations compared with an apartment unit which are generally smaller and lack the mechanical systems present in a house. This results in single-family homes being more likely to be a Type III or Type IV License.
- When reviewing licenses issued in 2017 the following adjustment would have applied under the proposed standards:
(based only on inspection results not considering police calls or repeating a category due to other requirements)
 - 54 more properties would have been a Type I - 3 Year License rather than a Type II - 2 Year License.
 - 24 properties would have qualified for a Type II - 2 Year license rather than a Type III - 1 Year License.
 - 14 properties would have qualified for a Type III - 1 Year License rather than a Type IV - 6 Month License

License Type	Current Code Violation Range	Proposed Violation Range
Type 1- 3 Year License	0-1	0-2
Type 2 – 2 Year License	2-4	3-5
Type 3 – 1 Year License	5-8	6-9
Type 4 – 6 Month License	Greater then 8	Greater then 9

Staff feels that these modifications to the program will stream line the process, improve customer service for landlords, while also maintaining high quality rental property in the City.

Based on the City Council's input, Staff will work with the City Attorney to make any amendments to the Rental License Ordinance that may be needed and bring back to Council for a first and second reading.

Budget Issues:

There are not budgetary issues to consider.

Strategic Priorities and Values:

Safe, Secure, Stable Community

Listening Session with Landlords
May 2, 2018

Below are summary of the comments/suggestions that were provided based on the discussion topic.

Inspections

- Notice of inspections
 - Provide a more precise time vs a window for an inspection
 - Provide electronic email notice and text message confirmation
- Actual inspection
 - Improve on inspector consistency
 - Provide information about the inspection online
 - Be flexible in types of code violations
 - minor vs major / health life safety vs non health life safety

Program – license determination

- Provide a pre-inspection with the owner/tenant before the actual inspection
- Count code violations based on the results of the 2nd inspection
- Increase the number of code violations per license category
- Remove minor violations from the license determination as long as it is corrected
- Everyone starts with a 3 year license and based on the number of code violations the license category would decrease with the increase in number of code violations

CPTED / ARM Requirements

- Eliminate ARM requirement
- Eliminate CPTED requirement for single family
- Provide automatic electronic notice of any police calls for service on a monthly basis for all properties

Administrative Citation

- Be more lenient on issuing citations for operating without a rental license

Landlords had an unlimited number of votes for each comment and were instructed to vote on the one(s) they felt were most important and would like to see changed.

Weighted violations - There were multiple comments and votes under this category. Comments were wide ranging consisting of weighted violations based on severity level ranging from major vs minor, health life vs non health life, and easy and quick. This received a total of 27 votes.

License determination at the 2nd inspection – This received a total of 18 votes and it was stated in several different ways. Some of the comments were: only count after the 2nd inspection, conduct a pre-inspection and then base license after that, don't count all the minor violations, only count health life safety violations, and only count the easy fix if it does not get repaired at the 2nd inspection.

Increase # of code violations per category – There were only a few comments relating this to but it did receive 11 votes.

Consider the rental type and size of the property – Only one comment was stated and received 7 votes.

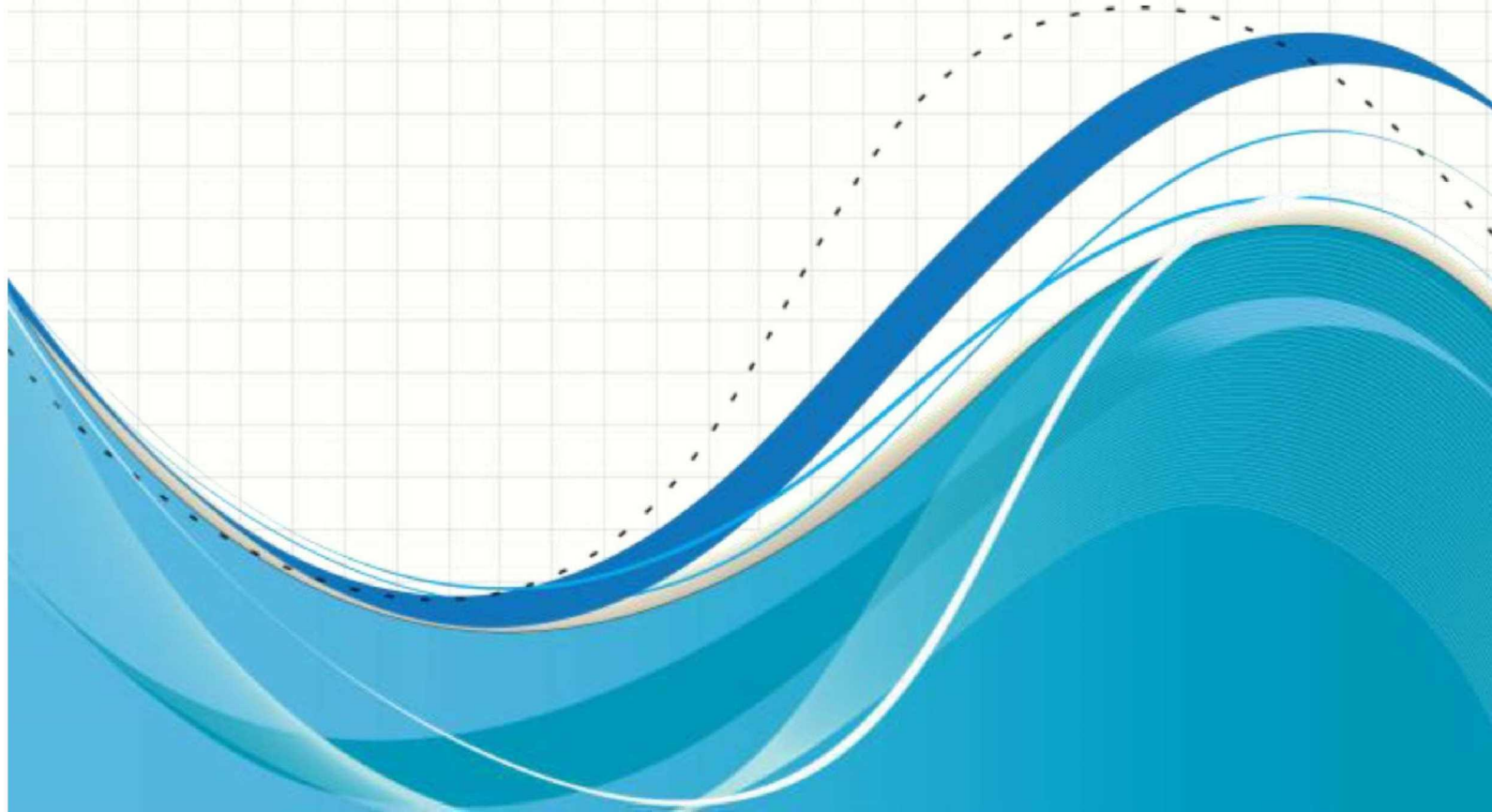
Inspector consistency – Only 1 comment and received 6 votes.

Eliminate ARM and CPTED requirement – 2 votes

Automatic notice of police calls for service – 2 votes

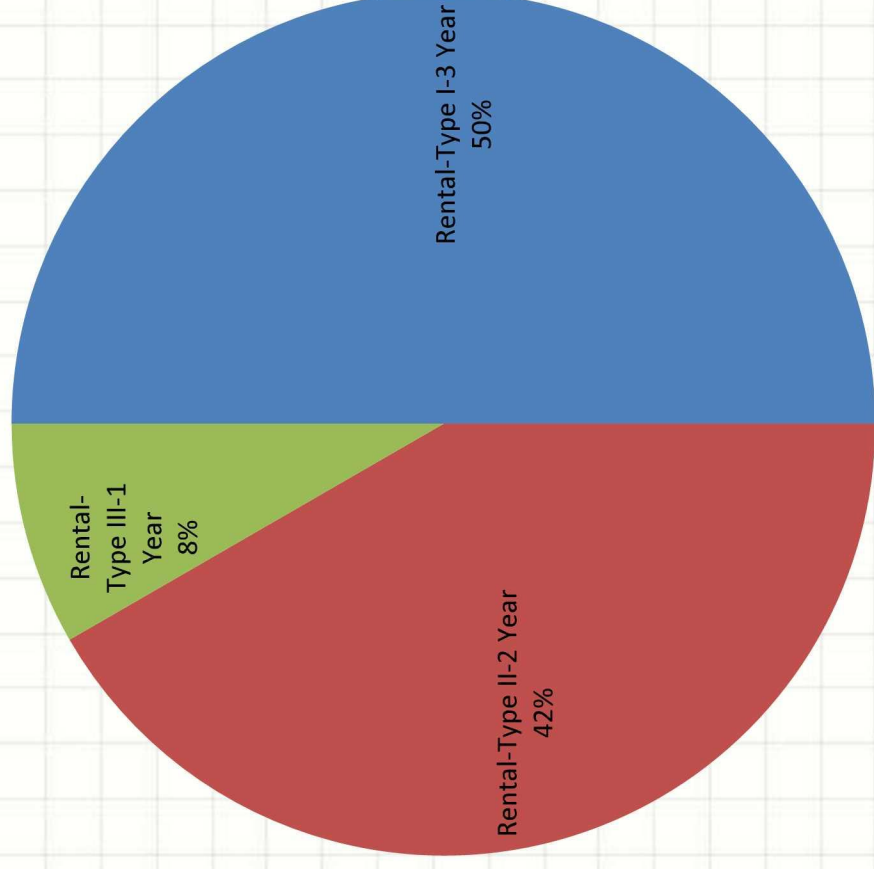
Electronic notice – 1 vote

RENTAL LICENSING STATISTICS



Rentals – Active By Type

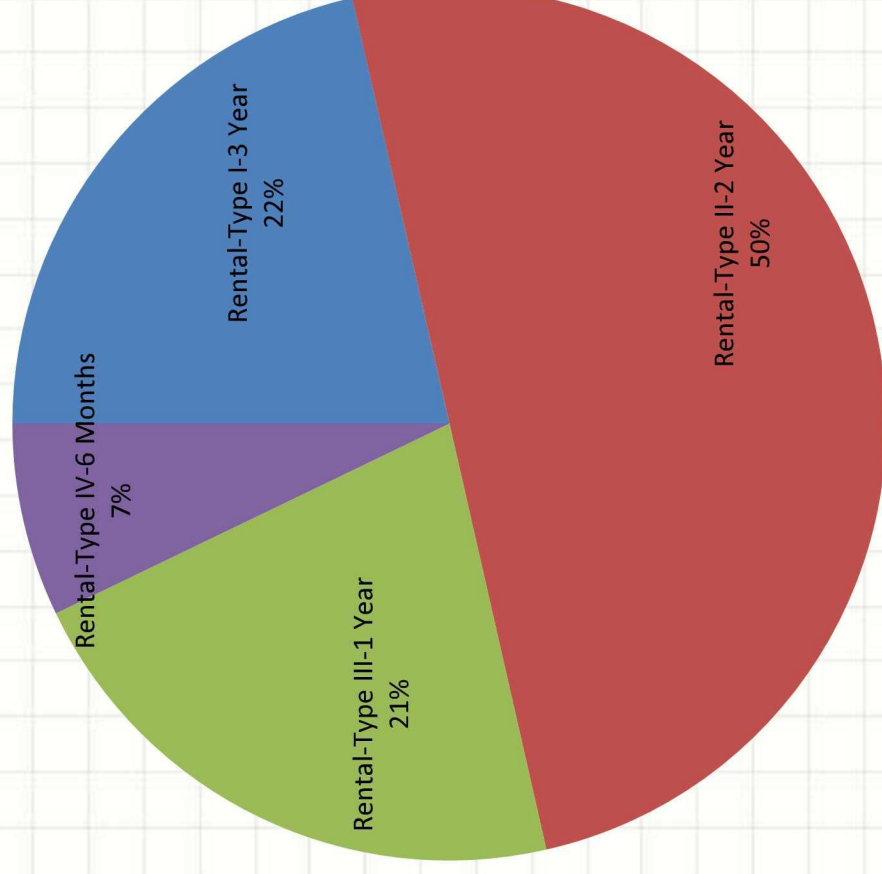
100+ Units
(on May 7, 2018)



Rental-Type I-3 Year
Rental-Type II-2 Year
Rental-Type III-1 Year

Rentals – Active By Type

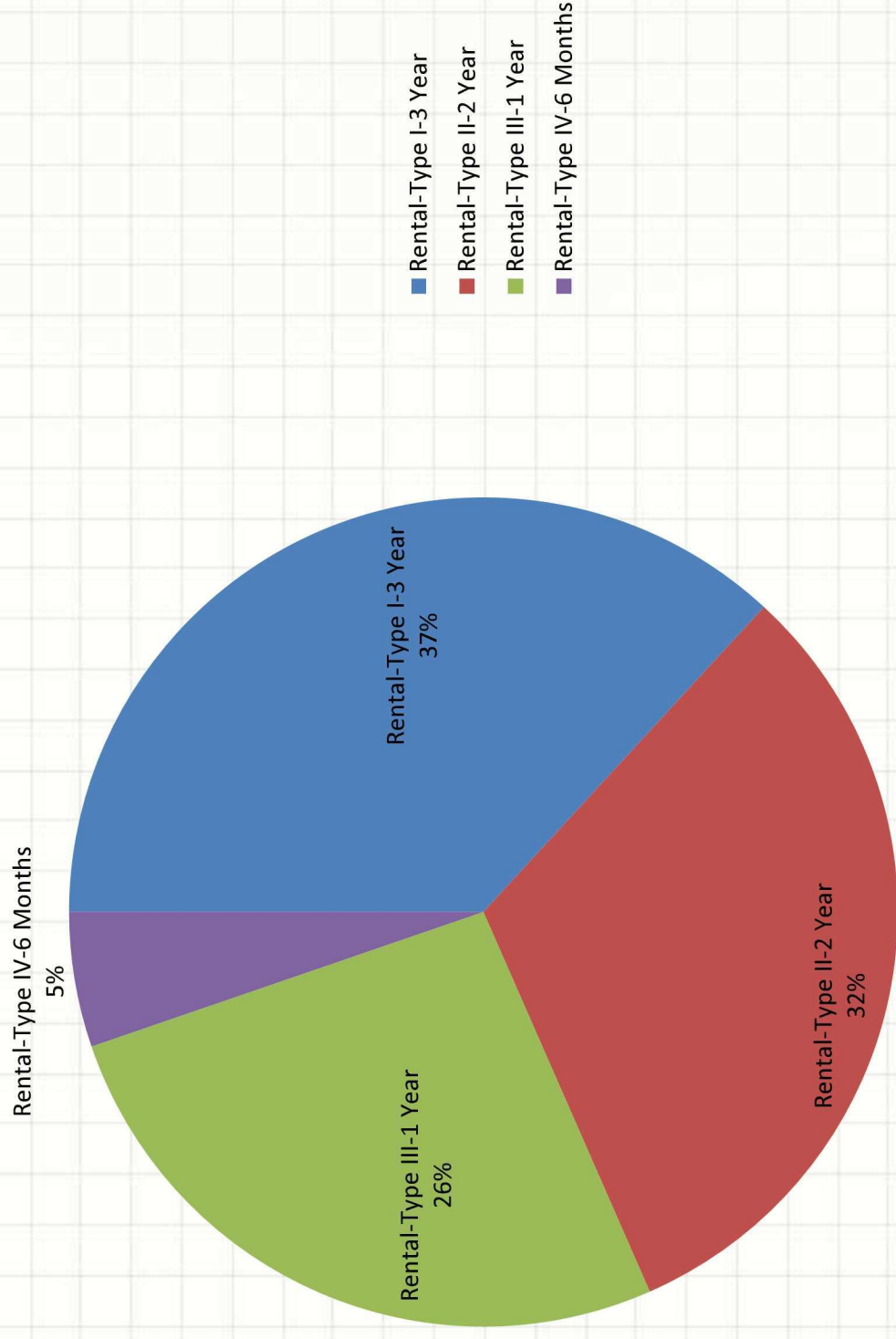
40-99 Units
(on May 7, 2018)



- Rental-Type I-3 Year
- Rental-Type II-2 Year
- Rental-Type III-1 Year
- Rental-Type IV-6 Months

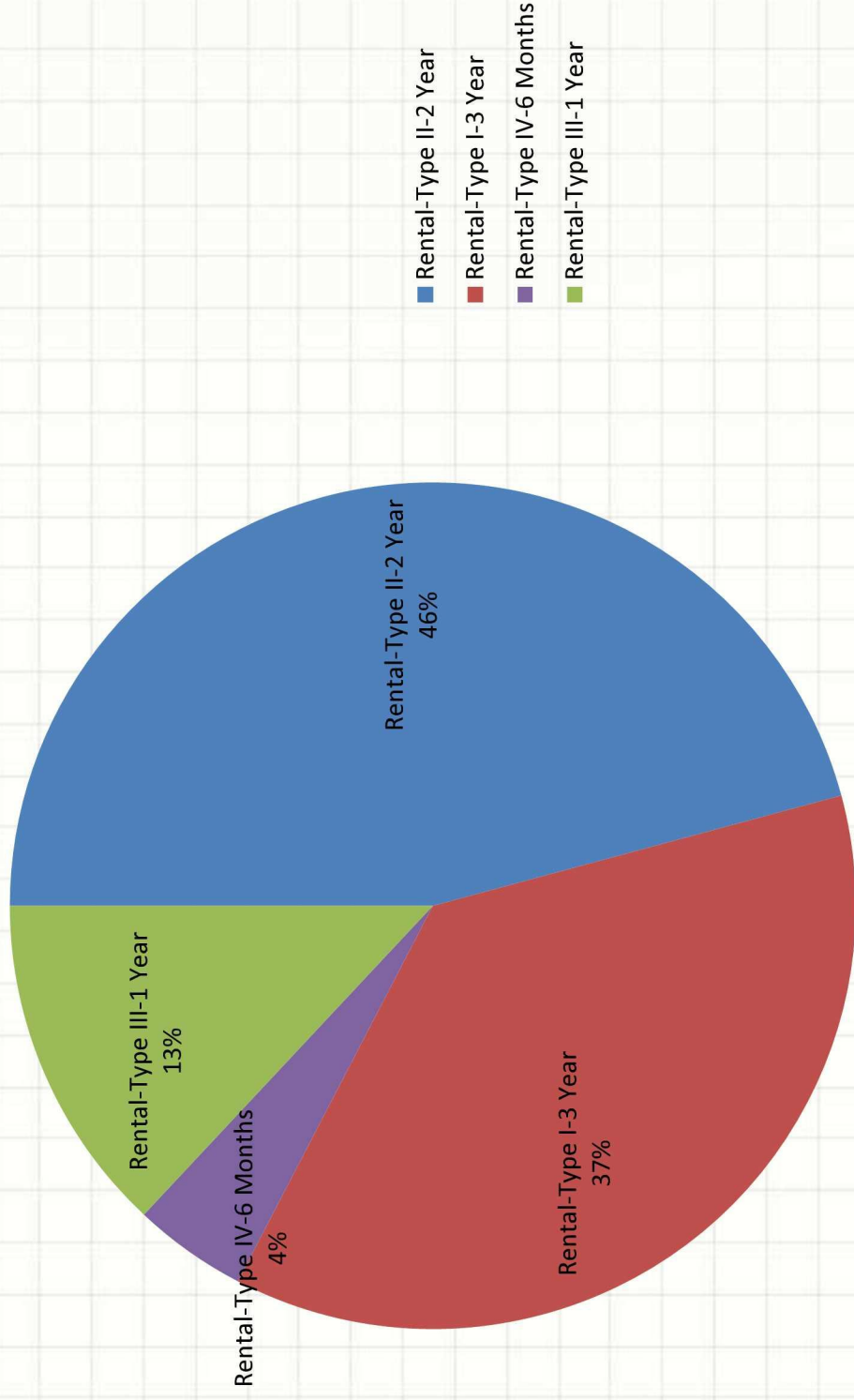
Rentals – Active By Type

5-39 Units
(on May 7, 2018)



Rentals – Active By Type

1-4 Units
(on May 7, 2018)



Repeat Type IV License Review

Type 4 Information	2015 & 2016 & 2017
Total Type IV	347
Total Repeat Type IV	155 (44%)
Repeat where violation were still Type IV	48 (30% of repeats)(14% of all IV)
Repeat for ARM or Monthly only	90 (58% or repeats)(25% of all IV)
Met Requirements but had code violations	20 (13% of repeats)(6% of all IV)
Improving on inspections	86%
Didn't repeat as type IV	55%

Reasons For Repeating Type IV Licenses

	2017	2016	2015
Missed Monthly only	4	12	4
Monthly and Security Assessment	1	2	2
Met Mitigation Plan- Code violations only	10	3	7
Missed Security Assessment only	1	1	4
ARM Only	17	9	10
Arm and Monthly	10	14	10
Arm and Security	2	7	3
arm, monthly and security	9	6	7
Crime free housing course only		1	1

What License Would Have Qualified For – Based on Code Violations

	<u>2017</u>	2016	2015
Type 1	8	6	7
Type 2	14	25	7
Type 3	13	8	19
Type 4	19	14	15

Repeat Reason 2017 Based On Number of Times Repeated

Repeat reason	2017						
	Total	1x repeat	2nd X Repeat	3 X Repeat	4x repeat	5x repeat	6x repeat
Missed Monthly only	4	1	1	1		1	
Monthly and security	1	1					
Met Mitigation Plan Requirement	10	6	2	1			1
Missed security assessment only	1		1				
Association Meetings	17	10	3	2	2		
Arm and Monthly	10	6	1	1	1	2	
Arm and Security	2	1					
arm, monthly and security	9	4	3	1	1		
Crime free housing course only							
Monthly, Security, Crime Free Housing							
Security and crime free housing course							
Arm, Crime free housing training							
<u>Would have qualified for</u>							
<u>2017</u>							
Type 1	8	5	2	1			
Type 2	14	7	2	2	2	1	
Type 3	13	7	3	2		1	
Type 4	19	10	4	2	2		1

Repeat Reason 2016 Based On Number of Times Repeated

Repeat reason	1x repeat	2nd X Repeat	3 X Repeat	4x repeat	5x repeat
Missed Monthly only	6	4	1	3	
Monthly and security	3				
Met Mitigation Plan- Code violations only	1		2		
Missed security assessment only	1				
Association Meetings	3	1	1	2	
Arm and Monthly	6	2	4	1	1
Arm and Security	5	2			
arm, monthly and security	4		1		
Crime free housing course only	1				
Monthly, Security, Crime Free Housing	1				
Security and crime free housing course					
Arm, Crime free housing training					
<u>Would have qualified for</u>					
Type 1	4	1	2	1	
Type 2	12	8	1	2	1
Type 3	4	2	1	3	
Type 4	10		4		

Repeat Reason 2015 Based On Number of Times Repeated

Repeat reason	1x repeat	2nd X Repeat	3 X Repeat	4x repeat	5x repeat
Missed Monthly only	2	2			
Monthly and security	1				
Met Mitigation Plan- Code violations only	5	1			
Missed security assessment only	4				
Association Meetings	6	1	1		1
Arm and Monthly	7	1	2		
Arm and Security	1	1			
arm, monthly and security	4	2			
Crime free housing course only	1				
Monthly, Security, Crime Free Housing	1				
Security and crime free housing course	1				
Arm, Crime free housing training		1			
<u>Would have qualified for</u>					
Type 1	5				1
Type 2	4	4			
Type 3	12	4	2		
Type 4	10	3	1		

Police Nuisance Calls Effect On Rental License Category

Type 4 Rental License 2015-2017	Count
Total Type 4 Rentals	264
Not affected by police nuisance calls	261
Qualified for a one category decrease due to police nuisance calls	6
Would have had a decrease by one category but was already a type 4	3
Would have been a type 3 but police nuisance calls cause decrease by 1 category	3
Qualified for a 2 category decrease	0

Licensed Rentals by Size

Property Type	Number of properties	Number of units	Percentage
1-4	784	896	21%
5-39	24	401	9%
40-99	15	987	23%
100+	12	2065	47%
Total	835	4349	100%
	* As of 4/3/18		

Number of Licenses Active Per License Category

License Category	2012	2013	2014	2015	2016	2017
Type I—3 year license	322 (41%)	247 (41%)	284 (34%)	315 (36%)	323 (38%)	296 (37%)
Type II - 2 year license	359 (45%)	377 (45%)	427 (51%)	413 (47%)	278 (45%)	352 (43%)
Type III - 1 year license	77 (10%)	85 (10%)	91 (11%)	115 (13%)	114 (14%)	115 (14%)
Type IV - 6 mo. license	30 (4%)	29 (3%)	43 (3%)	28 (3%)	29 (3%)	44 (5%)
Total	788	838	845	871	844	810

2017 Number of Single Family Properties per Violation Count

Number of Property Code Violations	Number of License	Licensed Category Based Only on Property Code Violations
0	43	Type 1 - 3 Year License
1	65	Type 2 - 2 Year License
2	54	Type 2 - 2 Year License
3	41	Type 2 - 2 Year License
4	65	Type 2 - 2 Year License
5	24	Type 3 - 1 Year License
6	29	Type 3 - 1 Year License
7	26	Type 3 - 1 Year License
8	22	Type 3 - 1 Year License
9	14	Type 4 - 6 Month License
10	16	Type 4 - 6 Month License
11	16	Type 4 - 6 Month License
12	6	Type 4 - 6 Month License
13	9	Type 4 - 6 Month License
14	8	Type 4 - 6 Month License
15-20	19	Type 4 - 6 Month License
21*	8	Type 4 - 6 Month License

2017 Number of 4+ Unit Properties per Violation Count

Number of License	Number of Property Code Violations per unit	Licensed Category Based Only on Property Code Violations
1	0	Type 1 - 3 Year License
2	0.20	Type 1 - 3 Year License
1	0.48	Type 1 - 3 Year License
2	0.60	Type 1 - 3 Year License
1	0.71	Type 1 - 3 Year License
1	0.75	Type 1 - 3 Year License
3	0.90	Type 2 - 2 Year License
5	1.15	Type 2 - 2 Year License
1	1.27	Type 2 - 2 Year License
2	1.45	Type 2 - 2 Year License
3	1.50	Type 2 - 2 Year License
1	1.61	Type 3 - 1 Year License
5	1.75	Type 3 - 1 Year License
3	1.85	Type 3 - 1 Year License
2	1.95	Type 3 - 1 Year License
3	2.45	Type 3 - 1 Year License
4	2.75	Type 3 - 1 Year License
2	3.00	Type 3 - 1 Year License
4	3.25	Type 4 - 6 Month License
1	3.75	Type 4 - 6 Month License
1	4.00	Type 4 - 6 Month License
1	5.45	Type 4 - 6 Month License
1	6.25	Type 4 - 6 Month License



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Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	Number of Units	Property Code Violations per Inspected Unit
Type I – 3 Year	1-2 units	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing & Community Standards Supervisor

SUBJECT: Resolution Approving a Type IV - 6 Month Provisional License

Requested Council Action:

- Motion to approve a resolution for a mitigation plan and Type IV-6 Month Provisional license for 5331 70th Circle

Background:

Budget Issues:

There are no budget issues to consider.

Strategic Priorities and Values:

Safe, Secure, Stable Community

COUNCIL ITEM MEMORANDUM

DATE: October 8, 2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Xiong Thao, Housing and Community Standards Supervisor

SUBJECT: Type IV 6-Month Provisional Rental License for 5331 70th Circle

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan** and issuance of a Type IV 6-Month Provisional Rental License for 5331 70th Circle. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a new rental license. This is a single family property. This property qualifies for a Type IV Rental License based on fifteen (15) property code violations found during the initial rental license inspection.

Staff from Administration, Building & Community Standards and Police Departments worked with the property owner regarding a mitigation plan, which requires Phase I, II and III of the Crime Free Housing Program, and other items included by City ordinance for a Type IV Rental License. A Mitigation Plan has been developed addressing the requirements of the ordinance and any issues specific to the property.

Therefore, staff is recommending approval of the Type IV Rental License on condition of adherence to the Mitigation Plan. Please refer to the attached copy of the Mitigation Plan for more information.

The following is a brief history of the license process actions:

11-07-2017	The Owner, Boukary Kabore, applied for an initial rental dwelling license for 5331 70 th Circle, a single family property.
12-14-2017	An initial rental license inspection was conducted. 15 property code violations were cited, see attached rental criteria.
01-24-2018	A second inspection was conducted and failed. No reinspection fee was charged.
03-02-2018	A third inspection was conducted and passed.

COUNCIL ITEM MEMORANDUM

- 03-27-2018 A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
- 07-11-2018 A \$125 Administrative Citation was issued for failure to submit a Mitigation Plan.
- 08-01-2018 A \$250 Administrative Citation was issued for failure to submit a Mitigation Plan.
- 08-16-2018 A \$500 Administrative Citation was issued for failure to submit a Mitigation Plan.
- 09-20-2018 A Mitigation Plan was submitted.
- 09-26-2018 The Mitigation Plan was finalized.
- 09-28-2018 A letter was sent to the owner notifying that the hearing before the Council will be held October 8, 2018.
- 10-03-2018 A \$300 Administrative Citation was issued for operating without a rental license.

If approved, after one month, a new rental license is required. The license process will begin immediately. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.
2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.
3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.
4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall

COUNCIL ITEM MEMORANDUM

state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable

COUNCIL ITEM MEMORANDUM

concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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

b. Police Service Calls.

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

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

License Category	Number of Units	Validated Calls for Disorderly Conduct Service & Part I Crimes
------------------	-----------------	--

COUNCIL ITEM MEMORANDUM

		(Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment

- Mitigation Plan



Community Development

Rental License Plan

Handwritten Plans will not be accepted.

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

COPY
SEP 20 2018

☐ Action Plan—Type III (1 Year) ☒ Mitigation Plan—Type IV (6 Months)

Property Address: 5331 70th Cir

Owner's Name(s): Boukary Kabore

Local Agent:

Owner's Address: 5131 Kimberly Rd
Minnetonka 55435

Agent Address:

Owner's Phone: 7634479079

Agent's Phone:

Owner's Email: mail@eidla.com

Agent's Email:

Current Expiration Date:

Pending Expiration Date:

~~11-30-18~~

11/30/18 LFB

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property is **required to submit an Action (Type III) or Mitigation Plan (Type IV)**. In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

Read carefully and be sure to follow instructions, otherwise your plan will not be approved.



5331 70th Cir

Community Development

Sections A—Crime Free Housing Program Requirements

Phase I - Read and check each box.

- ☒ 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**
- ☒ 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.
- ☒ 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.
- ☒ 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**
- ☐ Crime Free Housing training is completed
- ☒ Crime Free Housing training is scheduled for 10/2/18
Date
- ☒ Owner or agent plans to attend training at : Coon Rapids
Name of City
- ☒ 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

Phase II - Read and check each box.

- ☒ 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.
- ☒ 2) **A follow-up assessment must be completed before the license expiration date** to verify the security improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.
- ☐ Security Assessment is completed
- ☒ Security Assessment is scheduled for 10-5-18 @ 9-10am



5331 70th Cir

Community Development

Sections A—Crime Free Housing Program Requirements (continued)

Phase III - A.R.M Meeting Requirement

☒ xx

- 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

☐ xx

- 2) **Registration is not required to attend**, however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

☐ xx

- 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: November 8 and January 2019

The following actions are required for Multi-Family properties with four (4) or more units.

☐

- 1) Conduct resident training annually to include crime prevention techniques.

☐

- 2) Conduct regular resident meetings.



5331 70th Cir

Community Development

Sections B—Long Term Capital Improvement Plan

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items **must** have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

Item	Last Replaced	Condition*	Estimated Replacement Date
<i>Example: Water Heater</i>	<i>May 2010</i>	<i>F</i>	<i>May 2020</i>
Item	Last Replaced	Condition*	Estimated Replacement Date
Furnace	_____	G	2025
Water Heater	2018	M	2028
Kitchen Appliances	2018	M	2028
Laundry Appliances	_____	G	2028
Smoke Alarms/ Carbon Monoxide Alarms	2018	N	2028
<u>Exterior Items</u>			
Paint/Siding	_____	G	ASSOCIATION
Windows	_____	F	_____
Roof	_____	F	_____
Garage	_____	G	_____
Driveway	_____	G	_____
Fence	_____	G	_____
Sidewalks	_____	G	_____
Shed	_____	NA	_____

*Condition Abbreviations:

New=N

Good=G

Fair=F

Needs Replacement=R



5331 70th Cir

Community Development

Sections C—Steps to Improve Management and Conditions of Property

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

The following actions are required:

- ☒ 1) Check-in with tenants every 30-days.
- ☒ 2) Drive by property to check for possible code violations.
- ☒ 3) Evict tenants in violation of the lease or any addendums.
- ☒ 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- ☒ 5) Have no repeat code violations previously documented with the past year.
- ☒ 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- ☐ 7) Other: _____

The following actions are optional unless required by the City.

- ☐ 1) Provide lawn/snow service.
- ☐ 2) Provide garbage service.
- ☐ 3) Install security system.
- ☐ 4) Provide maintenance service plan for appliances.
Name of service company: _____
- ☐ 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.



Community Development

PROPERTY ADDRESS

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

BOUKAR, KABORE

Owner or Agent Name and Title (Please Print)

[Signature]

Owner or Agent Signature

9-20-18

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

[Signature]

Police Department

9/26/2018

Date

[Signature] H88 + Lower St. Lyp

Community Development

9/20/18

Date

COUNCIL ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Release of Draft 2040 Comprehensive Plan for Public Comment

Requested Council Action:

- Motion to accept the Draft 2040 Comprehensive Plan and release it for public comment

Background:

Over the past year the City, together with its consultant Swanson Haskamp Consulting, has been working on the 2040 Comprehensive Plan. The process has included extensive work by the Planning Commission, as well as significant engagement with the community and the City's other commissions and committees.

Attached is a Draft Plan. It is important to note that the plan is still in draft form, and subject to further revision and public comment. In fact, Chapters 8 and 9; Transportation and Infrastructure respectively, are placeholders while the consultants working on those elements complete their work. These sections will be added to the Draft Plan as they are completed.

At their September 13th meeting, the Planning Commission reviewed the Draft 2040 Comprehensive Plan chapter by chapter. The Commissioners provided staff and the consultant feedback on various aspects of the Draft Plan. Most notably, the Planning Commissioners discussed the Land Use and Redevelopment Chapter and the Implementation Chapter. They provided comments on the overall document as well.

The Planning Commissioners identified a few aspects of the Draft Plan that they felt needed more detail, including sections related to the City's economic competitiveness. Staff and the consultant discussed the Planning Commissioners comments, and determined that the best course of action would be to add an additional chapter to the Draft Plan that would delve more deeply into the economic development work the City is doing, specifically related to the strategic priority of Resident Economic Stability. The new Chapter 5, Economic Competitiveness, is attached to this report for your review, as is the rest of the Draft Plan, as revised by the Planning Commission.

The Planning Commission voted unanimously (6-0) to accept the 2040 Draft Plan and recommend to the City Council that it be released for public comment.

If the City Council votes to release the Draft Plan, it will be uploaded to the City's website that is dedicated to the Comprehensive Plan: <http://brooklyncenterplan2040.com/>, along with a survey that is designed to assist residents in reviewing and commenting on the Draft Plan.

In addition, the Draft Plan will be made available to affected jurisdictions as is required by State Statute, and a subsequent 6-month multi-jurisdictional review will commence. The Metropolitan Council will also begin a preliminary review of the document, which will assist with a faster approval process once the final plan is

adopted and submitted for final approval.

During the 6-month review period the public will also have an opportunity to comment on the Draft Plan.

Upon completion of the review period, Staff will compile the public comments and report back to the Planning Commission and City Council with any proposed revisions to the document. Once the Plan is finalized the Planning Commission and City Council will be asked to hold a public hearing and approve the final version, which will then be submitted to the Metropolitan Council for final review and approval.

Budget Issues:

There are no budget issues related to this item.

Strategic Priorities and Values:

Targeted Redevelopment

DRAFT Chapter 1: Introduction, Community & Planning Context





INTRODUCTION

The City of Brooklyn Center is a first-ring suburb of the Twin Cities metropolitan area and is one of the best positioned, and most accessible communities in the region. Most of the community's neighborhoods were developed in the post-world war II era between the 1950s and 1970s, with the community fully built-out by the 1980s. Once defined by the Brookdale Mall, the City was an active hub of regional retail activity for decades that provided a shopping destination for not only local residents but the northwest region of the Twin Cities. The presence of the mall played a significant role in shaping the physical development of the community as supporting retailers, service providers and offices soon began to co-locate near the mall creating a vibrant and active city center. Soon the 'center city' was bustling with activity, jobs, and eventually new residents in nearby multi-family developments.

For decades the presence of an indoor mall was an important differentiator of cities in the region – there were not many of them, so if your city was lucky enough to have a mall it was as close to a guarantee of success, not only the mall, but for all of the supporting small shops, offices and other destinations in the City. No one would have suspected that retail would change so drastically over the course of such a short period of time, but that is exactly what happened over the past decade and Brooklyn Center experienced the worst decline of any other City with a regional mall in the region. Brooklyn Center's core began to experience pressure and decline more than 15-years ago as adjacent communities like Brooklyn Park and Maple Grove began to develop. In conjunction with new residential development came new service and retail platforms that slowly replaced the demand for a regional, enclosed mall. The new, larger homes coupled with more modern retail environments in nearby communities would ultimately prove to be fatal to the success of Brookdale and the 'center city' that was once so vibrant.

For the better part of the past decade the 'center city' has slowly evolved into what is now Walmart and other local retail destinations that have replaced the once regional retail hub. Though some new users have started to emerge, there remains significant areas of under-developed and underutilized properties which present opportunities to Brooklyn Center that are unparalleled at this time within the region.

As this area began to decline, the City slowly began to shift its focus from ‘saving Brookdale’ to looking for new opportunities to redefine the City through redevelopment. For the past decade the City has methodically and strategically acquired properties within the center city to assemble a larger, contiguous area of land that would be available for redevelopment. The City’s leaders and policy-makers have been proactive to support a new vision for the center city, one that once again will define Brooklyn Center as a resilient and vibrant community for generations to come.

This 2040 Comprehensive Plan Updated (Plan) is not just about redevelopment in the center city, but it is about redefining and reimagining the community as whole as change takes hold over this planning period. While redevelopment of the center city has the potential to physically impact and define the community, equally important is its relationship and connectivity to existing neighborhoods. This Plan works to establish strategies that integrate and connect new and established parts of the community together – the concept that existing areas can benefit by improvements and investments of new areas thereby contributing to the long-term sustainability and resiliency of the community as a whole. Like many other first-ring suburbs, the City’s early years were focused on single-family neighborhoods where residential uses dominated the landscape. That dominance remains today and as such housing continues to be at the forefront of the City’s planning efforts within this Plan. Whether existing or new, housing stability, affordability and diversity will continue to be central to any planning and redevelopment efforts in the community.

However, before we can begin to develop the plan for the community’s future it is important to describe the City’s context within the region and understand the framework from which subsequent Chapters of this Plan are derived. The following sections of this Chapter provide a snapshot of the community’s context that summarizes a more detailed set of data which can be found in the Background Report Appendix. This Chapter is intended to provide context regarding the following:

- Summary of current demographic and socio-economic trends
- Current market snapshot (local and regional)
- Planning context
 - Metropolitan Council (regional)
 - Local (objectives established and local process)



Community Demographics and Socio-Economic Conditions

The City of Brooklyn Center is a moderate size community comprising approximately 5,360-acres, and is bordered by the Cities of Minneapolis, Brooklyn Park, and Crystal. The full extent of the City's eastern border is along the Mississippi River, with intermittent public access and views to the river corridor. Brooklyn Center is considered a first-ring suburb to the City of Minneapolis, and is geographically positioned just 10-minutes from downtown Minneapolis. The community is highly accessible by car to the larger region from I-94, Highway 252, and Highway 100, and within the City by an extensive network of county and local roadways. The City's population in 2016 was estimated at 31,231 and approximately 11,300 households. Other key 2016 demographic statistics compiled from the American Community Survey and US Census that were used to inform Plan development include:

- Age
- Household tenure
- Racial/ethnic
- Median income

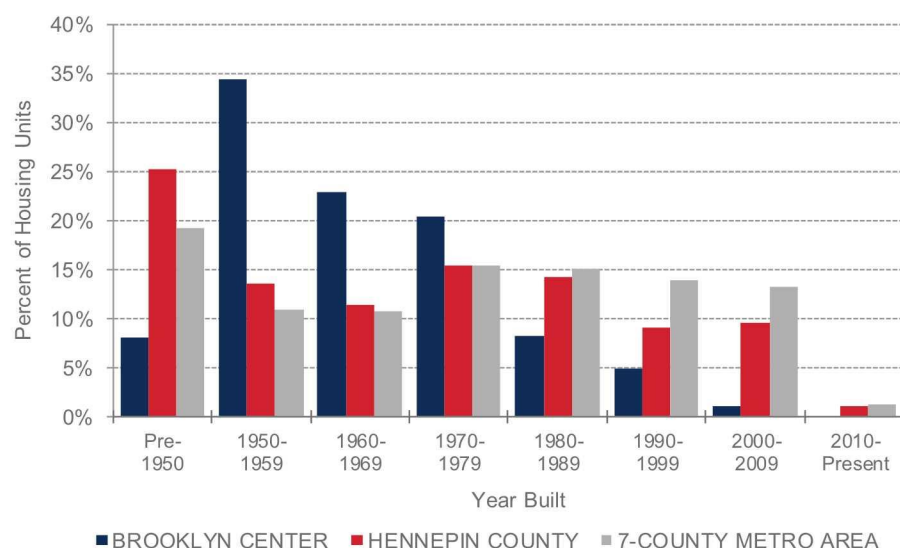
3

Market Snapshot

A critical component to planning for the City's future is to understand the current market dynamics in the community and compare those to the larger region. This is an important aspect of the planning process because it provides context from which the City's vision for its future can be derived. The purpose of this Plan is to be aspirational, but also to consider and be rooted within market reality so that the community can evolve and grow over this planning period.

As shown in the following Figure 1-1 and Table 1-1 the City's existing housing stock is diverse and includes single-family, condominium, townhome and multi-family products. While the housing stock is diverse, most of the product was developed more than 40-years ago, and much of the single-family housing was developed more than 50-years ago.

Figure 1-1. Year Housing Structure Built 2015



Source: US Census: 2011-2015 American Community Survey

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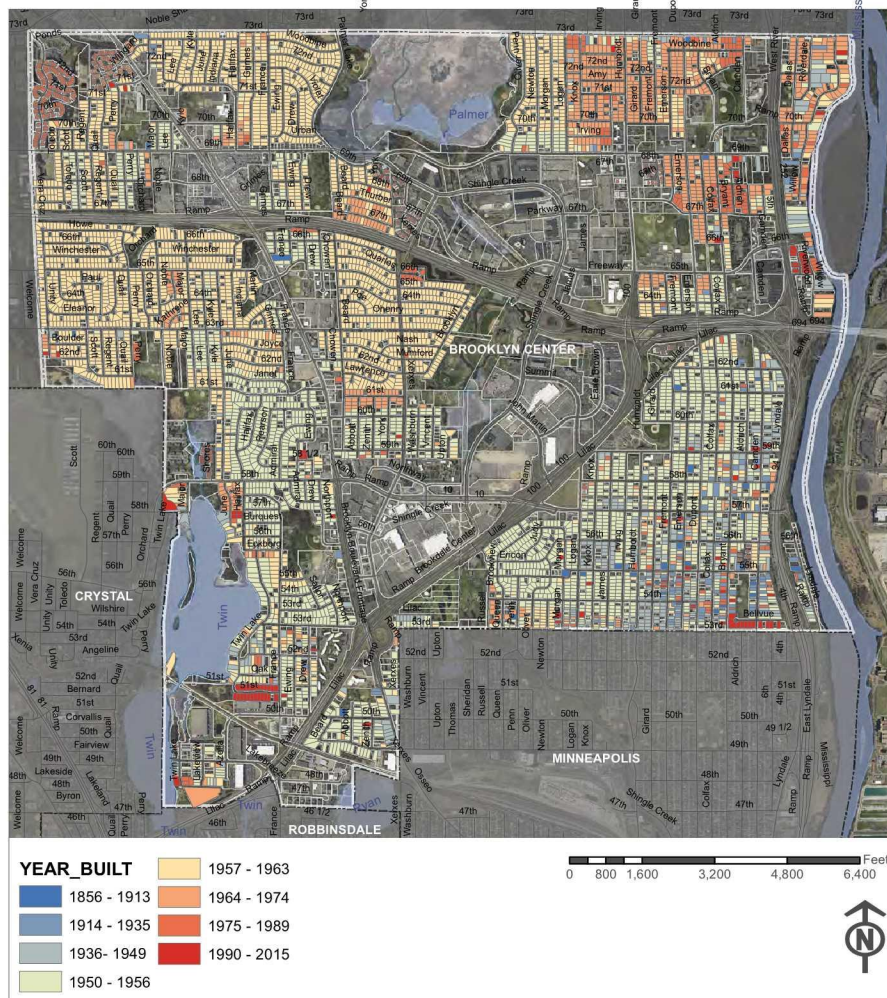
Table 1-1. Housing Structure Type 2000-2015

Housing Type	2000	2010	2015	Change 2000-2015		Distribution		
				No.	Pct.	2000	2010	2015
BROOKLYN CENTER								
Single Family Detached	7,180	6,696	6,872	-308	-4.3%	62.9%	63.5%	62.5%
Single Family Attached	929	965	884	-45	-4.8%	8.1%	9.1%	8.0%
2-Units	97	83	94	-3	-3.1%	0.8%	0.8%	0.9%
3-4 Units	142	105	105	-37	-26.1%	1.2%	1.0%	1.0%
5 or more Units	3,048	2,678	3,033	-15	-0.5%	26.7%	25.4%	27.6%
Other Unit Types	28	26	8	-20	-71.4%	0.2%	0.2%	0.1%
Total	11,424	10,553	10,996	-428	-3.7%	100.0%	100.0%	100.0%
HENNEPIN COUNTY								
Single Family Detached	260,349	265,319	271,200	10,851	4.2%	57.1%	56.0%	55.3%
Single Family Attached	32,477	41,925	42,701	10,224	31.5%	7.1%	8.8%	8.7%
2-Units	20,555	17,579	16,841	-3,714	-18.1%	4.5%	3.7%	3.4%
3-4 Units	11,816	10,795	11,554	-262	-2.2%	2.6%	2.3%	2.4%
5 or more Units	129,411	136,607	146,411	17,000	13.1%	28.4%	28.8%	29.9%
Other Unit Types	1,521	1,631	1,489	-32	-2.1%	0.3%	0.3%	0.3%
Total	456,129	473,856	490,196	34,067	7.5%	100.0%	100.0%	100.0%
7-COUNTY METRO AREA								
Single Family Detached	624,734	669,718	682,595	57,861	9.3%	61.2%	60.3%	59.3%
Single Family Attached	84,436	123,763	130,366	45,930	54.4%	8.3%	11.1%	11.3%
2-Units	35,054	29,435	29,780	-5,274	-15.0%	3.4%	2.7%	2.6%
3-4 Units	24,416	22,573	23,891	-525	-2.2%	2.4%	2.0%	2.1%
5 or more Units	236,350	250,059	268,930	32,580	13.8%	23.1%	22.5%	23.4%
Other Unit Types	16,464	15,169	14,592	-1,872	-11.4%	1.6%	1.4%	1.3%
Total	1,021,454	1,110,717	1,150,154	128,700	12.6%	100.0%	100.0%	100.0%

Source: US Census, 2011-2015 American Community Survey



Map 1-1. Homestead Properties - Year Built

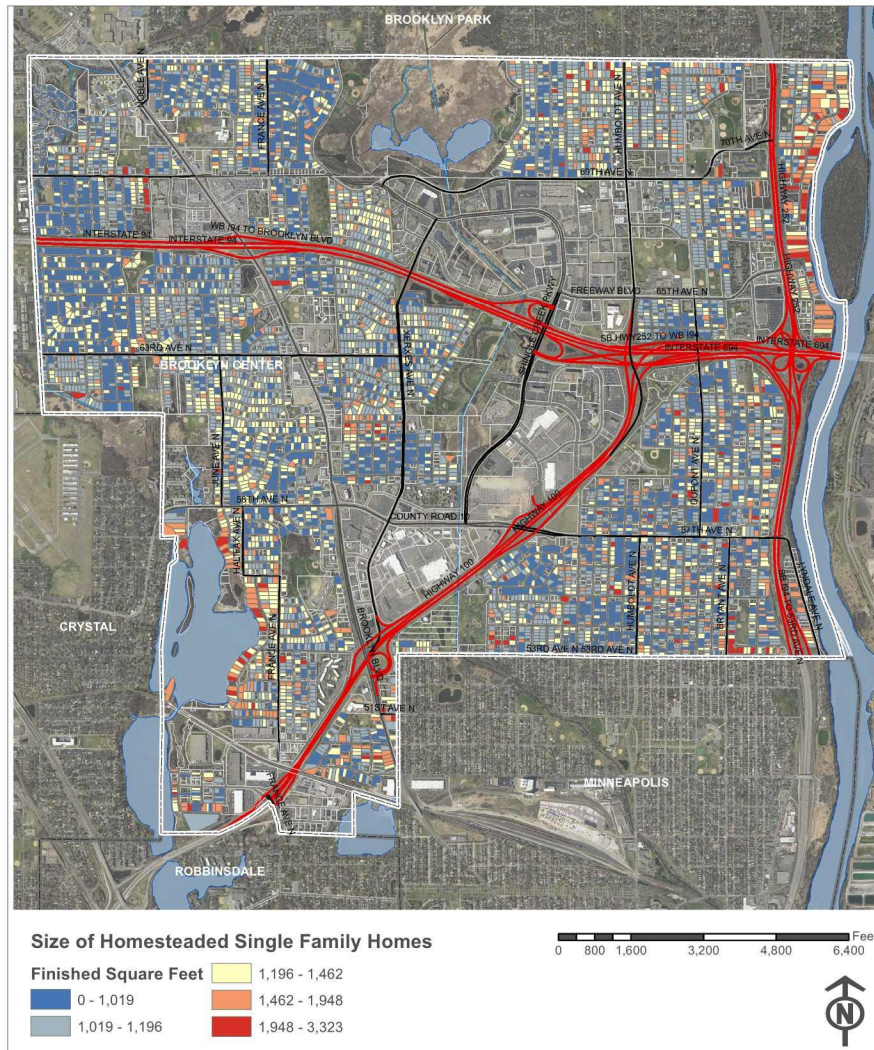


Housing Market Trends

The Brooklyn Center housing market was hit particularly hard in the housing bust of the late 2000s that resulted in a high number of foreclosures and declining median home values. The great recession was officially over by the late 2000s, but after-effects lasted far longer and impacted housing prices into the mid 2010s. By 2015 many communities within the region had recovered to pre-bust prices, but Brooklyn Center lagged slightly behind as indicated within the Background Report prepared in the fall of 2017. The market is slowly recovering, and finally in 2018 updated data indicates that the City has now surpassed pre-bust pricing for single-family homes.

Despite the modest recovery, the City's median home prices continue to be well below that of the metropolitan area. According to the Minneapolis Association of Realtors, the median sales price of homes in Brooklyn Center is \$186,125 as compared to \$247,900 in the metro area. As discussed in subsequent chapters, much of this price difference can be associated with the age of structures in the community, relatively small square-footage of structures (Map 1-2) and lack of structure and neighborhood diversity.

Map 1-2. Square Footage of Single-Family Homes



Nearly a third of the City's housing stock is renter occupied, and most is contained within larger multi-family structures and complexes. The majority of the multi-family housing is located adjacent to major roadway corridors and near the former regional mall site. The City's rental product is considered to be affordable, but it is naturally occurring due to age of buildings, units, and level of finish of existing units. This is an important distinction because no new multi-family housing or large-scale apartment product has been developed in the community for more than 40-years which may signal potential issues with deferred maintenance, unwanted conversions or wanted conversions to higher market-rate product, deteriorating quality

and lack of options that meet changing demographic demands of the City's residents. The recent apartment boom in adjacent communities such as Saint Paul and Minneapolis bring new product to the market place that is renting at substantially higher rates, thus further contributing to the disparity between the region and the City. Part of this Plan is to evaluate and understand how pricing in new multi-family development will compare to the larger region, and to address affordability as a component of new development to ensure economic diversity within newer areas of the community is planned and strategies are developed to ensure a range of affordability into perpetuity.

Employment and Commercial Trends

This Plan acknowledges and identifies the significant change in retail, office and employment that has occurred in the City since the 2030 Plan was prepared and adopted. Peak employment in the City occurred around 2000 when there approximately 16,700 jobs which then began to decline steeply as Brookdale closed leaving a little more than 11,000 jobs in the community by 2010. Since 2010, the City has slowly begun to add jobs back into the community and that trend is expected to continue through this planning period as redevelopment efforts take shape and come to fruition.

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Throughout this planning process residents, commissioners and policy-makers have emphasized that the City should capitalize on the entrepreneurial attitudes of new residents. Repeatedly this process revealed a passion, interest and commitment of residents and stakeholders to renew, reimagine and reinvigorate the city center with new business uses that could benefit from new nearby residences. From local restaurants, cafes, start-up business/office spaces to larger specialty shops and services residents are eager to create a more dynamic and mixed-use environment in the community.

This objective is consistent with regional trends provided new residences are also planned for so that vibrant, mixed-use areas are developed. At both a regional and national level, market trends suggest that creating experienced-based places with diverse services, work opportunities and retailers in an accessible location is most desirable for redevelopment. As described in subsequent chapters of this Plan, Brooklyn Center is uniquely positioned to capitalize on this trend because underdeveloped and undeveloped land is available with key regional adjacencies such as the new C-Line Bus Rapid Transit (BRT) which will open in 2019. The presence of key infrastructure, coupled with proximity to the major employment centers, provides an exceptional opportunity for the City to not only add new households to the region but to add new jobs and create a new identity for employment in the City.

Planning Context

The planning context of this Plan is also an important consideration to understand how and why the subsequent chapters of this planning document were created. While the City's location in the regional and current market dynamics provide context to where and why certain characteristics are emphasized within this Plan, the Planning Context establishes the requirements of this planning effort that must be addressed and also describes who was involved at the local level in the creation of this Plan. The following sections will define the planning context of the following:

1. Regional context and requirements (Metropolitan Council)
2. Local context and objectives guiding Plan development

Regional context and requirements – Metropolitan Council

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Cities often wonder when, and why, they should prepare an update to their Comprehensive Plan. While cities are able to amend or update their Plans at any time, the Metropolitan Land Planning Act requires all cities and counties in the Twin Cities Metropolitan Area (seven-county) to adopt a Comprehensive Plan, and to update and amend those plans on a minimum of a decennial basis for consistency with the regional systems. The Plan update may address a broad spectrum of issues and opportunities important to the City, but at a minimum the Plan must be updated for conformance with the Metropolitan Council's regional system plans that include transportation (highways and transit), water resources (wastewater services), airports, parks and open space.

To clearly define how a City must establish conformance with the Metropolitan Council's requirements the Metropolitan Council issues a System Statement to each community in advance of the decennial Plan update period. Within the System Statement, the Metropolitan Council outlines and details the key areas that Brooklyn Center must update for compliance with the regional system. The following information provides a summary of the System Statement requirements that were considered and planned for within subsequent sections of this Plan update.



Community Designations

The Metropolitan council groups cities and communities with similar characteristics into Community Designations for the application of regional policies. The entire community of Brooklyn Center is designated as an Urban community. This designation acknowledges and recognizes that the City is fully developed but may include redevelopment opportunities, and has been primarily developed with a fairly compact development pattern. It is also a recognition of the City's proximity to both Saint Paul and Minneapolis and is a nod to the dominant time period in which the community was developed. One of the primary objectives in establishing Community Designations, is to ensure that communities plan for development and corresponding infrastructure in a sustainable and fiscally responsible way that will support the objectives of the designation. (See Map 1-3. Community Designation).

Map 1-3. Community Designation



More detail regarding the community's roles and responsibilities as an Urban designated community can be found in Chapter 3: Land Use. Some of the key highlights of the City's role are as follows:

- The City should plan for any redevelopment, or new development, to achieve average densities of no less than 10 dwellings per acre.
- Targeted redevelopment should be considered at key transportation corridors, or where regional transit investments are known.
- Focus should be placed on local infrastructure needs of current and future development in the community – including sidewalks, roadways, sewer, water and surface water management.

Forecasted Growth

To plan for the City's future the Metropolitan Council provided forecasted population and household projections that the City is required to consider as it prepared this Plan update. As stated within Chapter 3, the City believes it may grow beyond what is identified within the 2015 System Statement given current redevelopment expectations but is generally within the range of what the Metropolitan Council has forecasted. As the City contemplates redevelopment it is important that the City considers the following:

- Allow development that is consistent with this Comprehensive Plan, which includes revised household and population projections based on redevelopment plans.
- Promote redevelopment of key areas that provide the greatest access to existing transportation and transit lines.
- Consider redevelopment that incorporates sustainable and resilient infrastructure design standards to ensure adequate infrastructure is available to new areas.

If the areas identified for change and growth are redeveloped there is the potential to add more than 2,200 new households to this area of the region. While this represents a small portion of the overall expected growth, it would be first time the City has added that number of households and population since it first experienced its development boom in the 1950s and 1960s. The expected change is why this Plan emphasizes thoughtful and integrated planning of the redevelopment areas to ensure that new developments are interconnected with existing neighborhoods and that as areas are reimagined that they are seamlessly integrated into the City's existing fabric.

Local Planning Context & Objectives Guiding Plan Development

In part, the City has prepared this Comprehensive Plan Update to fulfill the requirements of the Metropolitan Council; however, the City also viewed this process as an opportunity to further refine its goals and aspirations for the future of Brooklyn Center.

2040 Plan Update Objectives

The following objectives were established to help guide the Plan update process:

1. Update the Comprehensive Plan to meet the Metropolitan Council's requirements for compliance with the four regional systems, while tailoring the Plan to meet the City's long-term goals and aspirations.
2. Simplify this Plan to more clearly define the City's aspirations so that residents, stakeholders, developers and policy-makers understand the objectives of the community through this planning period.
3. Create dimension within the Land Use Plan through incorporation of new land use designations that are clear, concise, and more responsive.
4. Establish an appropriate mix of uses that balance market realities with the aspirations and vision of the community.
5. Create a Plan that is easy to use and understand. The Plan should be helpful to staff, residents, stakeholders and policy-makers.
6. Engage the public, commissions, staff and policy-makers throughout the process to help guide Plan development.

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Engagement Process

An important component of this Plan update process is to solicit public input to ensure that the Plan accurately reflects the goals and objectives of the residents and stakeholders. This public engagement process was specifically tailored to this Plan development and included:

- Meeting the public where they were – this included booths at both Holly Sunday and Earle Brown Days to solicit feedback from a broad cross-section of residents and stakeholders of the community.
- Regular Planning Commission Meetings – the Planning Commission held regular monthly work sessions (open to the public) to guide the plan development process.
- Joint work sessions of the Planning Commission and City Council – The joint work sessions allowed for both bodies to work together to develop the contents of this Plan.



- On-line public comment surveys to ‘check the plan’ – this included online surveys to ‘check’ the contents of the draft Plan to ensure it responds to the aspirations of the community through this planning period.

The intent of the public engagement process was to create opportunities for meaningful feedback and to gain consensus on the direction for the future of Brooklyn Center over this planning period.

Plan Development & Changes from the 2030 Plan

This 2040 Plan is a re-write of the previously adopted Plan, however, it is still informed by previous planning studies which served as a foundation to this effort. Some of the key highlights of this Plan are as follows:

- This Plan embraces transit, and introduces new land use designation that emphasizes compact and walkable redevelopment that capitalizes on the new Bus Rapid Transit C-Line which is planned to open in 2019.
- The ‘center city’ was expanded to not only address redevelopment of the former Brookdale site, but to encompass a ‘central spine’ that bisects the community along highway 100. The expanded area of consideration leads to increased opportunities for larger scale redevelopment with a greater mix of uses.
- Current market trends and projections were used to help inform the types of land use changes identified within this Plan. Integration of housing within the City’s redevelopment efforts is identified as a critical component to success. This Plan carefully balances market dynamics with the goals and aspirations of the community.
- This Plan identifies implementation strategies and steps to reinforce resilient, and sustainable redevelopment plans that focus on a more compact, connected system of transit, trails, and open spaces in City’s identified redevelopment areas.

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The Chapters that follow are the culmination of efforts of the Planning Commission, stakeholder and resident feedback, staff and the City Council. This Plan is intended to serve as a guide for the community’s land use, redevelopment, housing and infrastructure planning through this planning period. The City acknowledges that the community relies on this Plan to understand where and how things may change and evolve in Brooklyn Center over the next decade, and where things are projected to stay the same. This Plan is intended to clearly describe to potential developers where the City is interested in redevelopment, and how those areas can be reimagined to redefine the image of Brooklyn Center for future generations. While this Plan makes every effort to lay out a path forward for the next 20 years, it is also intended to be a living document that should be reviewed, updated, and changed when necessary.





DRAFT Chapter 2: Vision, Goals & Strategies





INTRODUCTION

Since the 2030 Comprehensive Plan was adopted Brooklyn Center has experienced significant changes in nearly all aspects of the community. Once known as the “City with Brookdale Mall” the loss of the regional retail destination left a large area of underutilized and vacant land at the core of the community. Suddenly Brooklyn Center’s residents were left without a firm identity as the heart of the City no longer pulsed with the vibrancy it had for so many decades before. No one could have predicted how significantly and quickly retail trends would change, and how the rise of e-commerce and experience-based retail would result in less demand for physical bricks and mortar storefronts and large-scale malls. The swift change left Brooklyn Center in a state of flux, leaving a large area of the community ripe for redevelopment...but what would it become?

The loss of the regional retail destination had a significant impact on Brooklyn Center, but it is not the only change happening in the community. Over the past decade the City has become the most diverse community in the Twin Cities metropolitan area. Brooklyn Center’s location in the region has made it a highly desirable place for new families to locate, and the population is younger with more families and kids than in the county and neighboring cities. The City has remained one of the most affordable and accessible places to live in the metro area, despite skyrocketing real estate prices in the region. All of these factors impact the City. They play a role in how the community thinks about what types of retailers, offices, services, houses, transit, and parks, trails and open spaces are needed to support the current and changing demographics of the community.

The evolving dynamics of Brooklyn Center reveal an opportunity for the City to plan for its future and to capitalize on its strengths. This Chapter is intended to serve as a guide for the City through this planning period. It includes a vision for the City’s future as adopted and established through previous planning efforts and is further refined and supported through a set of goals and strategies for each topic area contained within this Comprehensive Plan (2040 Plan). Sprinkled throughout subsequent chapters of this 2040 Plan goals are restated in call-out boxes to correlate how specific sections support the goal statements as a reminder of the community’s aspirations. This Chapter serves as the roadmap for this planning period, and it is intended to help residents, stakeholders, business owners and policy-makers bring the City’s plan to fruition.

BROOKLYN CENTER VISION 2040

The City of Brooklyn Center's policy makers and leadership have engaged in several visioning and strategic planning initiatives over the past few years. The various efforts resulted in the development of a Vision and Mission Statement for the community, as well as a set of short-term Strategic Priorities. Rather than recreate the wheel, this 2040 Plan process validated that the Vision and Mission Statements continue to reflect the aspirations of the community. The adopted Strategic Priorities correlate to various components of this 2040 Plan and are highlighted and integrated into the relevant section of this Chapter. The purpose of restating the Strategic Priorities, even though they may be short-term, is to show how they are supported and enhanced by the goals and strategies developed through this process.

It became clear through various meetings and public engagement events that the City's efforts to establish a Vision and Mission Statement were successful, and that these statements continue to reflect the aspirations of the community. The City's adopted Vision and Mission statements are restated below and serve as guide for this 2040 Plan.

Vision Statement

"We envision Brooklyn Center as a thriving, diverse community with a full range of housing, business, cultural and recreational offerings. It is a safe and inclusive place that people of all ages love to call home and visitors enjoy due to its convenient location and commitment to a healthy environment."

Mission Statement

"The mission of the City of Brooklyn Center is to ensure an attractive, clean, safe, and inclusive community that enhances the quality of life for all people and preserves the public trust."



GOALS & STRATEGIES

The Vision and Mission Statements provide the framework and high-level direction from which supporting goals, strategies and policies can be derived to help bring this 2040 Plan to fruition. Having a clear Vision and Mission Statement was invaluable to this planning process because it allowed the effort to focus on developing a set of core goals and strategies that would support the Vision for the City's future.

The City assigned the Planning Commission as the 2040 Plan's primary working group, and the Commission was responsible for establishing a set of goals and strategies from which subsequent chapters of this Plan were derived. The first step in establishing a set of draft goals was a Strengths, Weaknesses, Opportunities and Threats (SWOT) exercise that required the Planning Commission to identify what specific characteristics and qualities of the community they hoped would either be addressed, maintained or enhanced. The Planning Commission was then asked to prioritize their SWOT exercise to determine which characteristics and qualities rose to the level of aspirations and goals for this Plan.

The results of the SWOT and prioritization were then turned into goal statements using specific action-oriented works with a defined meaning. The draft goal statements became the foundation of the Planning Commission's discussion that addressed topics such as Community Identity and Character, Land Use and Redevelopment, Housing, Transportation, and Infrastructure.

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The goal statements and themes became the foundation from which feedback and information were collected throughout the 2040 Plan planning process. These topics were used to structure and guide focused discussions with other city commissions, city staff, on-line surveys, and at public events. After collecting feedback through public engagement efforts and working with the Planning Commission and city staff, a set of supporting strategies were developed based on the input received.



The following goals and strategies are a culmination and synthesis of information collected through the various efforts to engage the public, the Planning Commission, other city commissions, policy-makers and staff. This Chapter is the core of the 2040 Plan and establishes the priorities and initiatives the City has identified as essential during this planning period. Given the importance of this Chapter to the Plan, it is critical that definitions for certain terms and words are universally understood by the user of this 2040 Plan. For purposes of this document, the following definition of a goal and a strategy are provided:

Goal A general statement of community aspirations and desired objectives indicating broad social, economic, or physical conditions to which the community officially agrees to try to achieve in various ways, one of which is the implementation of the Comprehensive Plan.

Strategy An officially adopted course of action or position to implement the community goals.

In addition to properly defining a “Goal” and a “Strategy”, the definition of the action word contained within the goal and strategy statements must also hold a common definition that assigns various roles, commitments, and responsibilities to the City. A glossary of these terms is found in the Appendix of this 2040 Plan. The ‘action’ words used in the following goal and strategy statements are assigned the following levels of financial commitment:

No commitment of financial investment, staff resources & policy directives	May include financial investment, staff resources & policy directives	Commitment to financial investment (if needed), staff resources & policy directives
Continue Endorse Reserve Recognize Promote Work	Create Encourage Enhance Explore Maintain Identify	Protect Provide Strengthen Support Sustain

The following goals and strategies are categorized by topic area, and generally correspond to the individual Chapters that are contained within this 2040 Plan. Preceding the goals and strategies, if applicable, are the City's adopted short-term Strategic Priorities. While these statements are identified as 'short-term' in many cases the priority is relevant and applicable to the long-term goal and strategy statements. Each Chapter should support, build upon, and incorporate these goals and strategies into the Plan component and develop implementation steps that will help achieve the goals and strategies as identified. The intent of these statements is to provide a roadmap for development in the City; to be aspirational; and to create a framework for policy-makers, commissions, city staff, developers, landowners, businesses and residents.

Intergovernmental & Community Relationship Goals

Adopted Strategic Priority: Inclusive Community Engagement

"In order to provide effective and appropriate services, we must clearly understand and respond to community needs. We will consistently seek input from a broad range of stakeholders from the general public, non-profit, and for-profit sectors. Efforts to engage the community will be transparent, responsive, deliberately inclusive, and culturally sensitive."

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Intergovernmental & Community Relationship Goal 1:

Identify opportunities to improve communication and engagement with the community's residents, business owners and stakeholders.

Strategies

- Recognize that the City's demographics are changing quickly, and it is important to adapt and change engagement and communication methods on a regular basis to meet the needs of residents and business owners.
- Work to maintain the City's communication materials in a variety of platforms with various languages that match the cultural needs of the community.

Intergovernmental & Community Relationship Goal 2:

Strengthen opportunities to collaborate with adjacent municipalities, agencies and the County on planning, marketing, transportation and infrastructure initiatives that may impact the City.

Strategies

- Recognize the importance of the City's participation within the region and the importance of planning across borders (i.e. regional transit and bikeway planning, economic development, access to job centers, etc.)
- Encourage City staff to work with staff members in adjacent communities to identify opportunities to coordinate efforts that are mutually beneficial.

Intergovernmental & Community Relationship Goal 3:

Explore ways to collaborate with the school districts, non-profits and the for-profit sectors to engage the City's youth so that they are invested in the community.

Strategies

- Strengthen the City's relationship with the schools to better understand the needs of the youth in the community (i.e. better access to jobs, transit, bikeways, etc.)
- Explore opportunities to involve the City's youth on advisory boards, in planning initiatives and on other engagement events to encourage their participation and feedback to help shape the future of the City.
- Create a consistent presence of the City and its available opportunities, services and facilities in local schools, community gathering spaces and areas where Brooklyn Center's youth congregate.



Land Use & Redevelopment Goals

Adopted Strategic Priority: Targeted Redevelopment

"Redeveloping properties to the highest value and best use will accomplish our goals regarding housing, job creation, and growth of the City's tax base. We will appropriately prepare sites and provide the necessary supporting infrastructure investments to guide redevelopment of publicly- and privately-owned properties."

Land Use & Redevelopment Goal 1:

Support the Future Land Use Plan through the update or creation of relevant and market-based small area plans, redevelopment plans, and the zoning ordinance.

Strategies

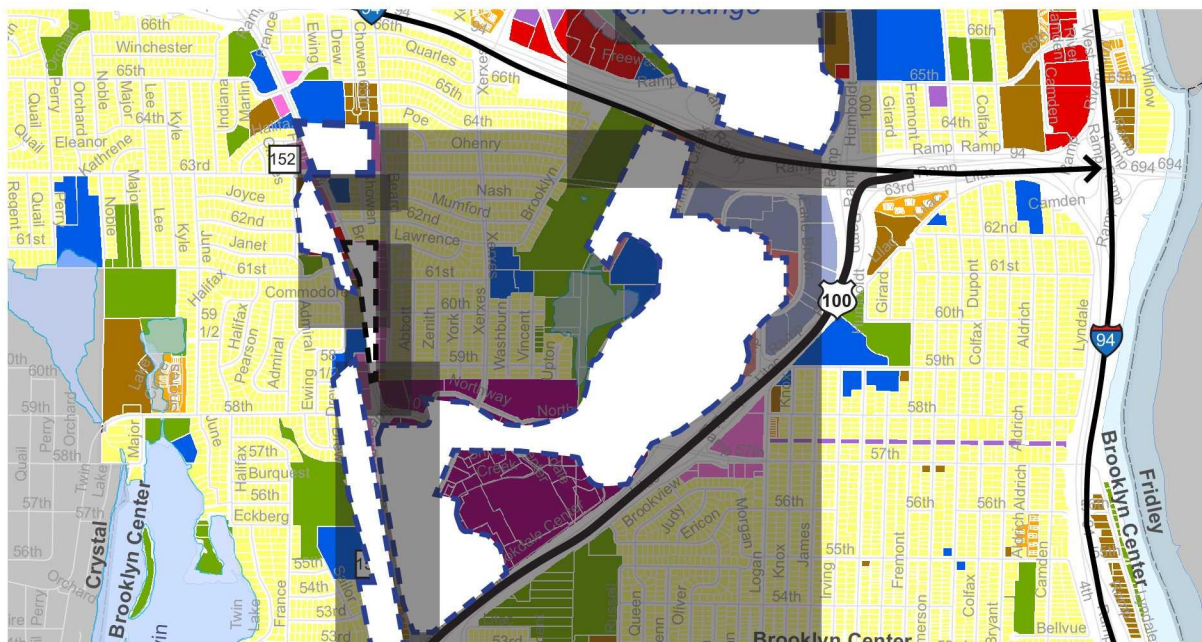
- Identify and prioritize key redevelopment areas and develop a work plan and potential schedule/timeline for each area.
- Provide staff and consultant resources to prepare a comprehensive update to the City's zoning ordinance to support the Planned Land Uses.
- Protect the Future Land Use Plan through development of clear, concise and descriptive policy documents and initiatives that support the City's long-term vision.

Land Use & Redevelopment Goal 2:

Continue to support a proactive, integrated approach to redevelopment that clearly defines the City's objectives for specific areas and sites within the community.

Strategies

- Strengthen the City's vision for key redevelopment areas through preparation of master plans and small area studies to ensure thoughtful and responsive development.
- Encourage developers, staff, and stakeholders to think-big and creatively about redevelopment to create an interesting, vibrant, and innovative city center and surrounding neighborhoods.
- Support and encourage development concepts that incorporate flexibility for space and programming that could be used for start-ups, small companies, pop-ups, and local markets that provide opportunities to promote the City's diverse residents.
- Explore opportunities to increase the mix of uses on the Brooklyn Boulevard corridor, increasing densities, identifying key nodes for the concentration of commercial uses and providing opportunities for new housing types.



Land Use & Redevelopment Goal 3:

Strengthen opportunities for high-quality redevelopment through establishing clear planning and regulatory documents.

Strategies

- Provide clear ordinances that permit uses consistent with the City's vision and minimize the number of uses required to obtain special or conditional use permits.
- Create new zoning and overlay districts that are concise, directive and use graphics (pictures and/or diagrams) to explain the City's requirements.
- Explore opportunities to streamline the development process and utilize Brooklyn Center's customer focus and nimble approach as a competitive advantage.

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Land Use & Redevelopment Goal 4:

Enhance and **maintain** existing neighborhoods through proper land use designations and clear supportive zoning that makes reinvestment and rehabilitation easy for residents.

Strategies

- Create and maintain a cheat-sheet for residents that explains in plain language the permitting and regulatory process. Provide this in multiple languages.
- Explore opportunities to engage and communicate with residents to learn about their needs and identify ways the City may help, either through education, information, or direct assistance.
- Create a policy and ordinance that describes expectations for home-based businesses and establishes a permitting process to ensure compatibility with existing single-family uses.
- Explore opportunities to utilize technology to make it easier and more convenient for residents to interact with the City.
- Create zoning regulations that reflect the demands of the current single-family housing market.

Land Use & Redevelopment Goal 5:

Recognize that many areas in the community are aging and may require reinvestment, redevelopment, or reimagining and that all scales and sizes of opportunity have merit to further support the community's future.

Strategies

- Explore opportunities to create neighborhood nodes that are integrated and support the needs of residents and encourage a more walkable community.
- Identify opportunities and tools (that may include financial resources) that assist residents with regular maintenance, upkeep, and/or remodeling so that their homes meet their needs and are places they want to stay and contribute to a more stable neighborhood.
- Continue to evaluate how redevelopment can further enhance and support the sustainability of individual properties, neighborhoods and the larger community.



Land Use & Redevelopment Goal 6:

Provide clear direction to developers, property owners, and residents about the City's desires for each redevelopment area through this 2040 Plan, as well as small area studies, master plans and the zoning ordinance.

Strategies

- Support redevelopment initiatives through a coordinated Request for Proposal (RFP) process to solicit interest and responses from developers for city-owned properties.
- Promote the City's vision for each redevelopment area through various means including on-line, print, and media.
- Explore opportunities to encourage redevelopment through site assembly, master planning, pre-development, and land preparation.



Land Use & Redevelopment Goal 7:

Explore opportunities to create unified branding, connections, and visual cues to reinforce Brooklyn Center’s identity and relationship to existing neighborhoods.

Strategies

- Create a city-wide beautification strategy that includes a process for creating community identity and pride through the use of public art.
- Work to develop a comprehensive list of design guidelines for residents, developers and stakeholders that provide a menu of Brooklyn Center “branding” elements that can be incorporated into new and existing developments and neighborhoods.
- Strengthen the City’s commitment to its designation as a Tree City USA by incorporating more trees and landscaping at the City’s main gateways and entrances.
- Encourage residents, developers, and other stakeholders to use city authorized branding elements in marketing materials, streetscape improvements, and design elements.
- Identify key pedestrian, bikeway, auto and transit corridors that should incorporate consistent branding elements and landscape themes.
- Promote Brooklyn Center’s diversity through the development of flexible spaces, opportunities for pop-ups and other small business incubators.

Land Use & Redevelopment Goal 8:

Enhance the City's economic position in the region through easy to navigate processes and creative land use designations.

Strategies

- Explore ways to improve the City's ordinances so that the entitlement process is clear and easy to navigate.
- Identify opportunities throughout the region to promote the City's redevelopment areas as a great place for new businesses to locate (i.e. DEED, Hennepin County Business Associations, Chamber of Commerce, etc.)



Housing & Neighborhood Goals

Adopted Strategic Priority: Safe, Secure, and Stable Community

"For residents and visitors to fully appreciate and enjoy a great quality of life, it is essential that all neighborhoods are safe, secure, and stable. We will assure compliance with neighborhood condition and building safety standards, provide proactive and responsive public safety protection, wise stewardship of City resources and policies that promote safety, security, and a lasting stable environment."

Housing & Neighborhood Goal 1:

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

Strategies

- Protect existing naturally occurring affordable housing options within the City through supportive land use designations and associated policies.
- Explore opportunities within multi-family redevelopment areas to include market-rate and affordable housing options within each project.
- Strengthen existing neighborhoods through focused efforts to assist with maintenance and preservation of the housing stock.
- Continue to enforce the rental licensing program and update and refine applicable ordinances and processes to ensure the program supports the needs of local residents.

Housing & Neighborhood Goal 2:

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

Strategies

- Identify and inventory the City's existing rental housing stock to understand the rental unit-mix and unit-type to determine where gaps in the supply exist.
- Work to incorporate increased diversity of units within new redevelopment areas from micro-apartments to three- and four-bedroom units.
- Encourage property owners to reinvest in existing properties to maintain owner-occupied and renter-occupied units to create a more sustainable and stable housing stock.
- Strengthen outreach efforts to understand what housing needs exist for current and prospective Brooklyn Center residents.

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Housing & Neighborhood Goal 3:

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

Strategies

- Identify and review existing housing policies to ensure that they support the needs of current Brooklyn Center residents.
- Work with existing owners and renters to understand what challenges exist within current permitting and regulatory processes.
- Enhance existing strategies and policies to better meet the needs of current and prospective residents.

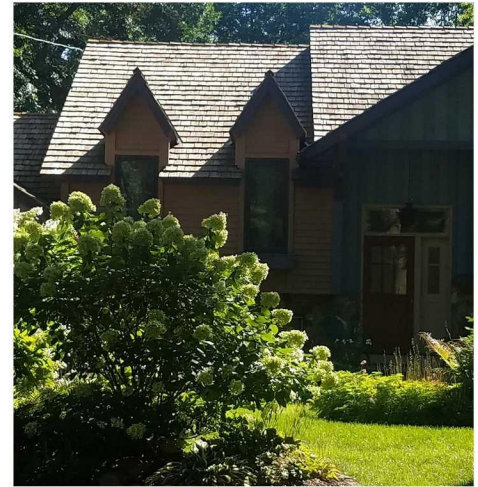


Housing & Neighborhood Goal 4:

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

Strategies

- Protect existing neighborhoods through the refinement of existing ordinances to ensure compatible uses are permitted, or conditionally permitted.
- Work with existing homeowners and renters to understand current challenges within existing neighborhoods.
- Endorse the update of existing ordinances and regulations to match and address the challenges identified by residents to make neighborhoods more accessible, stable and sustainable long-term



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Housing & Neighborhood Goal 5:

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

Strategies

- Recognize the importance of incorporating and integrating protected affordable housing in new projects.
- Encourage developers to incorporate protected affordable housing units within projects through establishing incentives such as density bonuses or other tools.
- Strengthen existing policies to promote the diversity of housing choices within a single project, and throughout all redevelopment areas.

Community Image, Economic Competitiveness & Stability Goals

Adopted Strategic Priority: Enhanced Community Image

"Our ability to attract and retain residents and businesses is influenced by the perception of the City. We will take specific actions to assure that Brooklyn Center is recognized by residents, businesses, stakeholders, and visitors as a high quality, attractive, and safe community."

Adopted Strategic Priority: Resident Economic Stability

"The economic stability of residents is essential to vibrant neighborhoods and to retail, restaurant, and business growth. We will lead by supporting collaborative efforts of education, business, and government sectors to improve income opportunities for residents."

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Community Image, Economic Competitiveness & Stability Goal 1:

Promote Brooklyn Center as an exceptional place for businesses, visitors and residents, both existing and new, because of its locational advantage and accessibility within the region.

Strategies

- Continue to refine and enhance the City's recent print and online rebranding efforts.
- Strengthen the City's identity through proactive communications that reach the larger region (e.g. develop marketing collateral to send to DEED, professional associations, press releases, etc.)
- Support the development of a task force or working group of community stakeholders to provide on-going perspectives and feedback to improve and help guide the City's marketing and branding initiatives.
- Encourage further enhancement of the public realm through the development of a public art and beautification master plan with Forecast for Public Art that reflects the community, its residents and businesses.

Community Image, Economic Competitiveness & Stability Goal 2:

Support the development of sustainable, resilient, and accessible neighborhoods in the city center that reinforce the City's commitment to its diverse residents, neighborhoods, and businesses.

Strategies

- Promote redevelopment of the former regional retail center city site as a Transit Oriented Development site that plans for a mix of uses including diverse housing types.
- Create a walkable and connected street, sidewalk and bikeway system throughout the city center that connects to surrounding neighborhoods.
- Recognize the limitations of existing structures and land uses and allow for the reimagining and intensification of uses to further development of a Transit Oriented Development (TOD) city center.
- Encourage developers to incorporate innovative and sustainable site design elements that reintroduces and reestablishes green space in the city center and adjacent redevelopment areas.
- Identify opportunities to incorporate green infrastructure into existing and redevelopment areas in all types of development.
- Provide incentives for redevelopment that incorporates housing at all levels of affordability from affordable to high-end market rate units, within a single project when feasible.
- Promote the city center as a community gathering space with pop-up shops, open air markets, and flexible space to support local businesses.



Community Image, Economic Competitiveness & Stability Goal 3:

Explore meaningful ways to represent the community's diversity through the City's branding, marketing and visual communications.

Strategies

- Enhance City issued and sponsored communications by providing materials translated in multiple languages that are tailored to Brooklyn Center's population.
- Create a working group or task force with diverse representation to provide feedback and suggestions on major branding and marketing efforts.
- Identify key marketing and branding initiatives, particularly of redevelopment areas, and engage Brooklyn Center's residents and business owners on-line to solicit feedback early and often throughout development projects.

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Community Image, Economic Competitiveness & Stability Goal 4:

Encourage and promote reinvestment in the City's infrastructure including roadways, streetscapes, trails and utilities to signal Brooklyn Center's commitment to the long-term success of its residents and businesses.

Strategies

- Maintain the City's existing infrastructure through appropriate budgeting through the City's Capital Improvement Plan process.
- Identify areas that could be revitalized through targeted infrastructure reinvestment and include relevant inventory and analysis in applicable small area plans, redevelopment studies, etc.
- Work to develop a comprehensive wayfinding and signage system for bikeways and trails throughout the City.



Community Image, Economic Competitiveness & Stability Goal 5:

Recognize the opportunity and value of Brooklyn Center's changing demographics and entrepreneurial attitudes to create an identity that embraces diversity as part of the City's future.

Strategies

- Work to understand the needs of Brooklyn Center's population for office, commercial, restaurant, retail and multi-use spaces.
- Identify opportunities within redevelopment areas that could fulfill the needs of Brooklyn Center's entrepreneurs and small business owners.

Parks, Trails, & Open Space Goals

Parks, Trails, & Open Space Goal 1

Provide a park and recreation system that is based on the needs of the City's residents and stakeholders.

Strategies

- Enhance and maintain a mix of facilities throughout the City's park and recreation system that is accessible to all ages and abilities.
- Identify gaps within the City's system and plan for improvements to match resident and stakeholder needs.
- Explore opportunities to partner with local school districts and the private sector to improve, and in some areas complete, the park and recreation system.
- Support the continued use of citizen surveys and interviews to understand the effectiveness of existing facilities and, programs and system deficiencies.
- Maintain the system through prioritizing the highest-priority improvements which are those that address health or safety concerns, reduce maintenance costs, or address overall system deficiencies.

- Maintain and improve the system on a regular and continuous basis through the operating budget and the Capital Improvements Program to avoid deferred maintenance of the system.

Parks, Trails, & Open Space Goal 2

Encourage residents and stakeholders to participate in the park and recreation system planning process.

Strategies

- Continue to utilize a City Council appointed citizen Park and Recreation Commission that advises the Council on the park system and environmental planning initiatives in the community.
- Encourage neighborhood groups to participate in the planning of all major park improvements.



Parks, Trails, & Open Space Goal 3

Explore ways to incorporate design and preservation standards into the City's ordinances and policies to improve and maintain a high-quality system.

Strategies

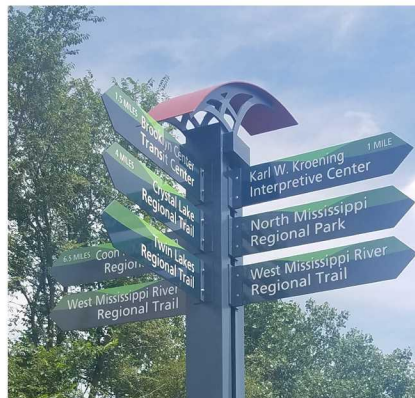
- Continue to explore ways to incorporate and plan for innovative park and recreation development as the system is maintained or expanded.
- Maintain a classification system for the parks, trails and open spaces in the community to match needs and programming with appropriate park typologies.
- Continue to design system improvements that balance function and aesthetics with the conservation of natural resource areas.
- Protect surface water resources in parks, such as wetlands, for habitat and wildlife corridors where appropriate.
- Explore ways to re-vegetate the opens space areas owned by the City where active recreational improvements have not been planned.
- Encourage creative park design to develop a dynamic and diverse system.
- Identify ways to use park design as a neighborhood improvement theme, or as a way to complement redevelopment.

Parks, Trails, & Open Space Goal 4

Support efforts to maximize the use and accessibility of the system by local residents.

- Identify ways to improve access to, signage for, and information about Central Park to drive increased awareness about the facility.
- Create a connected system through bicycle/pedestrian trails and a collector sidewalk system to ensure the accessibility of the City's parks. Volunteers and service organizations in the community will be afforded opportunities for service in the development and maintenance of the park and recreation system.
- Promote the Mississippi River Critical Corridor Area and its park as an opportunity for further development and use in the community.
- Provide an identification system of all park areas, facilities and programs that is consistent, functional and creative.
- Identify locations to install signage, kiosks, and other forms of communication that establish an identity for the system and provides information about the system to the user.
- There will be an ongoing information and education process to make residents knowledgeable about and aware of park and recreation facilities and programs.

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Transportation, Transit, Bikeways & Walkability Goals

Adopted Strategic Priority: Key Transportation Investments

"Proactively maintaining an efficient and effective infrastructure will meet the high level of community expectations. We will plan for and invest in critical infrastructure improvements that enhance safety, improve life quality, and support opportunities for redevelopment, while sustaining the natural environment."

Transportation, Transit, Bikeways & Walkability Goal 1

Provide a safe network of roadways, bikeways and pedestrian ways that connect residents in the City and to the larger region.

Strategies

- Continue to budget for needed improvements to the City's transportation network through the Capital Improvement Plan process.
- Support new roadway designs in redevelopment areas that incorporate bikeways and pedestrian ways, and that visually connect to transit stops and stations.
- Work to understand the transportation needs of the City's residents and match scheduled improvements to help fill identified gaps.
- Create a plan to work with Metro Transit on a more balanced and equitable transit market area that matches the needs of residents.



Transportation, Transit, Bikeways & Walkability Goal 2

Encourage residents to chose alternate transportation modes (other than automobile) by enhancing access to bikeways, transit, and pedestrian networks.

Strategies

- Enhance existing ordinances, and incorporate requirements into new zoning districts that make pedestrian and bike access more efficient (e.g. bike parking requirements, awnings, pedestrian shelters, etc.)
- Work with Metro Transit to identity potential improvements to the transit station, bus stops and bus shelters that could improve the rider experience.
- Explore ways to improve wayfinding through visual cues to make bike routes, walkways, and transit stops clearer to users.

Transportation, Transit, Bikeways & Walkability Goal 3

Support the City's commitment to creating a Complete Street Network in existing and redevelopment areas.

25

Strategies

- Identify opportunities to connect the existing bikeway and pedestrian network through redevelopment areas and a condition of development approval to incorporate prioritized connections.
- Work to update necessary ordinances or policies within the City's zoning ordinance and other official controls to support the development of a Complete Street Network.

Infrastructure Goals

Infrastructure Goal 1

Provide adequate infrastructure including sewer, water, and facilities to serve existing residents and redevelopment areas.

Strategies

- Support redevelopment consistent with the Future Land Use Plan, Transportation and Transit Plan so that infrastructure is appropriately sized and planned for based on anticipated development patterns.
- Sustain current city staff's efforts to plan for and study needed improvements, as well as staying current with best practices and innovation.

Infrastructure Goal 2

26 **Maintain** the level of city services to existing neighborhoods and plan for improvements through appropriate capital expenditures.

Strategies

- Work with existing neighborhoods and community liaisons to plan for any needed improvements and where applicable, incorporate such improvements in the City's Capital Improvement Plan.
- Sustain development patterns consistent with the Future Land Use Plan to ensure appropriately designed and planned infrastructure.

Infrastructure Goal 3

Support opportunities to create resilience within the City's infrastructure as redevelopment or reconstruction activities occur.

Strategies

- Explore and identify opportunities to incorporate best management practices or innovative practices in the city's ordinances and policies to better respond to natural disasters and environmental degradation.
- Strengthen existing infrastructure through incorporating innovative methods for system management and maintenance in conjunction with traditional engineering methodology.



DRAFT Chapter 3: Land Use & Redevelopment





LAND USE - DRAFT 10-2-2018
City of Brooklyn Center Comprehensive Plan 2040

INTRODUCTION

The City of Brooklyn Center is at a pivotal time in its history and is faced with the unique opportunity to reimagine and redefine its land use and development patterns for generations to come. For many decades the community's land use and development was planned around a "core" retail area that served not only the local community but the greater region. Emanating out from the retail center were pockets of multi-family housing that transitioned quickly into single-family neighborhoods. Residents in those neighborhoods were offered the best of both worlds – they were connected to major freeways and highways with efficient routes to job centers - and once they were home they didn't have to leave because every shop, restaurant or service they could ever need could be found in the bustling city center.

Fast forward to the mid-2000s and change began. Slowly, or what may have felt rapid for some residents, the City's "center" or "core" began to lose its share of the regional retail and service market place. As nearby communities increasingly welcomed new retailers, restaurants and service providers into their developing areas, Brooklyn Center began to see stores closing leading to the eventual end of the Brookdale Mall. While all of these changes were happening in the City's "core" the change affected nearly 300-acres of the community, or nearly 6% of the City's total land area. Exacerbating the loss of actual users and businesses was the concurrent loss of identity and image the community had established so many decades ago.

This evolution in the City's land use and development patterns affects the entire community, even if it the truly 'vacant' area is found only within its core. The impact can be seen in both multi-family and single-family neighborhoods, in the schools, parks, transportation, and public facilities. At its simplest level it was, and is, the 'Center' of the City. Residents, new and old, continue to identify the vacant and underutilized land in the City Center as an important area to 'get right', and to revitalize and reinvigorate. The success of this area will influence and impact the surrounding land uses, neighborhoods, and community and lead to a more sustainable and vibrant community long-term.

2040 Land Use Goals

- » Support the Future Land Use Plan through the update or creation of relevant and market-based small area plans, redevelopment plans, and the zoning ordinance.
- » Continue to support a proactive, integrated approach to redevelopment that clearly defines the City's objectives for specific areas and sites within the community.
- » Strengthen opportunities for high-quality redevelopment through establishing clear planning and regulatory documents.
- » Enhance and maintain existing neighborhoods through proper land use designations and clear supportive zoning that makes reinvestment and rehabilitation easy for residents.
- » Recognize that many areas in the community are aging and may require reinvestment, redevelopment, or reimagining and that all scales and sizes of opportunity have merit to further support the community's future.
- » Provide clear direction to developers, property owners, and residents about the City's desires for each redevelopment area through this 2040 Plan, as well as small area studies, master plans and the zoning ordinance.

**Supporting Strategies found in Chapter 2: Vision, Goals and Strategies*



PURPOSE AND BACKGROUND

The purpose of this Chapter is to establish and guide land use and redevelopment over this planning period. The intent is to create a clear, concise and responsive Future Land Use Plan that describes the City's aspirations for the future. The specific details of zoning, small area plans, and other details are not contained within this Chapter but instead will be developed as implementation tools to bring this Plan to fruition. Though this Chapter does not describe individual properties or plans for specific areas, it clearly, and descriptively, defines the vision for each land use designation. This definition and policy will serve as the City's guide or 'brand' for the future of its neighborhoods, redevelopment areas, business parks, offices, industrial areas, parks, trails and natural resource areas for the future.

This Chapter was prepared with the help of the City's residents, staff, commissions and policy-makers. It is a reflection and response to feedback and input heard throughout the Plan development process and should be thoughtfully considered and evaluated as redevelopment progresses throughout the community. In the following sections the existing land use, future land use and redevelopment focus areas are described, and corresponding maps are provided. Some of the more substantial changes in this Plan are discussed in subsequent sections to highlight the areas of this Plan that were intentionally updated to better reflect changes in Brooklyn Center, and in some cases to better respond to current and projected market conditions. As with any policy document this Chapter should be reviewed and contemplated often and should be thought of as a living document – it is important to use the Plan so it remains relevant.

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Changes in Land Use and Redevelopment Chapter from the 2030 Plan

As a mostly-developed community much of the City's existing land use pattern is anticipated to remain the same. The core of existing single-family neighborhoods will be maintained, with changes only projected to occur at specific neighborhood nodes or along edges, where the edges are adjacent to major roadways or other physical characteristics. However, though a large percentage of the City's land is projected to remain largely unchanged, there are pockets of vacant, underdeveloped and redevelopment areas that are guided for change within this Plan (in a way similar to the 2030 Plan). The "Center City" was guided for change in the 2030 Plan, but this Plan contemplates a more diverse land use pattern and focus on housing in the redeveloping areas – which is different from what was contemplated in the last planning period.

The following summary is provided to identify the substantive changes from the 2030 Plan, and to introduce new concepts:

Rethinking the “Core” and Reorganizing Around Access

The City has regularly studied and contemplated how to redevelop and reimagine its core hoping to bring back the vitality and vibrancy that once defined the community. Many studies and plans have been completed and those ideas and strategies will continue to be influential as the area redevelops. Building on previous efforts, this Plan introduces the idea of transit and accessibility as an overarching way to organize and guide land uses and redevelopment of the area. Though not a significant shift in thinking at the policy level, it does represent a subtle change in how new land uses and redevelopment might incorporate and respond to accessibility and transit as a central physical and design element in any development or redevelopment plan.

Transit and accessibility has always been a consideration of the City’s Comprehensive Plan, but it has not served as a physical organizing feature of the Land Use Plan. Previous efforts simply addressed transit and mode choice such as walking or biking as part of its Transportation Chapter, but current trends suggest that transit and mode choice are one of the principle components of a desirable, amenity rich community. The City has the opportunity to capitalize on this trend given its current transit system and the availability of redevelopment land. The planned transit improvements in the community include the new C-Line Bus Rapid Transit that is scheduled to be operational in 2019, coupled with the Opportunity Site, Shingle Creek and nearby redevelopment opportunities. This means the City can emphasize the importance of accessibility potentially resulting in a highly desirable new mixed-use neighborhood – right in the heart of the City.

Emphasizing Competitiveness within the Region

Through much of this planning process, residents, stakeholders, commissioners and policy makers repeatedly emphasized the desire to regain Brooklyn Center’s competitive edge in the market-place as a desirable and highly accessible community for residents and businesses alike. The desire to become a central player in the region once again and to be recognized as a great place to do business is supported through the City’s efforts within this Land Use Plan to be more flexible within its land use designations. This Chapter emphasizes an integrated land use and development approach to better match current expectations within the market-place for integrated, experience-based places where people can live, work, recreate, socialize and engage all within a compact walkable and interesting place.



Future Land Use Plan – Land Use Designations are Consolidated

This Plan consolidates the total number of Future Land Designations, which is intentional and purposeful in an effort to encourage more flexibility within the community. The Future Land Use Plan should be a guide that describes to the residents, business owners, developers and policy-makers the long-term goals and aspirations for land uses and development areas, rather than on a site-by-site basis. Site specific details should be contained in supporting, and consistent, documents such as Small Area Plans, Zoning Ordinance, Subdivision Ordinance and other official controls. This Plan should function at the level of detail that it should – to guide the City’s future land use and development.

Future Land Use Plan – New Designations are Added

Even though this Plan consolidates the land use designations, it also introduces three new land use designation concepts that are focused on creating mixed-use, vibrant spaces in the community. These new designations are primarily associated with areas planned for redevelopment in the community. The purpose of creating the mixed-use designations is to encourage a more diverse, integrated and interesting land use pattern in the community in all areas – from residential enclaves to industrial parks.

5

Existing Land Use and Future Land Use are Separated

Though it may seem minor, separating the Existing Land Use (ELU) from the Future Land Use Plan (FLU) is an important update to this Chapter. Creating this distinction allows the City to monitor and follow its progress over this planning period. The ELU is a snapshot in time, it describes how the City’s land is being used today. It’s not a judgement of what it should be, it’s what is actually happening. The FLU is a representation of what the City hopes for, or what it’s planning for in the future. Because the two maps, and uses, are so different it is important to separate them so that the City can see its progress over time. The ELU in all likelihood, should look more like the FLU in 10-years, and that is a strong visual representation of the success and implementation of this Plan.



Forecasts

As described in Chapter 1: Introduction, Plan Purpose and Community Context the City is required to plan for its future land use pattern and development opportunities consistent with the Metropolitan Council's projections and community designation which is provided for within the 2015 System Statement. The City's Community Designation is "Urban," and Thrive MSP 2040 identifies the following Community Role for orderly and efficient land use as:

- Plan for forecasted population and household growth at average densities of at least 10 units per acre for new development and redevelopment. Target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the 2040 Transportation Policy Plan.
- Identify areas for redevelopment, particularly areas that are well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.
- In collaboration with other regional partners, lead major redevelopment efforts.
- Lead detailed land use planning efforts around regional transit stations and other regional investments.
- Plan for and program local infrastructure needs (for example, roads, sidewalks, sewer, water, and surface water), including those needed for future growth and to implement the local comprehensive plan.
- Recognize opportunities for urban agriculture, and small-scale food production.

The Metropolitan Council's population, household and employment forecasts for the 2040 Plan as shown in the 2015 System Statement are provided in the following table:

Table 3-1. Metropolitan Council Forecasts

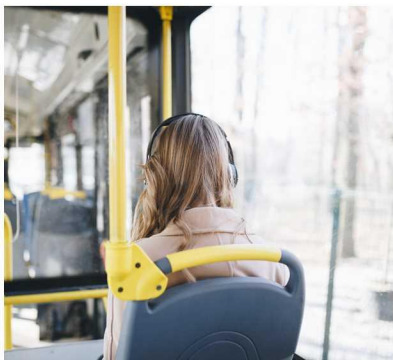
Forecast Year	Population	Households	Employment
2010	30,104	10,756	11,001
2020	31,400	11,300	13,000
2030	33,000	12,300	13,800
2040	35,400	13,300	14,600

Source: 2015 Metropolitan Council System Statement for Brooklyn Center

As demonstrated in Table 3-1, the Metropolitan Council projects that the City will add nearly 2,250 new households to the community by 2040. This is a significant increase in the number of households, an increase that has not occurred since many of its neighborhoods were initially developed between the 1950s to 1970s. The Metropolitan Council makes its projection based on several factors, but evaluates and considers characteristics such as proximity and location within the region, available land for development and/or redevelopment, current and expected market trends and proximity to transit and planned transit improvements. All of these factors considered collectively make Brooklyn Center a highly desirable place for people to want to locate and move to, provided new housing options become available. A key factor in this equation is the availability of land, and the City has a large, contiguous area of land available known as the “Center City” which is either vacant or underdeveloped which makes it a prime area for redevelopment. As shown and described in subsequent sections, the City is planning for the additional households to primarily located within these redevelopment areas, and if developed occurs at the densities projected and guided within this Plan, the City has the potential to add between 1,890 and 2,850 households by 2040.

In the subsequent Future Land Use section of this Chapter specific areas are identified that are planned for and may be available for redevelopment in this planning period. Even though the City is supportive and planning for redevelopment it also possible that some of these areas will not redevelop within this planning period. Additionally, there are known development plans for a portion of the redevelopment areas that would result in an increase in households, but may fall short of the forecast. The calculations in the following sections demonstrate that the majority of forecasted growth is anticipated to occur within the major redevelopment areas guided primarily as Transit Oriented Development (TOD) and Commercial Mixed-Use. Some commercial and retail development has occurred in these areas within the last 10-years, and those areas are not likely to redevelop within this planning period. Because of these conditions, the City believes there is likely a range of the number of potential households that could be added, which are generally consistent with the Metropolitan Council’s System Statement forecasts.

7



EXISTING LAND USE

Before the City can plan for its future, it must first understand how the existing land use and development pattern shapes the community. The City has diverse land uses but has a fairly organized land use pattern. The ‘core’ or ‘spine’ of the community west of Highway 100 was the retail core of the City and was once the home of Brookdale Mall, a regional indoor mall that served the northwest metropolitan area. After slow evolution, some new businesses and retailers have emerged, and some redevelopment activities continue to occur in the area. As shown on the Existing Land Use Map, these areas continue to be used for retail and service uses, but much of the land is now vacant or underutilized.

8 Transitioning from the core, single-family neighborhoods dominate the residential landscape which are served by integrated public facilities, schools, and parks. Small pockets of multi-family housing can be found in nearly all areas of the community, with some concentration of higher-density found along major roadways surrounding commercial, light industrial and business areas. Generally, the City’s existing land use pattern is reflective of a suburban development pattern that was auto-centric and relied on the retail/service core for many decades. Understanding this pattern is an important part of the plan development process because it provides a foundation and baseline from which the City can plan for a more sustainable, accessible future – it helps to define the places to preserve and protect, and identify areas that have the opportunity to shape the community’s future.

The Existing Land Use Map 3-1 helps to visually describe where incompatible land uses may exist, and where patterns may benefit from interruption or new uses. Table 3-2 describes the acreages of existing uses and suggests what types of land uses may be deficient or needed over the next planning period.



MAP 3-1. Generalized Existing Land Use

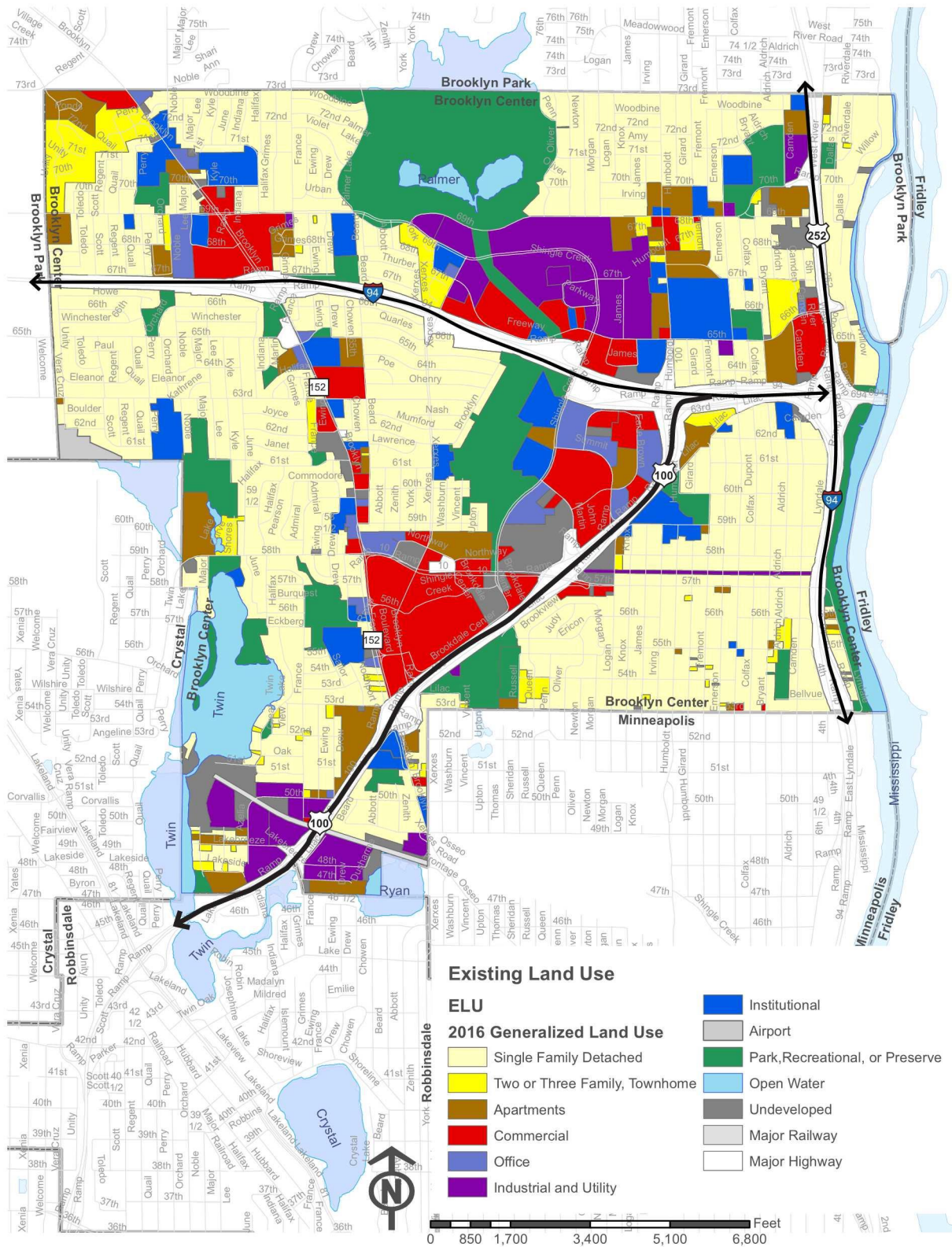


Table 3-2. Existing Land Use

Existing Land Use	Acres	% of Total Acres
Single Family Residential	2,456.29	45.82%
Two and Three Family or Townhome	160.06	2.99%
Apartments	256.30	4.78%
Commercial	391.20	7.30%
Office	95.65	1.78%
Industrial and Utility	285.51	5.33%
Institutional/PSP	273.00	5.09%
Airport	12.32	0.23%
Park, Recreation and Open Space	609.86	11.38%
Undeveloped	161.28	3.01%
Major Highway (ROW)	430.38	8.03%
Rail Road ROW	10.75	0.20%
Open Water	218.15	4.07%
TOTAL	5,360.75	100.00%

Source: MnGEO, Metropolitan Council, City of Brooklyn Center, SHC

Existing Land Use Definitions

Single Family Residential: This land use designation identifies land that is primarily developed with detached single-family residential and accessory uses. This development pattern is generally found surrounding the retail/undeveloped core and business/light industrial spine. The use identifies existing neighborhoods that were developed in a fairly regular urban grid pattern mostly developed between the 1950s and 1970s.

Two or Three Family Residential and Townhome: This land use designation identifies parcels throughout the community that are developed primarily with twin homes and double bungalows. This land use is found sprinkled throughout the community but is primarily integrated into the single-family land use designation.

Townhome: This land use designation identifies land that was developed with attached single-family housing. Most areas developed with this land use are adjacent to public/semi-public and institutional land or serves as a transition from existing apartment or commercial uses.

Apartments: Existing apartments are sprinkled throughout the community, but are primarily adjacent to major roadways and corridors, and commercial/business uses. The size of the apartment complex ranges in size from small-scale apartment buildings on the edges of the single-family neighborhoods to large-scale complexes. The apartments were primarily constructed from the 1960s to the 1980s.

Commercial: The existing commercial uses are located throughout the community on major road corridors such as Brooklyn Boulevard, I-94 and Highway 252. Typical uses include small retailers, grocery, and auto sales. The most recent addition is Top Golf which is located at the I-94 and Highway 252 interchange and is scheduled to open in 2018.

Office: This land use designation identifies existing office and professional buildings that are used for service based businesses such as attorneys, accountants, data processing, etc.

Industrial: This land use designation identifies land that is used for both light and heavier industrial uses in the City. There are two pockets of industrial area one on the south end of the community where the SOO line railroad crosses, and the second on the north side of I-94 near the central core of the community.

Institutional/Public Semi-Public: The institutional uses are parcels that are currently, or historically have been, used for religious institution, schools, city hall and other civic or municipal structures. These uses are spread throughout the community and are integrated in existing single-family neighborhoods, multi-family neighborhoods and commercial areas.

Parks, Recreation, and Open Space: This land use designation identifies all land that is publicly owned and used for active or passive recreational uses, or for natural areas. These areas are owned by the City, County, Regional agency or State.

Airport: A portion of the Crystal Airport extends into the far southcentral-west corner of the community. The active runways and airport operations are located in the City of Crystal.

Utility: There are several small pockets of utility use within the City which are owned by a private or public utility.

Rail Road ROW: The railroad right-of-way is located west of Highway 280 and provides rail access to industrial properties in the City and to the adjacent industrial lands in the City of Minneapolis.

ROW: The existing right-of-way includes state, county, and local roadways. Right-of-way is used for roadways, auto-traffic, transit and bike/trails.

FUTURE LAND USE

The City's Future Land Use Plan is compilation of efforts of the City's residents, various commissions, staff and policy makers. Using the Existing Land Use Map (Map 3-1) as a foundation, the Future Land Use Plan shown on Map 3-2 was created to guide and demonstrate the City's aspirations for the future with respect to land use and development. The purpose of the FLU is to show through mapping, definitions and acreages how the City intends to create a dynamic, sustainable and integrated community long-term. This section focuses on the Future Land Use designations and definitions, and Map 3-2 to spatially show how the City is contemplated to grow and change and to breakdown the acres associated with each land use to create a balanced, and well-integrated land use pattern. Descriptions about new land use designations and areas of change can be found in subsequent sections of this Chapter.

The Future Land Use Plan was developed with three major principles:

- Create a Land Use Plan for the “central spine” (see Figure 3-2) that encourages a diverse, and integrated, mix of uses that promotes transit and walkability.
- Develop land use designations that are broad, but descriptive, to allow the market place to respond and provide the best solution to development and redevelopment efforts.
- Protect and enhance existing neighborhoods with connected parks, open spaces, natural areas and integration of neighborhood-based services.

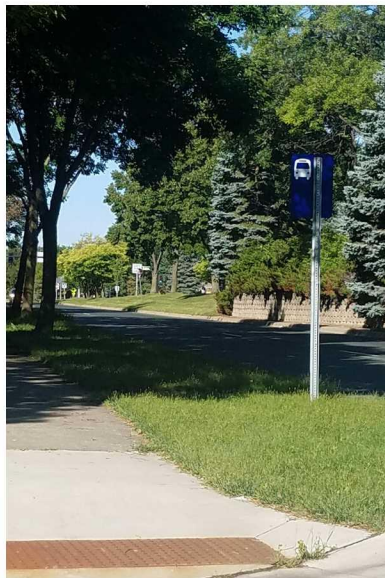


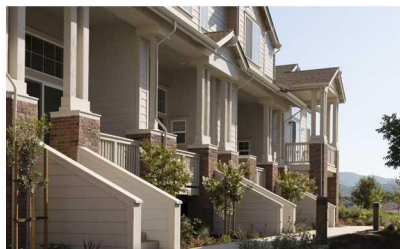
Table 3-3 shows a breakdown of the proposed Future Land Uses in the community and identifies associated residential densities where applicable. The Land Use categories reflected on the Table correspond to the designations shown on Map 3-2.

Table 3-3. Future Land Uses by Decade and Density

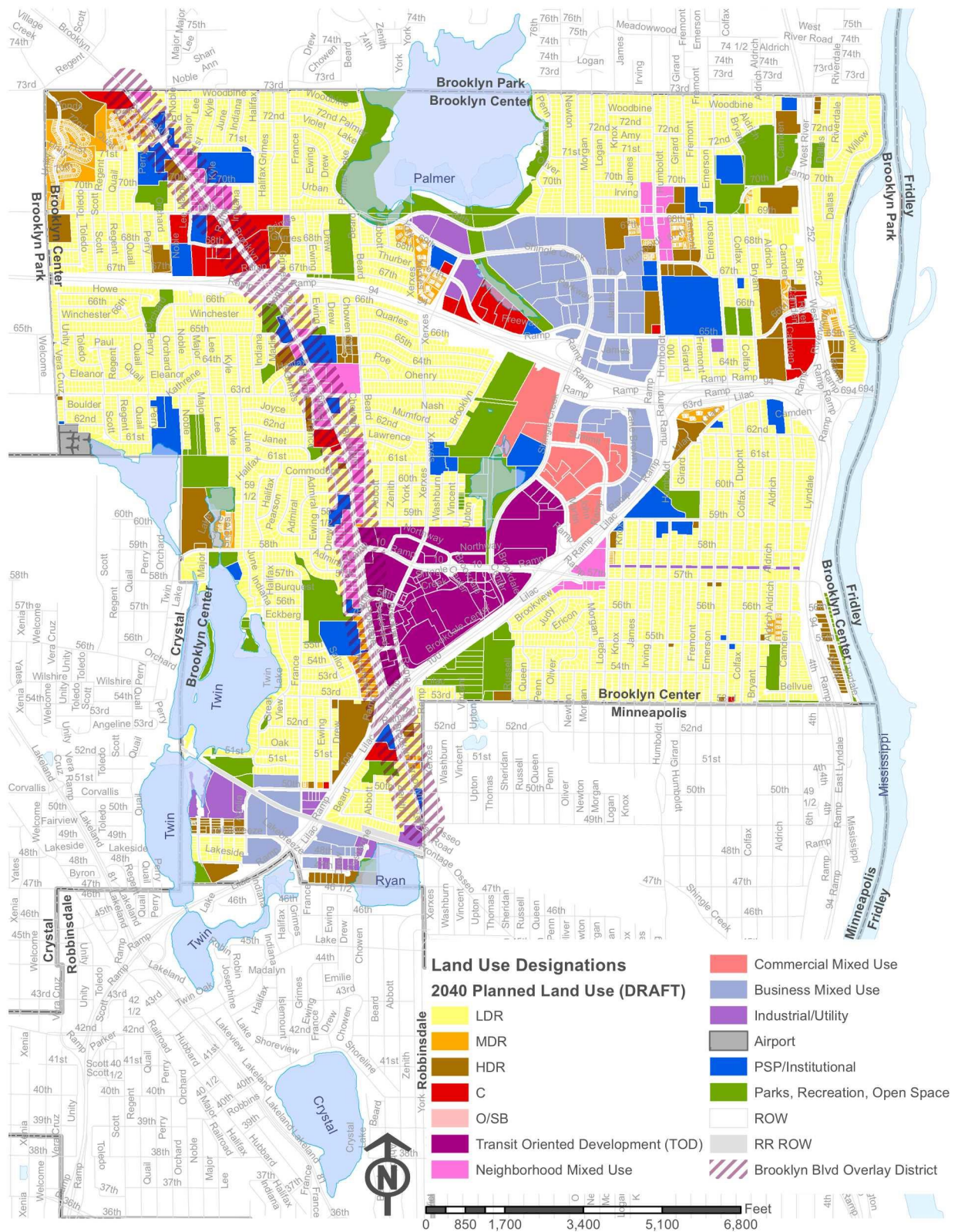
Future Land Use	Density	2020 Acres	% of Total Acres	2030 Acres	% of Total Acres	2040 Acres	% of Total Acres
Low Density Residential	3 – 5 DU/A	1,891.22	35.28%	1,891.22	35.28%	1,891.22	35.28%
Medium Density Residential	5 – 15 DU/A	123.43	2.30%	123.43	2.30%	123.43	2.30%
High Density Residential	15 – 31 DU/A	212.20	3.96%	212.20	3.96%	212.20	3.96%
Transit Orient Development (TOD)	31+ DU/A	25	0.47%	70	1.31%	200.43	3.74%
Neighborhood Mixed-Use	15-31 DU/A	50	0.93%	75	1.40%	92.59	1.73%
Commercial Mixed Use	10 – 25 DU/A	30	0.56%	60	1.12%	88.06	1.64%
Commercial (C)*	NA	343.01	7.18%	285.25	5.32%	109.52	2.04%
Business Mixed Use	NA	50	0.93%	150	2.80%	269.15	5.02%
Industrial/Utility	NA	291.29	5.43%	191.29	3.57%	71.80	1.34%
PSP/Institutional	NA	215.10	4.01%	215.10	4.01%	215.10	4.01%
Airport	NA	12.16	0.23%	12.16	0.23%	12.16	0.23%
Parks, Open Space, Recreation (PROS)	NA	410.37	7.66%	410.37	7.66%	410.37	7.66%
Rail Road ROW	NA	28.36	0.53%	28.36	0.53%	28.36	0.53%
ROW	NA	1255.32	23.42%	1255.32	23.42%	1255.32	23.42%
Open Water	NA	218.15	4.07%	218.15	4.07%	218.15	4.07%
Wetland	NA	162.90	3.04%	162.90	3.04%	162.90	3.04%
TOTAL						5,360.75	100.00

Source: Hennepin County, City of Brooklyn Center, SHC

*Commercial land use designation includes currently vacant or underutilized land in the Center City. The Existing Land Use provides breakdown of existing vacant parcels.



MAP 3-2. Future Land Use



Future Land Use Designation Definitions

The following definitions are provided to describe the planned land uses in the City of Brooklyn Center. Many of the existing land uses in the community are planned to remain consistent through this planning period, with new designations focused in areas that are currently underutilized or vacant. The following definitions support and correspond to Map 3-2 Future Land Use Plan.

Residential Designations

Map Designation	Residential Density	Description
Low Density Residential (LDR)	3 – 5 Dwelling Units per Acre	This designation primarily identifies existing neighborhoods that are mostly developed with single-family detached and single-family attached uses and permitted accessory uses. Any redevelopment or development of LDR land is planned to be consistent with the designation and to be compatible with surrounding neighborhoods and uses.
Medium Density Residential (MDR)	5-15 Dwelling Units per Acre	Land designated as MDR is planned for densities between 5 and 15 dwelling units per acre. This land use designation is mostly developed with two-family, three-family, town home and small multi-family uses. Accessory uses, including but not limited to, small open spaces and park areas are located within proximity or within the land use designation. Any redevelopment or development of MDR land is planned to be consistent with the designation and compatible with surrounding and adjacent uses.
High Density Residential (HDR)	15-31 Dwelling Units per Acre	Land designated as HDR is planned for densities between 15 and 31 dwelling units per acre. This land use designation is mostly developed with townhomes, apartments, and condominiums. Accessory uses including, but not limited to, neighborhood amenities, parks and open spaces are a part of this designation. Future development or redevelopment of HDR land is planned to be consistent with this land use designation and compatible with surrounding and adjacent land uses.

15



Low Density Residential



Medium Density Residential



High Density Residential

Mixed-Use Designations

Map Designation	Residential Density	Description
Transit Oriented Development (TOD)	25+ Dwelling Units per Acre	TOD is a new land use designation 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 (Transit Station) is designated as TOD to capitalize on the proximity of redevelopment sites to the transit stops. The planned Bus Rapid Transit C-Line has two stops within the area designated as TOD (the Transit Station is last northerly stop) that will provide access to adjacent land uses with frequent, and efficient bus/ transit services providing connections to the area and broader region. A minimum of 75% of the land within this designation is planned to be developed with high-density residential use and the remaining land developed with supporting retail, office and commercial uses. Redevelopment will focus on connecting to the Transit Station and C-Line stops, as well as creating a walkable, bikeable, vibrant core in the City.
Neighborhood Mixed-Use (N-MU)	15-31 Dwelling Units per Acre	The N-MU is a new land use designation that guides land surrounding key neighborhood intersections for a mix of residential, retail and commercial/office uses. This designation plans for the redevelopment of existing uses and assumes a minimum of 50% of land within this designation would be used for residential purposes, and the remaining area would be developed with neighborhood scale retail, service and commercial uses.
Commercial Mixed-Use (C-MU)	10-25 Dwelling Units per Acre	The C-MU is a new land use designation and guides land for a mix of commercial, office, retail, service and residential uses. This designation is guided for areas adjacent to the TOD and is planned to have a more significant proportion of the land use designated for commercial, office, retail, and service uses with supporting residential use. A minimum of 50% of the land use is planned for residential development at densities slightly lower than the adjacent TOD land use designation. This land use designation will focus on walkable and bikeable connections to adjacent TOD land uses and the Transit Station.
Business Mixed-Use (B-MU)	None	The B-MU is a new land use designation and guides land for a mix of business, light industrial and supporting retail/service uses. This designation encourages redevelopment or development of commercial, office, general business and light industrial uses in coordination with supporting retail/commercial uses to encourage a more dynamic and connected experience for workers. This land use does not plan for residential uses but may include limited live-work opportunities as established through supporting official controls.

Commercial, Business and Industrial Designations

Map Designation	Description
Commercial (C)	Planned commercial uses are generally located along the Brooklyn Boulevard Corridor, on the frontage of I-94 and along Highway 252. Uses in these areas include hotels, restaurants, auto sales, and other small retail uses.
General Business (GB)	The GB land designation identifies land that is primarily developed with a mix of commercial, warehousing, office, and other business uses. Limited retail/ service users are located within this land use designation.
Industrial (I)	There are two areas planned for industrial uses located in the southwesterly corner of the City on the east and west side of Highway 100. Uses in this designation include manufacturing, storage, outdoor storage and other industrial uses. This land designation is not planned for expansion in this planning period.

Public/Semi-Public Designations

Map Designation	Description
Institutional and Semi-Public (I/SP)	Land designated as I/SP is generally used for public or semi-public uses including schools, municipal and government uses, social and/or healthcare facilities excluding clinics, churches and other places of assembly. This land use designation also includes existing municipal utilities such as lift stations and pumphouses, as well as private utilities such as power substations and similar uses. There is no planned expansion of this land use, but it is acknowledged that an expansion of some of these uses may be necessary if and when redevelopment occurs throughout the City.
Parks, Recreation, and Open Space (PROS)	Land designated as PROS is used for active and passive park uses, and natural preservation. Active park areas included playfields, athletic complexes, publicly owned golf courses, zoos and other similar uses. Passive park areas include nature areas, resource protection and buffer areas, trails, picnic areas, public fishing and similar uses. Natural preservation areas include the protection of important natural resources for environmental or aesthetic purposes.
Railroad Right-of-Way	This land use designation identifies the SOO Line railroad in the southwestern corner of the City. The railroad is active and runs through the City's existing industrial park.
Right-of-Way (ROW)	This land use designation identifies publicly dedicated land for vehicular, transit, bikeways, and/or pedestrian thoroughfares. The existing and planned right-of-way includes state, county and local roadways.
Airport (AP)	This land use designation identifies land used for public or private airport facilities, runways and ancillary airport uses. A small parcel of land in the central corner of the community is designate for this purpose and is adjacent to, and a part of, the Crystal airport. There is no planned expansion of this land use.

Overlay Designation

Map Designation	Description
Brooklyn Boulevard Overlay	The Brooklyn Boulevard Overlay is a 1,200-foot (600-foot on each side of the centerline) corridor that calls attention to land adjacent to the roadway for special consideration at time of redevelopment. The designation functions as an overlay and parcels are designated with specific land uses.

AREAS PLANNED FOR CHANGE

REIMAGINE, REDEVELOP & REINVIGORATE

Introduction/Description

The 2030 Plan was prepared as the City's central retail core was experiencing significant change and stress as businesses, retailers and restaurants were slowly going out of business. The 2030 Plan focused heavily on previous planning efforts including the Calthorpe Plan, the Opportunity Site Master Plan and small areas studies the City had undertaken in an effort to revitalize the City's central core. These plans became the foundation for the 2030 Plan in many respects and were incorporated by reference within the Future Land Use Plan and the narrative contained within this Chapter.

18 A decade has passed and while some of the changes contemplated in the 2030 Plan have come to fruition, many areas of underutilized and vacant land remain. Over the past ten years the City has proactively acquired property through its Economic Development Authority (EDA) and Housing Redevelopment Authority (HRA) in an effort to assemble a critical mass of land within the City's core to allow for a large-scale redevelopment inducing project in heart of the community. This effort is on the verge of success as the City has entered into a due diligence phase with a master developer to begin the redevelopment efforts in its core. It is an exciting time in Brooklyn Center, and this Plan is intended to help guide the City as it progresses through redevelopment efforts over the next decade.

The following sections highlight at a broad level the areas of the community anticipated and planned for change over the next 10 – 20 years. The intent is to describe the direction and aspirations of the community with respect to physical land use and development of these critical areas of the community so that residents, developers, business owners and policy-makers have a roadmap to help guide them through the development and redevelopment review process.

Transit Oriented Development (TOD) and Physical Organization

Central to the success of the City's redevelopment efforts is the ability to re-focus and reimagine the areas surround the Transit Hub or Transit Station in the community. Today, the Transit Station is located adjacent to and within the area guided as Transit Oriented Development (TOD) on the Future Land Use Plan. As previously described, this is a new land use designation that was developed as part of this planning effort to be proactive and promote the accessibility of the community through its transit and multi-modal network. Increasingly, access of neighborhoods, housing, services, and experience-based retail by efficient and frequent transit services is becoming a highly desirable and sought-after amenity within development

and redevelopment areas. The City is perfectly positioned to capitalize on this amenity and advantage for two reasons:

1. The C-Line Bus Rapid Transit is scheduled to open in 2018 and its northern terminus is the Brooklyn Center Transit Station; and
2. The areas surrounding the Transit Station are prime for redevelopment and are guided for TOD.

These two conditions could not be more perfect, and the timing is optimal for the City to work with any developer on redevelopment that embraces, integrates and incorporates the Transit Station and C-Line stops into its development plan. To help facilitate that process the City created the TOD land use designation in this Plan. This is a significant departure from previous planning efforts that were silent on Transit and did not emphasize it as a way to organize redevelopment efforts. This Plan, and the TOD land use designation promote:

- An introduction of high-density residential uses into the City's core and purposefully locates it adjacent to the current Transit Station.
- A TOD land use designation that is large enough, and encompasses enough acreage, to allow for consideration to move the Transit Station from its current location, if an agreement with Metro Transit Could be made. Currently the Transit Station is at the edge of the TOD area, but it could be more desirable if it were in the heart of the Opportunity Site and redevelopment areas.
- Density preferred to start at 31 dwelling units per acre, and there is deliberately no maximum. The City wants to encourage a vibrant, integrated mix of uses in this area which means that the City is willing to let the market help shape how the area is developed. Paramount to the success, regardless of density, is that the mix of uses includes more households of a variety of types, at various levels of affordability.
- The land use designation envisions a high-quality, complete and connected network of pedestrian ways including sidewalks and trails. The area should be walkable, inviting and architecture must respond to and encourage a safe pedestrian environment that connects new residents with the transit hub, services and the City's larger trail system.
- Development in this area should encourage and create an experience for new residents. Amenities should be thoughtfully incorporated, and efficiencies and adjacencies with current users should be explored. The City acknowledges that redevelopment will not happen overnight, so there should be thoughtful

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approaches to how new development can incorporate and integrate existing uses into redevelopment efforts to achieve incremental improvements.

- The concept that if one user and area do better – than everyone does better.

Within the TOD land use designation some areas of the Shingle Creek Crossing development have been redeveloped including a few national big-box sites and small strip retail within the last 10-years. These efforts have primarily continued to focus on an auto-centric typical suburban retail environment without much consideration of the potential to incorporate housing into a master plan. As a result of recent redevelopment efforts, it is unlikely that this entire area will redevelop within this planning period, but the City still believes that it is important to guide it for TOD so it is clear that as the area continues to evolve there is the potential to develop the area with a more compact and transit-minded development pattern.

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What is TOD?

TOD, or transit-oriented development, means integrated urban places designed to bring people, activities, buildings, and public space together, with easy walking and cycling connection between them and near-excellent transit service to the rest of the city. It means inclusive access for all to local and citywide opportunities and resources by the most efficient and healthful combination of mobility modes, at the lowest financial and environmental cost, and with the highest resilience to disruptive events. Inclusive TOD is a necessary foundation for long-term sustainability, equity, shared prosperity, and civil peace in cities.

- Institute for Transportation & Development Policy

WALK

DEVELOPING NEIGHBORHOODS THAT PROMOTE WALKING

OBJECTIVE A. The pedestrian realm is safe, complete, and accessible to all.
OBJECTIVE B. The pedestrian realm is active and vibrant.
OBJECTIVE C. The pedestrian realm is temperate and comfortable.

CYCLE

PRIORITIZE NONMOTORIZED TRANSPORT NETWORKS

OBJECTIVE A. The cycling network is safe and complete.
OBJECTIVE B. Cycle parking and storage is ample and secure.

CONNECT

CREATE DENSE NETWORKS OF STREETS AND PATHS

OBJECTIVE A. Walking and cycling routes are short, direct, and varied.
OBJECTIVE B. Walking and cycling routes are shorter than motor vehicle routes.

TRANSIT

LOCATE DEVELOPMENT NEAR HIGH-QUALITY PUBLIC TRANSPORT

OBJECTIVE A. High-quality transit is accessible by foot. (TOD Requirement)

MIX

PLAN FOR MIXED USES, INCOME, AND DEMOGRAPHICS

OBJECTIVE A. Opportunities and services are within a short walking distance of where people live and work, and the public space is activated over extended hours.
OBJECTIVE B. Diverse demographics and income ranges are included among local residents.

DENSIFY

OPTIMIZE DENSITY AND MATCH TRANSIT CAPACITY

OBJECTIVE A. High residential and job densities support high-quality transit, local services, and public space activity.

COMPACT

CREATE REGIONS WITH SHORT TRANSIT COMMUTES

OBJECTIVE A. The development is in, or next to, an existing urban area.
OBJECTIVE B. Traveling through the city is convenient.

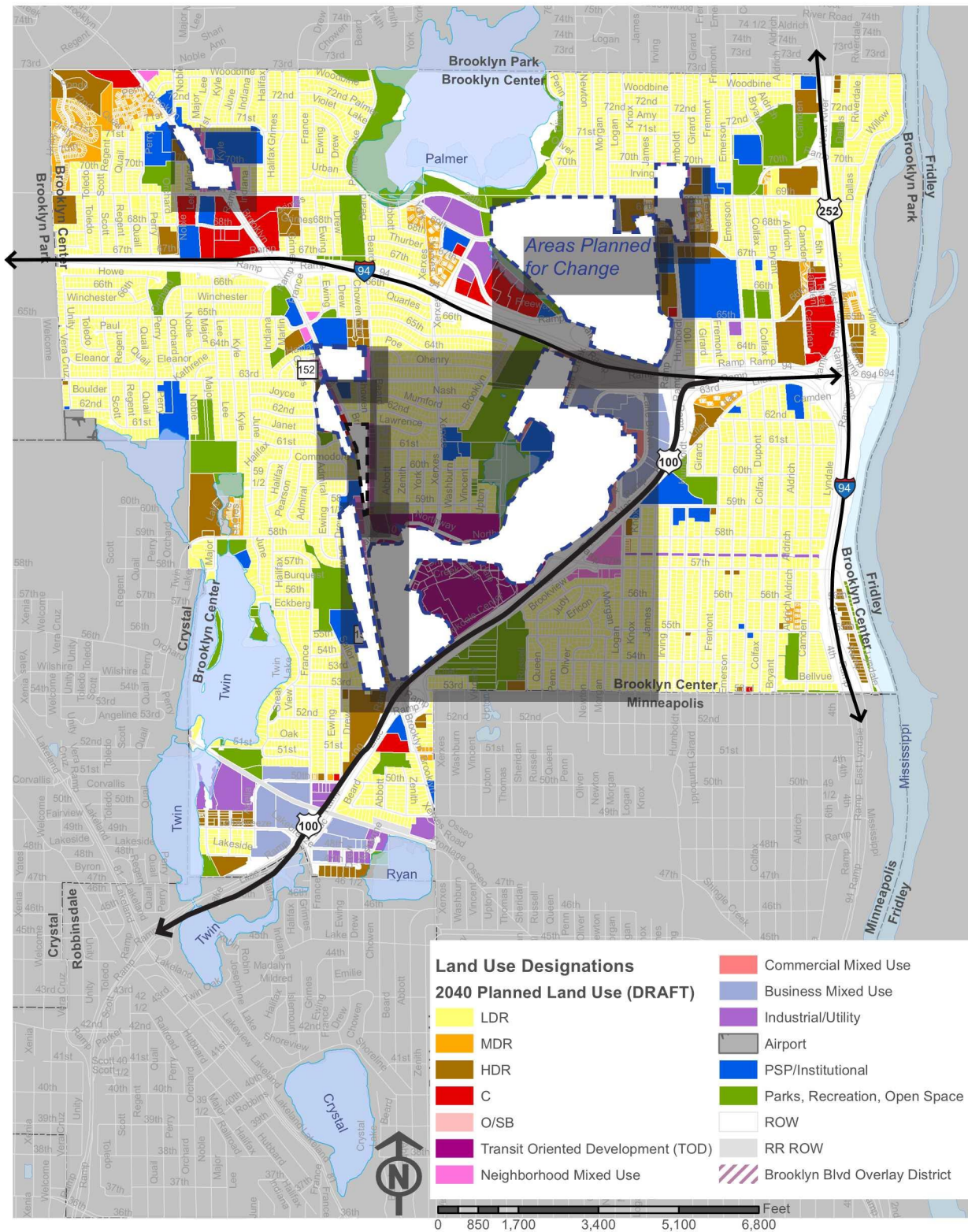
SHIFT

INCREASE MOBILITY BY REGULATING PARKING AND ROAD USE

OBJECTIVE A. The land occupied by motor vehicle is minimized.

- Institute for Transportation & Development Policy

Map 3-3. Areas Planned for Change



Focus on Integrated Uses

The concept that a vibrant, dynamic City Center requires activity was explored and discussed in the 2030 Plan. However, the previous Plan focused on bringing in new retail, commercial and business users to the area without including a residential component. This Plan shifts the direction and expands the vision from the “center” to the “spine.” This slight shift results in planning for change along the central spine of the community, and an integral component of this Plan is the incorporation of new households into the Future Land Use Plan.

The City has moved past the vision that its core is limited to only retail opportunities, and instead this Plan builds on previous efforts with key changes. First, the community is focused on creating a walkable, transit connected, experience-based place that brings the City forward and offers new opportunities to existing and future residents. The idea that the community will thrive with a more integrated land use pattern is fully accepted, and promoted through this Plan. The areas that are planned for this type of change are guided within this Plan for Neighborhood Mixed-Use, Commercial Mixed-Use, Business Mixed-Use and/or are designated in the Brooklyn Boulevard Overlay District.

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The following descriptions provide additional detail about the planned changes, and vision for each designation:

Neighborhood Nodes (N-MU)

Though the City does not formally organize itself through neighborhoods, it is clear from this process that different areas or ‘neighborhoods’ have distinct qualities. Residents naturally look for retail and services in their immediate area and would choose to shop locally if options were available. This Plan identifies several key nodes available for redevelopment, many of which are located within the Brooklyn Boulevard Corridor that could provide smaller-scale retail, restaurant and service amenities to their surrounding neighborhoods. The idea that existing neighborhood residents could walk or bike to the corner store to pick up dinner or visit a local restaurant or hair salon was widely embraced during this process. Residents repeatedly requested a plan for more local services, restaurants and retail opportunities in more neighborhood locations. This Plan introduces the concept by designated land for “Neighborhood Mixed-Use” where the focus is on integrating small-scale commercial and retail uses into the neighborhood fabric.



Vibrant Business Centers: Commercial Mixed-Use (C-MU) and Business Mixed-Use (B-MU)

The Commercial Mixed-Use and Business Mixed Use land use designations focus more heavily on commercial, retail, office and light industrial uses while continuing to emphasize the concept of creating experiences for the users. The purpose is to promote and encourage businesses, commercial users, retailers, and in some cases households to plan for interconnected systems that result in a more active and vibrant center. Shifting away from the traditional office campus or big-box strip-mall concept, these designations encourage co-location and integration of users to find ways to create a more sustainable and resilient development pattern.

Brooklyn Boulevard Corridor (Overlay)

The Brooklyn Boulevard Corridor extends from the City's southern border to its northern border and has traditionally functioned as major thoroughfare with a mix of single-family residential commercial uses. The 2030 Plan identified this Corridor as a concern due to the mismatch in function from a local and regional perspective. The roadway functions regionally to connect areas north, and west with Minneapolis, and functions locally to provide access to single-family homes, as well as small retail and service users that line the Corridor. This conflict has become increasingly more difficult as traffic continues to grow.

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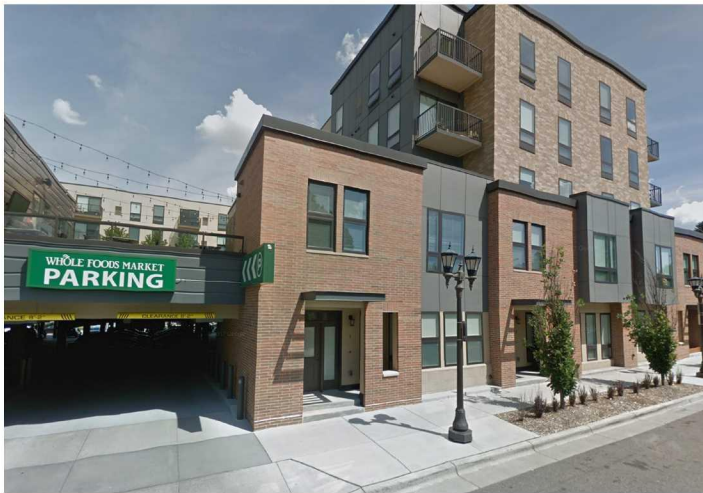
Due to these factors, the City, in collaboration with the County, are in the process of a major road reconstruction project along the Corridor after many years of study. This effort will result in a much-improved roadway condition for automobile traffic but will also be upgraded for pedestrians, bicyclist and transit users. These improvement to the road and transportation system will change the way the Corridor functions, but equally important is the need to evaluate the land use and development patterns along the Corridor.

This Plan acknowledges that there is a mismatch between the roadway, both in its existing and ultimately improved condition, and the land uses that in the surrounding area. To address this issue, and to ensure further study as redevelopment efforts in the Corridor are contemplated, the Land Use Plan incorporates the "Brooklyn Boulevard Corridor Overlay" which is purposefully general, but is meant to alert land owners, residents, developers and policy makers that this Corridor deserves and warrants additional study as development and redevelopment progresses. Specific site standards and objectives should be developed as part of the implementation of this Plan through zoning and official controls, and such efforts should consider the following objectives;

- Redevelopment of properties with primary frontage on Brooklyn Boulevard Corridor should consolidate accesses onto the roadway and identify opportunities for consolidation to make sites more efficient.

- Consideration should be given to create a set of design guidelines for the Corridor, to encourage a pedestrian scale at the street level. This should consider site design elements such as each building's relationship with the street, architectural scale and massing, visual cues indicating pedestrian access points and crossing, vegetation, etc.
- Properties along the Brooklyn Boulevard Corridor that are within the overlay, but are without Corridor frontage may consider 'joining' a redevelopment effort with a property containing frontage, provided proper considerations are made for existing/adjacent street patterns and uses.

Integrated Uses



Vintage on Selby, St. Paul photo source: Google 2018

ECONOMIC COMPETITIVENESS & EMPLOYMENT

The City has experienced significant change in the past decade with respect to its changing demographics and land use pattern, but one thing that has not changed – is its exceptional accessibility and location within the region. As previously described, the City was once known as the northwest metro’s regional retail center with Brookdale Mall and numerous supporting retailers and service providers. As the landscape of retail shifted and changed, the City’s core economic engine fizzled out leaving a large contiguous area of vacant and underutilized land in the core of the City. This loss has been felt for over a decade as the City has studied, re-studied and studied again the opportunities for the area.

After years of City acquisitions and land assembly, the City issued a Request for Proposal (RFP) in late 2017 to find a master developer to take on a portion of this prime redevelopment area. The City is confident, and excited, that this is just the first step in what is likely to be an exciting, albeit, long-term redevelopment process for this area. The opportunity to redevelop is finally becoming a reality as the City, like the region, has begun to recover from the economic downturn and housing bust of the late 2000s. Signs that the City is evolving are not only limited to its redevelopment area, in fact many of the City’s light-industrial and office spaces are experiencing new demand with new businesses and users that have decided to locate in Brooklyn Center.

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The following Table 3-4 identifies the 2040 land uses that are identified for places of new/expected additional employment. For purposes of the calculations, the City used a Floor Area Ratio and the SAC conversion for its estimates.

Table 3-4. Employment Intensity by Land Use

Future Land Use	2040 Acres	Developed Area (FAR)	% Commercial or Industrial	2040 S.F.	SAC Rate	Intensity
Transit Orient Development (TOD)	200.43	50%	25%	1,091,348	3,000	364
Neighborhood Mixed-Use	92.59	50%	50%	1,008,305	3,000	336
Commercial Mixed Use	88.06	50%	50%	958,943	3,000	319
Commercial (C)	109.52	50%	50%	2,385,374	3,000	795
Business Mixed Use	269.15	50%	100%	5,861,981	4,500	1303
TOTAL						3,117

STAGED REDEVELOPMENT & INFRASTRUCTURE

The City acknowledges that redevelopment is likely to occur over time, and adequate infrastructure is available to serve the land use designations contemplated in this Chapter. As shown in Table 3-5, the City anticipates that approximately 340 acres will be redeveloped with a mix of uses over the next 10 years. The residential component within each of these mixed-use areas has a minimum density of 10 Dwelling Units per Acre, with the most density allocated to the Transit Oriented Development (TOD) designation which contemplates a minimum of 31 Dwelling Units per acre. Map 3-3 shows the areas contemplated for redevelopment over the next 20-years, and the following table summarizes the information contained in Table 3-3 and estimates the amount of residential acreage and potential households based on the guided densities and development area assumption that approximately 50% of site is developed (remaining area for parking lot, stormwater management, landscaping, etc.)

Table 3-5. Future Land Use Densities and Estimated Households

Future Land Use	Density	2020 Acres (Res)*	Households	2030 Acres (Res)	Households	2040 Acres (Res)	Households
Transit Orient Development (TOD)	31+ DU/A	25 (9)	279 +/-	70 (26)	814 +/-	200 (53**)	1643 +/-
Neighborhood Mixed-Use	15-31 DU/A	50 (13)	195 - 403	75 (19)	285 - 589	93 (23)	345-713
Commercial Mixed-Use	10 – 25 DU/A	30 (8)	80 - 200	60 (15)	150 - 375	88 (22)	220 - 550
TOTAL	--	--	554 - 882	--	1,249 – 1,778	--	2,208 - 2,906

**Note, there are existing households in each of the designations today that would be re-guided for potential redevelopment in the future. This accounts for existing households and those that may potentially develop over the next two years.*

***Acreages assume that some recently redeveloped areas within these land use designations will not experience redevelopment until post-2040 and therefore households are not calculated. Please refer to Map 3-3 that identifies areas planned for change within this planning period.*

IMPLEMENTATION

Given the community and the community leadership's optimism and desire for Brooklyn Center to thrive, transit investments, along with recent trends in the interest to redevelop within first-ring suburbs, the City is well poised for positive opportunities to grow and incorporate new services and housing types. The initial implementation steps of this Chapter will be included within Chapter 8 of this Plan and then subsequently developed with updates to the City's Ordinances. Additionally, the Mississippi River Critical Corridor Area plan is attached in Appendix A, which incorporates various aspects of this chapter including the future land use plan.



DRAFT Chapter 4: Housing





INTRODUCTION

This Chapter evaluates Brooklyn Center's existing housing stock and plans for future housing needs based on household projections, population projections, and identified needs communicated through this planning process. As required in the City's 2015 System Statement prepared by the Metropolitan Council, understanding and planning for the City's housing stock is a critical part of the 2040 Comprehensive Plan (Plan). The City's planned land use includes three residential categories and residential components of new mixed-use designations which together account for approximately half of the City's land use area. Residential land use will continue to be the largest land use in the community. A diverse housing stock that offers neighborhood stability combined with access to open space, goods and services is essential to a healthy, sustainable, and resilient community. It protects the community's tax base against market fluctuations; it builds community pride and engagement of existing residents; it helps the community's economic competitiveness by assisting Brooklyn Center businesses with employee attraction and retention; it provides options for existing residents to remain in the community should their life circumstances (e.g., aging-in-place) change; and it offers future residents access to amenities and levels of service that support a stable and supportive housing and neighborhood environment.

1

The first part of this Chapter focuses on the existing housing stock. It summarizes important information regarding the overall number of housing units, the type of units, their affordability, and the profile of their residents. These sections are a summary of more detailed socio-economic data which is attached to this Plan as an Appendix and serves as a supporting resource to this Chapter. Understanding the existing housing stock is key to determining what types of housing products may be demanded over the next 10-20 years and where they should be located. In conjunction to the statistical or inventory information collected, this Chapter includes a summary of community, stakeholder and policy-maker feedback related to housing and neighborhoods heard throughout this planning process. Additionally, this Chapter addresses the projected housing needs during the planning period and presents some neighborhood and housing aspirations as identified by the City's residents and policy-makers. The final section of this Chapter links projected housing need to practical implementation tools to help the City achieve its housing goals and identified strategies. The list contained in this Chapter is not exhaustive but provides a starting place from which the City can continue to expand and consider opportunities to meet current and future resident needs.

2040 Housing Goals

- » Promote a diverse housing stock that provides safe, stable, and accessible housing options to all of Brooklyn Center's residents.
- » Recognize and identify ways to match Brooklyn Center's housing with the City's changing demographics.
- » Explore opportunities to improve the City's housing policies and ordinances to make them more responsive to current and future residents.
- » Maintain the existing housing stock in primarily single-family neighborhoods through proper ordinances, incentive programs and enforcement.
- » Explore opportunities to incorporate new affordable housing into redevelopment areas that promote safe, secure and economically diverse neighborhoods.

**Supporting Strategies found in Chapter 2: Vision, Goals and Strategies*

ASSESSMENT OF EXISTING HOUSING SUPPLY

Overview of Brooklyn Center's Residential Neighborhoods

The City of Brooklyn Center's residential neighborhoods are diverse and include a variety of housing types from single-family neighborhoods to large-scale apartment complexes. Although the City originally incorporated as a village in 1911, it wasn't until the Post-World War II era that the City began to develop on a large scale in which entire blocks and neighborhoods were constructed with tract housing, suburban streets, and neighborhood parks. Like much of the region's first ring suburbs, Brooklyn Center took on the role of a typical bedroom community where residents could get to their jobs in the downtown, stop for groceries at the retail center, and go home and park their cars in their garages for the evening. This pattern of development can be seen throughout the region, but Brooklyn Center had one significant difference for many decades – the regional mall known as Brookdale. The prominence of the mall and its surrounding commercial district played a major role in how neighborhoods were built and developed, which influenced neighborhood patterns and housing types.

Even though the mall is now gone, it continues to have lasting effects on the existing housing types and neighborhoods and will influence future housing as described in subsequent sections of this Chapter. For example, in the decades that the mall and regional retail center was operational much of Brooklyn Center's multi-family and apartment development was concentrated near the mall and its surrounding commercial district and provided a transition to the surrounding single-family neighborhoods. Therefore, even though the mall no longer exists, the apartments developed around the periphery of its retail area in the 1960s continue to be in high demand and provide a critical source of housing for many households.

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The following sections identify and inventory the existing housing stock in the community including single-family, attached and apartment uses. Each of these housing types serve a different role in the community, but each type is an important part of the City's neighborhoods. A summary of the City's existing residential types and neighborhoods are as follows:

Single-Family Residential

Single-family residential neighborhoods are the dominant land use within the City and single-family detached homes comprise nearly 63 percent of the City's housing stock. The City's single-family detached neighborhoods were developed surrounding higher density and higher intensity land uses that included the former regional retail center and the major freeway corridors of I-94 and Highway 100. Most of the single-family neighborhoods are developed on a grid system with traditional 'urban' size lots. Exceptions of some larger lots are interspersed within the traditional block pattern and along the Mississippi River where a pocket of residents have views and/or frontage of the river corridor.

The 1950s were the peak decade for housing construction in the City; a period in which owner-occupied housing predominated. While other housing types began to emerge post 1950s, the demand for single-family detached housing continued through 1980 as the remaining land in the community developed. Given the period in which the majority of Brooklyn Center's housing stock was built, nearly the entire single-family detached housing stock is more than 40 years old. This is a major concern because at 40 years of age exterior components of a building including siding, windows, and roofs often need to be replaced to protect its structural integrity. Because the City became mostly built-out by the late 1970s, nearly all of the City's housing stock falls into this category, which means the City must be cognizant of potential issues and proactively monitor the situation to ensure neighborhoods are sustainable into the future.



While related to housing age, the size or square footage of single-family homes also plays a significant role in the demographics of a community. Changes to family structure, technology, and other factors alter housing preferences over time, which can lead to functional obsolescence of homes and result in reduced home values because they no longer meet current buyers' expectations. Brooklyn Center's single-family housing stock is fairly homogeneous and the overwhelming majority of homes in every neighborhood are less than 1,500 square feet – and in many areas less than 1,000 square feet. This is a relatively modest single-family housing size, and, therefore, the single-family housing stock lacks diversity, which results in lack of choice for current and prospective residents. At the same time, these homes offer an option for small families, single and two-person households, and first time homebuyers.

Because the majority of the City's single-family housing stock is relatively small, older, and of a homogeneous type as compared to newer larger homes or neighborhoods with more housing variety, housing prices in Brooklyn Center tend to be affordable. Also, given the similar age, size and styles of many of the homes, housing in the community has a fairly consistent price-per-square foot. Affordability in the existing housing stock can be a positive attribute that has the potential to provide long-term stability to residents and neighborhoods. However, as shown in the Background Report residents of Brooklyn Center also tend to have lower median household incomes, which can mean residents may struggle to pay for large-scale capital investments in their homes such as replacing windows or a roof.

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Additionally, within the region some communities with similar single-family stock to Brooklyn Center have experienced pressure for tear-downs and major remodeling, and that market trend has yet to reach the City. While that trend may eventually impact the community, at the present time the change and growth impacting the single-family neighborhoods is mostly related to the evolving demographics within the community. This change presents different considerations and challenges because it is not necessarily physical growth or changes to homes and neighborhoods. Instead the community is challenged with how to manage larger numbers of people living within a household such as growing numbers of multi-generational households.



Existing Single-family Neighborhood Perspectives Described in this Planning Process

Throughout this planning process policy-makers and residents alike expressed the desire to maintain the affordability of the existing single-family neighborhoods but acknowledged the current challenges of helping residents maintain their structures, blocks and neighborhoods in the face of compounding maintenance due to the age of the City's neighborhoods. In addition to the physical condition of the structures, residents and policy-makers also acknowledged that as the City's population and demographics become increasingly more diverse new residents are changing how existing homes are being occupied and, therefore, it would be valuable for the City to evaluate its ordinances and policies to ensure they align with the needs of residents. The demographic considerations are identified in subsequent sections of this Chapter, but it is worth noting that the demographic changes can have a significant impact the character of existing single-family residential neighborhoods. Most recognized this as a positive change, but also acknowledged and stated that the City must figure out how to pro-actively address some of these changes to protect the existing neighborhood fabric. For example, multi-generational households are becoming increasingly more prevalent within the City's single-family neighborhoods which can impact how rooms within a home are used, how many cars may be present at the home, and how outdoor spaces and yards may be used.

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Closely related to the demographic changes in the community is the City's aspiration to promote and maintain neighborhood stability. This objective emerged repeatedly throughout this planning process as residents and policy-makers expressed the desire to identify strategies to help promote and encourage sustainability, resiliency and accessibility within the single-family neighborhoods. In part this objective is the result of several years of turnover within the single-family neighborhoods as long-term residents begin to age and move onto other housing options, new residents and families are moving into the neighborhoods. This life-cycle of housing is common, but the City wants to find ways to ensure new residents want to stay in their homes, their neighborhoods, and the community long-term and invest in making the City a better place for generations to come.



Multi-family Residential

Nearly one third (29 percent) of the City's housing units are in multi-family residential buildings located throughout the community. Nearly all of these buildings were constructed in the 1960s and 1970s, and are primarily located on major roadways or corridors, and surrounding the former regional retail areas. This means these buildings are nearly 50 years old or older. Just as noted within the single-family neighborhoods, the potential for deterioration and need for significant investment in these aging buildings can pose a threat to the quality of the City's housing stock if the buildings are not properly maintained, managed and updated.



There has been some maintenance and management of the multi-family housing stock, and a few complexes have even incorporated modest upgrades to the interiors. In fact, the City has started one large-scale rehabilitation of a building that would bring higher-market rate rental options to the community once completed. However, this is one project and despite these improvements the City's multi-family housing stock continues to be one of the most affordable in the region with some of the lowest rental rates in the metropolitan area. Many of the multi-family areas are near major corridors and are adjacent to high intensity uses that do not necessarily support or serve the residential use with the current development and land use patterns. As a result, many of the multi-family areas do not feel like an incorporated part of the City's neighborhoods. As discussed in subsequent sections of this Chapter, the City is planning for redevelopment in or adjacent to many of the existing multi-family areas that will hopefully reinvigorate and reconnect the existing multi-family uses into a larger neighborhood context.

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Multifamily Neighborhood Perspectives Described in this Planning Process

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



Similarly, to the single-family neighborhoods, the community's aspiration to create a stable, accessible, and economically diverse multi-family housing stock was established as a short and long-term priority. Though not discussed at length during this planning process, it is widely known and understood that resident turnover, including evictions, is a serious problem that is most concentrated within the multi-family neighborhoods of the City. While this Chapter does not attempt to fully evaluate the causes for turnover and eviction in these neighborhoods, it does acknowledge it as a significant challenge and issue which shapes the character of these areas of the community. Turnover, including evictions, changes how residents feel about the community whether the City is directly involved or not. It has lasting affects on how safe people feel within a community, how invested in an area they want to become and how willing they are to contribute and reinvest in the City. For these reasons, it is imperative that the City tackle these issues and create a more stable, and integrated living environment so all residents feel a part of a neighborhood, and the larger community.

Housing Stock Statistics

The following existing housing stock characteristics support the previous neighborhood descriptions through more detail. This information, coupled with the previous description, provides a valuable baseline from which the City can evaluate and plan for the future of its housing stock.

Total Housing Units

According to data from the Metropolitan Council and the City of Brooklyn Center, there are 11,603 housing units in Brooklyn Center as of 2017. As a fully developed community, new residential development in Brooklyn Center has been limited since the late 1980s. According to the Metropolitan Council, around 100 new housing units have been built since 2000 and these homes were primarily small infill locations or small redevelopment opportunities.

11,603 Brooklyn Center
housing units as of February 2017

- Sources: Metropolitan Council

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Housing Tenure (Owned and Rented Units)

Nearly 40 percent of the community's residents rent, and the majority of those renters live in apartment buildings which are integrated throughout the community. The Background Report in the Appendix includes maps illustrating the location of rental housing and demographics of renters. Given that a significant portion of the City's population lives in apartments, the age of such structures becomes critically important to the overall health of the housing supply. The majority of the apartments were constructed prior to 1979 with the bulk of the units being constructed between 1966 and 1969. This means that the majority of the apartments is more than 50 years old, and that structural deficiencies and major capital improvements may be required in the relatively near term in order for the structures to remain marketable.

40% of community residents
are renters

- Sources: Metropolitan Council; US Census; SHC

Housing Type

Related to housing tenure is housing type. Due to Brooklyn Center's peak time of housing development in the 1950s, the housing type is predominantly single-family detached homes. As of 2017, there are 8,270 units (71 percent) of single-family housing (attached and detached) and 3,333 (29 percent) classified as multi-family housing.

71% of housing units are
single-family

- Sources: Metropolitan Council;
US Census; SHC

The type of housing structure can influence not only affordability but also overall livability. Having a range of housing structures can provide residents of a community options that best meet their needs as they shift from one life stage to another. For example, retirees often desire multi-family housing not only for the ease of maintenance, but also for security reasons. Multifamily residences are less susceptible to home maintenance issues or burglary concerns because of on-site management. For those with health concerns, multi-family residences often have neighbors that can also provide oversight should an acute health problem occur.

The majority (63 percent) of Brooklyn Center's housing stock consists of detached single-family homes. This is above the proportion found in Hennepin County (55 percent) or throughout the metropolitan area (59 percent). Nevertheless, the City's housing stock is diversified, with many multi-family units in large structures, as well as a significant number of single-family attached units. More detailed data are included in the Background Report in the Appendix.

Year Built

The age of the housing stock is an important characteristic of the community particularly as it relates to potential structural obsolescence and other limiting factors which correlate to housing values. As described earlier, much of Brooklyn Center's single-family housing stock was developed post-World War II between 1950 and 1963 and many of the homes in this age range were dominated by rambler architectural styles. As shown on Map 15, entire neighborhoods were all constructed in a relatively short period of time which strongly defines a neighborhood pattern. As shown, most of Brooklyn Center was developed on a fairly regular grid pattern and does not reflect a 'suburban' development pattern. This is positive from the perspective that transportation and transit connections should be easier to improve, where necessary, because of the relatively dense population of the neighborhoods. However, aging neighborhoods can present a challenge as major systems (i.e. roof, siding, windows,

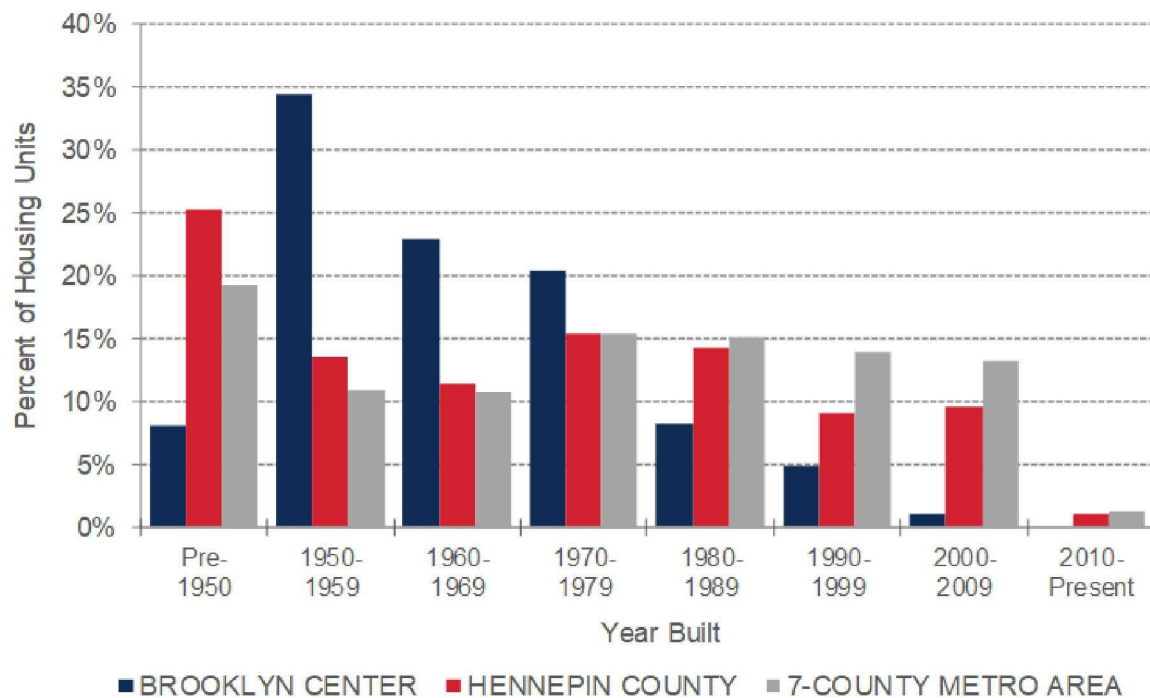
HVAC, etc.) reach the end of their useful life. This can be particularly difficult if residents are unable to reinvest and maintain their properties, which leads to deferred maintenance and the potential for more significant problems that would become widespread across entire neighborhoods.

Approximately 86 percent of Brooklyn Center’s housing stock (over 10,000 units) is more than 40 years old. This is an overwhelming portion of the City’s housing, and it is therefore important to track the condition of these older homes as they are at-risk of deferred maintenance. This can rapidly result in critical structural problems. At the same time, well-maintained older housing can be an important source of entry-level housing because of its relative affordability when compared to newer construction.

86% of housing stock is more than 40 years old

- Sources: US Census; SHC

Table 4-1. Year Built



Source: US Census; 2011-2015 American Community Survey

Housing Affordability

The Metropolitan Council considers housing affordable when low-income households are spending no more than 30 percent of their income on housing costs. Households are considered low-income if their income is at or below 80 percent of the metropolitan area's median income (AMI).

The housing stock in Brooklyn Center is affordable relative to other communities in the Twin Cities region. According to the Metropolitan Council, 93 percent of the housing units in 2017 in Brooklyn Center were considered affordable. Moreover, only a small portion (5 percent) of this housing is publicly subsidized. Therefore, most housing is privately-owned and pricing is set by the market. According to the Minneapolis Area Association of Realtors, there were 480 home sales in Brooklyn Center in 2017 with a median sales price of \$186,125. This was roughly 25 percent lower than the Metro Area median sales price of \$247,900. For rental housing, according to CoStar, a national provider of real estate data, the average monthly rent for a market rate apartment in Brooklyn Center in 2017 was \$981 compared to the Metro Area average of \$1,190.

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\$186,125

**2017 median home sale price
in Brooklyn Center**

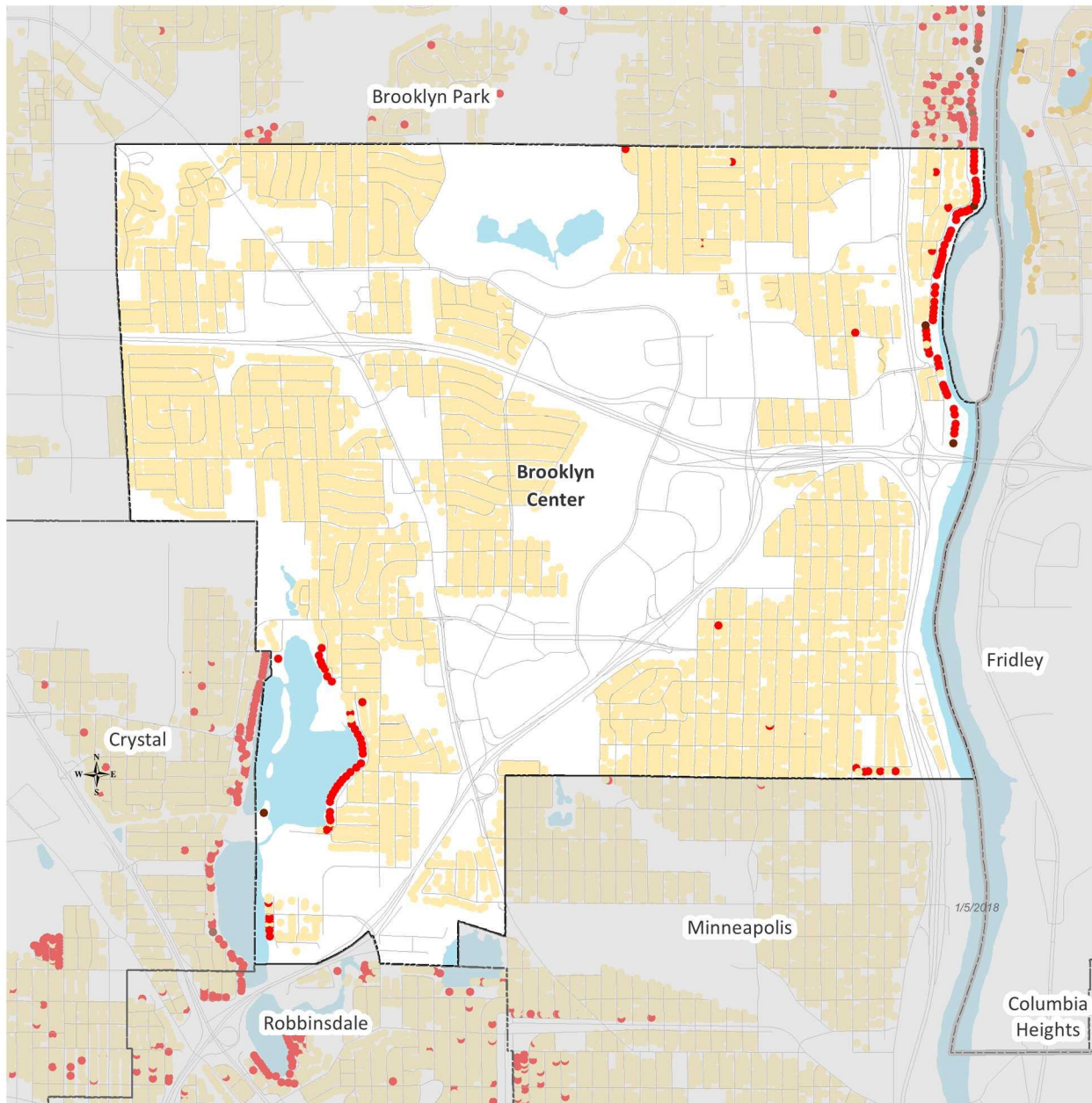
\$247,900

**2017 median home sale price
in the Metro Area**

- Source: Minneapolis Area Association of Realtors,



Map 4-1. Estimated Market Value of Owner-Occupied Housing



13

- County Boundaries
- City and Township Boundaries
- Streets
- Lakes and Rivers

**Owner-Occupied Housing
Estimated Market Value, 2016**

- \$243,500 or Less
- \$243,501 to \$350,000
- \$350,001 to \$450,000
- Over \$450,000

1 in = 0.55 miles



Source: MetroGIS Regional Parcel Dataset,
2016 estimated market values for taxes payable
in 2017.

Note: Estimated Market Value includes only
homesteaded units with a building on the parcel.

Table 4-2: Affordability of Units by Income Level

Total Housing Units ¹		11,603
Affordability ²		
Units affordable to households with income at or below 30% of AMI	Units affordable to households with income 31% to 50% of AMI	Units affordable to households with income 51% to 80% of AMI
539	6,669	3,603

Source: Metropolitan Council.

The high rate of affordability is largely due to the prevalence of smaller and older homes in the single-family neighborhoods, and the age and level of improvements within the multi-family rental neighborhoods. Such small sized properties are typically less expensive because they have significantly less living space than newer homes (average construction square footage has increased each decade since the 1950s). Age and level of update and improvements within the apartment stock, coupled with the average number of bedrooms in the rental units is impacting the relative affordability of the multi-family units. The condition in both the single-family and multi-family housing stock is what is known as Naturally Occurring Affordable Housing (NOAH), because the physical characteristics of the properties are what makes them affordable rather than the affordability being established through a legally binding contract. Although there is a high rate of affordability for existing units, the Metropolitan Council identifies a need for additional affordable units in any new housing construction added to the community through 2040. This condition would most likely be achieved by a legally binding contract, or some other financing mechanism as new affordable housing product would be difficult to achieve without some assistance given construction and land costs. Of the 2,258 projected new housing units, the Metropolitan Council establishes a need of 238 units to be affordable to households at or below 80 percent AMI to satisfy the regional share of affordable housing.



Although nearly all of Brooklyn Center's housing stock essentially fits within the criteria as naturally occurring affordable housing, there are some observable trends that would suggest the price of housing in Brooklyn Center could rise in the coming years. Most recently in 2018 the City's for-sale housing median home sales price surpassed the pre-bust pricing. While the median remains below the regional median, it does indicate growing demand and increased pricing. Significant areas of redevelopment identified on the Future Land Use Plan, including the former regional mall (Brookdale) location, present opportunities for higher-market rates for new housing added. These opportunities have the potential to create a more economically diverse housing stock within the City, which is relatively homogeneous at the time this Plan is written. Given these opportunities, it is important to continue to monitor the City's NOAH stock, and to evaluate and establish policies to incorporate legally binding and protected affordable housing as redevelopment occurs. This is a careful balancing act that requires concerted and direct monitoring, study, and evaluation in order to ensure an economically diverse, sustainable and resilient housing stock for the long-term success of the community.

KEY DEMOGRAPHICS

Age Profile of the Population

The age profile of a community has important ramifications on demand for housing, goods and services, and social cohesion. Tables and figures illustrating the City's age distribution are presented in the Background Report in the Appendix. Unlike the broader region, in which the population continues to age rapidly, Brooklyn Center's population grew younger between 2000 and 2010, and has stayed relatively stable since 2010. This is largely due to a significant increase in people age 25 to 34, many of which are starting families and having children. Increases in the number of young families place demands on schools, housing affordability, and the types of retail goods and services needed.

The median age of residents in Brooklyn Center in 2016 was 32.8, which is consistent with the 2010 median age of 32.6. This is younger than



32.8 Median age of
Brooklyn Center residents

- Sources: US Census, SHC

2000 when the median age was 35.3. With such a young population, it is expected housing units may turn over more frequently. But, as of 2016, more than 60 percent all households have been living in their homes for more than five (5) years. More data about geographic mobility of households is found in the Background Report in the Appendix.

63% Households that
have lived in their home 5
years or more

- Sources: US Census, SHC

Household & Family Type

Changing family and household structures can also have a profound effect on housing and other community needs. For example, decreasing household size has a direct impact on the amount of housing a household needs. As mentioned, the presence of children not only impacts local schools and parks, but also the types of retailers that can be supported and the nature of housing demanded.

Since 2010, the number of households with children in both single-parent and married couple households has been growing significantly. Meanwhile, the trend among households without children, especially married couples (i.e., empty-nesters) has been on the decline. The percentage of households with children is approaching 40 percent, which is well above the rate in the County and the metro area.



Cost Burdened Households

Cost burden is the proportion of household income spent toward housing and utilities. When lower income households spend more than 30 percent of their income toward housing and utilities this burden is considered excessive because it begins to limit the money available for other essentials such as food, clothing, transportation, and healthcare. According to data from the Metropolitan Council, 4,114 (35 percent) Brooklyn Center households at or below 80 percent average median income (AMI) are considered cost-burdened which means they spend more than 30 percent of household income on housing costs. This percentage is well above the metro area rate of 23 percent. Half of these Brooklyn Center households are lower income households who earn at or less than 30 percent AMI. The high incidence of cost burdened households is correlated with younger wage earners, lower-wage jobs, and a high proportion of older households, many of which are in retirement and no longer working.

FUTURE HOUSING OPPORTUNITIES

Projected Housing Need

As referenced in Chapter 3: Land Use and the following Table 4-3, the Metropolitan Council's 2015 System Statement forecasts that Brooklyn Center will add approximately 4,169 new residents and 2,258 new households through 2040. Recognizing that the land use plan for Brooklyn Center identifies several key areas that are envisioned for new development or redevelopment, this will result in an opportunity to accommodate more housing and increase the City's number of households. Based on guided residential densities in the development opportunity areas, the City can accommodate the Metropolitan Council's forecasted households. As indicated in the Land Use Chapter, depending on how the market responds to these redevelopment areas the City could accommodate anywhere between 2,658 and 3,836 new households by 2040 (Chapter 3: Table 3-5, repeated in the following Table 4-3).

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2,258

**Number of forecasted new Brooklyn Center
households through 2040 by the Met Council**

- Sources: Metropolitan Council

2,658

**Number of forecasted new Brooklyn Center
households through 2040 by the City**

- Sources: City of Brooklyn Center, SHC

Table 4-3. Future Land Use Densities and Projected Acres, Households & Population

Future Land Use	Density (DU/A)	2020 Acres (Res) ^b	HH	Pop ^c	2030 Acres (Res) ^b	HH	Pop ^c	2040 Acres (Res) ^b	HH	Pop ^c
Transit Orient Development (TOD)	31+ DU/A	25 (9)	279 +/-	619 +/-	70 (26)	814 +/-	1,807 +/-	200 (53 ^a)	1,643 +/-	3,648 +/-
Neighborhood Mixed-Use	15-31 DU/A	50 (13)	195 - 403	433 - 895	75 (19)	285-589	632 - 1,308	93 (23 ^a)	345-713	766 - 1,583
Commercial Mixed Use	10 – 25 DU/A	30 (8)	80 - 200	178 - 444	60 (15)	150 - 375	333 - 833	88 (22)	220 - 550	488 - 1,221
TOTAL	--	--	554 - 882	1230 - 1958	--	1,249 - 1,778	2,772 - 3,948	--	2,208 - 2,906	4,902 - 6,452

Source: Metropolitan Council, Thrive 2040 Brooklyn Center 2015 System Statement, SHC.

^a Acreages assume that some recently redeveloped areas within these land use designations will not experience redevelopment until post-2040 and therefore households are not calculated. Please refer to Map 3-3 that identifies areas planned for change within this planning period.

^b Note, there are existing households in each of the designations today that would be re-guided for potential redevelopment in the future. This accounts for existing households and those that may potentially develop over the next two years.

^c Calculation multiplies households by 2.22 persons per household (According to the 2016 ACS (Census), for multi-family units (5+ units in structure))

There are three large districts identified in the City with guided land use that allows for significant potential of new development and redevelopment through 2040. These areas have the potential to greatly expand Brooklyn Center's current housing numbers and choices. Moreover, each opportunity area has the potential to not only provide new forms and types of housing but to catalyze or rejuvenate investment into the City resulting in stronger linkages between neighborhoods and districts that are currently isolated from one another. The following section discusses these areas further.

Future Residential Uses in Planned [Re] Development Opportunity Areas

Transit-Oriented Development (TOD)

Transit-Oriented Development (TOD) is a new land use and redevelopment concept in the City that focuses on existing and planned transit as a major amenity and catalyst for redevelopment. While previous planning efforts have acknowledged the presence of transit in the community, none have embraced it as an opportunity for redevelopment. As this portion of the City redevelops, the location of future transit enhancements has the potential to attract significant new housing development. Therefore, this is where guided densities are the highest. This is purposeful because the area has exceptional visibility and access from Highway 100 and I-94, and will be served by two transit stops (one being a transit hub) for the C-Line Bus Rapid Transit (BRT). The C-Line will mimic the operations of LRT (light rail transit), offering frequent transit service that will connect residents to the larger region. To best support the C-Line, the City has planned to reinvigorate and re-imagine this central area of the community as a more livable, walkable, and connected neighborhood within the City. In addition, the potential for desirable views of Downtown Minneapolis could result in pressure to build taller structures in this area. Any development of this area should also be seen as an opportunity to support commercial users, improve multimodal service and access, and allow safe, pleasant, and walkable connections to transit, parks, and other community destinations.

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As this area evolves, the desirability of this area as an amenity-rich livable area is likely to improve. As change occurs, the housing within the area is likely to be at market rates adding to a more economically diverse housing stock than is currently available in the community. This would add more housing choices in Brooklyn Center, and it could also support a mix of both market rate and affordable units; provided proper policies are developed to ensure legally binding affordable housing is incorporated into development plans. Communities oftentimes explore policies such as inclusionary zoning as redevelopment accelerates which may become an appropriate consideration in the future, but is likely not to be the best approach given current market conditions. However, in the future if significant increases in the market occur it may warrant further discussion in the City. Regardless of the policy tool (whether regulatory or incentive based) selected, consideration will need to be given to working with any future developer in a possible partnership with the City to help deliver affordable units as part of redevelopment. As described within the Chapter 8: Implementation, the City will continue to explore proper methodology and policies to ensure an economically diverse housing stock is created as housing continues to evolve in the community.



Commercial Mixed-Use Areas

The Commercial Mixed-Use areas generally surround the TOD area and are contemplated for large-scale redevelopment but are equally as focused on supporting business and office users. These areas are generally within one mile of the transit station that serves as a major hub for regional and local transit services, and therefore new housing will still have opportunities to capitalize on this as an amenity. Slightly less dense than the TOD district, these areas may provide exceptional opportunities to introduce multi-family uses such as town homes, row homes, and small lot single-family uses that could cater to larger families and incorporate more units with three or more bedrooms. As indicated in previous sections of this Chapter, the City's residents expressed a desire to have access to more rental units with more bedrooms and larger square footages. While a detailed market study would likely be needed to confirm the demand for these uses, if we can take the anecdotal information as true, this area has the potential to support those types of uses. As with the TOD district, affordability is likely to become a consideration in any redevelopment within these areas because new construction naturally costs more and as the area redevelops interest and demand is likely to escalate costs. It is therefore important, just as with the redevelopment of the TOD district, that the City evaluate and explore ways to incorporate a range of affordable and market rate opportunities in new developments.



Neighborhood Mixed-Use Areas

The Neighborhood Mixed-Use is a new land use designation that responds to resident and policy-makers desire to incorporate retail and services into the neighborhood fabric. One of the ways the City can accomplish that objective is to create 'nodes' of mixed-uses that include residential uses, but protect key corners for small retailers, shops, or restaurants that create a more vibrant streetscape. The City acknowledges that these areas are less likely to redevelop with any regularity. Therefore, the number of new housing units expected to come on-line in these areas is a little less tangible than in areas with large contiguous redevelopment acres. However, the nodes have the opportunity to provide yet another housing style and type, as these areas are not envisioned for large high-rises or extensive master plans. Instead, these areas are contemplated to have smaller footprints with living units above a small store front or restaurant for example.

HOUSING RESOURCES, STRATEGIES & TOOLS

Table 4-4 outlines a variety of resources, strategies, and tools to implement Brooklyn Center's identified housing needs and stated housing goals. There is a wealth of resources available to assist communities in meeting their goals. The following table should be considered a starting point. As the City's housing needs evolve or become clearer, this set of tools should expand with options.

Table 4-4. Housing Resources, Strategies & Tools

Housing Goal	Tool/Resource/Strategy	Description
Promote a diverse stock that provides opportunities for all income levels	Housing Demand Market Study	City to regularly conduct a market study to track housing demand that could double as a marketing and promotional piece about opportunities.
	Housing Coordinator Position	The City would create a position that would serve as a liaison to existing landlords to help them respond to shifting demographics through training and access to city resources. The position could also serve as a resource for tenants to connect to support services in the event of eviction notices, discriminatory practices, and other issues related to housing access. The position would include coordinating housing programs, including home ownership programs, resident financial literacy programs, with the intent to convert Brooklyn Center renters to successful home owners.
	Inclusionary Housing Ordinance	<i>If</i> the market strengthens in redevelopment areas to the extent that policies would not deter investment, the City could consider an inclusionary housing ordinance to ensure that affordable housing is a component of any new housing development. Since current market conditions in the City are well below those of adjacent communities, an inclusionary policy may deter short-term investment. The City may want to explore this policy in the future if the market rents rise to levels of at least 100% AMI.
	Livable Communities Demonstration Account (LCDA)	Consider supporting/sponsoring an application to LCDA programs for multi-family rental proposals in areas guided for high density residential and targeted to households of all income levels.
	Tax Abatement	Consider tax abatement for large rental project proposals.
	Expedited Application Process	Streamline the pre-application process in order to minimize unnecessary delay for projects that address our state housing needs, prior to a formal application submittal. [Meg/Ginny: If Brooklyn Center has already done this, let us know]
	Site Assembly	Consider strategies for assembling sites in high-density or mixed-use districts that would increase appeal to developers.
	Tax Increment Financing (TIF)	To help meet the need for low-income housing, consider establishing a TIF district in an area guided for high density development.
	Brownfield Clean-up	In potential redevelopment areas, explore EPA and MN DEED grant programs that provide funding and assistance with planning, assessment, and site clean-up.

Table continues on the following page

Table 4-4. Continued. Housing Resources, Strategies & Tools

Housing Goal	Tool/Resource/Strategy	Description
Protect existing single-family neighborhood patterns	Home Ownership Program	Work with residents to provide education and programs to make home ownership possible, particularly converting existing renters to home owners.
	CDBG	Work with Hennepin County to use CDBG funds to help low-and moderate-income homeowners with rehabilitation assistance.
	Referrals	Review and update reference procedures and training for applicable staff including a plan to maintain our availability to refer residents to any applicable housing programs outside the scope of local services.
	Low or No Cost Home Rehabilitation Programs	Providing low-or no-cost loans to help homeowners repair heating, plumbing, or electrical systems helps preserve existing housing. For example, Minnesota Housing's Rehabilitation Loan and Emergency Loan programs make zero percent, deferred loans that are forgivable if the borrower lives in the home for 30 years. Minnesota Housing's Community Fix Up Program offers lower-cost home improvement loans, often with discounted interest rates, remodeling advising, or home energy services, through a trained lender network.
	Foreclosure Prevention	In established neighborhoods, a rash of foreclosures, especially in close proximity to one another, can have a deleterious effect on the surrounding neighborhood. Be aware of foreclosures and be able to direct homeowners at-risk of foreclosure to resources that can help prevent foreclosures. http://www.hocmn.org/

DRAFT Chapter 5: Economic Competitiveness





INTRODUCTION

In previous Chapters of this Plan the City's commitment to redefining, reimagining and redeveloping key areas of the community are described; but this commitment is hollow without the City's vision to elevate Brooklyn Center to an economically competitive City within the greater region. Economic competitiveness in the context of this Plan is the City's ability to compete effectively for economic development that creates jobs, brings and retains corporations, successfully incubates new businesses and services on a local, regional, national and international scale. It also refers to the City's ability to attract jobs and employment that serves its residents, and emphasizes opportunities and access to education, job skills matching and an improved quality of life for all of its residents – the idea that if we do better, we all do better together.

The vision that Brooklyn Center can and should compete on not only a regional scale, but on a national and international scale may seem daunting particularly if the City spends too much time looking in its rear-view mirror. However, in order to move forward it is important for the City to understand its past and present because it provides valuable context from which the City can prepare its guide and roadmap for the future.

1

2040 Community Image, Economic Competitiveness & Stability Goals

- Promote Brooklyn Center as an exceptional place for businesses, visitors and residents, both existing and new, because of its locational advantage and accessibility within the region.
- Support the development of sustainable, resilient, and accessible neighborhoods in the city center that reinforce the City's commitment to its diverse residents, neighborhoods, and businesses.
- Explore meaningful ways to represent the community's diversity through the City's
- Encourage and promote reinvestment in the City's infrastructure including roadways, streetscapes, trails and utilities to signal Brooklyn Center's commitment to the long-term success of its residents and businesses. branding, marketing and visual communications.
- Recognize the opportunity and value of Brooklyn Center's changing demographics and entrepreneurial attitudes to create an identity that embraces diversity as part of the City's future.

**Supporting Strategies found in Chapter 2: Vision, Goals and Strategies*

The purpose of this Chapter is to plan for economic development opportunities in the community that add refinement to Chapter 3: Land Use & Redevelopment and Chapter 4: Housing contained in this Plan. As described throughout this Plan, the City is at a pivotal time and is faced with enormous opportunity to change and shape its future. The City recognizes that by working directly with the businesses and the community, we can create and maintain a strong economy and provide opportunities for all to be successful. The City is focused on capitalizing on this opportunity and is actively seeking ways to embrace the changes occurring in the community to make Brooklyn Center a great place to live, work, recreate and **do business**.

Repeatedly throughout this planning process the City's residents, stakeholders and policy-makers emphasized the need to nurture, support and grow local business. There is a common belief that the community is filled with an entrepreneurial spirit, residents who want the opportunity to work in Brooklyn Center with others who are passionate about making the City a great place to build and grow a business. The City is committed to finding ways to provide accessible, affordable and supportive opportunities for businesses to excel and thrive in the community – from small pop-up markets and kiosks to full-scale professional office buildings.

This Chapter is structured differently than others within this Plan because it is intended to serve an additional function beyond simply being a Chapter within this Plan. Instead this Chapter has enough background, socio-economic and existing conditions information to establish the context from which the aspirations and opportunities are derived to allow this Chapter to 'standalone' when needed – while still functioning as an integral and important part of this Plan.

EXISTING SOCIO-ECONOMIC SNAPSHOT OF RESIDENTS

One of the components that affects the community's ability to compete for economic development are the characteristics of the labor force available to new businesses and industries that may choose to relocate or grow in a region. Businesses need workers to prosper – and workers that have skills, education and characteristics that match their industry help make decisions to grow or locate in a community easier.

The following information is a summary of more detailed information contained in Appendix C: Background Report, with additional discussion about key characteristics that most directly impact the City's economic development efforts. This information is a snapshot in time and should be used as a baseline – not as the future condition. For example, the City is expected to add more than 2,200 new households to the community over the next 20-years and those residents will add a new dynamic to the labor force that is not currently represented in the following data.

Brooklyn Center is expected to
add more than **2,200** new
households over the next 20 years.

- Sources: Metropolitan Council



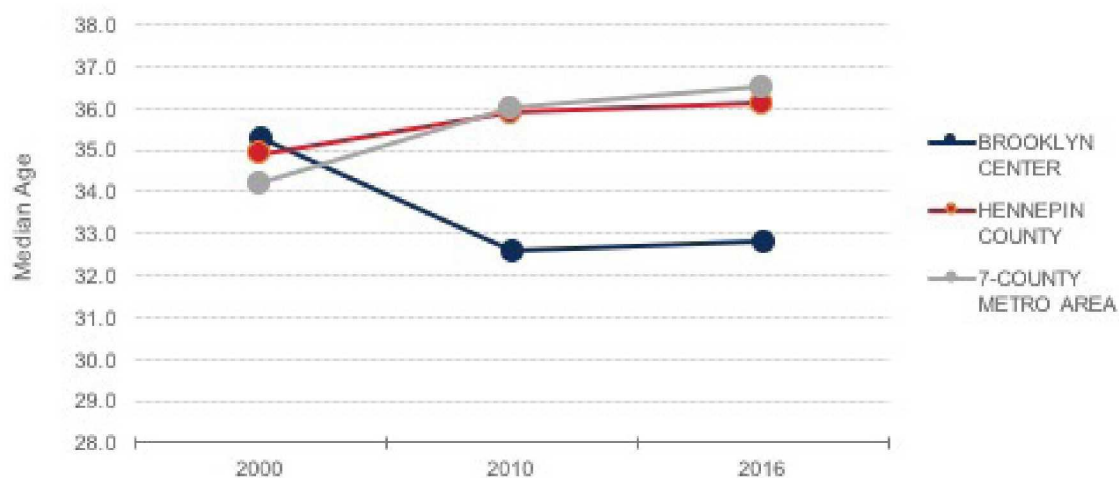
Existing Labor Force Characteristics

The following information was collected from a variety of resources including the US Census, DEED, ACS 2011 – 2016, the Metropolitan Council, Perkins+Will and SHC. More information regarding changes by decade and larger distribution trends can be found in Appendix C: Background Report.

Age

The age profile of the City plays an important role in economic development from the respect of what types of goods and services the population may demand, and also indicates the number of people that may be in the labor force now and in the future. As shown in Figure 5-1: Median Age 2000 – 2016, Brooklyn Center's Median Age is well below that of Hennepin County and the Metro Area.

Figure 5-1: Median Age 2000-2016



Sources: US Census; Metropolitan Council; Perkins+Will

In addition to Brooklyn Center's median age that is lower than that of Hennepin County and the 7-County Metropolitan Area, the City's share of the population Under 5 and between 5 and 17 represents a higher distribution of this age cohort than that of the County and the 7-County Metropolitan Area. This means that the number of young people that are either just entering the labor force or that will enter the labor force in the next decade is a significant proportion of the City's population. This has ramifications for the City's economic development efforts and emphasizes the importance of the City proactively partnering with schools, post-secondary institutions and other job skills training efforts to make sure that young people's skills are developed to match the needs of current and future employers.

Racial & Ethnic Composition

Brooklyn Center is a diverse community and is one of the only communities in the Twin Cities Metropolitan Area with a majority-minority population. Additionally, the City's population has the second highest percentage of foreign-born residents in the Twin Cities Metropolitan Area, with 21%, or 1 in 5 residents, born outside the United States. As shown in the Background Report, the City's population is nearly 60% non-white, which is in contrast to Hennepin County (29.6%) and the 7-County Metro Area (25.2%). This difference means Brooklyn Center's residents are more diverse and represent more racial/ethnic groups than the surrounding communities – which if leveraged successfully can make the City a dynamic, integrated community that could serve as a model for the greater region. A region that is expected to evolve similarly to the City over the next planning period. Throughout this planning process residents, stakeholders and policy-makers expressed their belief that the City's diversity is a key differentiator in the region and that the opportunity to create a vibrant business community is inevitable as long as the right commitments and policies are put in place to foster economic development that benefits a range of business opportunities.

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While the diverse resident population offers an exceptional opportunity, it also represents a challenge to ensure the City is responsive, supportive and integrative of its efforts to meet the needs of the changing population. In 2017, the City of Brooklyn Center partnered with Everybody In to provide a comprehensive report on racial equality within the City. The report identified and confirmed some existing racial disparities in the City, which provides valuable insight into what types of changes the City could employ to create a more equitable community for the future of all Brooklyn Center residents. The City is committed to continuing efforts to evaluate ways to reduce racial disparities that exist as they relate the economic stability of its residents, including access to livable wage jobs, home ownership opportunities, financial literacy and wealth creation, and job pathways training.

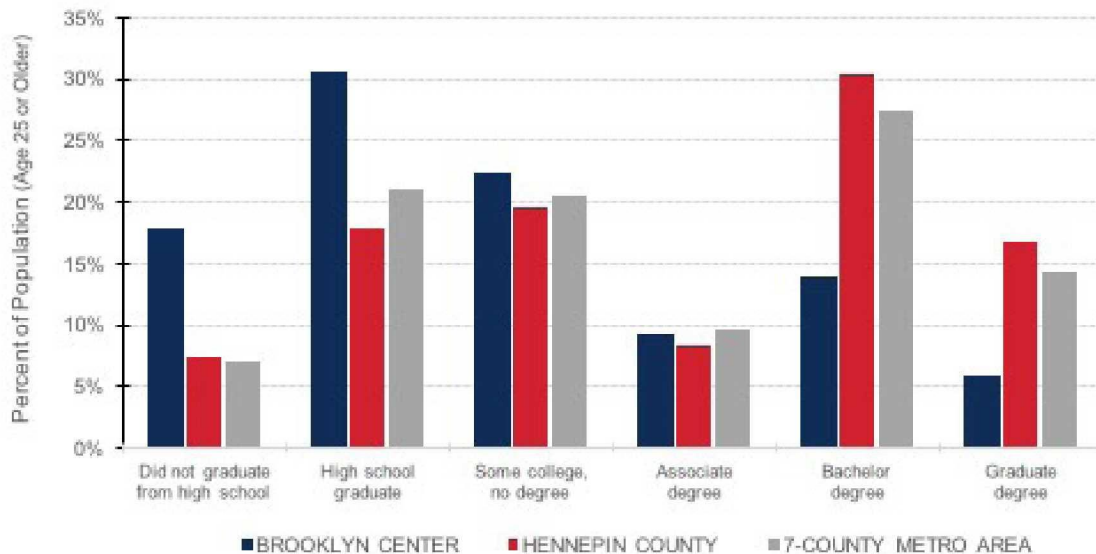


Education

Educational attainment is an important characteristic of the labor force and is one of the considerations a business or company evaluates when choosing to grow or locate within a community. Unlike age or racial/ethnic characteristics, educational attainment has the potential to be directly changed and influenced through improved policies and objectives. That is, you can't change someone's age, but you can change and improve the accessibility and availability of education and job skills training to the population.

As of 2016, 82% of Brooklyn Center residents have graduated high school and of those residents approximately 20% have a bachelor or graduate/professional degree. While the majority of the population over the age of 25 has a high school diploma, the percent of the population that did not graduate from high school is more than that of Hennepin County and the 7-County Metro Area. (See Figure 5-2. Change in the Population without a High School Diploma 2000-2016).

Figure 5-2. Change in the Population without a High School Diploma 2000-2016



Sources: US Census; Metropolitan Council; Perkins+Will

The good news is that after a spike between 2000 and 2010 in residents without a High School Diploma, the trend line appears to be decreasing between 2010 and 2016. Even with the slight recovery, the City's percentage of the population without a diploma is still more than 10% higher than that of the County and the 7-County Metro Area. One of the most important efforts the City has identified in this planning process is the need to identify ways to get the City's youth involved and committed to education.

Ensuring that the population has adequate educational opportunities and that education is accessible and attainable is a key component of the residents' ability to obtain and maintain livable wage jobs. The City of Brooklyn Center has multiple post-secondary educational institutions within proximity to the City including North Hennepin Community College and Hennepin Technical College, the University of Minnesota and various private post-secondary universities and colleges located within Minneapolis and Saint Paul. While these campuses are not located in the City of Brooklyn Center, several are within 5-miles of the City and are accessible by car, transit and bikeways or trails.

Income/Wages

6 In 2016 the median household income was \$46,400 which is a slight increase from the information contained within the Background Report from 2016 which identified median household income as \$44,855. As shown in the Background Report, the City's median household income is more than \$20,000 less than that of Hennepin County and the 7-County Metropolitan Area. While there are many factors that contribute to why Brooklyn Center's household incomes are less, it is most important to understand what it means for current residents. When household incomes are less it means that residents have less choice in meeting every day needs such as housing, goods, services and transportation. Additionally, residents likely have less disposable income to spend which directly affects businesses, particularly those in retail and commercial uses.

Adding complexity to the evaluation is the number of residents in the City that are at or below the federal poverty level. In 2016 the poverty level was defined as \$24,563 for a family of four, and generally a greater number of residents living in Brooklyn Center have incomes that place them below the poverty level and below 200% of the poverty level than in other neighboring cities. As shown in the Background Report, as of 2016 approximately 19.2% of Brooklyn Center residents were below the poverty level, and over 44% were below 200% of the poverty level.

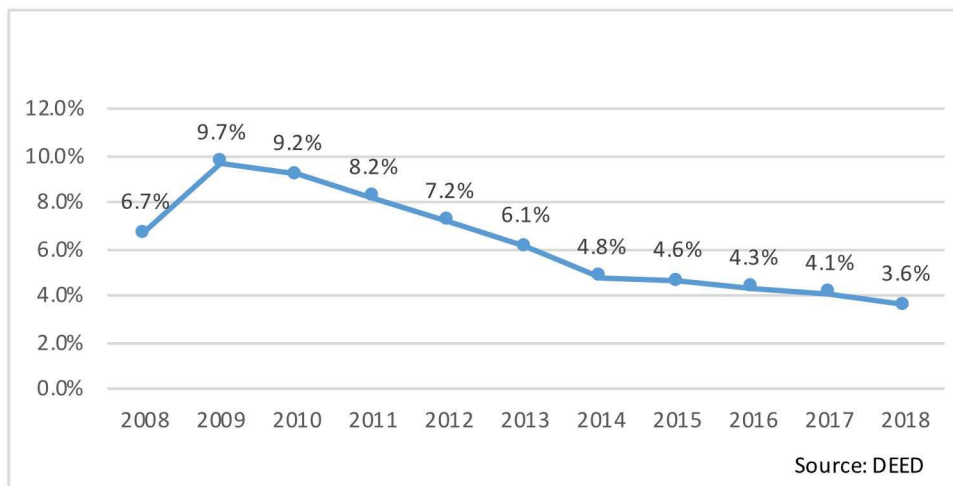
Because of some of these statistics the City Council knew it was important to make efforts to try and reverse this trendline and to proactively identify ways to help the City's residents gain greater economic stability. As part of this effort, in 2017 the Brooklyn Center City Council adopted strategic priorities for the City that focused on ways to improve the quality of life for the community. Given the high poverty rate relative to the region, the City Council identified Resident Economic Stability as one of the six strategic priorities. This priority, among other things, focuses on the creation and attraction of jobs with livable wages to the community.



Unemployment

The Great Recession in the late 2000s significantly impacted the nation, and hit Brooklyn Center's residents particularly hard where the unemployment rate rose to 9.7%. Since that time, the unemployment rate has gradually declined and in 2018 was around 3.6% (See Figure 5-3 Average Unemployment for Brooklyn Center Residents). The City's overall unemployment rate is similar to that of the region, which is currently hovering between 3.0 and 3.5%. The unemployment rates are slightly higher among minority populations, in particular the African American and Eastern African populations that according to a report released by DEED in January 2018 was approximately 7.5% across the State. This disparity highlights the need for more focused attention on education and job skills training to help lessen the gap across all populations.

Figure 5-3. Average Annual Unemployment for Brooklyn Center Residents



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Where Residents Work and Commute

Understanding where current residents work and who holds the existing jobs are important characteristics to consider when promoting Brooklyn Center's economic competitiveness within the region. Given that Brooklyn Center shares a border with Minneapolis, it is not surprising that the City of Minneapolis is the top workplace for people who live in Brooklyn Center, in fact of the City's workers more than 4 times as many workers work in Minneapolis than Brooklyn Center. Residents of Minneapolis are, in turn, the top employed within the City outnumbering Brooklyn Center residents by more than 500. These trends are important to understand and consider as new businesses evaluate and consider the City. Not only is there potential to capitalize on more local residents returning to the City for work, but because the City is so accessible within the region businesses have a labor pool that extends far beyond the City's borders into cities such as Minneapolis, Saint Paul, Brooklyn Park and other surrounding suburbs.

Top 5 Workplaces of People Who Live in Brooklyn Center

Minneapolis	3,348
Saint Paul	889
Brooklyn Center	826
Brooklyn Park	813
Plymouth	771

Top 5 Residences of People Who Work in Brooklyn Center

Minneapolis	1,367
Brooklyn Park	1,161
Brooklyn Center	826
Saint Paul	673
Maple Grove	456

8 As described in the Background Report, commute time to work is an important factor in considering where to work because it directly impacts the amount of time spent away from other activities. As of 2015, the median travel time to work of Brooklyn Center's residents was approximately 22.6 minutes, which was slightly above Hennepin County (22.2 minutes) and slightly below the 7-County Metro Area (23.1 minutes). This demonstrates that Brooklyn Center is well positioned within the region, but also signals opportunities to further reduce how much time residents spend in their cars if more jobs were to become available in the community. Today, a significant portion of Brooklyn Center residents drive alone in their own personal vehicles to their place of work which can be costly, and can also increase stress. This represents an opportunity if the City increases the number of jobs in Brooklyn Center, and residents are well suited and matched to the jobs, then Brooklyn Center residents have the chance to choose an alternate mode of transportation such as transit, walking or biking to work.



PAST AND PRESENT INDUSTRY TRENDS IN BROOKLYN CENTER

Since the Great Recession ended in the late 2000s, the City has experienced steady employment growth and as of 2017 has a total of 13,272 jobs which outpaces the most recent projections. To further understand how the jobs are distributed in the community the City prepared a Background Report in 2017 as part of this planning process. The following sections highlight the top four industries of the City's past and present, which represents nearly 85% of the City's jobs. This information provides valuable insight into the employment trends and types of jobs over the past 16-years and provides an indication of the types of jobs that the City may wish to target for future economic development. The information that follows is a compilation of information collected from staff, residents, businesses and stakeholders during this planning process as well as a synthesis of more detailed information contained in Appendix C: Background Report.

Industry: Retail

As described and introduced in Chapter 3: Land Use & Redevelopment the City's past economic identity is heavily attached to the retail industry. Though many residents, stakeholders and policy makers consider this industry to be one of the most significant contributors to jobs in the City, it accounted for approximately 17% of the jobs in the City with approximately 2,228 jobs. While this is not a small percentage of jobs, it does represent a decrease in jobs available from 2010 when nearly 23% of the City's jobs were within the retail industry, and there were approximately 3,767 jobs. This shift in retail employment was an important consideration for the community because it so heavily relied on being a regional retail destination for so many decades. The following sections provide background and context for this retail shift, and describes some recent trends occurring in the City's redevelopment areas.

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Brookdale Mall and its Surroundings

For decades the City of Brooklyn Center's economy was anchored by Brookdale Mall and surrounding retail uses. Brookdale Mall was one of the first regional indoor fully climate-controlled retail centers in the state and as a result attracted shoppers from the larger north metropolitan region. Brookdale was truly a regional attraction, and Brooklyn Center's residents benefited not only from accesses to shopping and services but from a significant number of retail jobs that were available due to the presence of the Mall.

The retail focus of the City's economic engine was a double-edged sword because while there were many more jobs per capita when Brookdale Mall was in operation, the jobs were not high-wage jobs and many were not livable wages. Regardless, Brookdale Mall and adjacent retail users remained the dominant economic driver in the City through the 1990s and did not experience dramatic changes until the mid-2000's when Brookdale lost its first anchor. Once the first anchor closed, Brookdale Mall began its steady and eventual full decline that led to its closing the late 2000s. The closure aligned with the housing bust and Great Recession that had vast impact at the Nation scale, but it impacted Brooklyn Center in ways that no one could have predicted with far reaching implications throughout the community. Between 2000 and 2010 the City lost more than 2,200 retail jobs which is equivalent to nearly a 60% reduction in the number of retail jobs available in the community. (See Appendix C: Background Report). The decline was not only impactful because it eliminated jobs from the City that many of its residents were employed in, but because it signaled a massive change in the retail industry on a larger regional and national scale that we are still learning about.

Once Brookdale Mall closed adjacent supporting users also began to close leaving behind a large contiguous core of available land for redevelopment in the 'center' of the City. This mass exodus occurred as the City was preparing the previous 2030 Comprehensive Plan, and policy-makers were faced with the overwhelming task of figuring out what to do with this now large underutilized area of the community that was once a central character defining area of the community.

As a first step in redeveloping the area, the City and its Economic Development Authority proactively purchased properties as they became available to ensure that a comprehensive approach to redevelopment could be implemented. After many years of acquisitions and process, the City was able to redevelop portions of the land into what is now Shingle Creek Crossing. Shingle Creek Crossing is a new retail destination with predominantly nation retailers and is anchored by big box stores. This area continues to evolve with new retailers being brought online with Hom Furniture being the most recent addition to the area. The efforts to revitalize this area are working and some recovery of the jobs lost between 2000 and 2010 has occurred, with more than 700 new retail jobs added between 2010 and 2016. While the City does not expect to recover all the retail jobs lost during the Great Recession because of industry-wide retail changes, it does anticipate some additional growth over the planning period particularly in areas such as Shingle Creek Crossing.



Key Corridors

In addition to the core retail center in the City, there are several major roadway corridors that provide additional opportunities for retail and commercial service users. For example Brooklyn Boulevard is a high-volume roadway corridor that carries cars, pedestrians, bicyclists and transit users. The corridor is an important connection through the City and is dotted with small retail, institutional and residential uses. The corridor is identified within this Plan as an important neighborhood and community roadway connection and is guided for redevelopment as Brooklyn Boulevard is reconstructed over the next five years. Retail users such as fast food, convenience, auto repair and car sales dot the corridor and the City only expects the strength of this corridor to continue and evolve. Additionally, the City is bisected by both Highway 100 and I-94/I-694 which leads to exceptional regional access particularly near key interchanges. An example of a recent redevelopment effort is Topgolf which is scheduled to open in the Fall of 2018. Topgolf is expected to be a regional entertainment/service destination that provides patrons opportunities to meet, play, eat and enjoy a drink. As the City continues to change and evolve, the City anticipates that new demand and pressure for similar types of retail and service destinations will be most prevalent along major roadway corridors.

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Industry: Production, Distribution, and Repair

Though many residents and policy-makers often point to retail as the most prevalent industry and job provider in the City, the Production, Distribution, and Repair (PDR) industry sector provides the most employment opportunities in the community. Like the Retail sector, the PDR industry sector was heavily impacted by the Great Recession and the City lost approximately 1,100 jobs between 2000 and 2016; however, even with that decline the PDR industry still provides the most jobs in the community and accounts for over 3,100 jobs in the City.

The City recognizes this as an important industry to maintain in the community now and into the future. The Future Land Use Plan specifically identifies, supports and plans for land uses that will continue to promote and maintain light industrial uses and business, light manufacturing and other similar businesses. Most recently some of the City's industrial and light industrial users have expanded, remodeled and reinvested and it is the City's desire to continue to ensure policies and regulations support the businesses' ability to stay in the community for the long-term.

Industry: Educational and Medical Services

Trailing slightly behind the PDR industry, the Educational and Medical Services (Eds/Meds) industry is booming across the region and is slowly beginning to accelerate its presence in the City. Most notably Medtronic recently remodeled and added to its facility sending a message to the community of its long-term commitment to stay and grow. While the industry experienced a large loss of jobs between 2005 and 2010, it has rebounded significantly between 2010 and 2016 adding back nearly all the jobs it lost in the economic downturn.

This industry is projected to continue to grow and gain momentum in the region and the City is well positioned to capitalize on that trend given its proximity to major roadways, post-secondary institutions and availability of land. As shown in the Future Land Use Plan, the City has guided significant land area that would be supportive of these uses and could be integrated at a small or large scale within many of the City's mixed-use land designations.

Industry: Knowledge (Consists of 'knowledge-based' industry sectors, such as Information, Finance and Professional Management)

- 12 The number of jobs available in the knowledge industry has stayed relatively flat over the last 10-years with modest increases, but it remains an important industry in the City comprising nearly 19% of the City's jobs. These jobs will continue to play an important role in the City and opportunities to expand these uses will be available within the redevelopment areas of the City. It is difficult to anticipate what or if any major 'knowledge' based businesses will choose to locate in the community, but with the quantity of land available in the redevelopment areas it is possible given the City's desire to create compact, walkable and experience-based development. All of these characteristics are becoming more desirable amenities to all workers, but particularly with office-based workers.

Industry: Hospitality and Tourism (Worth Noting)

Though not one of the top four industries in the community, this Chapter would be remiss if it did not highlight the hospitality and tourism industry in the community. The City's proximity to downtown Minneapolis and Saint Paul, coupled with its accessibility to major highways and freeways throughout the west metro make Brooklyn Center a great place for hotels, conference centers and other hospitality uses. While the City's employment in this industry saw some decline over the past 16-years, it has remained relatively flat over the past 5-years and there is no indication further loss of



employment in this industry is anticipated. In fact, when the C-Line becomes operational it will make the City even more accessible to both the Minneapolis and Saint Paul downtown business districts, as well as the MSP International Airport. This area is well connected and includes the Earle Brown Conference and Event Center as well as several hotels all within reasonable distance of the transit station, and is also highly accessible by car with ample on-site parking. Though tourism and hospitality are constantly evolving, there is potential for this industry to expand and grow in the City given the current market dynamics and availability of land for redevelopment.

FUTURE OF ECONOMIC DEVELOPMENT

The existing socio-economic characteristics of the community coupled with the City's past and present industry trends provide the baseline from which a plan for economic development can be refined. The City has several systems, policies and objectives in place to help guide and facilitate economic development, and this Plan is intended to assist the City, policy-makers and prospective businesses in making thoughtful and proactive plans that make the City a great place for residents – and a great place to do business.

The following table is taken directly from the Metropolitan Council's 2015 System Statement for the City of Brooklyn Center. It highlights that within the region, Brooklyn Center is projected to grow – grow its population, its households and its jobs.

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Table 5-1. Metropolitan Council Forecasts - 2015 System Statement

Forecast year	Population	Households	Employment
2010	30,104	10,756	11,001
2020	31,400	11,300	13,000
2030	33,000	12,300	13,800
2040	35,400	13,300	14,600

Source: Metropolitan Council

If employment increases then there will be new businesses that choose to locate in the City, and residents will have opportunities to open new shops and business, and existing businesses will hopefully prosper and expand. But equally as important, is the hope that existing and new residents are afforded opportunities to work in those jobs, and that the jobs have livable wages, are accessible and exceptional places to work.

Presented throughout this Chapter, and throughout this Plan, is the City's demand to help create a more equitable environment for all of the City's residents – that residents of every age, ethnicity and background have access to education, job training, transportation and livable wage jobs. This is a tall order, but one that the City is committed to working towards through

implementation of policies, programs and engaging in key partnerships to help bring this objective to fruition.

The City is on its way to improved economic competitiveness and intends to capitalize on the current momentum. Recently Brooklyn Center has seen an increase in redevelopment interest in the community and it is anticipated that this trend will continue into the foreseeable future. As touched on in previous sections of this Chapter, 2018 saw several new businesses come to the community such as Topgolf, Fairfield Inn and Suites, Hom Furniture, and Bank of America, which are recently opened or under construction. Existing businesses are also expanding; both Luther Auto Dealerships and Medtronic underwent multi-million-dollar expansions in 2018. Building permit valuation has been steadily rising over the past several years, and 2018 saw the highest investment in these terms since 2012. As the City meets with business owners, consistently the City's affordable land costs, proximity to Minneapolis, and access to regional freeways are attributed to the reason for their investment in the community.

The following sections highlight some of the tools, programs, and organizations available to help the City reach its objectives. Specific implementation strategies are not included, but instead can be found in the Implementation Chapter. This is deliberate because the Implementation of this Chapter is so closely integrated with the other sections of this Plan and cannot be considered independently if they are to be successful.

Economic Tools

Economic Development Authority (EDA)

The Brooklyn Center Economic Development Authority (EDA) was established for the purposes of providing an impetus for economic development, increase employment opportunities, and to promote other public benefits as defined by the City. The EDA supports developments that would not otherwise occur if solely dependent on private investment in the near future. The EDA has the ability to purchase land for economic development purposes and to approve economic incentives, such as Tax Increment Financing, as defined later in this section. The City of Brooklyn Center utilizes or has the ability to utilize several financing tools to assist and support development and redevelopment consistent with the goals and strategies established by the City Council. The City has adopted a Business Subsidy Policy that outlines the conditions under which a project would receive subsidy. The City will evaluate this policy to ensure that it effectively prioritizes projects that forward the City's goals as they relate to job creation, redevelopment, and housing.



The EDA has the ability to implement the following incentives:

- **Tax Increment Financing**

The EDA can use tax increment financing (TIF) and pooled TIF funds to cover eligible expenses related to redevelopment projects that have extraordinary costs that would make a project otherwise not feasible. TIF is used to catalyze redevelopment that the market may not yet be able to bear on its own.

- **Tax Abatement**

Minnesota law authorizes political subdivisions to grant property tax abatements for economic development. Abatements may be either permanent forgiveness or temporary deferral of property tax obligations. Abatements can be used for a broad range of projects and purposes, if the City finds that public benefits exceed the costs of the abatement. Permitted use of abatements include: general economic development, public infrastructure construction, redevelopment of blighted areas, providing access to services for residents, deferring or phasing in a large property tax increase, stabilizing the tax base resulting from the updated utility valuation administrative rules, and providing relief for businesses who have disrupted access due to public transportation projects.

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- **Revolving Loan Fund**

The City has a revolving loan fund that is intended to incentivize new businesses and existing business expansion. The City will seek out ways to increase the funding available in the program, as well as explore other programs that incentivize investment and job growth in the City.

- **Other Business Resources and Support**

The City partners with the Metropolitan Consortium of Community Developers and Hennepin County to offer the Open to Business Program, which provides technical assistance to local businesses. The program provides unlimited consulting for prospective entrepreneurs in need of guidance to take their business from idea to operation. Existing businesses are also able to take advantage of Open to Business's services as they expand or face operational challenges. Several local and regional organizations, including Neighborhood Development Center, Metropolitan Economic Development Association, African Career, Education and Resource, Inc. (ACER), and WomenVenture, provide additional technical assistance services in the City.

Dedicated City Staff Support

In addition to the various programs that the City offers, in 2018, the City created a new position, the Business and Workforce Development Specialist, tasked with provided support and services to the business community, including working with prospective businesses on site selection and relocation services. The position also provides direct project-related support and business engagement, such as one-on-one meetings with business owners, participation in the local Brooklyn Center Business Association, and reviewing City policies and regulations for opportunities to better support economic development. For businesses seeking State of Minnesota financing via the Minnesota Investment Fund or the Job Creation Fund, the position facilitates the process, with the City serving as a conduit for contractual procedures and funds distribution. As it is a new position, the tools and resources continue to be developed and evolve. The position has been tasked with:

- Developing a Business Retention and Expansion Program
- Developing New Business Welcome Packets
- Developing materials to educate businesses on property maintenance and nuisance ordinances
- Seeking programs and partnerships to provide additional resources to new and existing businesses
- Marketing EDA-owned property
- Organizing the First Saturday Pop-up market to assist small local businesses with finding local customers

Partnerships

Partnerships with other agencies and organizations bring additional resources to local businesses. Partnerships include two local Chambers of Commerce: North Hennepin Area Chamber of Commerce and Twin West Chamber of Commerce. Each Chamber of Commerce serves the business community with recurring programming, lobbying, networking, and advocacy. The Brooklyn Center Business Association represents local businesses and offers opportunities to share information and network. The Liberian Business Association provides similar culturally-specific support and connectedness. The State of Minnesota started offering workshops for small business owners and prospective entrepreneurs in 2017. Greater MSP provides global promotion of the region by staffing booths at tradeshow, publishing site selector magazines, and facilitating new business or relocation efforts. Hennepin County



offers an Economic Gardening Program that provides mid-sized business owners with needed resources, mentoring, and knowledge to grow take their businesses to the next level. Minneapolis Northwest Tourism supports the hospitality industry and provides marketing and branding to the cities of Brooklyn Park, Maple Grove, and Brooklyn Center.

Workforce Development Tools

Minnesota is experiencing a labor shortage, expected to continue over the next ten years. According to the Minnesota State Department of Employment and Economic Development (DEED), Minnesota businesses will add 205,000 jobs to the economy over the next decade and the labor force is projected to increase by only 68,400 workers. Today, the State's online job board has 80,000 position openings and the State's unemployment rate is around 3.7 percent.

Expected Baby Boomer retirements will also have an impact. According to DEED, one in every five jobs in Minnesota is now held by workers who are within 10 years of—or already at — retirement age. Moreover, these pending retirements will impact industry sectors differently. For example, 30% of the transportation and warehousing sector is within this retirement-ready group, along with 28% of the educational services sector, and 24% of manufacturing.

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Connecting residents, particularly underserved residents, in the community with available jobs presents one opportunity to begin to address the current labor shortage, and to forward the City's Resident Economic Stability goals. Barriers exist, however, in connecting those in our community that are unemployed or underemployed and these available jobs. High-demand living-wage jobs require some level of post-secondary education. Lack of educational attainment and social networks represent prominent barriers to those in the community that are unemployed or underemployed.

The City of Brooklyn Center is proactively exploring solutions to support the local workforce. The City continues to build partnerships with secondary and post-secondary educational institutions and organizations including Hennepin Technical College, North Hennepin Community College, Hennepin-Carver Workforce Board, and the Hennepin North Workforce Center. Brooklyn Center also participated in the Hennepin County Workforce Leadership Council, which assembled leaders from the public and private sectors and philanthropic community to compare strategies and collaborate on creating industry-specific career pipelines. The City also continues to support workforce development efforts by the North Hennepin Area Chamber of Commerce and Twin West Chamber of Commerce.

Finally, since 2014 the City has partnered with the City of Brooklyn Park and the Brooklyn Bridge Alliance for Youth on the BrookLynk program. BrookLynk's mission is to "coordinate partnerships that prepare employers to engage the next generation of workers and to connect young people in the cities of Brooklyn Center and Brooklyn Park facing barriers to employment with the skills, experience, and professional social networks needed to develop their pathway to college and career." Since December 2017, BrookLynk is housed in the Economic Development and Housing Division of Brooklyn Park's Community Development Department in partnership with the City of Brooklyn Center and with support from the Brooklyn Bridge Alliance for Youth and program funding partners.

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DRAFT Chapter 6: Parks, Trails & Open Space





INTRODUCTION

As a first-ring suburb and fully-developed City, Brooklyn Center benefits from a well-established park and trail system. Natural features in the community, including the Mississippi River, Single Creek, Palmer Lake, and Upper and Middle Twin Lakes, provide premier natural areas, open space, and amenities for popular urban recreation. A 21-mile trail system extends the recreational opportunities and connects residential neighborhoods with parks and other destinations.

Parks and trails are a valued asset to community. High interest and participation from residents continues to justify the ongoing maintenance, management, and investment needed for high-quality recreation, trail use, and park facilities in the City. To thoughtfully plan for the parks and trails system, it is important to understand the changing characteristics of the City's park and trail users, keep current on the existing system's conditions, and identify gaps and opportunities for new parks, trails, or facilities that will benefit the City. The purpose of this Chapter will review these features and context and provide recommendations for Brooklyn Center's parks and trails system through 2040.

Growth and Demographics

1

The forecasted population in the community is expected to rise to approximately 2,250 households by 2040, which will alter the demands and needs from the City's parks and trails system. Changing land use and redevelopment impacts areas of natural features and open space. Some redevelopment may enhance and improve the quality of those features, such as Shingle Creek which has been identified as impaired waters. Chapter 3 of this Plan discusses the anticipated changed in land use and related demographics of the community. Parks are indicated on Map 3-2. Future Land Use.

Association of Recreation Type and Age

A critical component to consider when planning for the future of parks and trails in Brooklyn Center is the socio-economic and demographic trends that will impact the types of improvements, development, and programming within the system that will best serve the community for generations to come. A high-quality parks and trails system provides for recreation and enjoyment of the outdoors with facilities and activities that appeal to all age groups. It is important to offer a diverse mix and to understand that some park activities are generally associated with specific age groups. Active recreation facilities, such as soccer fields and playgrounds, are typically used by younger people and children while passive recreation facilities, such as picnicking, walking, or fishing, are generally associated with adults and older people.

The Background Report, contained in the Appendix, describes the City's current demographic and socio-economic trends. Since 2010, the number of households with children in both single-parent and married couple households has been growing significantly. The percentage of households with children is now approaching 40%, which is well above the rate in Hennepin County and the metro area in general. The trend among households without children is conversely on the decline. The population is generally getting younger, likely due to a relatively homogenous and affordable housing stock dominated by single-family residential uses. As the City's residential make-up changes, it will be essential to understand who is moving into the community and what the target market of redevelopment is so the parks and trails system can expand and grow to meet needs of future residents.

2040 PTOS Goals

- » **Provide a park and recreation system that is based on the needs of the City's residents and stakeholders.**
- » **Encourage residents and stakeholders to participate in the park and recreation system planning process.**
- » **Explore ways to incorporate design and preservation standards into the City's ordinances and policies to improve and maintain a high-quality system.**
- » **Support efforts to maximize the use and accessibility of the system by local residents.**

THE EXISTING PARK SYSTEM

Brooklyn Center currently hosts 24 developed local parks, one regional park, and a municipal golf course, providing a variety of recreational opportunities for all segments of the population. In addition, considerable undeveloped public open space is held in the Twin Lakes area and along the Mississippi River. Recreation and leisure opportunities range from passive pursuits such as sitting, walking, picnicking, fishing, and enjoying music to more active pastimes such as organized sports, pick-up athletic games, bicycling, running, and in-line skating.

Many of the City parks are adjacent to schools or other open space. Popular Centennial Park is adjacent to the Community Center and Civic Center and functions as a central hub for recreation amenities in the City. Parks are generally distributed evenly throughout all areas of the City, and the variety of recreational facilities available enable the park system to provide recreation access to all residents. There is excellent coordination of programs and facilities between parks and schools, and between parks, City and county facilities. The trail system links parks, schools, and other activity centers.

Park and Open Space Classifications

3

The City's parks are classified according to a functional hierarchy that suggests the types of facilities and development that are appropriate to each park. However, specific improvements are individually tailored to each park based on neighborhood desires, historical presence of certain types of facilities, proximity to other uses, and resources available.

The various types of parks are sited and designed to serve different needs and populations of residents. It is a policy of the City to locate at least one park in each neighborhood that is safely accessible to pedestrians—especially children—within a reasonable walking distance of approximately one-quarter to one-half mile. At the other end of the spectrum, one or two larger parks in the City aim to meet organized sports and specialized and community-wide recreation. The following classification system has been developed by City staff based on national standards. It is similar to the system the City has used for park and recreation planning for the past twenty years. However, the classification of parks within the system has been changed in order to make better use of park resources, meet neighborhood needs, and address issues of demographic and social change. This classification also incorporates regional parks, which are not specifically managed by the City but should be considered for coordinated access and related park and facility development. Map 6-1 illustrates the City's park locations and classifications.

The Brooklyn Center Park system is therefore divided into the following broad categories, each described in more depth to follow:

1. Regional Parks
2. Neighborhood Parks
3. Community Destination Parks
4. Special Use Parks and Open Spaces

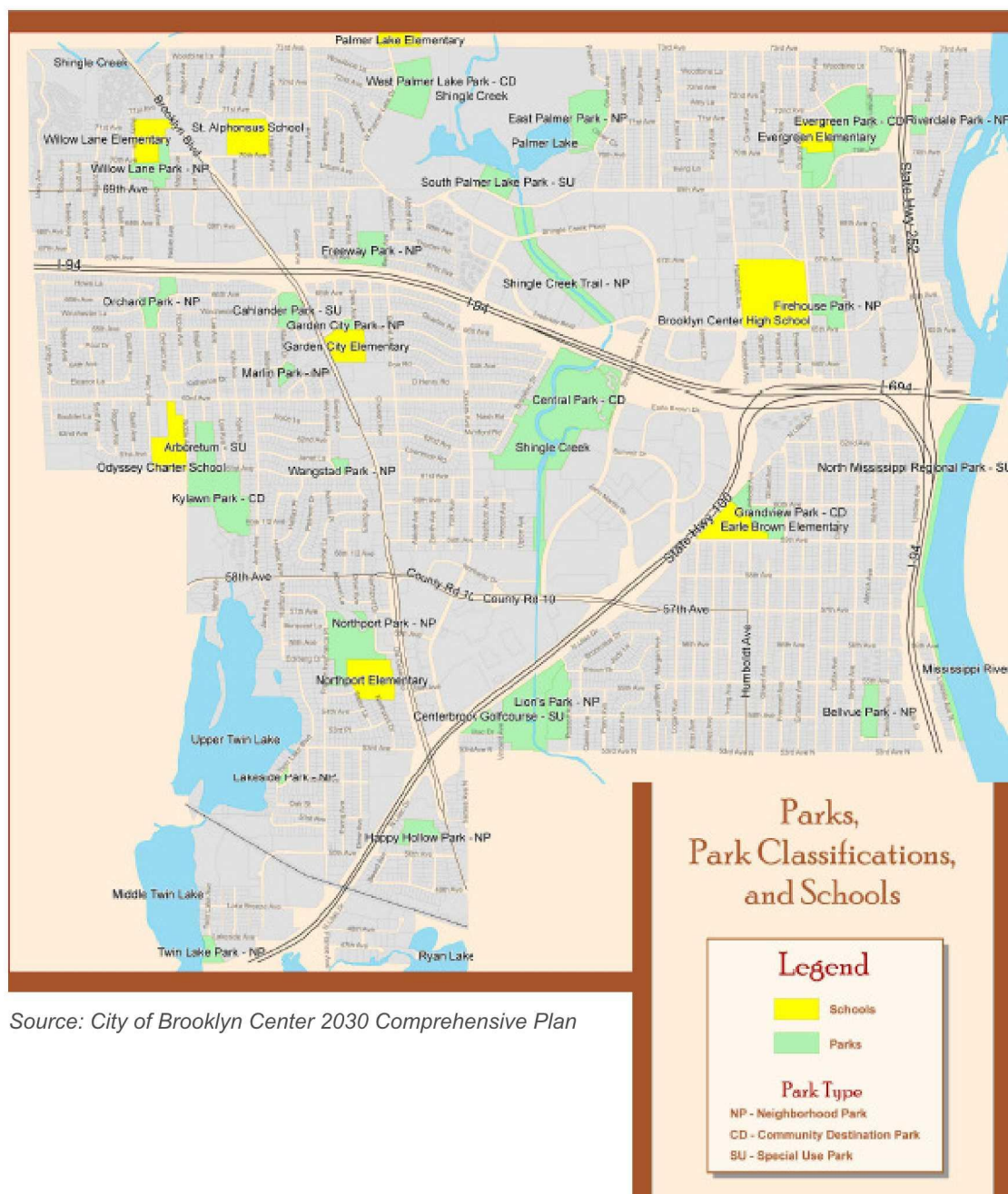
Regional Parks

Regional parks in the Twin Cities metropolitan area usually contain a diverse mix of nature-based resources, are typically 200-500 acres in size, and accommodate a variety of outdoor recreation activities. These parks are often owned and managed by larger parks districts or counties but coordination with local municipalities and local park systems is important to the success of the broader metro area park systems.

The North Mississippi Regional Park (Regional Park) is the only regional park within Brooklyn Center city boundaries and is managed by the Three Rivers Parks District; most of the property is also owned by Three Rivers Park District. It is located east of the I-94/TH 252 alignment, extending along the west bank of the Mississippi River from the City's south boundary at 53rd Avenue north to the I-694 crossing. The primary access to the Regional Park is at 57th Avenue where a park drive leads north and a trailhead and wayfinding structures mark the park's main feature: the corridor for the Mississippi River Trail (MRT)—a regional trail—which runs north/south through the park adjacent to the Mississippi River. (Further information about the MRT follows later in this Chapter.)

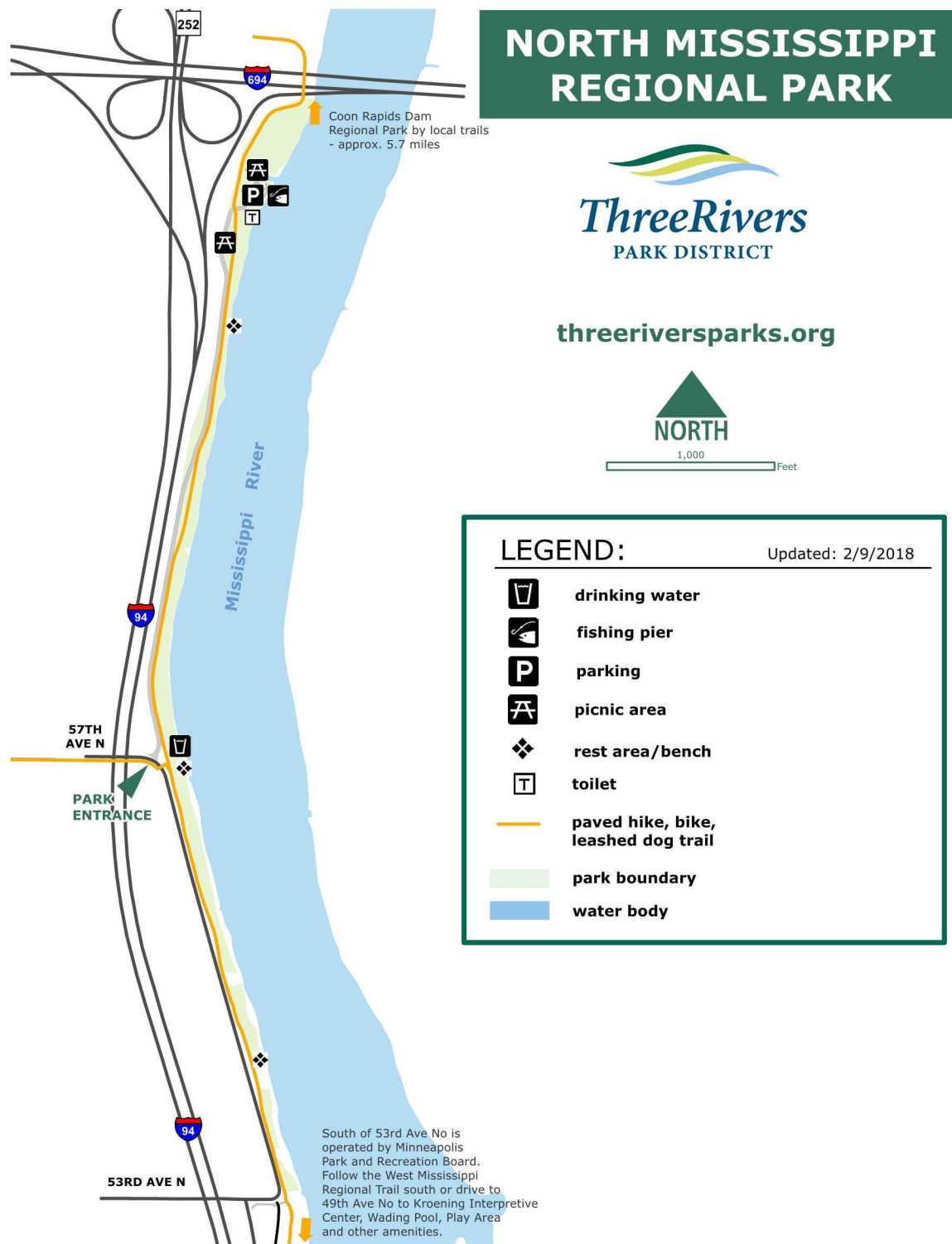
Other amenities in the Regional Park include a picnic area, fishing pier, and parking. The park offers spectacular views of the Mississippi River and opportunities for watching wildlife. Trails connect with Webber Parkway and commuter routes into downtown Minneapolis. The park is adjacent to the North Mississippi Regional Park owned and operated by the Minneapolis Parks and Recreation Board just south of the City, seamlessly extending the recreational use of both jurisdiction's regional parks. Map 5-2 shows the Regional Park Map developed by Three Rivers Park District. In addition, the Metropolitan Council provides information shown in Map 5-3 with relation to the provision of regional parks and trail accommodation in Brooklyn Center.

Map 6-1. Existing Parks and Classifications [to be updated]



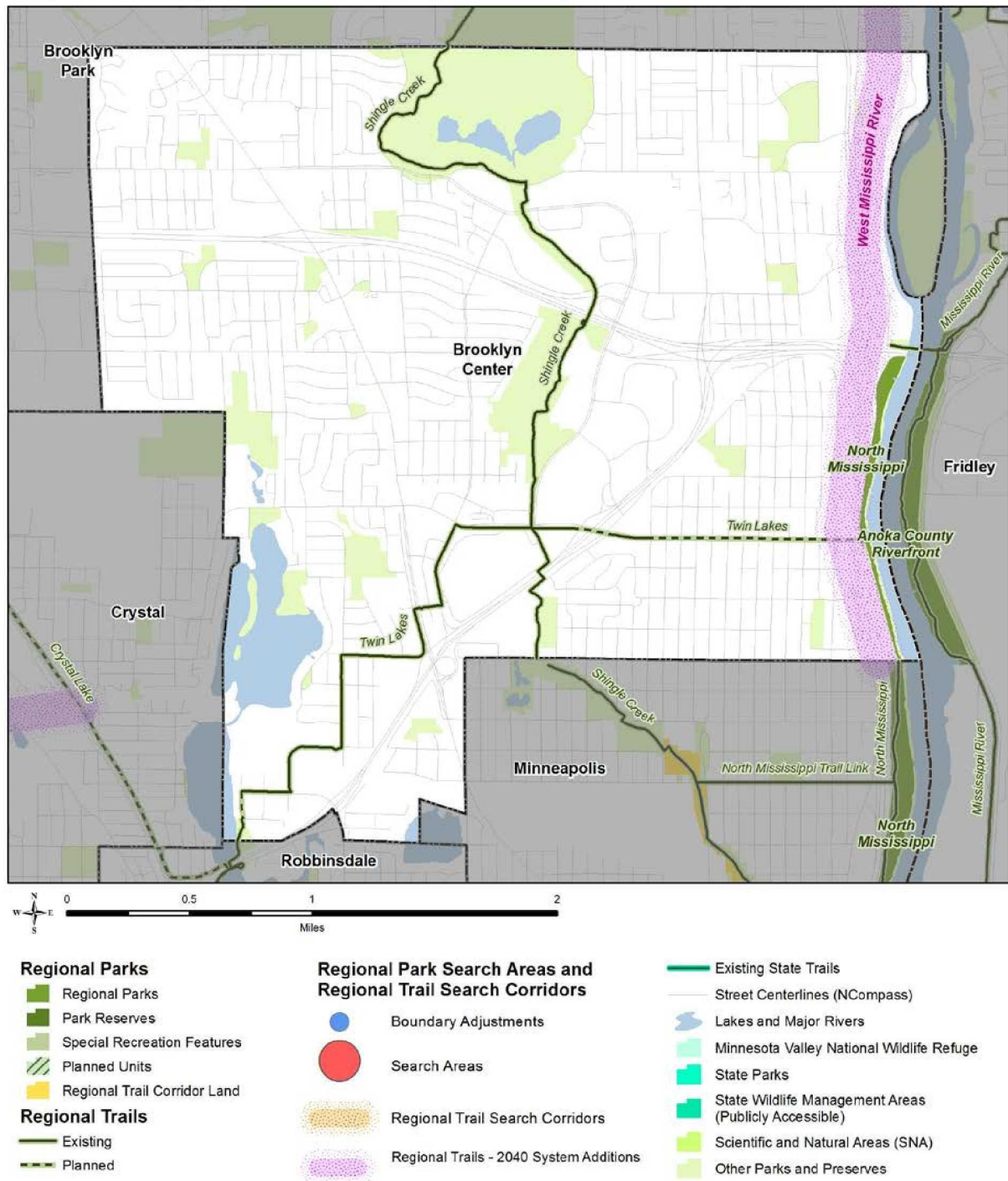
Source: City of Brooklyn Center 2030 Comprehensive Plan

Map 6-2. Map of North Mississippi Regional Park



Source: Three Rivers Park District

Map 6-3. Regional Parks and Trails



Source: Metropolitan Council

Neighborhood Parks

Neighborhood Parks include the following three types: 1) Play Lot; 2) Playground; 3) Playfield.

Play Lot

Play lots are the smallest unit of the park system both in terms of size and area that they serve. The primary function of a play lot is to provide play facilities for pre-school children who are not conveniently served by larger parks or playgrounds. It may contain play equipment, sandboxes, paved areas for wheeled toys, walking and bike trails, and seating areas.



- **Service Area:** The sub-neighborhood level of 500 to 2,000 persons within a $\frac{1}{4}$ mile radius
- **Desirable Size:** .25 to 2 acres
- **Acres per person:** No set standard; desirable in higher-density areas.
- **Site Characteristics:** Should be located so that children do not have to cross major streets and include (or be combined with) an adult seating or gathering area; can be combined with a school.

Playground

Parks designed for use by children from pre-school to age 12. Often coincides with the service area for an elementary school and may adjoin and complement the school facility if intended to serve the same age group. Facilities and programs of a neighborhood playground should be designed to meet the particular requirements of each individual neighborhood. May include a larger play area with equipment for older children; an area for free play and organized games; minimum maintenance ball diamond, multi-purpose hard surface courts; walking and bike trails, pleasure skating rinks, and seating areas. Some parks may contain portable restrooms.



- **Service Area:** A population of up to 4,000 with a $\frac{1}{4}$ to $\frac{1}{2}$ mile radius.
- **Desirable Size:** 5 to 10 acres.
- **Acres per 1,000 pop.:** 2.0
- **Site Characteristics:** Geographically centered in neighborhood with safe walking and bike access. Suited for intense development. Helpful if located adjacent to a school.

Playfield

Larger parks designed to provide recreation opportunities for all ages. They may contain all the features of playgrounds, with groomed ball facilities suitable for adult play. Hockey and pleasure skating rinks are lighted. May include portable restrooms and sheltered picnic areas.



- **Service Area:** Neighborhood-wide; serves entire population with special emphasis on organized adult sports, ideally within a 1½ to 2 miles biking distance.
- **Desirable Size:** 20 acres or more.
- **Acres per 1,000 pop.:** 1.0 to 2.0
- **Site Characteristics:** Direct access from all parts of the neighborhood or quadrant. Level terrain with few water bodies or other environmental constraints. Easily accessible by large numbers of vehicles. Physically separate from homes so as to minimize light and noise problems.

Community Destination Parks

Relatively large parks serving as a recreational focus for a neighborhood of the City. Community Destination Parks are noted for having a wide variety of leisure and recreational options and are fully accessible to persons of all abilities. Lighted areas for evening play are provided. Daytime recreational programming and playground supervision are provided in the summer months. Heated, enclosed park shelter buildings provide for recreational spaces and warming houses.



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Community Destination Parks are intended to include costlier types of facilities, and each has a distinct identity or theme. Central Park is the flagship park of the system, with substantial improvements that serve the entire community. Evergreen Park focuses on team sports; Kylawn/ Arboretum Park builds on its nature areas of the Arboretum and the Preserve; West Palmer Park is seen as a prime family picnic and outings area; and Grandview Park's focus is on youth and winter recreation.

- **Service Area:** A neighborhood or quadrant of the City
- **Desirable Size:** 25 acres or more.
- **Acres per 1,000 pop.:** 5.0
- **Site Characteristics:** Easily accessible from all parts of neighborhood or quadrant. Should be located on collector or arterial streets to provide adequate access for residents and should be well-buffered from adjacent residential areas.

Special Use Parks and Open Space

Special use parks and open spaces are areas providing specialized or single-purpose recreational or leisure activities. These parks generally do not provide extensive permanent facilities but may provide nature interpretation, trail and greenway corridors, and/or walking or biking paths. Trails or greenways should connect with other components of the recreation system, schools, community facilities, or neighborhoods.

Existing Parks Inventory

Existing parks are well-dispersed through the City of Brooklyn Center. Table 6-1. illustrates the location and classification of each park in the City's system. In addition to parks, the City's maintains several areas of open space, including the 65-acre Centerbrook Municipal Golf Course, Greenways along Shingle Creek Parkway, 69th Avenue, and 53rd Avenue, and several properties serving as natural areas around Twin Lakes.

Parks Management

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Management of the local park system is the responsibility of the City's Community Activities, Recreation, and Services (CARS) department. Bi-yearly citizen surveys help inform the CARS department on changing interests and requests from area residents related to programming, facilities, and park use. Input from these surveys is used to identify and prioritize projects in the Capital Improvements Program (CIP).

Also informing parks use, development, and management is the Parks and Recreation Advisory Commission which meets monthly and advises the City Council on parks and recreation issues in Brooklyn Center.



Table 6-1. Inventory of Park Amenities

City of Brooklyn Center Park Amenities		Off-Street Parking	Shelter Building	Picnic Shelter	Picnic Area	Grill	Playground Equipment	Baseball Diamond	Softball Diamond	Tennis Court	Skating Rink	Hockey Rink	Basketball Court	Soccer Field	Football Field	Paved Trail	Nature Trail	Archery
Map Key																		
1	Arboretum	■														■	■	
2	Bellvue Park			■			■		■		■		■			■		
4	Cahlander Park															■		
5	Centennial Park	■		2	■	2	■		2					2		■	■	
6	Centennial Park West	■	■				■				■	■	■			■		■
13	East Palmer Park	■		■			■		■				■			■		
15	Evergreen Park	■	■	■	■		■	■	2	2	■	■	■	■	■	■		
16	Firehouse Park	■		■	■	■	■		2				■			■		
17	Freeway Park	■		■			■		■				■			■		
19	Garden City Park	■	■				■											
20	Grandview Park	■					■	■		2	■	■	■	■	■	■		
21	Happy Hollow Park	■		■		■	■		■				■			■		
22	Kylawn Park	■	■	■	■		■		2		■	■	■			■		
24	Lions Park	■		■	■	2	■						■			■		
25	Marlin Park						■									■		
28	Northport Park	■		■	■		■	■		2	■	■	■	■		■		
30	Orchard Lane Park	■		■		■	■		■				■			■		
32	Palmer Lake Park	■			■											■	■	
34	Riverdale Park			■			■		■		■		■			■		
35	Shingle Creek Trail															■	■	
37	Twin Lake Park	■		■		■	■						■			■		
38	Wangstad Park						■						■			■		
40	West Palmer Park	■	■	■	■		■	■	2	2	■		■			■	■	
42	Willow Lane Park	■		■	■		■		■		■	■	■	■		■		

Source: City of Brooklyn Center



BICYCLE & PEDESTRIAN TRAIL SYSTEM

The City's current bicycle and pedestrian trail system consists of a mix of sidewalks, paved off-street trails, and some on-road bicycle lanes. Connection between neighborhoods and parks, residents and city destinations, and local and regional facilities continues as a priority for the development of the system. Three regional trails extend through the City further providing connection within the community and to broader regional trail networks beyond. Map 6-4 illustrates the City's extensive trail network.

Regional Trails

Three regional trails provide a backbone of trail system within and through the City. Local connection to these regional trails provides opportunity for extensive multi-modal transportation for area residents. These trails tend to be paved road-separated facilities; most are under the jurisdiction of Three Rivers Parks District with some portions managed by the City. The three regional trails include: 1) Shingle Creek Regional Trail, 2) Twin Lakes Regional Trail, and the Mississippi River Trail (MRT). Map 6-5 illustrates the regional trails in the City.

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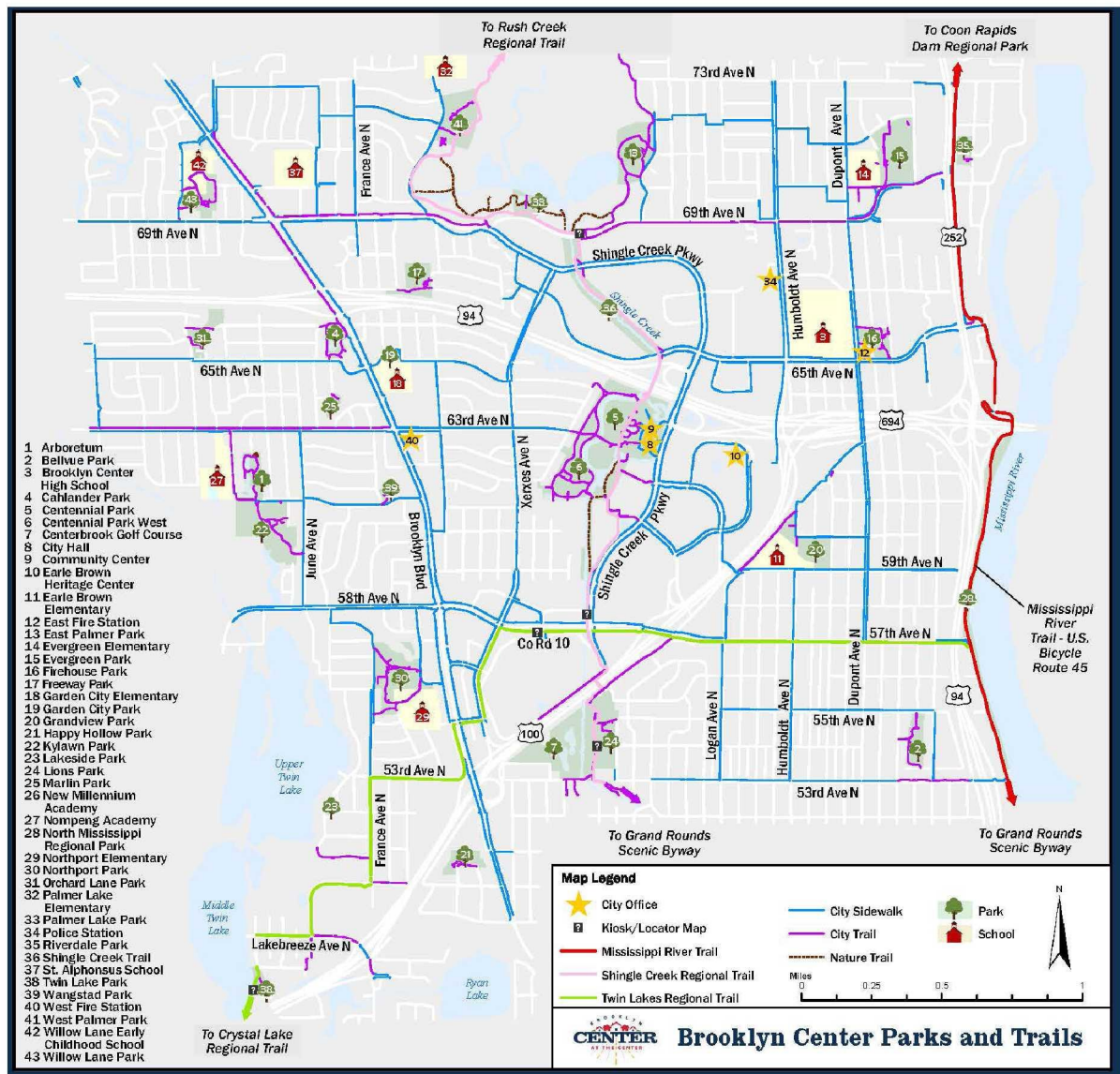
Shingle Creek Regional Trail

The City's bicycle and pedestrian trail system is anchored by the Shingle Creek Regional Trail, an off-street separated trail which runs from the north to the south City limits along Shingle Creek. For much of its length, separate trails are provided for bicyclists and pedestrians. The north end of the trail circles Palmer Lake, and a portion of this trail section is maintained by the City. Beyond Brooklyn Center, the regional trail travels from Minneapolis in the south to Brooklyn Park in the north and connects to the Above the Falls Regional Park, Victory Memorial Parkway Regional Trail, Twin Lakes Regional Trail and Rush Creek Regional Trail.

Twin Lakes Regional Trail

This regional trail travels through Brooklyn Center and Robbinsdale as it connects the Mississippi River Trail (MRT), Shingle Creek Regional Trail, and Crystal Lake Regional Trail. Its alignment utilizes a combination of paved road-separated trail and sidewalk. [confirm] The City of Brooklyn Center's Pedestrian Bicycle and Trail Plan identifies proposed improvements to the trail to eventually complete a connection between the Crystal Lake Regional Trail and MRT.

Map 6-4. Brooklyn Center Trails

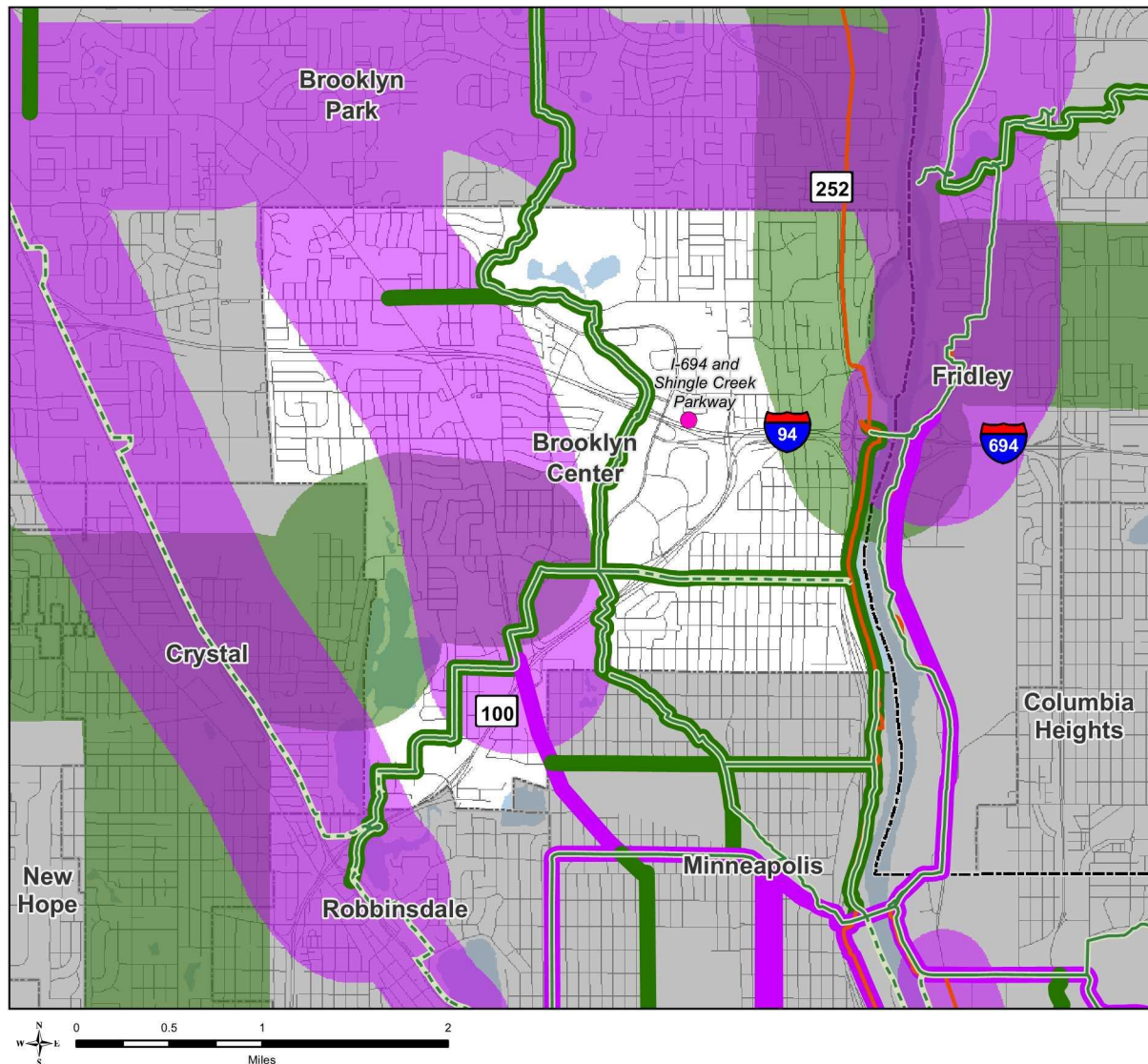


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Source: City of Brooklyn Center



Map 6-5. Regional Bicycle Transportation Network (RBTN), Brooklyn Center



RBTN Alignments

— Tier 1 Alignment

— Tier 2 Alignment

RBTN Corridors (Alignments Undefined)

— Tier 1 Priority Corridor

— Tier 2 Corridor

Regional Destinations

● Metropolitan Job Centers

● Regional Job Centers

● Subregional Job Centers

▲ Large High Schools

▲ Colleges & Universities

● Highly Visited Regional Parks

● Major Sport & Entertainment Centers

Regional Trails (Parks Policy Plan)

— Existing

— Planned

□ County Boundaries

□ City and Township Boundaries

— NCompass Street Centerlines

— Open Water Features

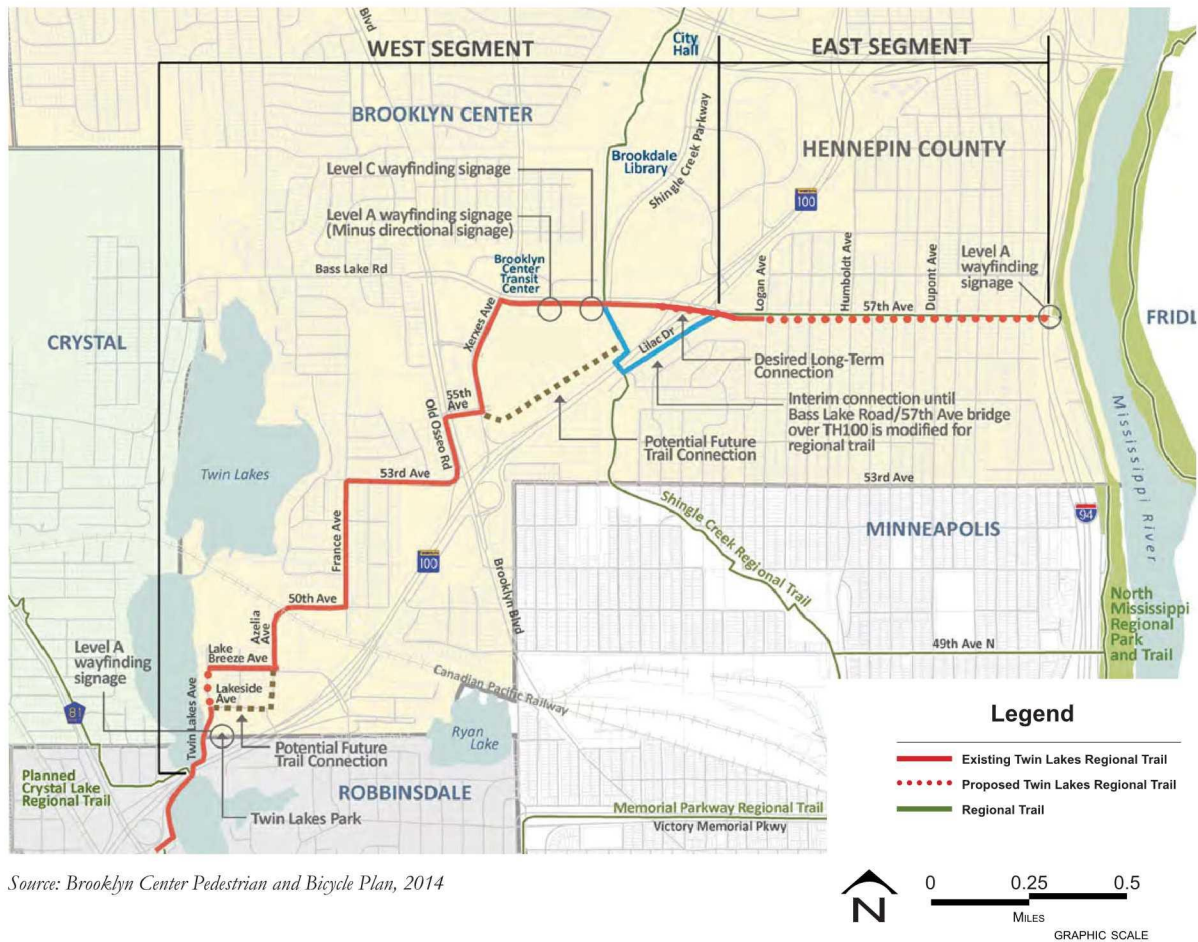
— Existing State Trails (DNR)

— Mississippi River Trail

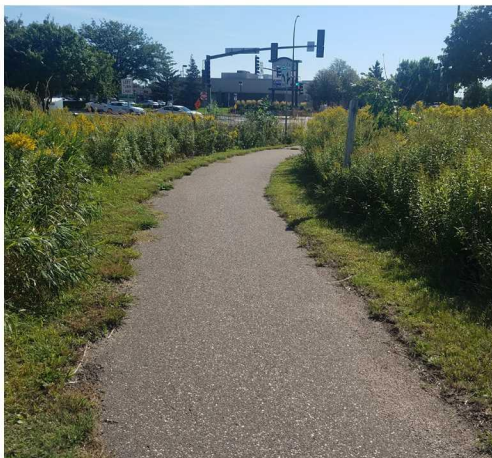
Source: Metropolitan Council



Map 6-6. Twin Lakes Regional Trail Improvements



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Mississippi River Trail and West Mississippi River Trail

The Mississippi River Trail (MRT) through Brooklyn Center is just a small segment of the roughly 600-mile long trail that travels through the state adjacent or near to the Mississippi River, beginning at the headwaters in Itasca State Park. A portion of the trail in Brooklyn Center is complete as a paved road-separated trail located within the North Mississippi Regional Park. This segment—from 53rd Avenue to the I-694 crossing—is owned and managed by Three Rivers Park District. A trailhead marker and wayfinding information is located next to the MRT at 57th Avenue in the regional park. Map 5-7 shows the route of the MRT in Brooklyn Center and Fridley, provided by the Minnesota DOT.

The trail portion managed by Three Rivers Park District currently travels east at I-694 to the east side of the river, connecting with the segment in Fridley. It is the intent and goal of the MRT and City to extend the trail along the west side of the river north in what will be known as the West Mississippi River Regional Trail. A short gap in the road-separated facility currently exists between I-694 and 66th Avenue. While this segment is signed with MRT markers, trail users must travel within the road or along the sidewalk along Willow Lane. At 66th Avenue, a paved road-separated trail travels north again; this segment is managed by the City.

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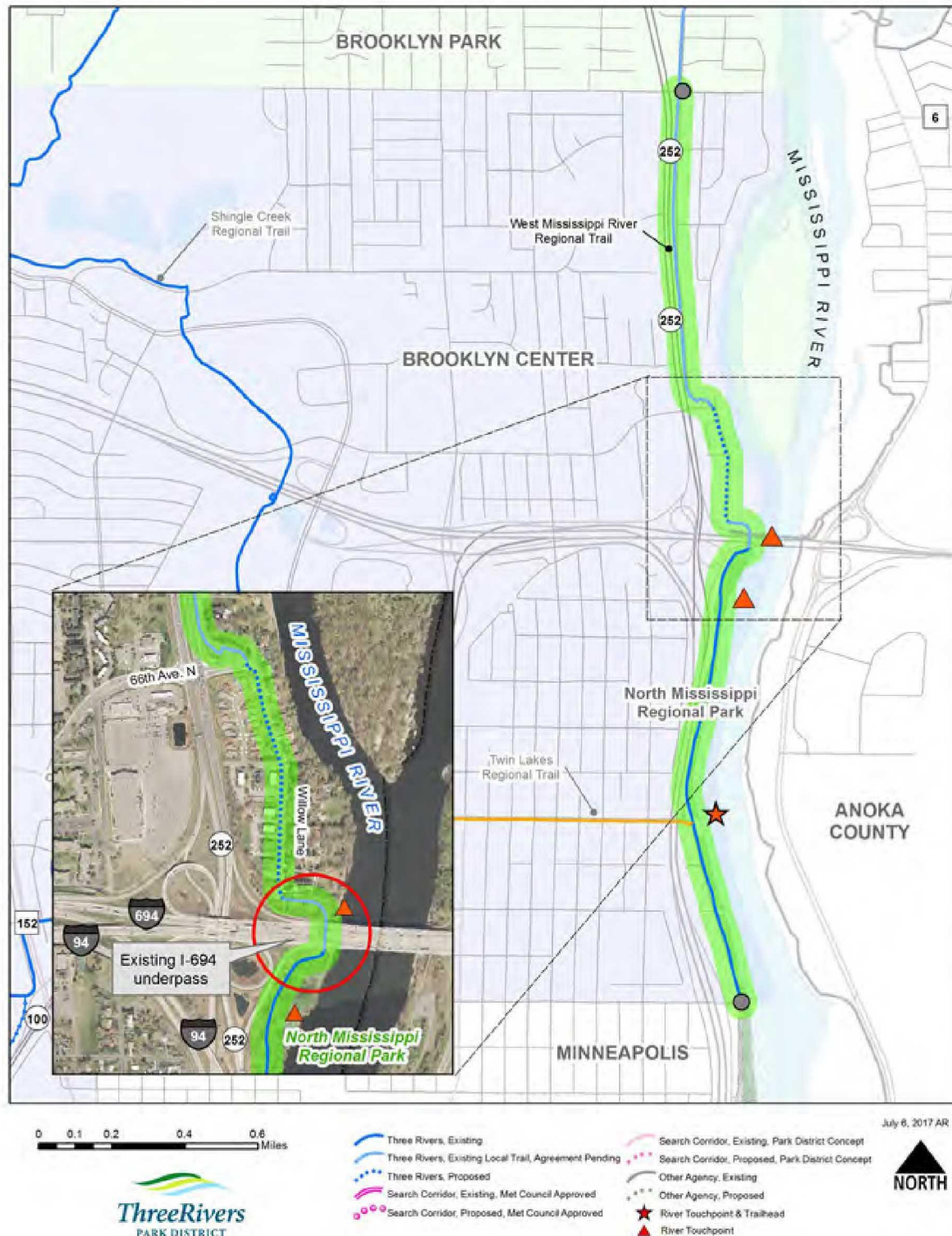
A regional trail search corridor for the West Mississippi River Regional Trail is included in the 2040 Regional Parks Policy Plan to travel through Dayton, Champlin, Brooklyn Park, and Brooklyn Center as it connects Crow River Regional Trail Search Corridor, Elm Creek Park Reserve, Rush Creek Regional Trail, Coon Rapids Dam Regional Park, Twin Lakes Regional Trail and North Mississippi Regional Park. Building on the planning process of the search corridor, the Three Rivers Park District Board of Commissioners is in the process of finalizing a master plan for the West Mississippi River Regional Trail at the time this Plan was complete. The trail route celebrates the Mississippi River's significance within Hennepin County, traveling approximately 20 miles adjacent to or near the river through northeastern Hennepin County. It connects the communities of Dayton, Champlin, Brooklyn Park, and Brooklyn Center—with the confluence of the Crow/Mississippi Rivers and the Minneapolis Grand Rounds as bookends to the trail alignment. The West Mississippi River Regional Trail will link Coon Rapids Dam and North Mississippi regional parks, and the Rush Creek, Medicine Lake and Twin Lakes regional trails. Map 6-8 is excerpted from the regional trail master plan and illustrates the MRT/West Mississippi River Regional Trail alignment through Brooklyn Center.



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Map 6-8. West Mississippi River Regional Trail Alignment (Three Rivers Parks District)

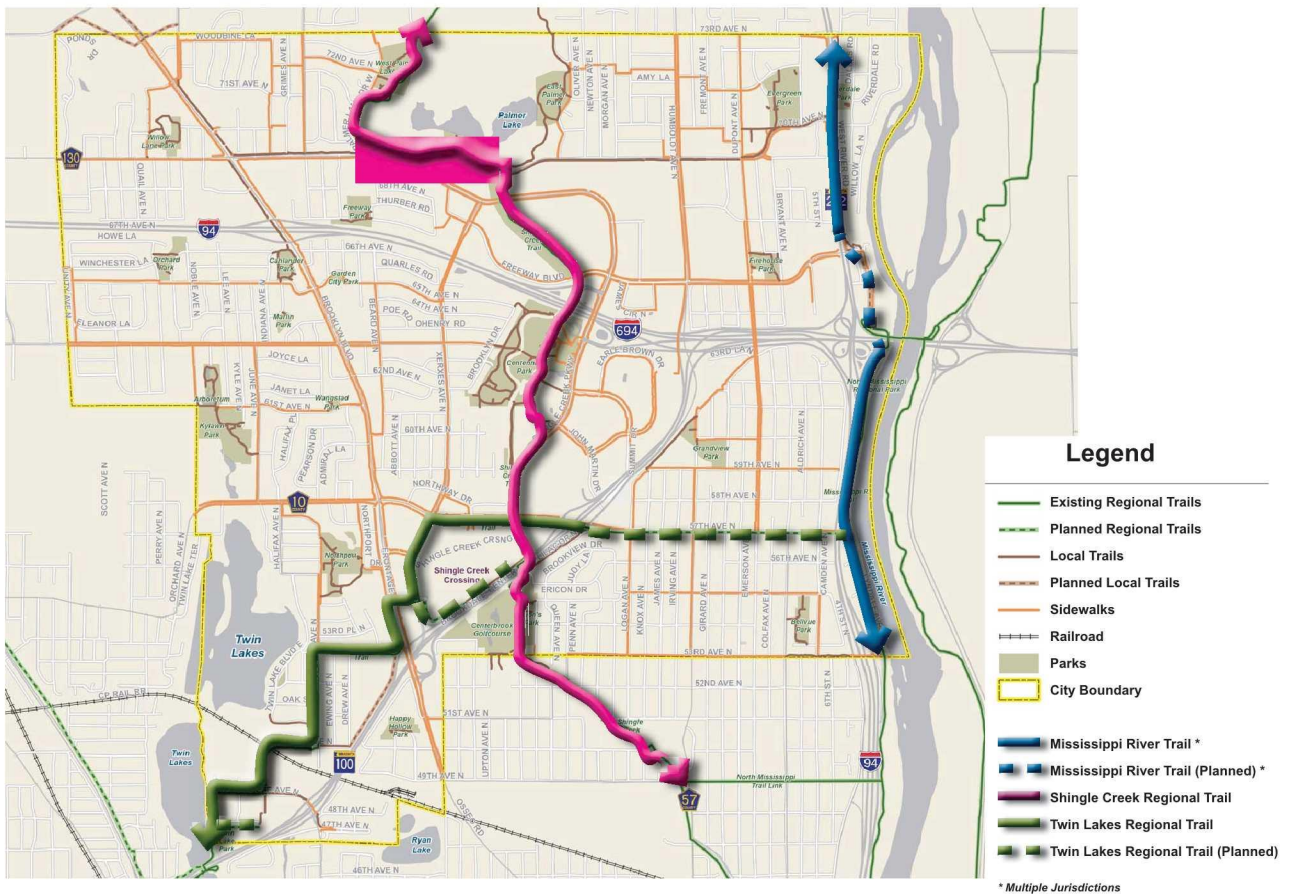


Source:: Draft West Mississippi River Regional Trail Master Plan, Three Rivers Park District

City Trail Network

Beyond the largely north/south alignments of the City's regional trails, the City manages east/west trails to link trails providing a connected network. East-west links include the 69th Avenue greenway, the Freeway Boulevard/65th Avenue trail; and the 53rd Avenue greenway. Sidewalks and other neighborhood trails complete the finer grain of the network and local trail system. Map 6-9 illustrates existing trails in Brooklyn Center along with potential alignments of proposed connections.

Map 6-9. Brooklyn Center Pedestrian & Bicycle Trail Network (City)



Source: Brooklyn Center Pedestrian & Bicycle Plan, 2014



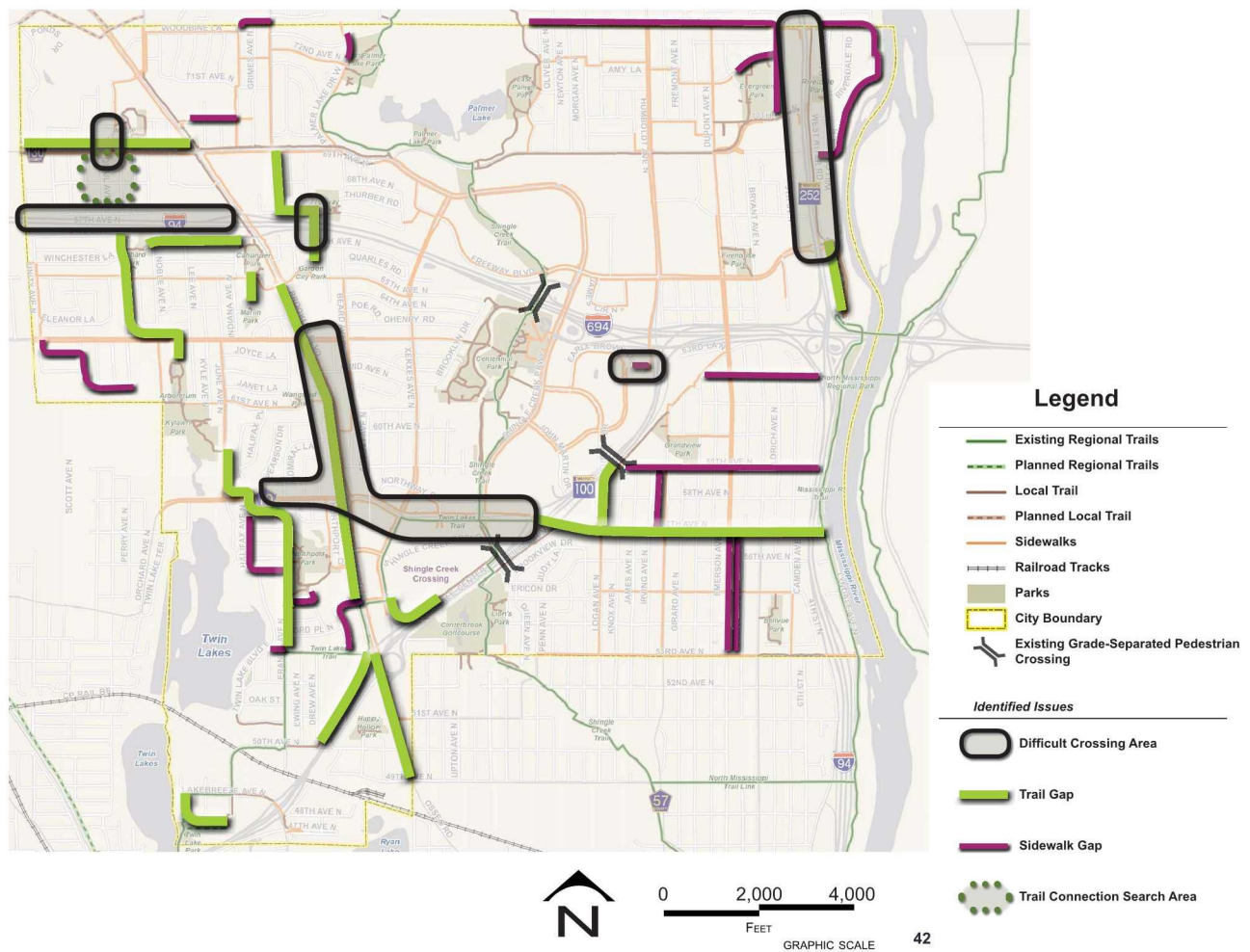
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Trail Issues

In 2014, the City conducted a thorough study of its pedestrian and bicycle system. The Brooklyn Center Pedestrian & Bicycle Plan is the resulting document that addresses the issues, gaps, and needs of the existing system. Through study and public engagement, the document identifies gaps in the City's sidewalk, trail, and crossings systems for pedestrian and bicyclists. Map 6-10 is taken from the study and highlights the locations of gaps identified in the study process. The document also identifies other public needs for pedestrian/bicycle infrastructure, including requests for improved lighting, availability of bicycle racks, wider trails, better-maintained trail surfaces, winter snow removal, and added security. Information about ongoing management and implementation of identified projects is contained in the pedestrian and bicycle plan.

Map 6-10. Brooklyn Center Pedestrian & Bicycle Trail Network Gaps (City)



PARKS & TRAILS – NEEDS, GOALS & POLICIES

Identifying Needs

In an effort stay current with the needs of a changing community, the City conducts a citizen survey to assess what residents want to see changed or improved with the area's parks and recreation. These surveys are conducted every other year. Results influence projects the City includes in the capital improvements plan (CIP) for parks. Examples of projects include conversion of baseball fields to soccer fields, addition of nature trails, or replacement of playground equipment. The last survey was completed in 2017. Primary desires expressed in this survey include the addition of a splash pad, dog park, and indoor walking facility to the system.

Goals and Policies

In Chapter 2 of this Plan, the vision, goals and strategies outlines the goals for parks and trails in Brooklyn Center. The City's primary goal is to provide a robust system of parks and recreation that serves the diverse needs of community residents. Parks and trails are important amenities to the quality of life within a community, and focus on their development, enhancement, and integration with changing community environments is critical for the City's future. Community input and engagement is a key piece of this focus.

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IMPLEMENTATION

In Brooklyn Center, the City's public parks and recreation are the responsibility of the Public Works department and under the direction of the Park & Recreation Commission. Together these groups manage the planning and development of a Parks and Trails System that addresses the ongoing management, maintenance, budgeting, programming and resourcing for parks and trails. Projects and improvements for the system should be updated regularly, respond to resident needs, and accommodate changing community demographics so all residents benefit from access to outdoor recreation and natural areas. Further details about implementation is included in Chapter 9 of this Plan.



Capital Improvements

Park improvements included in the City's CIP address the construction of trails, shelters, playground equipment, athletic field lighting and other facilities that enhance the general park aesthetics and attract park usage by providing recreational facilities that meet community needs. Funding of capital improvements to parks and trails comes from a combination of sources including public utility funds, special assessments, and capital projects funds.

Until recently, capital improvements to parks followed a roughly 20-year cycle. In 1960 and in 1980, the citizens of Brooklyn Center approved bond referenda for financing the development and improvement of park facilities. This included acquiring land, installing new playgrounds, developing ball fields, tennis courts and other facilities. Following these improvements, for a time no formal plan was put in place for a systematic update. Following up on the City's practice of programming for street reconstruction 15 years into the future, the City recently began developing a 15-year capital improvement program (CIP) for parks. The current CIP includes the following park and trail projects planned for implementation in the year listed. Further details can be found in the CIP Tables in the Appendix.

- 22
 - Centennial Park Tennis Courts Resurfacing, Basketball Court Project - 2018
 - Bridge Rehabilitation (4 Bridges) - 2018
 - Park Playground Equipment Replacement – 2019 through 2021
 - Brooklyn Boulevard City Entrance Signs Rehabilitation - 2020
 - West River Road, Arboretum, Freeway, Palmer Lake and Northport Trails Reconstruction – 2022
 - Evergreen Park Scoreboard Improvements - 2023
 - Centennial Park Softball Field Improvements - 2024
 - Park Name Sign Replacement - 2025
 - Hockey Rink Rehabilitation/Replacements - 2026
 - Irrigation Systems Rehabilitation/Replacements - 2026
 - Softball/Baseball Fence Replacement - 2027
 - 69th Avenue Trail Reconstruction – 2027
 - 69th Avenue Landscape Rehabilitation - 2027
 - Park Trail and Parking Lot Lighting Improvements - 2028
 - Park Bleacher Replacement - 2031
 - Park Bleacher Replacement - 2032



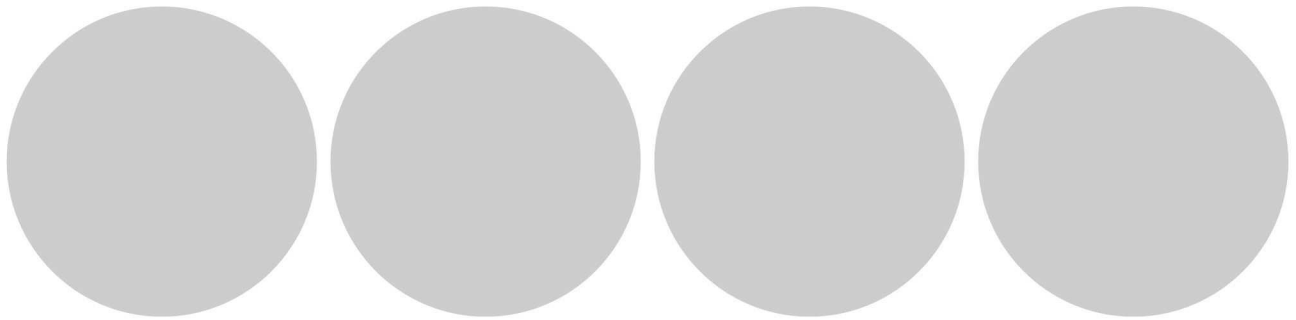
DRAFT Chapter 7: Transportation & Transit





THIS CHAPTER IS STILL IN DEVELOPMENT.

DRAFT Chapter 8: Infrastructure & Utilities





WASTEWATER

Areas Served by the Regional System

A table that details the households and employment forecasts in 10-year increments through 2040, based on the Council's forecasts and any subsequent negotiated modifications. This should be broken down by areas served by the Metropolitan Disposal System, locally owned and operated wastewater treatment systems, and Community and Subsurface sewage treatment systems. The forecasts used in your wastewater plan must be consistent with the forecasts used throughout your plan, including in land use, transportation, and water supply.

Your wastewater plan must be designed to support these forecasts and provide any allocation breakdowns between sewered and unsewered service for population, households, and employment.

All areas within the City of Brooklyn Center are served by the Metropolitan Disposal System. The following table (Table 3-1 from Chapter 3 of the 2040 Comprehensive Plan) was utilized for sewer system capacity review.

Table 3-1. Metropolitan Council Forecasts

Forecast Year	Population	Households	Employment
2010	30,104	10,756	11,001
2020	31,400	11,300	13,000
2030	33,000	12,300	13,800
2040	35,400	13,300	14,600

An electronic map or maps (GIS shape files or equivalent must also be submitted) that show the following information:

Your existing sanitary sewer system identifying lift stations, existing connection points to the metropolitan disposal system, and future connection points.

Local sewer service districts by connection point.

Intercommunity connections and any proposed changes in government boundaries based on Orderly Annexation Agreements.

The location of all private and public wastewater treatment plants in your community.

See Figure WW-1.

Copy of any intercommunity service agreements entered into with an adjoining community after December 31, 2008; including a map of areas covered by the agreement.

There are no intercommunity service agreements entered into with an adjoining community after December 31, 2008.

Management program for subsurface sewage treatment systems to comply with MPCA 7080.
Current subsurface sewage treatment system ordinance.

There is no subsurface sewage treatment systems located within City limits. The owner of a proposed structure within City limits is required to apply for a building permit and follow the requirements of City Ordinance Chapter 4 – Public Utility and Service Districts.

A table or tables that contain the following information:

Capacity and design flows for existing trunk sewers and lift stations.

Assignment of 2040 growth forecasts by Metropolitan interceptor facility. In the absence of this information the Council will make its own assignments for the purpose of system capacity needs determination.

City of Brooklyn Center Design Flows

Meter Collection Area	Existing Land Use		2040 Land Use		2017 Metropolitan Council Meters (MGD)
	Average Flow (MGD)	Peak Flow (MGD)	Average Flow (MGD)	Peak Flow (MGD)	
M100	0.224	0.858	0.230	0.879	N/A
M110	0.760	2.784	0.769	2.820	0.89
M112	1.074	4.134	1.395	5.417	1.29
M221	0.035	0.139	0.036	0.143	N/A

2018 Lift Station Pump Capacities

Lift Station	Dimensions (ft)	Pump 1 Capacity (GPM)	Pump 2 Capacity (GPM)	Pump 3 Capacity (GPM)
1	30 x 15	3102	3141	3197
2*	17.5 x 10	2250	1935	1950
3	6	424	455	None
4	6	251	228	None
5	6	95	212	None
6	8	392	387	429
7	6	99	115	None
8	6	272	326	None
9	8	1116	1098	None
10	6	263	293	None

*** Information based on field test in 1992.**

Preventing and reducing excessive infiltration and inflow (I/I), including:

Define your community's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in the local municipal and private sanitary sewer systems.

- Include a summary of activities or programs intended to mitigate I/I from both public and private property sources.

Describe the requirements and standards in your community for minimizing inflow and infiltration.

- Include a copy of the local ordinance or resolution that prohibits discharge from sump pumps, foundation drains, and/or rain leaders to the sanitary sewer system.
- Include a copy of the local ordinance or resolution requiring the disconnection of existing foundation drains, sump pumps, and roof leaders from the sanitary sewer system.

Describe the sources, extent, and significance of existing inflow and infiltration in both the municipal and private sewer systems.

- Include a description of the existing sources of I/I in the municipal and private sewer infrastructure.
- Include a summary of the extent of the systems that contributes to I/I such as locations, quantities of piping or manholes, quantity of service laterals, or other measures. If an analysis has not been completed, include a schedule and scope of future system analysis.

- Include a breakdown of residential housing stock age within the community into pre- and post- 1970 era, and what percentage of pre-1970 era private services have been evaluated for I/I susceptibility and repair.
- Include the measured or estimated amount of clearwater flow generated from the public municipal and private sewer systems.
- Include a cost summary for remediating the I/I sources identified in the community. If previous I/I mitigation work has occurred in the community, include a summary of flow reductions and investments completed. If costs for mitigating I/I have not been analyzed, include the anticipated wastewater service rates or other costs attributed to inflow and infiltration.

Describe the implementation plan for preventing and eliminating excessive inflow and infiltration from entering both the municipal and private sewer systems.

- Include the strategy for implementing projects, activities, or programs planned to mitigate excessive I/I from entering the municipal and private sewer systems.
- Include a list of priorities for I/I mitigation projects based on flow reduction, budget, schedule, or other criteria.
- Include a schedule and the related financial mechanisms planned or needed to implement the I/I mitigation strategy.

The City of Brooklyn Center does not have a policy for reducing inflow and infiltration. However, the City continues to improve and/or rehabilitate the sanitary sewer infrastructure by replacing or lining existing clay sewer piping, replacing or coating existing manholes and replacing existing manhole covers with sealed lids. See Figure WW-2 for the City's Capital Improvement Program (CIP).

For communities with new trunk sewer systems that require connections to the Metropolitan Disposal System, you also need to include the following:

A table that details the proposed time schedule for the construction of the new trunk sewer system in your community.

Describe the type and capacity of the treatment facilities, whether municipally or privately owned.

Copies of the associated National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) permits.

All sewer infrastructure within City of Brooklyn Center limits is connected to the Metropolitan Disposal System. No new connections are anticipated.

Community and Subsurface Treatment Systems

A table that details the households and employment forecasts in 10-year increments through 2040, based on the Council's forecasts and any subsequent negotiated modifications. This

should be broken down by areas served by the Metropolitan Disposal System, locally owned and operated wastewater treatment systems, and Community and Subsurface sewage treatment systems. The forecasts used in your wastewater plan must be consistent with the forecasts used throughout your plan, including in land use, transportation, and water supply.

Describe your community's management program for SSTS to comply with MPCA regulations (Minn. Rules Chapters 7080- 7083).

Current subsurface sewage treatment system ordinance.

Map the locations of all existing public and private treatment systems, if any, including package treatment plants and communal sub-surface systems.

Map the locations of all sub-surface sewage treatment systems. You should also identify the locations of known nonconforming systems or systems with known problems. This information may be available from the County. If unavailable, a list of addresses is acceptable.

Describe the conditions under which private, community treatment systems (ex. package treatment plants, community drainfields) would be allowed. Examples of such conditions include:

- allowable land uses and residential densities
- installation requirements
- management requirements
- local government responsibilities

No community or subsurface treatment systems exist within City of Brooklyn Center limits.

DRAFT Chapter 9: Implementation





INTRODUCTION

This chapter is a critical part of the Comprehensive Plan Update process providing a roadmap for the City of next steps and implementation strategies to help bring this Plan to reality. The implementation strategies contained in subsequent sections of this Plan are specific to the chapters, goals and strategies, and feedback heard throughout this planning process.

Throughout this planning process consistent themes and messaging emerged that became the foundation for plan development, including the implementation strategies found in this chapter. At key milestones in this process the City solicited targeted feedback from residents, stakeholders, commission members and the City Council in an effort to establish Brooklyn Center's top priorities for the next 10–20 years. The following top priorities, including those characteristics of the community that are important to maintain, emerged from the planning process (unordered):

- Our location is exceptional but a consistent brand for the community has yet to be recognizable in the region since Brookdale closed. We have an opportunity to reimagine and redevelop this area—we have to design and implement a plan that is innovative, forward thinking and creative.
- Brooklyn Center's population is diverse and will be into the future. The City should embrace its diversity and use it as a differentiator that makes the City a desirable, exciting and vibrant place to live, work, and recreate.
- Creating an economically competitive, accessible and stable business climate is important to developing a stable, vibrant and sustainable community long-term.
- Brooklyn Center's accessible regional location in conjunction with the available redevelopment areas in the center city provide an opportunity to create a dynamic and vibrant sub-regional job center that provides employment opportunities to the City's residents and the larger region.
- Our youth is our future and we need to focus on their needs today, and in the future. We should partner with schools, work-programs, public and private post-secondary institutions to ensure kids have opportunities to work and live in the City as they become adults.
- The City's housing stock is aging and lacks economic diversity. We need to find ways to integrate a range of housing types, sizes, affordability, and market rate into redevelopment to expand the choices available to new and existing residents.

1

- We need to establish clear standards and regulations for areas designated or identified for redevelopment. It is important to consider massing, setbacks, relationship with existing homes, open spaces, trails, and natural resources.
- We should capitalize on the transit improvements, particularly the C-Line, that could be an amenity to any new development in the center city if designed and planned for appropriately.
- The City should establish and enhance key relationships with partner agencies such as Metropolitan Council, DEED, MnDNR, Three Rivers Park District and Hennepin County to create a more integrated region that provides improved connections within the City and to the region.
- Safety of transit users was repeatedly mentioned particularly for users that would like to use the main transit station in the community. Community members identified concerns such as loitering, lighting, accessibility, and lack of consistency with routes as concerns. This transit ‘hub’ will likely become busier as the C-Line opens, and it is important for the City to partner with Metro Transit to plan for this station to ensure residents feel comfortable and safe at the station.

2

Based on these guiding priorities and principles the following implementation strategies were derived. Most chapters’ implementation strategies can be found in the following sections with the exception of some the Housing Implementation Strategies that are partially included within the individual chapter for consistency with the Metropolitan Council’s checklist.

The following implementation strategies are meant to identify a set of high-level steps and considerations that will help guide the City to achieve the goals and objectives of this Plan. The strategies are not all encompassing, but instead are meant to serve as a guide and roadmap to describe the methods, steps and types of questions the City will tackle throughout this planning period. Just as this list may not include every strategy, Brooklyn Center may not complete every strategy on this list based on market dynamics or other external factors. But generally the City will use the following strategies as a guide to work towards implementing the Vision and Goals that this Plan has established for the City as it continues to evolve and change into 2040.



CAPITAL IMPROVEMENT PLAN

The Capital Improvement Program is a flexible plan based upon long-range physical planning and financial projections, which schedules the major public improvements that may be incurred by the City over the next five years. Flexibility of the Capital Improvement Plan is established through annual review, and revision if necessary. The annual review assures that the program will become a continuing part of the budgetary process and that it will be consistent with changing demands as well as changing patterns in cost and financial resources. Funds are appropriated only for the first year of the program, which is then included in the annual budget. The Capital Improvement Plan serves as a tool for implementing certain aspects of the City's comprehensive plan; therefore, the program describes the overall objectives of City development, the relationship between projects with respect to timing and need, and the City's fiscal capabilities.

The full Capital Improvement Plan is available at Brooklyn Center City Hall and on the City's website. It is also included as an appendix to the Comprehensive Plan. Specific implementation strategies for water, sewer and transportation infrastructure are also described in those chapters.

3

CHAPTER 3: LAND USE & REDEVELOPMENT

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

Land Use

1. The City will complete a full update of its zoning ordinance to support the modified land use designations identified on the Future Land Use Plan.
 - a. The update at a minimum will include a full review of all residential, commercial, and industrial zoning classifications that consider the following:
 - i. Setbacks
 - ii. Parking
 - iii. Height Restrictions
 - iv. Coverage
 - v. Performance Standards
 - vi. Permitted/Un-permitted Uses
 - vii. Conditional Uses
 - viii. Accessory Structures/Uses
 - ix. Fencing/Screening

- b. To support the individual zoning district update process, a full review of the City Code as it may pertain to the administration of the Zoning Code will be completed. This process may result in changes and updates or may find that the existing ordinances are adequate. At a minimum, the review will consider the following:
 - i. Sign Standards
 - ii. Public Nuisances
 - iii. Special Use Permit (SUP) will be brought into Compliance with Minnesota State Statute requirements for Conditional Use Permits
 - iv. Variance process and language will be updated and revised to reflect 'Practical Difficulties' if not already completed.
 - v. Platting ordinance will be reviewed for platting process compliance and proper reference to revised zoning ordinance.
 - vi. PUD process and procedures will be reviewed for consistency with the City's stated goals and objectives, particularly as it relates to redevelopment areas identified within this Plan.
 - vii. Addition of a Shoreland Ordinance to comply with MRCCA requirements.

- c. The process to prepare the zoning ordinance update will be led by the City's staff, with support and assistance from a Consultant and input and direction from the City Council.
 - i. The City may establish a community engagement plan for the Zoning Code update process. This may include a sub-committee or task force to provide feedback and input on key issues throughout the update process to ensure a broad spectrum of perspectives is represented and addressed within the process.

2. The City will continue to support and explore incorporating policies within ordinance updates that address community resiliency and long-term sustainability.

- a. As ordinances are updated, the City will explore opportunities to encourage through incentives or regulations energy efficiency in redevelopment and site design.
- b. Addressing resiliency with respect to the City infrastructure and PTOS systems can be cost-effective when incorporated into initial site design requirements. The City will explore opportunities to address and incorporate such site design standards into its ordinances, particularly within new zoning districts.



Redevelopment

1. The City will create zoning districts to support the new land use designations identified on the Future Land Use Plan.
 - a. At a minimum seven new zoning districts will be developed for consistency with the Transit Oriented Development (TOD), Neighborhood Mixed-Use (N-MU), Commercial Mixed-Use (C-MU), and Business Mixed Use (B-MU) land use designations.
 - b. The process to prepare the new zoning districts will be led by Staff and a Consultant with direction from the City Council and City Commissions. The process should be initiated immediately upon adoption of this Comprehensive Plan and should be completed within nine (9) months of its adoption. Each zoning district will address, at a minimum:
 - i. Massing and architectural design
 - ii. Setbacks
 - iii. Height restrictions
 - iv. Site design/landscape standards
 - v. Permitted, conditionally permitted and not permitted uses
 - vi. Accessory structures/uses
 - vii. Transition of uses
 - viii. Mix of uses
 - ix. PUD process or other incentive process
 - x. Establishment of how mixed-use will be applied (i.e. through a master plan approach, parcel-by-parcel basis, etc.)
2. The City will develop a process and methodology for tracking the mixed-use and redevelopment projects to achieve the mix of uses as contemplated within this Comprehensive Plan. The ordinances should be developed with graphic representations of the standards to be more user friendly. The process may include exploration of ghost-platting, development of a database/tracking spreadsheet, and the development of 'cheat-sheet' or development reference guides for developers and land owners that describe the mix of uses contemplated and the process to ensure compliance with the ordinance and this Plan.
3. The City will establish guidelines and procedures for the sale of EDA-owned property. This may include creating marketing materials and promoting revised ordinances that highlight the ease of developing in the community.
4. The City will continue to evaluate opportunities for additional land acquisition particularly within proximity to land holdings in the center city that may offer larger redevelopment opportunities.

5. The City will participate as an active partner in any redevelopment effort that includes City financial participation including as the land owner, or TIF, tax abatement, grant partner, etc.
 6. What has historically been known as the “Opportunity Site” is re-guided in this Plan to allow for mixed-use development of the site. At the time of this Plan the City is working with a developer on a master plan for the redevelopment that will add a significant number of new households to the community. Understanding that this redevelopment effort is in-progress, the new zoning districts that are created to support the land use designation must be prepared for consistency with the anticipated development. In an effort to minimize duplication of the process, the City will create a minimum of one supporting zoning district that is consistent with the known redevelopment plans. The zoning district will address, at a minimum, the following:
 - a. A minimum percentage of a project that must contain commercial, office or retail uses that support and are consistent with any developed housing.
 - b. The ordinance development process should consider how to incorporate a range of housing types, including considering incentives and/or standards that encourage the construction of new affordable housing
- 6
- c. The ordinance will incorporate architectural and landscape design standards that support the goals and strategies contained within Chapter 2 of this Plan.
 - d. The ordinance will incorporate incentives, and where applicable standards, that are focus on sustainable site improvements and resilient infrastructure improvements such as: transit, trail and sidewalk connections, pervious pavers and other innovate landscape products, localized surface water management and other low impact development techniques.
 - e. The ordinance will require development that incorporates best practices for creating transit oriented places, including density minimums, parking maximums, pedestrian-oriented design, and accommodates a mix of uses.



CHAPTER 4: HOUSING

The Implementation Strategies that support the Metropolitan Council's checklist to achieve the City's Housing goals and objectives can be found in Chapter 4 of this Plan. The following implementation strategies support those contained within Chapter 4.

1. As part of the zoning ordinance update process the City will evaluate the rules and regulations to ensure that they allow existing and future residents to improve their homes in ways that add value and are desirable, and allow for infill housing that offers a range of housing types and products.
 - a. Residential zoning districts should be written to allow for a mix of housing types, with various setbacks and massing standards to allow for diversity within an individual development.
 - b. Ordinances should be written to define 'family' consistently with current demographics. This may require additional study to fully understand the greatest needs anticipated in the community over the next planning period.
 - c. Setback requirements should reflect existing conditions and allow reasonable expansions and additions to homes.
2. The City will evaluate the housing stock for consistency with current and projected demographics. This includes understanding appropriate mix of bedrooms, unit types, etc., that match the changing needs of the City's residents. The following examples may require additional study:
 - a. Unit mix, such as studios, 1-bedrooms, 2-bedrooms, 3 and 3+ Bedrooms
 - b. Private entry rental opportunities such as town homes, row homes, etc., versus standard multi-family apartments and condominium development.
3. The City will continue to operate its Rental Licensing Program, which has proven to be highly effective in maintaining the City's rental housing stock.
4. The City will continue to operate a robust code enforcement program that incorporates both complaint-based enforcement and proactive sweeps. The City will continue to engage residents and business owners to ensure code compliance and to provide information in a way that is understandable and clear.
5. The City will continue to operate its Vacant Building Program, which tracts and monitors vacant properties in the City, as well as ensuring adequate upkeep and maintenance.

6. The City will explore programs and policies that promote home ownership in the City.
7. The City will explore programs and policies that provide assistance with single-family housing rehabilitation and maintenance, including low and no-cost loans and grants, project consultation, and other resources. This may include partnerships with outside agencies as well as programs administered by the City.
8. The City will explore polices and ordinances, including incentives and standards, that encourage the construction of new affordable housing.
9. The City will explore partnerships that provide sources of financing and incentives to preserve existing multi-family housing, particularly ways to preserve naturally occurring affordable housing that maintains its affordability.
10. The City will explore programs and policies that encourage landlords to invest in their rental properties.
11. The City will consider creating a housing coordinator position to build relationships with existing landlords and tenants, administer programs, seek funding opportunities, and promote the City's housing goals.
12. The City will consider adopting policies that promote further the goal of providing safe, secure, and stable housing for renters. This may include adopting ordinances and/or policies that protect the rights of renters.
13. The City will consider inclusionary housing policies that ensure that affordable housing is a component of new housing development when the market strengthens to the extent that it would not deter investment.
 - a. For example, if market rents rise to levels that are affordable to those making 80% AMI then the City would consider adopting an inclusionary housing policy.
14. The City will consider adopting a public subsidy policy that gives greater consideration to projects that forward the City's housing goals. This includes the option of TIF Housing Set-Aside funds or new TIF Districts that support mixed-income and affordable housing. The City will support grant applications to outside agencies to benefit projects that forward the City's housing goals.



CHAPTER 5: COMMUNITY IMAGE, BUSINESS STABILITY & ECONOMIC COMPETITIVENESS

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

1. The City will work to create strategies and supporting resources to incorporate affordable commercial, retail and office space into new redevelopment areas.
2. The City will actively pursue a branding and marketing strategy that leverages the community's diversity as a key asset from which new businesses can be developed.
3. To promote and support local businesses the City will explore the development of a local procurement policy.
4. The City will form a task force or steering committee to study local entrepreneurial needs, gaps and opportunities of residents. Study and research will focus on:
 - a. Identification of barriers to growing or starting a business in the City.
 - b. Review of existing ordinances and policies to ensure they support small, start-up and pop-up businesses.
 - c. Understand what opportunities exist locally and regionally, and what strategies the City might employ to further support local entrepreneurs.
5. The City will explore the feasibility of a commercial land trust model that promotes perpetually affordable commercial space.
6. The City will review its existing business and industrial zoning district designations and revise and update, as necessary, language and policies to ensure regulations support and incentivize:
 - a. Local businesses to stay and grown in the City
 - b. New businesses to locate in the community
 - c. A mix of land uses that reflect current market needs and desires
7. The City will explore opportunities to enhance partnerships with local secondary and post-secondary education institutions that support school-work opportunities, skills and job training, and matching local companies with young talent.
8. The City will partner with DEED and Hennepin County to offer entrepreneurial resource and support programs such as WomenVenture and Open to Business.

9. The City will create a Business Retention & Expansion Program to work directly with the businesses within the community to ensure that their needs are being met.
10. The City will amend its Business Subsidy Policy to prioritize the creation of livable and high wage jobs.
11. The City will create and fund a revolving loan/grant program to assist property and business owners with expansions, interior buildouts, equipment purchasing, and exterior enhancements.
12. The City will explore other economic development programs, including with outside agencies, which would incentivize business expansion and attraction.
13. The City will explore job training and career pathways programs and policies that would benefit residents.
14. The City will explore options to connect the local workforce to employers.
15. The City will continue to support partnerships that promote workforce readiness and removing barriers for existing residents to access education and workforce training, such as the Brooklynk partnership with Brooklyn Park.
16. The City will explore partnerships and programs that promote financial literacy and wealth creation amongst residents.
17. The City will continue to explore ways to reduce racial disparities that exist as they relate the economic stability of its residents, including access to livable wage jobs, home ownership opportunities, financial literacy and wealth creation, and job pathways training.

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CHAPTER 6: PARKS, TRAILS AND OPEN SPACE (PTOS)

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 6 of this Comprehensive Plan Update.

1. The City will continue to prioritize the completion of the PTOS system within redevelopment areas and will work with developers to identify appropriate and reasonable opportunities to enhance and improve access to the system by all residents.
2. Redevelopment projects will be required to provide trail connections that align with the surrounding local and regional trail system that are existing or planned within this Plan.
3. Redevelopment projects will be required to plan for parks and open spaces consistent with this Plan, and the City will work with developers to identify and prioritize improvements to the PTOS system.
4. The City will continue to maintain and manage the existing parks, trails and open space plan consistent with past and current practices. Current management includes:
 - a. Annual CIP budgeting and planning to support current park, trail, and open space function.
 - b. Continue to support the City's Community Activities, Recreation and Services (CARS) division through appropriate capital investments.
 - c. Periodic survey of residents and stakeholders to understand appropriate and needed parks, trails, and open space programming within the system.
 - d. Prepare and plan for system improvements that respond to the needs of the community. This includes improvements such as park system component conversions including transitioning baseball fields to multi-purpose fields (example)
5. Brooklyn Center will continue to support opportunities for community gatherings at each of its parks, including, but not limited to the summer markets, pavilion rentals, Brooklyn Center's movie in the parks, and Central Park events that unite the community.
6. The City will continue to complete the sidewalk and trail network consistent with previous planning efforts. This plan acknowledges that trails and sidewalks are a critical component of the Park and Recreation system but are equally as important to the transportation system.

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CHAPTER 7: TRANSPORTATION

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

1. The City's accessibility to the region, and within the region, is an important differentiator and asset to the community. The City will continue to prioritize roadways as an important part of the transportation network.
2. The City will continue to partner with Hennepin County and MnDOT on planned road reconstruction projects to ensure safety and accessibility of the road system within the City are prioritized.
3. Any roadway reconstruction or improvement will consider the incorporation of a stormwater assessment, and any plans should incorporate and implement the Minnesota Pollution Control Agency's Best Management Practices to improve stormwater quality, recharge local aquifers, and reuse and conserve stormwater where possible.
4. The City will continue to budget for regular maintenance of roadways approximately every five to eight years and include such plan within the City's Capital Improvement Program.
5. Brooklyn Center will plan for completing the Regional Bicycle Transportation Network (RBTN) that is currently planned within the City to connect to other regional and sub-regional job centers. As redevelopment and reconstruction of roadways occurs RBTN segments or gaps will be constructed to help complete the system.
6. Many of the City's residents use Transit, and many more could if service were improved in the City. Currently the City is divided into Transit Market II and Transit Market II, which provides varying levels of services. The following summary of considerations is provided:
 - a. The City will work with Metro Transit over this planning period to evaluate the appropriate Transit Market areas for the City per the Metropolitan Council.
 - i. The mapping completed for this Plan demonstrates that some of the residents that may benefit most from frequent and reliable transit may be underserved.
 - ii. The City is developed with a similar urban grid pattern for the majority of its neighborhoods without much distinction. Therefore, it seems inaccurate to identify some areas as more typical "suburban" development.
 - b. The City's Future Land Use Plan has identified the 'central spine' for possible redevelopment in this planning period. The redevelopment pattern contemplated embraces the Transit Station and uses it as an organizing feature.

CHAPTER 8: INFRASTRUCTURE (UTILITIES)

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

1. The City will continue to plan for water and sewer infrastructure improvements to occur concurrently with any planned roadway improvements and reconstruction projects.
2. The City prepared a full sanitary sewer plan and supportive modeling in conjunction with this Plan update. As redevelopment occurs, the sewer plan will be used to guide proper infrastructure improvements including sizing and capacity recommendations, timing and consideration for future phases of redevelopment.
3. The City prepared an update to its water plan and supportive modeling in conjunction with this Plan update. As redevelopment occurs the water plan will be used to guide proper/necessary infrastructure improvements.
 - a. The water supply permit from the DNR will be updated once this Plan and Future Land Use Plan are adopted to reflect projected housing and employment forecasts contained in this Plan.
4. The LSWMP identifies several capital and administrative projects that are incorporated into this implementation plan by reference. The City will properly manage and schedule such improvements to be included within its CIP for on-going planning and action.
5. The City will continue to work with its regional partners, including the Metropolitan Council, on sewer and water infrastructure planning and development so that regional coordination is maintained throughout this planning period.
6. Consideration for how to incorporate sustainable and resilient infrastructure through new development will be addressed at the specific site redevelopment level. This will first be accomplished through the ordinance review, creation and update process and described within previous sections; and will then be implemented through site and redevelopment plan sets and engineering.
 - a. The City's Public Works Department and its staff will work collaboratively with the Community Development department to identify potential ordinance revisions that would support the development of an integrated green network that not only supports the PTOS system but the City's infrastructure.

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APPENDIX: MISSISSIPPI RIVER CRITICAL CORRIDOR AREA PLAN

The following list of Implementation Strategies is provided as a guide to implement the MRCCA Plan contained within Appendix B of this Plan.

1. The City will develop ordinances to support the Minnesota Department of Natural Resources (MnDNR) requirements to regulate property contained within the MRCCA overlay designations.
 - a. At a minimum the City will develop a shoreland ordinance for properties that abut the Mississippi River and will structure the ordinance to comply with MnDNR requirements.
 - b. The City will work collaboratively with the MnDNR to establish appropriate setback and height standards based on specific parcel locations and potential redevelopment.
 - i. The City may seek flexibility from the MnDNR's standard requirements, particularly on sites identified for redevelopment. The City will work with the MnDNR to identify appropriate standards.
 - c. The City will engage residents during the ordinance development to provide education about the MRCCA standard requirements and ordinance development process.
 - i. The public engagement process will also solicit feedback regarding specific standards development include appropriate setbacks, height, coverage requirements, etc.



DRAFT Appendix A: Mississippi River Corridor Critical Area Plan





INTRODUCTION

Overview of the Mississippi River Corridor Critical Area Plan

The state of Minnesota, pursuant to the Critical Areas Act of 1973 and Executive Orders in the 1970s, established the Minnesota River Corridor Critical Area Plan (MRCCA) to protect and preserve the natural, scenic, recreational, and transportation resources of Mississippi River as it travels through the Twin Cities. The MRCCA covers a 72-mile stretch of the Mississippi River through the Twin Cities Metropolitan Area, comprising 54,000 acres of land in 30 local jurisdictions from Dayton in the north to Hastings in the south.

The purpose of the MRCCA is to:

- Protect and preserve a unique and valuable state and regional resource.
- Prevent and mitigate irreversible damage to the resource.
- Preserve and protect the river as an element in the national, state and regional transportation, sewer, water and recreational systems.
- Protect and preserve biological and ecological functions of the corridor.

3

Each city along the Mississippi River is required to prepare and adopt plans, capital improvement programs and special land planning regulations consistent with state standards and guidelines for the Mississippi River Corridor Critical Area. MRCCA regulations are implemented through local plans and ordinances and are required to be consistent with Minnesota Rules, chapter 6106. These rules lay out the land planning and regulatory framework protecting MRCCA resources and came into effect on January 4, 2017, replacing Executive Order 79-19, which previously governed land use in the MRCCA. The rules require local governments to update their MRCCA plans (a chapter of the local comprehensive plan) and MRCCA ordinances for consistency with the rules.

MRCCA in Brooklyn Center

Generally, the boundaries of the MRCCA in Brooklyn Center extend approximately one-quarter mile or less back from City land bordering the Mississippi River. A majority of this land is used for single-family residential purposes or for public park land. Map X-1 illustrates the MRCCA boundaries for Brooklyn Center.

Progress Since Last MRCCA Plan

[To be added]



MRCCA DISTRICTS

General Overview

The Minnesota Rules define six districts within the MRCCA designation. These districts are characterized by the various natural and built features of the river corridor. Most standards and requirements outlined in the rules apply uniformly throughout the corridor. However, certain requirements such as structure setbacks from the ordinary high-water level (OHWL) and bluffs, building height limits, and the amount of open space required for development vary by district. There are two MRCCA districts present in Brooklyn Center: 1) River Neighborhoods, and 2) Separated from River. According to MR 6106.0100, Subp. 3 to Subp. 8. The descriptions and management purpose for each district is as follows. Figure A-1 shows the two districts and the MRCCA boundary within the City.

- **CA-RN (River Neighborhood)**

DESCRIPTION: The river neighborhood district (CA-RN) is characterized by primarily residential neighborhoods that are riparian or readily visible from the river or that abut riparian parkland. The district includes parks and open space, limited commercial development, marinas, and related land uses.

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MANAGEMENT PURPOSE: The CA-RN district must be managed to maintain the character of the river corridor within the context of existing residential and related neighborhood development, and to protect and enhance habitat, parks and open space, public river corridor views, and scenic, natural, and historic areas. Minimizing erosion and the flow of untreated storm water into the river and enhancing habitat and shoreline vegetation are priorities in the district.

The DNR Statement of Need and Reasonableness (SONAR) further outlines height limits for the CA-RN District. A 35-foot height limit is proposed for the predominantly residential “river neighborhood” district. The height limit is intended to allow a two-story single-family dwelling without breaking the top of the tree line. This height restriction is consistent with existing structure heights in residentially zoned neighborhoods and height restrictions in most of the local zoning standards that apply in these areas.

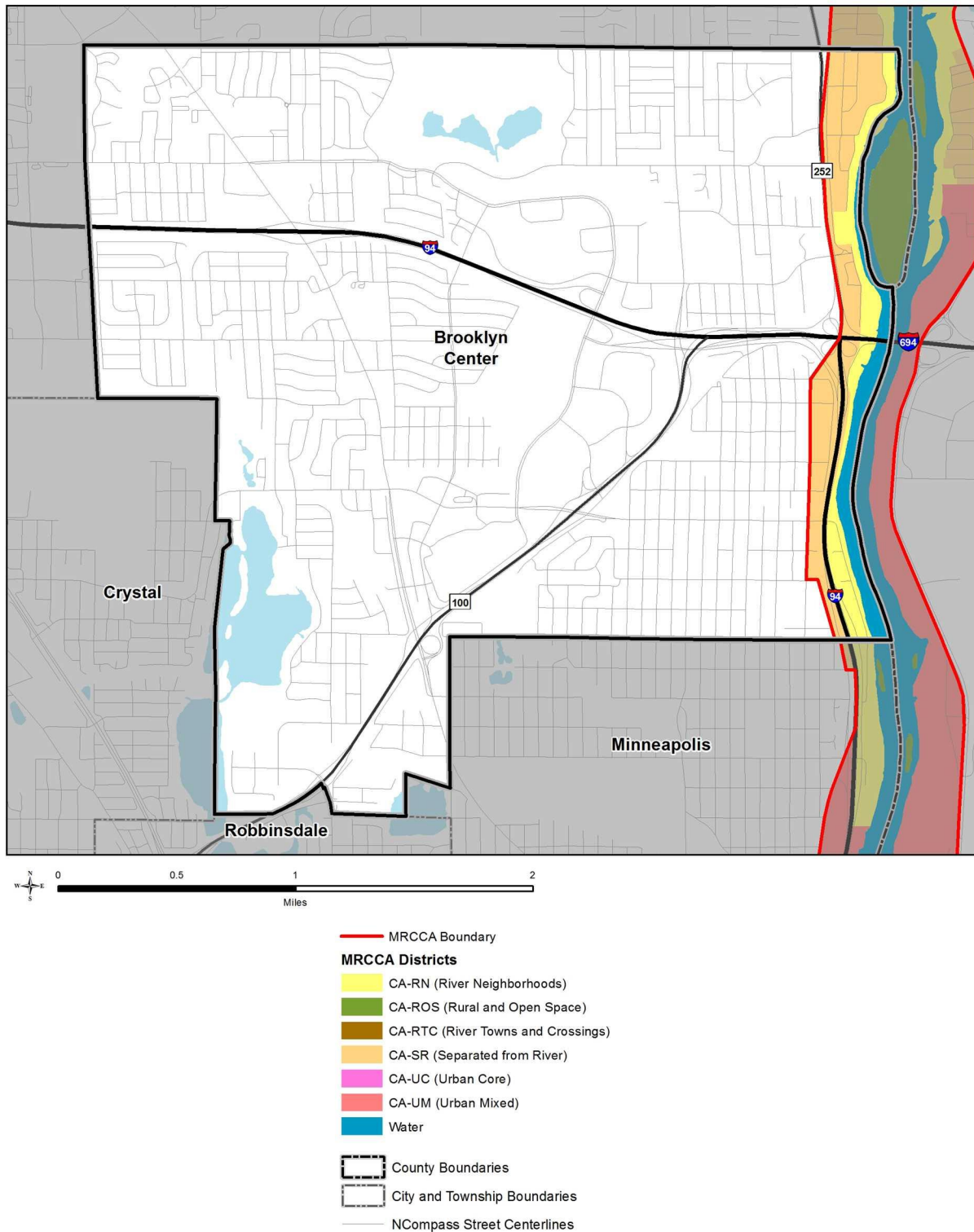
- **CA-SR (Separated from River)**

DESCRIPTION: The separated from river district (CA-SR) is characterized by its physical and visual distance from the Mississippi River. The district includes land separated from the river by distance, topography, development, or a transportation corridor. The land in this district is not readily visible from the Mississippi River.

MANAGEMENT PURPOSE: The CA-SR district provides flexibility in managing development without negatively affecting the key resources and features of the river corridor. Minimizing negative impacts to primary conservation areas and minimizing erosion and flow of untreated storm water into the Mississippi River are priorities in the district.

The DNR Statement of Need and Reasonableness (SONAR) further describes height restrictions for the CA-RN District. The “separated from river” district includes non-riparian land that is separated from the Mississippi River by distance, development, or transportation infrastructure. Because of this separation, underlying zoning standards govern height, with the stipulation that structure height must be compatible with the existing tree line, where present, and surrounding development.

Map A-1. Brooklyn Center MRCCA District MRCCA with Future Land Use and Zoning



MRCCA with Future Land Use and Zoning

The existing planned land uses within the MRCCA districts are a mix of residential and public recreation/open space uses. The planned land uses guided a portion of existing low density residential (LDR) located within the River Neighborhood (CA-RN) for high density residential use. The strip of land is located south of the I-94 and Highway 252 split, and given the narrow depth of the existing lot configuration and presence of significant right-of-way due to I-94 the use of the property is limited and better suited for a high-density residential product. The proposed use would allow for a better site design and potential for relationship with the river. As an implementation step of this Plan, the City will fully evaluate its preferred dimensional requirements for the property for redevelopment and will work with the DNR on proper steps to incorporate flexibility within the MRCCA ordinance to address this particular area. With the exception of this area, the remaining parcels within the City are guided for low density residential uses which are primarily developed with single-family uses. The City will work with property owners through the MRCCA ordinance preparation process to understand existing conditions of the property within the CA-RN district and identify any potential conflicts with the existing standards and how to address non-conforming uses within the district.

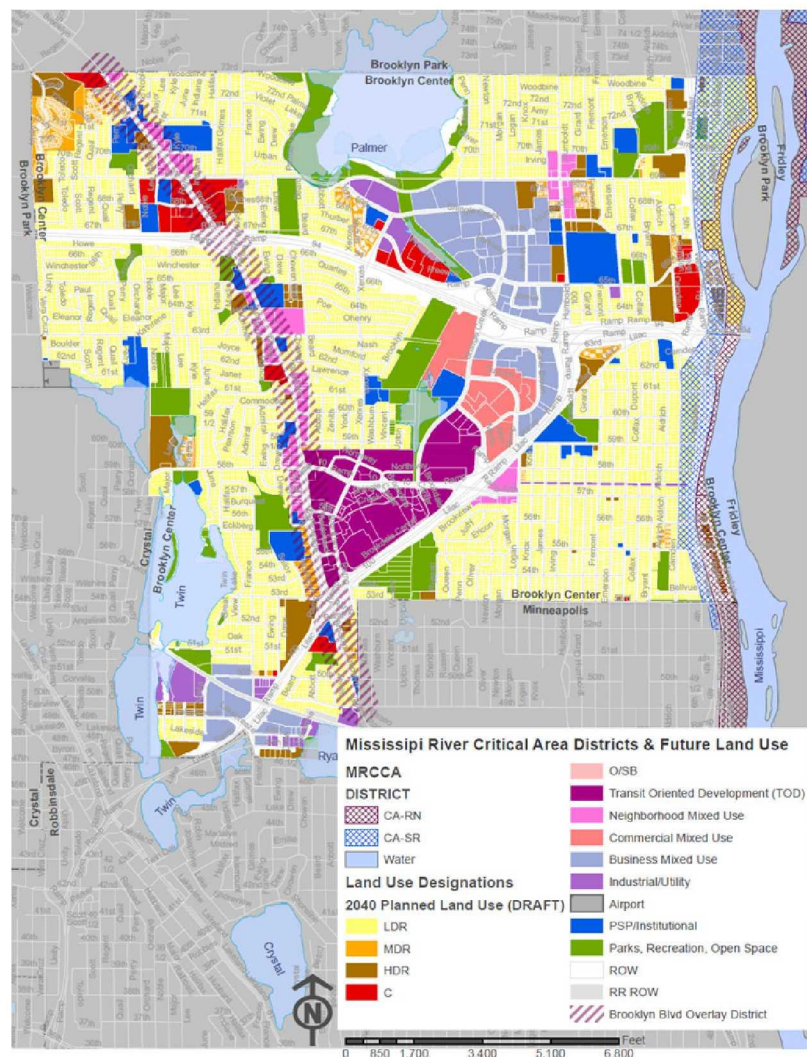


Figure A-2. District Overlay on Future Land Use Plan

Figure A-3. District Overlay on Zoning Map [TO BE ADDED]

Table A-1. Category Comparisons

MRCCA District	Future Land Use Map Categories	Existing Land Uses
CA-RN River Neighborhood District	• Low Density Residential	• Single Family Residential • Park / Open Space
CA-SR Separated from River District	• Low Density Residential • Medium Density Residential • Right of Way	• Single Family Residential • Medium Density Residential • Park, Recreational or Preserve • Right of way

District Policies

- Guide land use and development and redevelopment activities consistent with the management purpose of each district.

District Implementation Actions

- Adopt a new MRCCA ordinance overlay district compliant with the goals and policies of the MRCCA plan, and with Minnesota Rules, part 6106.0070, Subp. 5 - Content of Ordinances; and work with the Minnesota DNR on flexibility with the ordinance as noted in previous sections of this Plan.
- Update zoning map to reflect new MRCCA districts.
- Ensure that information on the new MRCCA districts and zoning requirements is readily available to property owners to help them understand which ordinance requirements - such as setbacks and height requirements - apply to their property for project planning and permitting.
- Allow flexibility for OHWL setback requirements where existing development encroaches prior to adoption of MRCCA ordinances and overlay zoning implementation.
- Work with the MnDNR on height standards to determine appropriate height restrictions, particularly on redevelopment areas with existing site constraints.

PRIMARY CONSERVATION AREAS (PCAS)

General Overview

As the DNR's Statement of Needs and Reasonableness defines it, the term "primary conservation areas" (PCAs) addresses the key natural and cultural resources and features managed by MRCCA rules. These features are given priority consideration for protection with regard to proposed land development, subdivision, and related activity. PCAs include shore impact zones (SIZ), bluff impact zones (BIZ), floodplains, wetlands, gorges, areas of confluence with tributaries, natural drainage routes, unstable soils and bedrock, native plant communities, cultural and historic properties, significant existing vegetative stands, tree canopies and "other resources" identified in local government MRCCA plans.

Shore Impact Zone

Shore impact zones (SIZs) apply to the Mississippi and all of its backwaters, as well as to its four key tributaries, including the Crow, Rum, Minnesota, and Vermillion rivers. They include land along the river's edge deemed to be environmentally sensitive and in need of special protection from development and vegetation removal. The shore impact zone (SIZ) is a "buffer" area between the water's edge and the area where development is permitted (see Figure XX) and is the focus of many of the MRCCA rule standards for land alteration and vegetation management. Defined boundaries for the shore impact zone (SIZ) are derived from the state shoreland rules. Minn. R. 6120.2500, subp. 14.c. (2015). The depth of the SIZ on these rivers varies by district. See Figure X-2 which illustrates the SIZs in Brooklyn Center.

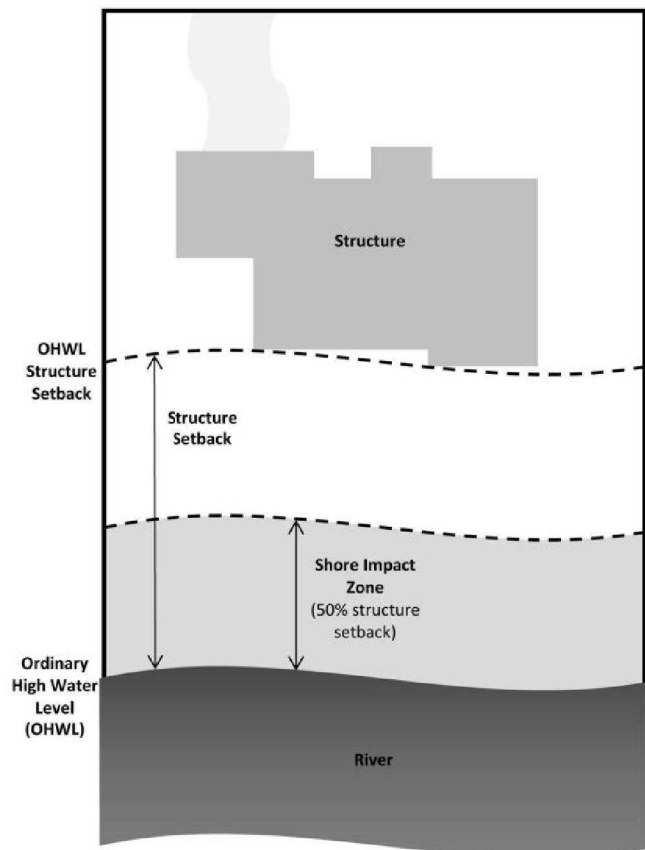
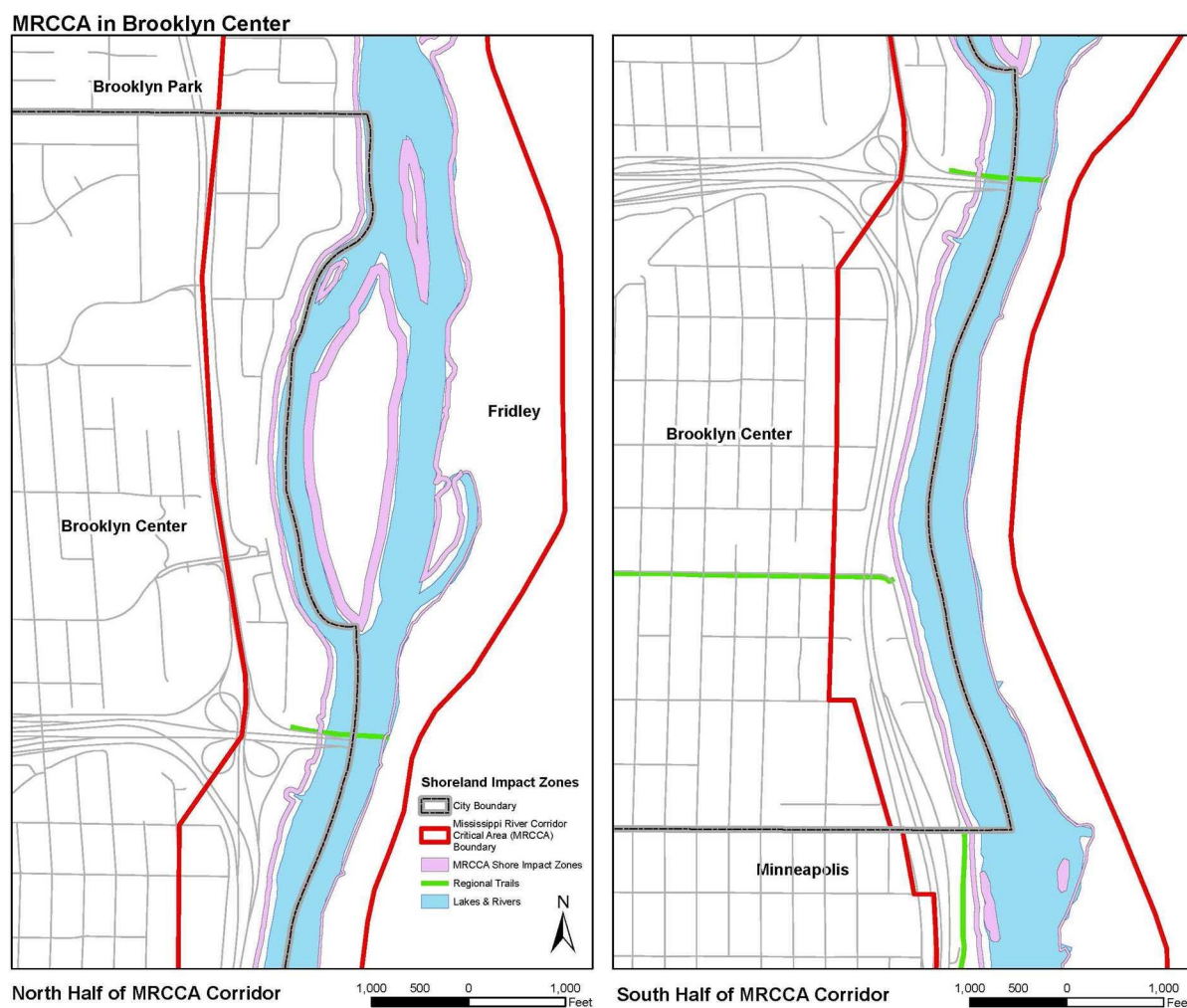


Figure A-2. Shoreland Impact Diagram

Figure A-3. Shoreland Impact Zone Map

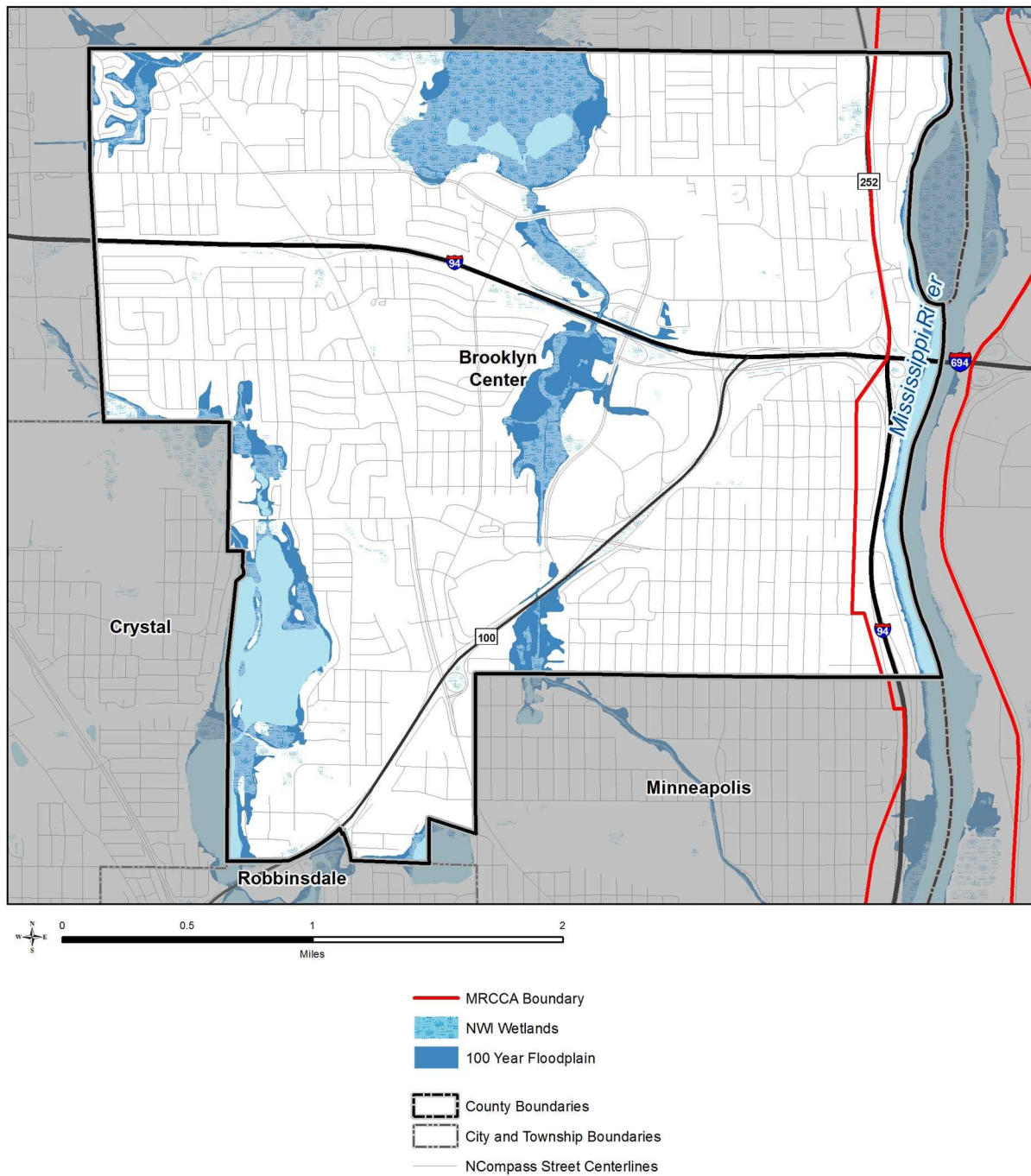


Brooklyn Center's zoning map delineates the boundary of the MRCCA, however, there is no additional shore impact zone or shoreland regulations identified or included in the City's zoning ordinance. Recognizing a shore impact zone would highlight the importance of protecting the river shore from development and vegetative removal, maintaining a buffer area between the river banks and urban development. Adding ordinance requirements for the shore impact zone should be considered by the City for inclusion in the zoning ordinance update.

Floodplains & Wetlands

There are no known wetlands identified within the MRCCA boundary in Brooklyn Center. A small corridor of 100-year floodplain is mapped in several areas and contained along a narrow strip adjacent to the river's edge. See Figure A-4.

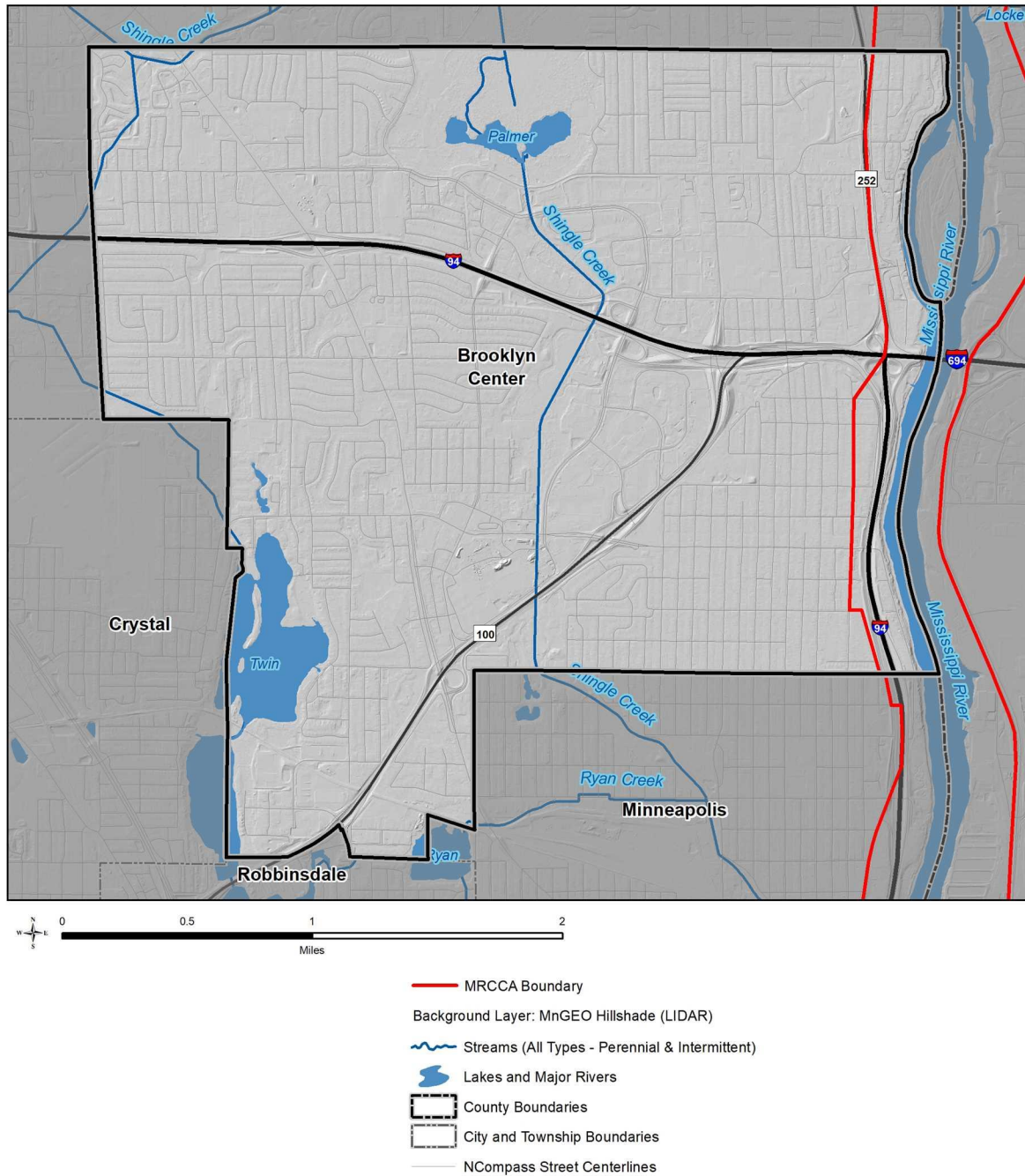
Figure A-4. MRCCA Floodplains & Wetlands Map



Natural Drainage Ways

Natural drainage ways are linear depressions that collect and drain surface water. They may be permanently or temporarily inundated. There are no natural drainageways that flow toward the Mississippi River within City boundaries. Interstate 94 acts as a significant barrier to natural drainage in this area. See Figure A-5.

Figure A-5. MRCCA Natural Drainage Ways



Bluffs & Bluff Impact Zones

According to Minnesota Rules (Minn. R. 6106.0050, subp. 10) a “bluff” is defined as a natural topographic feature having either of the following characteristics:

1. A slope that rises at least 25 feet above the ordinary high water level or toe of the slope to the top of the slope; and the grade of the slope from the ordinary high water level or toe of the slope to the top of the slope averages 18 percent or greater, measured over a horizontal distance of 25 feet; or
2. A natural escarpment or cliff with a slope that rises at least 10 feet above the ordinary high water level or toe of the slope to the top of the slope with an average slope of 100% or greater.

The development and land use standards tied to the bluff impact zone (BIZ) in the MRCCA rules are more restrictive than those in the shoreland rules. They prohibit the placement of structures, land alteration, vegetation clearing, stormwater management facilities, and most construction activities in the BIZ. However, some limited exceptions to these restrictions, such as for public utilities and recreational access to the river, are allowed. This greater degree of protection is necessitated by development pressures on bluffs throughout the river corridor and the susceptibility of these features to erosion and slope failure.

Brooklyn Center has several small areas of BIZ within the MRCCA boundary along the river. See Figure A-6 which illustrates the BIZ within the City.

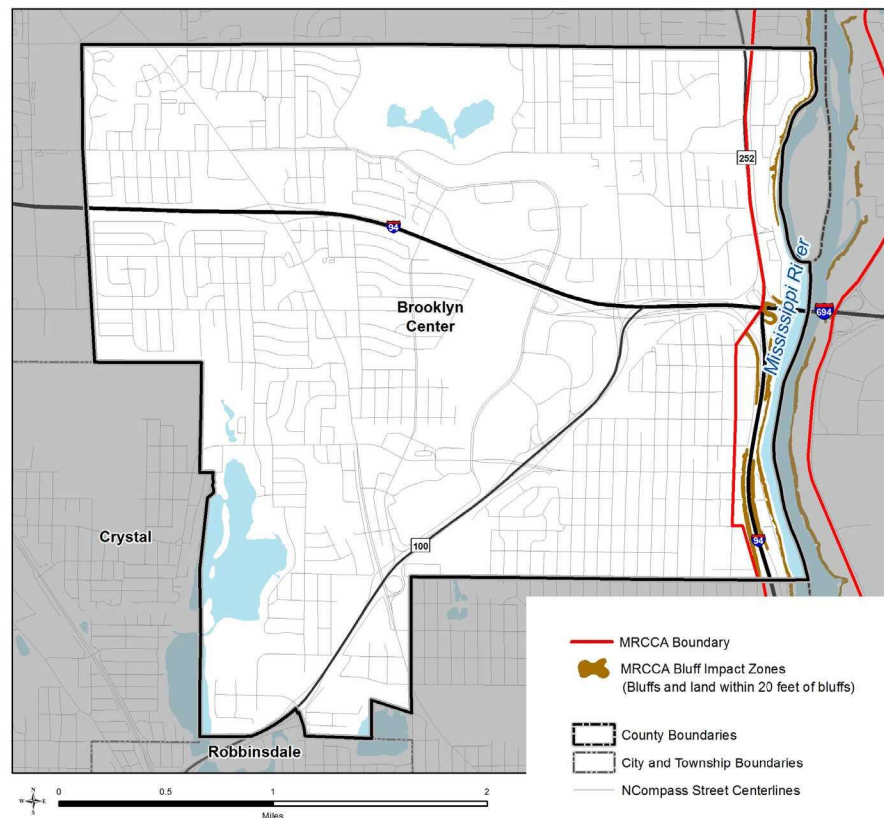
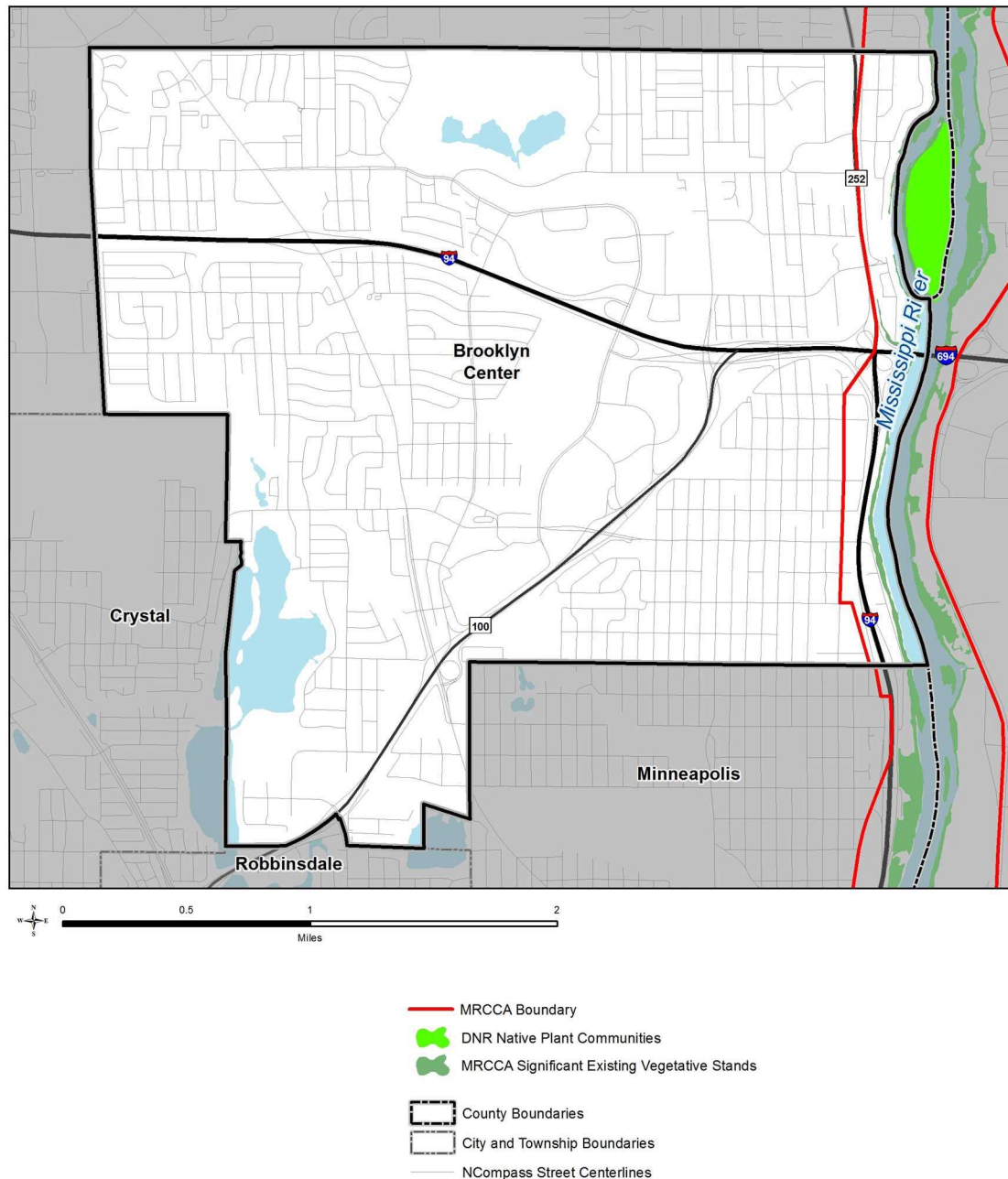


Figure A-6. MRCCA BIZ Map

Native Plant Communities & Significant Existing Vegetative Stands

Native plant communities are There are no DNR native plant communities identified within Brooklyn Center. However, significant stand of vegetation within the MRCCA are mapped in Figure X-7. These stand are generally located right along the edge of the river bank and contribute ecological and scenic value to the MRCCA.

Figure X-7. MRCCA Native Plant Communities & Vegetation Map



Cultural & Historic Properties

There are no known cultural or historic properties with the MRCCA in Brooklyn Center.

Gorges (if applicable)

Brooklyn Center is not located within the MRCCA associated with the Mississippi gorge.

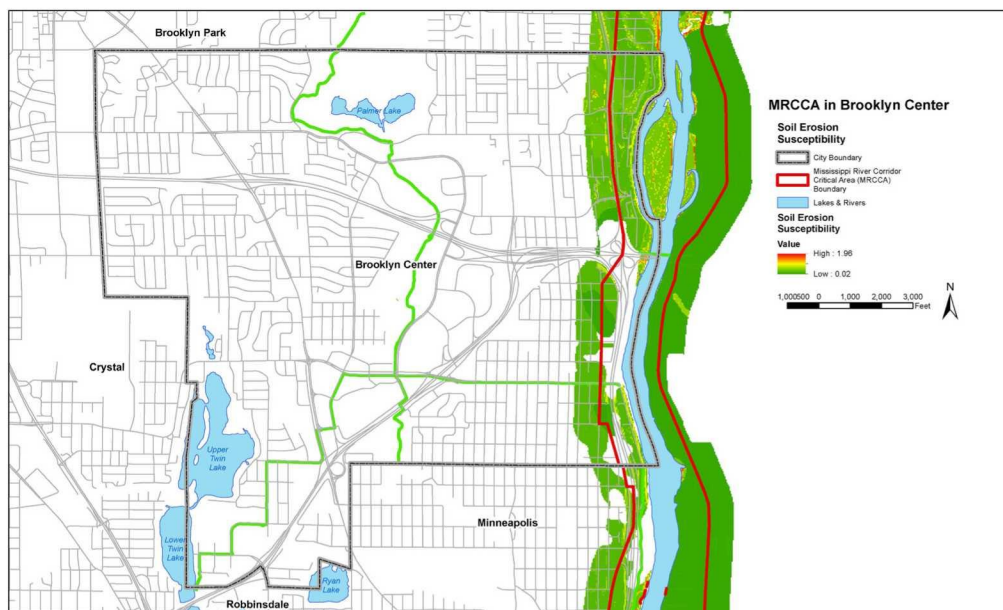
Unstable Soils & Bedrock

The stability of soil can be attributed to the mix of sand, gravel, silts, clay, water, air and other attributes that contribute to how susceptible the soil is to frost action, high saturation, ponding, and high shrink-swell rates. Characteristics such as steep slopes and low soil strength also contribute to unstable soils. Figure A-8 illustrates areas in Brooklyn Center's MRCCA that have higher erosion susceptibility.

Unstable soils is not a significant concern in the Brooklyn Center portion of the MRCCA. In the last 10 years, efforts were completed to stabilize the riverbank in one location experiencing some erosion. This location was at private residential property along Willow Lane near 66th Avenue. The residential and park land uses in this area has generally remained unchanged between the river and interstate, limiting the likelihood of increased erosion. The City – in partnership with other agencies – continues to monitor locations of potential erosion along the riverbanks.

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Figure A-8. MRCCA Soil Erosion Susceptibility Map



PCA Policies

- Protect PCAs (List those specifically found in your community) and minimize impact to PCAs from public and private development and land use activities (landscape maintenance, river use, walking/hiking, etc.).
- Support mitigation of impacts to PCAs through, subdivisions/PUDs, variances, CUPs, and other permits.
- Make restoration of removed Native Plant Communities and natural vegetation in riparian areas a high priority during development.
- Support alternative design standards that protect the LGU's identified PCAs, such as conservation design, transfer of development density, or other zoning and site design techniques that achieve better protections or restoration of primary conservation areas.
- Make permanent protection measures (such as public acquisition, conservation easement, deed restrictions, etc.) that protect PCAs a high priority.

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PCA Implementation Actions

- Ensure that information on the location of PCAs is readily available to property owners to understand how PCA-relevant ordinance requirements, such as vegetation management and land alteration permits, apply to their property for project planning and permitting.
- Establish procedures and criteria for processing applications with potential impacts to PCAs, including:
 - Identifying the information that must be submitted and how it will be evaluated,
 - determining appropriate mitigation procedures/methods for variances and CUPs,
 - establishing evaluation criteria for protecting PCAs when a development site contains multiple types of PCAs and the total area of PCAs exceed the required set aside percentages.
- Developing administrative procedures for integrating DNR and local permitting of riprap, walls and other hard armoring.

(Note: Application procedures are a required element of MRCCA ordinance review and approval.)

PUBLIC RIVER CORRIDOR VIEWS (PRCVS)

General Overview

The MRCCA describes public river corridor views (PRCVs) as views toward the river from public parkland, historic properties, and public overlooks. Also included are views toward the bluffs from the ordinary high-water level (OHWL) of the opposite shore, as seen during the summer months. PRCVs are valuable to the MRCCA as they contribute to the aesthetic and scenic value of the river corridor.

Views Toward River from Public Places

As defined by the DNR's Statement of Needs and Reasonableness (SONAR), the term "public river corridor views" was developed to assist local governments and other stakeholders to identify and protect scenic resources through their planning processes. It recognizes that many of the most highly valued views within the river corridor are "views toward the river from public parkland, historic properties, and public overlooks," as well as views towards bluffs from the opposite shore (a subset of the "readily visible" definition below). The definition is intended to provide local governments with an opportunity to identify specific views deemed important to that community, and to protect such views through the development review process.

19

Running parallel to the river, Interstate 94 and Highway 252 form a barrier between the river and most of the community of Brooklyn Park. East of the arterials is a narrow corridor of land which is most all in single-family residential land use with scattered properties of medium-density development. The only other land use is park, open space and trails in this area. Public views of the river are really only seen from the park and open space land along Lyndale Avenue between 53rd Avenue and 57th Avenue, and north within the North Mississippi Regional Park (managed by Three Rivers Park District). The regional park is located between 57th Avenue and the I-694 crossing and includes a fishing pier, parking, and picnic area. The Mississippi River Trail (MRT) runs through this corridor and is managed in this stretch by Three Rivers Park District. Heavy vegetation blocks much of the river views in leafy seasons, opening up more in the winter months. Breaks in the vegetation offer peaks at the river along the trail corridor.

As part of the process for this MRCCA Plan, the City has identified 3 locations with significant public views of the river. All are located along the river's edge between 53rd and the I-694 bridge. Scattered interrupted views are present along a portion of Lyndale Avenue and MRT trail corridor. Figure X-9 maps the locations of these views. As part of the implementation process, the City will engage the public to identify additional PRCVs, if any, and prioritize the views for protection and/or improvement. **[to be updated / added]**

Figure A-9. Public Views of River Map



Views Toward Bluffs from River

As defined by the DNR's Statement of Needs and Reasonableness (SONAR), the term "readily visible" was developed to create a performance-based standard to clarify visual standards and replace the outdated and vague term "visual intrusion" from Executive Order 79-19. This clarification was requested by local governments and other stakeholders. The term refers to development that is easily seen from the ordinary high water level at the opposite shore of the Mississippi River. Proposed Minn. R. 6106.0050, subp. 60. This term is used throughout the proposed MRCCA rules, and the definition describes an appropriate level of visibility for structures from a specified vantage point and during specified conditions. The definition is not used to prohibit development, but to ensure that visual resources are considered in development review by local governments.

Readily visible views of bluffs in Brooklyn Center are limited to non-existent. Topography change is gradual in this area of the river corridor and any bluffs have been interrupted by development of the interstate and other infrastructure.

Roughly north of 57th Avenue, Durnham Island sits in the middle of the Mississippi between the shores of Brooklyn Center and Fridley. Accessible only by boat, the island is part of Anoka County's Riverfront Regional Park and Islands of Peace Park and therefor has no development. Due to its size, the island nearly entirely blocks views between the two communities of Brooklyn Center and Fridley, instead providing natural views from each community of the island.

South of 57th Avenue, Brooklyn Center is directly across from the Riverfront Regional Park in Fridley. Similar vegetation lines the river bank on the Fridley side providing some focused and occasional views of the natural riverfront in Brooklyn Center.

PRCV Policies

- Protect and minimize impacts to PRCVs from public and private development activities.
- Protect and minimize impacts to PRCVs from public and private vegetation management activities.
- Protect PRCVs located within the community and identified by other communities (adjacent or across the river).

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PRCV Implementation Actions

- Conduct community engagement to confirm and identify public river view locations.
- Ensure that information on the location of PRCVs is readily available to property owners to understand how PRCV-relevant ordinance requirements, such as vegetation management and land alteration permits, apply to their property for project planning and permitting.
- Establish procedures for processing applications with potential impacts to PRCVs, including:
 - identifying the information that must be submitted and how it will be evaluated,
 - developing visual analysis approach for CUPs for additional height in the RTC and UM districts (if applicable), as well as for proposed PUDs and variances, and
 - determining appropriate mitigation procedures/methods for variances and CUPs.
- Actively communicate with other communities to protect views other communities have identified in your community that are valuable, and vice versa.

(Note: Application procedures will be a required element of MRCCA ordinance review and approval.)

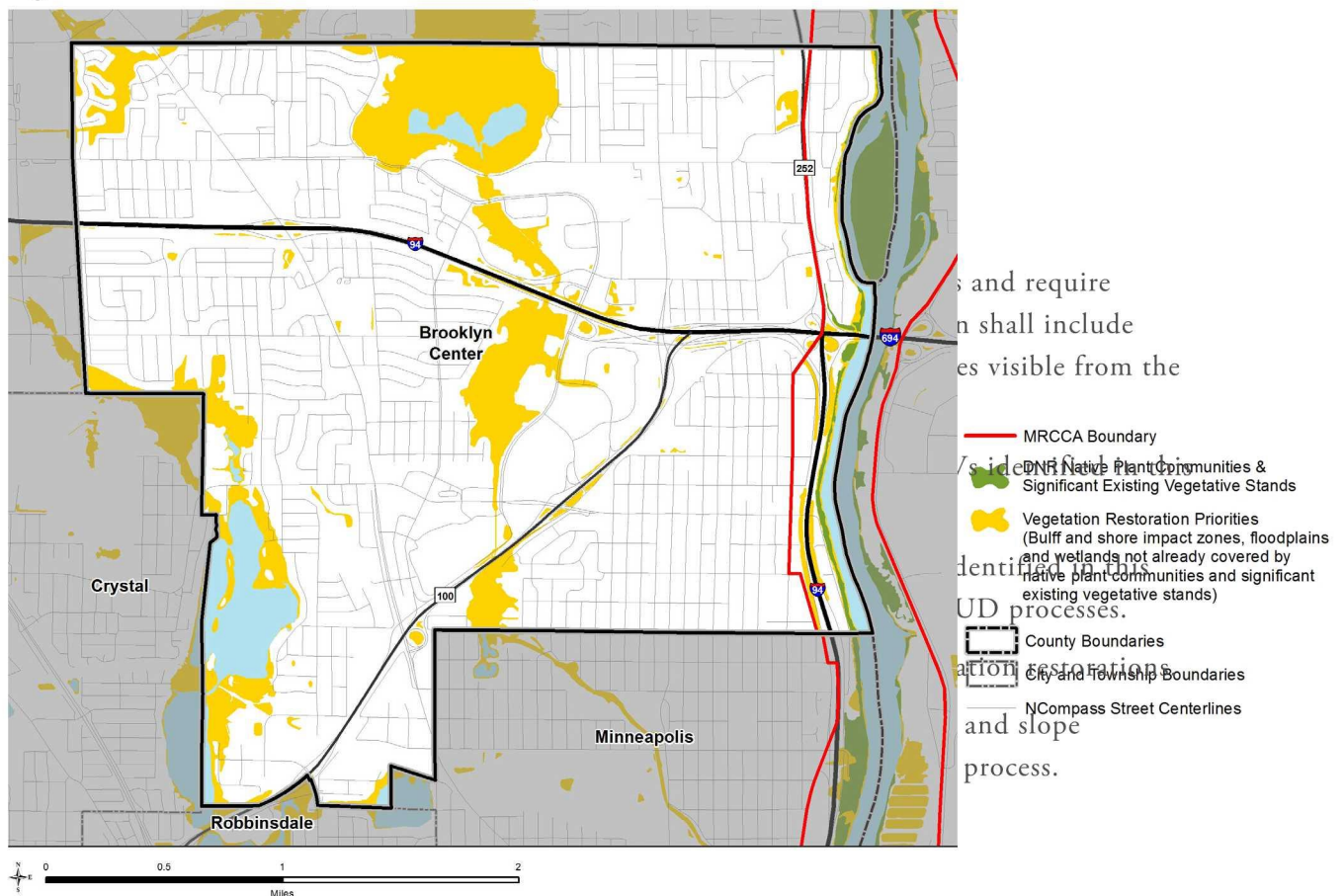
PRIORITIES FOR RESTORATION

General Overview

Natural vegetation is critical to the health of the ecosystem along the Mississippi River corridor, providing important habitat for area wildlife and natural function of plant and waterway systems. Areas of high priority for restoration of natural vegetation are identified in this plan. These areas were determined based on identifying existing significant stands of vegetation, areas of erosion, and areas of needed stabilization.

MRCCA requires communities identify areas that are priorities for restoration due to poor quality natural vegetation or bank erosion issues. Much of the river bank in Brooklyn Center is vegetated open space and park or vegetated residential land. There are no identified locations for restoration at this time. If development or redevelopment occurs within MRCCA, protection of existing vegetation or restoration will be required in accordance with MRCCA ordinance requirements. Mapping for Brooklyn Center was completed by MnDNR and Metropolitan Council. See Figure A-10.

Figure A-10. Priorities for Restoration Map



Restoration Implementation Actions

- Ensure that information on the location of natural vegetation restoration priorities is readily available to property owners to understand how relevant ordinance requirements apply to their property for project planning and permitting.
- Establish a vegetation permitting process that includes permit review procedures to ensure consideration of restoration priorities identified in this plan in permit issuance, as well as standard conditions requiring vegetation restoration for those priority areas. (Note: A vegetation permitting process is a required element of MRCCA ordinance review and approval.)
- Establish process for evaluating priorities for natural vegetation restoration, erosion prevention and bank and slope stabilization, or other restoration priorities identified in this plan in CUP, variances and subdivision/PUD processes. (Note: A process for evaluating priorities is a required element of MRCCA ordinance review and approval.)

SURFACE WATER USES

Brooklyn Center has little surface water use in the MRCCA other than recreational motorboats and paddle craft such as canoes and kayaks. There are no public boat launches or marinas in Brooklyn Center. There is a public boat launch across the river in Fridley, just south of the I-694 crossing, and part of Anoka County's Riverfront Regional Park. A paddle share location is also located just south of Brooklyn Center in the North Mississippi Regional Park managed by the Minneapolis Park & Recreation Board.

There is no barge traffic in this part of the Mississippi River corridor.

No additional policies or implementations actions are applicable for surface water use for MRCCA in the Brooklyn Center. **[CONFIRM]**

WATER-ORIENTED USES

General Overview

Water-oriented uses are limited within Brooklyn Center. Most of the land adjacent to the river is single-family residential land use, and many properties have docks for boating access. Other land use is public park and open space. One location with water-oriented use is in the North Mississippi Regional Park (Three Rivers Park District) where a fishing pier is located and picnic area overlooks the river; there is no boat access at this location. There are no proposed new water-oriented uses for the City in the 2040 planning period.

Water-oriented Policies

- Acknowledge existing and future water-oriented uses and provide for their protection.
- Minimize potential conflict of water-oriented uses with other land uses.

Water-oriented Implementation Actions

- Provide for water-oriented uses in the ordinance.

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OPEN SPACE & RECREATIONAL FACILITIES

General Overview

Open space and recreational facilities, such as parks, trails, scenic overlooks, natural areas, islands, and wildlife areas add to the quality of a community and increase opportunities for the public to access the river. One purpose of a MRCCA plan is to promote the protection, creation, and maintenance of these features and locations in each community along the metropolitan Mississippi River corridor.

Brooklyn Center benefits from the presence of the North Mississippi Regional Park and related open space along approximately half of the length of river bank in the City extending from 53rd Ave in the south to the I-694 river crossing. Within Brooklyn Center, this regional park runs between 57th Avenue north to the interstate crossing and is managed by Three Rivers Park District. Open space and trail corridor located south of 57th Avenue between Lyndale Avenue and the river, directly linking to – and functioning as an extension of – the North Mississippi Regional Park managed by the Minneapolis Park & Recreation Board just south of 53rd Avenue in Minneapolis.

The Mississippi River Trail (MRT) runs as a road-separated paved trail along most of the river corridor in the City. From the south border at 53rd Avenue to the I-694 crossing, the trail is managed by Three Rivers Park District. North of I-694, there is a gap of separated trail where the route runs along Willow Lane within the roadway. North of 57th Avenue, a separated paved trail carries on to the north and is managed by the City. The trail in this section runs parallel to Highway 252 and is separated from the Mississippi River both physically and visually. Figure A-11 illustrates the park and recreation locations in relation to the MRCCA boundary and identifies the gap of separated trail for the MRT. As part of the implementation process of this plan, it is recommended the City identify actions to establish a continuous separated paved trail experience for users of the MRT through Brooklyn Center.

Figure A-11. MRCCA and Parks and Recreation Map [TO BE COMPLETED]

In order to connect MRT trail users more to the river north of I-694, the City should look into opportunities for public access to the river. This area is directly across from Durnham Island with views of natural landscape and wildlife habitat. Public connection in this area of the City would help promote the goals of the MRCCA. Efforts should be taken to preserve these views and enhance the opportunity for the public to access these views.

Policies

- Encourage creation, connection, and maintenance of open space, recreational facilities, including public access to the river.
- Identify and encourage connection of CA-SR district land to existing and planned parks and trails, for LGUs with developable land in CA-SR districts.
- Encourage that land dedication requirements be used to acquire land suitable for public river access.

Implementation Actions

- Include facilities in the capital improvement program for parks and open space facilities.
- Develop a system for reviewing, tracking, and monitoring open space required as part of the subdivision process.
- Identify opportunities and budget for construction of road-separated paved trail between 57th Avenue and 66th Avenue along Willow Lane to complete the connection of the MRT along the west river bank. **[CONFIRM]**

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AGENDA



1. Call to Order

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet, including EDA (Economic Development Authority), is available to the public. The packet ring binder is located at the podium.

2. Roll Call

3. Approval of Consent Agenda

The following items are considered to be routine by the Economic Development Authority (EDA) and will be acted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from the consent agenda and considered at the end of Commission Consideration Items.

- a. Approval of Minutes
- Motion to approve minutes from July 23, 2018

4. Commission Consideration Items

- a. Resolution Authorizing the Acquisition of Property located at 5355 Emerson Avenue N from Hennepin County Tax Forfeited Lands
- Motion to approve a resolution Authorizing the Acquisition of Property located at 5355 Emerson Avenue (PID 01-118-21-33-011) from Hennepin County Tax Forfeited Lands

5. Adjournment

EDA ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Background:

Strategic Priorities and Values:

Operational Excellence

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

REGULAR SESSION
JULY 23, 2018
CITY HALL – COUNCIL CHAMBERS

1. CALL TO ORDER

The Brooklyn Center Economic Development Authority (EDA) met in Regular Session called to order by President Tim Willson at 8:04 p.m.

2. ROLL CALL

President Tim Willson and Commissioners, April Graves, Kris Lawrence-Anderson and Dan Ryan were present. Commissioner Marquita Butler was absent and excused. Also present were Executive Director Curt Boganey, Deputy Executive Director Reggie Edwards, Director of Public Works Doran Cote, Community Development Director Meg Beekman, Planner and Zoning Administrator Ginny McIntosh, Business and Workforce Development Specialist Brett Angell, City Attorney Troy Gilchrist, and Michaela Kujawa-Daniels, TimeSaver Off Site Secretarial, Inc.

3. APPROVAL OF AGENDA AND CONSENT AGENDA

Commissioner Lawrence-Anderson moved and Commissioner Ryan seconded to approve the Agenda and Consent Agenda, and the following item was approved:

3a. APPROVAL OF MINUTES

1. June 25, 2018 – Regular Session

3b. RESOLUTION NO. 2018-08 APPROVING AND SUPPORTING THE MINNESOTA INVESTMENT FUND APPLICATION FOR GET BIZZY, INC.

3c. RESOLUTION NO. 2018-09 ACCEPTING A PEDESTRIAN EASEMENT AGREEMENT

3d. RESOLUTION NO. 2018-10 APPROVING A LEASE AGREEMENT BETWEEN THE EDA OF BROOKLYN CENTER AND LUTHER AUTO DEALERSHIP GET BIZZY, INC.

Motion passed unanimously.

4. COMMISSION CONSIDERATION ITEMS

4a. RESOLUTION NO. 2018-11 APPROVING THE PURCHASE AND DEVELOPMENT AGREEMENT AND CONVEYANCE OF CERTAIN PROPERTY LOCATED AT 7216 BROOKLYN BOULEVARD (ADDRESS TO BE RE-ASSIGNED TO 4728 WINGARD LANE)

Business and Workforce Development Specialist Brett Angell introduced the item, discussed the history, and stated the purpose of the proposed resolution.

Councilmember Ryan asked what the estimated value of the property is currently. Mr. Angell stated about 30K. Councilmember Graves asked how far back the property goes. Mr. Angell stated about 200ft.

Councilmember Graves moved and Councilmember Ryan seconded to open the Public Hearing.

Motion passed unanimously.

No one wished to address the City Council.

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

Motion passed unanimously.

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2018-11, Approving the Purchase and Development Agreement and Conveyance of Certain Property Located at 7216 Brooklyn Boulevard (Address to be re-assigned to 4728 Wingard Lane).

Motion passed unanimously.

4b. RESOLUTION NO. 2018-12 ESTABLISHING A REVOLVING LOAN FUND PROGRAM

President Willson asked if there is a minimum wage that can be enforced for this program. Mr. Angell stated there is. He stated it would be \$15.00 per hour and it can be written into the loan documentation.

Mr. Boganey stated they can bring the information back to the City Council/EDA to review once the minimum wage amounts are added to it.

There was a consensus to bring this item back for City Council/EDA review once updated as well as to provide prevailing wage law information for review.

Commissioner Lawrence-Anderson asked if there was any risk to the City with this loan program. City Attorney Troy Gilchrist stated there doesn't seem to be any more risk than with other loans. He stated it seems to be working well for other cities.

Councilmember Ryan moved and Councilmember Graves seconded to adopt RESOLUTION NO. 2018-12, Establishing a Revolving Loan Fund Program

Motion passed unanimously.

5. ADJOURNMENT

Commissioner Graves moved and Commissioner Ryan seconded adjournment of the Economic Development Authority meeting at 8:31 p.m.

Motion passed unanimously.

EDA ITEM MEMORANDUM

DATE: 10/8/2018

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Brett Angell, Business and Workforce Development Specialist

SUBJECT: Resolution Authorizing the Acquisition of Property located at 5355 Emerson Avenue N from Hennepin County Tax Forfeited Lands

Background:

The single family home which was located at 5355 Emerson Ave N was damaged by a fire in 2013 and was vacant until the home was subsequently torn down in 2015. Prior to demolition the property fell into disrepair and property records indicate the City abated the property and the costs to demolish the home were assessed to the property taxes.

The property is a total of 0.12 acres (5,122 sq. ft.) with an approximate lot width of 40 feet and a depth of 130 feet. The property is zoned R1: Single Family Residential and the lot is guided to be redeveloped into a single family home in the future.

The total price for the acquisition of the lot from Hennepin County Tax Fortified lands is \$27,228.55. The purchase price is based off of the following:

- Market Value: \$25,000.00
- Specials After Forfeiture: \$1,274.97
- Assurance Fee (3%): \$788.25
- State Deed Preparation Fee: \$25.00
- Filing Fees: \$51.00
- State Deed Tax: \$89.33

The EDA currently owns the property directly to the north, 5357 Emerson Avenue N. The EDA acquired this property in July 2016 for a purchase price of \$60,000. At the time of the EDA purchasing 5357 Emerson, the intent was to combine the lot with 5355 Emerson and to sell the property to be redeveloped into a single family home.

Upon approval by the EDA, the approved resolution and a check will be mailed to Hennepin County for the above mentioned purchase price. Upon acquiring the property, the City will have the ability to combine the property with the property to the north to be sold for redevelopment into a single family home. The combined lot would have a width of 80 feet and depth of 130 feet and total square footage of 10,400 sf, which exceeds minimum lot requirements.

Budget Issues:

TIF 3 Housing Fund will be used for the acquisition of the property.

Strategic Priorities and Values:

Targeted Redevelopment

Commissioner _____ introduced the following resolution and moved its adoption:

EDA RESOLUTION NO. 2018- ____

RESOLUTION APPROVING THE ACQUISITION OF CERTAIN PROPERTY
LOCATED AT: 5355 EMERSON AVENUE NORTH, BROOKLYN CENTER, MN

BE IT RESOLVED by the Board of Commissioners (“Board”) of the Economic Development Authority of Brooklyn Center, Minnesota (“Authority”) as follows:

Section 1. Recitals.

1.01. The Authority is authorized pursuant to Minnesota Statutes, Sections 469.090 to 469.1081 (the “EDA Act”), to acquire and convey real property and to undertake certain activities to facilitate the development of real property by private enterprise.

1.02. To facilitate development of certain property in the City of Brooklyn Center, Minnesota (the “City”), the Authority desire to acquire from Hennepin County a tax forfeited parcel (PID 01-118-21-33-0111) located at: 5355 Emerson Avenue North, situated in the State of Minnesota, County of Hennepin, and which is legally described as follows:

Lot 2, Block 3, N. & E. Perkins Addition to Minneapolis, Hennepin County, Minnesota

(the “Property”).

1.03. The Authority finds and determines that the acquisition of the Property is in the public interest and will further the objectives of its general plan of economic development.

1.04. The Authority is a governmental subdivision for the purposes of acquiring tax forfeited property and desires to obtain the Property directly (without a conditional use deed) for an authorized public purpose.

Section 2. Authority Approval; Further Proceedings.

2.01. The Board hereby approves acquiring the Property by paying market value and related costs as indicated in the Tax Forfeited Land Cost Sheet for Governmental Subdivision dated August 28, 2018 prepared by Hennepin County (as it may be revised by the County).

2.02. Authority staff and officials are authorized to take all actions necessary to acquire the Property including, without limitation, execution of documents (including a revised resolution form if needed) and issuance of payment as may be needed for the Authority to acquire the Property.

October 8, 2018

Date

President

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Tools View Mailing Labels Print

mbeckman Log Out Change Password FAQ

Linear: Feet Area: Acres Measure Measure Geometry Measure Units Zoom In Zoom Out Previous Next Markup Clear All Markup Geometry Markup Color Markup Transparency About Overview

5355 Emerson

Search: BC Search 1 Possible matches

PID	OwnerName	PropertyAddress
0111821330111	HENNEPIN FORFEITED LAND	5355 Emerson Ave

Summary Detail

PID: 0111821330111
5355 EMERSON AVE N 55430

Legal Information

Display PID	01-118-21-33-0111
Parent PID	
School District	0286
Lot	002
Block	003
Addition #	89675
Addition Name	N. & E. Perkins Addition To Minneapolis
Property Name	
Owner Change	06/01/2017
Metes & Bounds	

Owner Information

Owner 1

First Name	
Last Name	HENNEPIN FORFEITED LAND
Full Name	HENNEPIN FORFEITED LAND
Address 1	A-600 Government Center
Address 2	300 South 6th Street
Address 3	
Address 4	Minneapolis, MN 55487

Owner 2

First Name	
Last Name	
Full Name	
Address 1	
Address 2	
Address 3	
Address 4	

Zonina Information

Lon: -93.2918° Lat: 45.0528°

LOGIS ©2018
Version: 2.2.0.0

The screenshot displays the Logis Map web application interface. The main map area shows an aerial view of a residential neighborhood. A red-roofed house is highlighted with a red rectangle. The address '5355' is visible on the house. The map includes a scale bar (0 to 30 feet) and a coordinate display at the bottom: Lon: -93.2950° Lat: 45.0526°.

The interface includes a toolbar with the following tools:

- Tools: Measure, Measure Geometry, Polygon, Linear (Feet), Area (Acres), Measure Units.
- Navigation: Zoom In, Zoom Out, Previous, Next, Markup, Clear All, Markup Geometry, Markup Color, Markup Transparency.
- Help: About, Overview.

The right-hand panel contains the following information:

Search: 5355 Emerson
Search: BC Search 1 Possible matches

PID	OwnerName	PropertyAddress
0111821330111	HENNEPIN FORFEITED LAND	5355 Emerson Ave

Summary Detail

PID: 0111821330111
5355 EMERSON AVE N 55430

Legal Information

Display PID	01-118-21-33-0111
Parent PID	
School District	0286
Lot	002
Block	003
Addition #	89675
Addition Name	N. & E. Perkins Addition To Minneapolis
Property Name	
Owner Change	06/01/2017
Metes & Bounds	

Owner Information

Owner 1

First Name	
Last Name	HENNEPIN FORFEITED LAND
Full Name	HENNEPIN FORFEITED LAND
Address 1	A-600 Government Center
Address 2	300 South 6th Street
Address 3	
Address 4	Minneapolis, MN 55487

Owner 2

First Name	
Last Name	
Full Name	
Address 1	
Address 2	
Address 3	
Address 4	

Zonina Information

LOGIS ©2018
Version: 2.2.0.0

**Council/EDA Work
Session**

City Hall Council Chambers
October 8, 2018

AGENDA



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

ACTIVE DISCUSSION ITEMS

1. Honey Beekeeping
2. Brooklyn Center School District Request for an Interim Use Permit
3. Eastbrook Estates Development Proposals

PENDING LIST FOR FUTURE WORK SESSIONS

1. Future Pending Items
 - Cities United Membership
 - ADA Transition Plan - October 22
 - Liquor/Public Dance Ordinance - October 22
 - Livable Wages
 - Semi Truck Parking Ordinance
 - Transient Accommodations - November
 - International Property Maintenance Code - October 22

MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/8/2018

TO: Curt Boganey, City Manager

FROM: Meg Beekman, Community Development Director

SUBJECT: Honey Beekeeping

Recommendation:

- Consider providing direction to staff of the enforcement of the code as it pertains to Honey Beekeeping

Background:

The City received a complaint regarding a resident keeping honey bees on their property. This is the first such complaint in recent memory. The City's Code Enforcement Inspector did investigate and confirm the keeping of honey bees on the property.

You may recall that on May 29th staff presented the issue of bee keeping to the City Council; however, the discussion largely focused on the keeping of native pollinator bees. At that meeting we informed the Council that the City Code is largely silent on the keeping of bees, but that the language that did exist could be interpreted to prohibit the keeping of honey bees; however, the City's past practice has been to not prohibit the keeping of honey bees. We asked the Council to provide direction on whether staff ought to amend the ordinance.

The Council's direction as staff understood it was to not make any changes to the ordinance, and discussion ensued on the allowance of native bee habitats, provided they also were in keeping with other property maintenance code provisions. The minutes from the meeting did not include the Council's direction on honey bees specifically.

The City Attorney, has since reviewed the City Code, and does feel that the current code prohibits the keeping of honey bees. While the City does not need to enforce this provision, Staff would recommend that if the City Council does want to expressly allow honey bees that the ordinance should be amended to more clearly state this. Amending the City Code would put the City on firmer legal footing should ever a lawsuit occur regarding the non-enforcement of this particular item.

If the Council wants to prohibit honey bees, the ordinance would not need to be amended; however, it would be helpful if the Council provided clear direction in this regard, since it would constitute a change in past practice.

Policy Issues:

- Does the Council want to continue to allow honey bees?
- Should the City Code be modified to expressly allow honey bees?

Strategic Priorities and Values:

Safe, Secure, Stable Community

MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/8/2018

TO: Curt Boganey, City Manager

FROM: Meg Beekman, Community Development Director

SUBJECT: Brooklyn Center School District Request for an Interim Use Permit

Recommendation:

- Consider a proposal from the Brooklyn Center High School regarding an Interim Use Permit and an amendment to the City Code of Ordinances

Background:

The Brooklyn Center School District is embarking on a significant renovation of the existing Brooklyn Center Middle and High School. In order to accommodate the most efficient construction schedule, the School District is expecting to relocate a number of high school students into temporary classrooms offsite for approximately two years.

The School District has identified the former Brown College building as a suitable location to relocate their classroom space on a temporary basis. The relocation will require some renovation of the currently vacant building in order to make it suitable for student use. They would like to enter into a 20 month lease with the owner of the property and begin renovations as soon as possible in order to have it ready for students by January.

In order to accommodate the use of the building as temporary high school space a number of procedural actions need to occur. The building is currently zoned C-2, which does not allow K-12 education as a permitted use. The property is also in the Central Commerce Overlay District, which also includes a prohibition on K-12 educational uses.

The Zoning Code does have a provision that allows temporary classrooms as an interim use on properties already occupied by schools, through an Interim Use Permit. The Interim Use Permit process is similar to the City's Special Use Permit Process in that it requires a public hearing before the Planning Commission and approval from the City Council, however, the City may place a sunset date on Interim Use Permits, which is not allowed with Special Use Permits.

If the Council is amenable to the use of the former Brown College building as temporary classroom space, this can be accommodated through an amendment to the current Interim Use Permit provision for temporary classroom space, and minor modifications to the C-2 and Central Commerce Overlay Districts.

The School District is facing urgency to move forward with signing a lease and beginning improvements to the building in order to have the space ready for students by January. In order to accommodate their timeline, they are requesting that the City Council consider adopting an interim ordinance that gives the School District the confidence to sign a lease and begin their work, while the ordinance amendments and Interim Use Permit application moves its way through the City's typical process. This is a similar process to the one the City went through to accommodate Luther Auto Dealership's request for off-site storage.

After consulting with the City Attorney, he feels that the City can process the interim ordinance through a resolution, rather than an emergency ordinance, which could be brought before the City Council as soon as October 22nd if the Council chooses to move forward.

Policy Issues:

Staff is seeking direction on the following items:

- Does the City Council feel that the former Brown College building is a suitable location for temporary high school classroom space?
- Is the Council open to accommodating the School District's request to amend it's ordinances to allow the School District to use the former Brown College building?
- Is the City Council open to a process that would adopt ordinance changes through an emergency ordinance or resolution to allow the School District to move forward with signing a lease and beginning renovations to the building?

Strategic Priorities and Values:

Targeted Redevelopment

MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/8/2018

TO: Curt Boganey, City Manager

FROM: Meg Beekman, Community Development Director

SUBJECT: Eastbrook Estates Development Proposals

Recommendation:

- Consider Eastbrook Estates Development proposals and provide direction

Background:

The EDA owns approximately 8 acres of undeveloped, contiguous land just to the west of Highway 252 and south of 69th Avenue N. The property was acquired in 2011 by the EDA after the owner failed to complete the platting and development of the Eastbrook Estates 2nd Addition. The EDA acquired the property for the purpose of preserving it for future residential housing opportunities. The property was acquired for \$250,000 using TIF 3 pooled housing funds. These funds are set aside specifically to be used to catalyze the development of affordable housing. If affordable housing is not the final use on the property, then the funds will need to be paid back to the district.

The City has recently been in communication with a number of residential housing developers. Through that process several developers have expressed strong interest in the site. In order to fairly and effectively evaluate each potential project, staff asked interested parties to submit a proposal by the end of September.

Three developers submitted proposals to develop the property; Alatus, Pulte, and Centra. Each proposal includes a concept layout for the site, number of units, type of product, anticipated sale price of the units, and a high level proforma that offers a land value.

All of the proposals indicate that some additional private property will need to be acquired in order to accommodate the new housing. Each proposal assumes an amount for acquisition of this property. If the properties cannot be acquired, or the actual amount is different than the assumed amount, then the projects may need to be altered or the land value adjusted.

The proposals will be shared with the City Council at the work session and City Council will have an opportunity to review them. The three proposals vary widely, and the Council will be asked to evaluate and weigh:

- Offer of purchase price for the land
- Concept layout
- Product type
- Number of units
- Anticipated sale price for the units
- Assessed value of the development once completed

The Council may choose to select a developer the evening of October 8th; however, if the Council has more questions staff could also arrange to have one or more of the developers come back to the Council at a future meeting for a more robust conversation.

Strategic Priorities and Values:

Targeted Redevelopment



MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/8/2018

TO: Curt Boganey, City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Future Pending Items

Recommendation:

- Cities United Membership
- ADA Transition Plan - October 22
- Liquor/Public Dance Ordinance - October 22
- Livable Wages
- Semi Truck Parking Ordinance
- Transient Accommodations - November
- International Property Maintenance Code - October 22

Background: