Monday, January 28, 2019
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

REGULAR COUNCIL MEETING – AGENDA #3

If due to a disability, you need auxiliary aids or services during a City Council Meeting, please provide the City with 72 hours' notice by calling 763-493-8141 or faxing 763-493-8391.

Our Vision: Brooklyn Park, a thriving community inspiring pride where opportunities exist for all.

Our Brooklyn Park 2025 Goals:

• A united and welcoming community, strengthened by our diversity • Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination • A balanced economic environment that empowers businesses and people to thrive • People of all ages have what they need to feel healthy and safe • Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper • Effective and engaging government recognized as a leader

I. ORGANIZATIONAL BUSINESS

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT AND RESPONSE 7:00 p.m. Provides an opportunity for the public to address the Council on items which are not on the agenda. Public Comment will be limited to 15 minutes *(if no one is in attendance for Public Comment, the regular meeting may begin*), and it may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Individuals should limit their comments to three minutes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Public Comment 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.

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

3A. APPROVAL OF AGENDA (Items specifically identified may be removed from Consent or added elsewhere on the agenda by request of any Council Member.)

3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B.1 Presentation About Impending Immigration Deadline

A. SUMMARY OF 2017 IMMIGRATION ACTION ITEMS

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

4. CONSENT (All items listed under Consent, unless removed from Consent in agenda item 3A, shall be approved by one council motion.) Consent Agenda consists of items delegated to city management or a commission but requires council action by State law, City Charter or city code. These items must conform to a council approved policy, plan, capital improvement project, ordinance or contract. In addition, meeting minutes shall be included.

4.1 Approve Plans and Order Advertisement for Bid for 2019 Street Reconstruction Project, CIP 4003-19

A. RESOLUTION
B. LOCATION MAP
C. CONSTRUCTION PLAN SHEETS

4.2 Accept Bids and Award Contract for the Repair of Raw Water Supply Piping at the Water Treatment Plant to Magney Construction Inc.

A. RESOLUTION
B. LETTER OF RECOMMENDATION FROM SAMBATEK ENGINEERS
C. BID TAB

4.3 Set a Public Hearing on February 11, 2019 to Consider the Issuance of an On-Sale Wine License for Linh Huynh Food Inc. Doing Business As Kim Anh Restaurant Located at 8586 Edinburgh Center Dr N

A. PUBLIC HEARING NOTICE

4.4 Renew the Agreement with Cornerstone to Provide Victims and Families of Domestic Violence Advocacy Services Based out of the Police Department

A. RESOLUTION

4.5 Letters of Credit/Bond Releases, Escrow/Cash Bond Releases

4.6 Authorize the Purchase and Funding of Police Vehicles to Replace Totaled Squads

A. RESOLUTION

4.7 Approval of Minutes

A. CITY COUNCIL WORK SESSION MINUTES, NOVEMBER 6, 2017

B. CITY COUNCIL SPECIAL MEETING MINUTES, FEBRUARY12, 2018

C. CITY COUNCIL MEETING MINUTES, JANUARY 7, 2019

The following items relate to the City Council's long-range policy-making responsibilities and are handled individually for appropriate debate and deliberation. (Those persons wishing to speak to any of the items listed in this section should fill out a speaker's form and give it to the City Clerk. Staff will present each item, following in which audience input is invited. Discussion will then be closed to the public and directed to the council table for action.)

5. PUBLIC HEARINGS

5.1 Three Rivers Park District/City of Brooklyn Park – Waiver of Platting #19-100 to Subdivide 37.66 Acres into Two Parcels for the Future Highway 169/101st Avenue Interchange and Purchase 2.3 Acres of the Property

A. RESOLUTION – WAIVER OF PLATTING

B. RESOLUTION – PROPERTY PURCHASE

C. LOCATION MAP

D. PLANNING AND ZONING INFORMATION

E. PLANNING COMMISSION MINUTES

F. PLANS

G. PURCHASE AGREEMENT

H. APPRAISAL

6. LAND USE ACTIONS

6.1 Oak Village (D.R. Horton) – Preliminary Plat and Conditional Use Permit for a 56-Unit Townhome Development Southwest Corner of Oak Grove Pkwy. and Regent Avenue N.

A. RESOLUTION – PRELIMINARY PLAT

B. RESOLUTION – CONDITIONAL USE PERMIT

C. LOCATION MAP

D. PLANNING AND ZONING INFORMATION

E. PLANNING COMMISSION MINUTES

F. OXBOW COMMONS DEVELOPMENT PLAN

G. DEVELOPER'S NARRATIVE

H. PLANS

6.2 City of Brooklyn Park – Rezoning #18-112 to Rezone Eight Business Parcels from Business Park (BP) to General Business District (B3) at 8500, 8501, 8504, 8508, 8509, 8511, and 8517 Xylon Avenue N.; and 8501-8509 Wyoming Avenue N.

A. ORDINANCE

B. LOCATION MAPS

C. ZONING CODE USE TABLE

D. PLANNING COMMISSION MINUTES

E. LETTER FROM PUBLIC STORAGE

6.3 City of Brooklyn Park – FIRST READING of an Ordinance to Rezone Specific Properties Related to Transit Orientated Development at Five Station Areas

A. ORDINANCE

7. GENERAL ACTION ITEMS

7.1 Approval of Mayor's travel

7.2 2019 Legislative Priorities and Positions

A. 2019 LEGISLATIVE PRIORITIES AND POSITIONS

7.3 Consider Approving Submittal of an Application to the Minnesota Department of Employment and Economic Development under the Job Creation Fund (JCF) Program

A. RESOLUTION

B. JCF SUPPORT REQUEST LETTER

III. DISCUSSION – These items will be discussion items but the City Council may act upon them during the course of the meeting.

8. DISCUSSION ITEMS

8.1 Comprehensive Transportation Update

IV. VERBAL REPORTS AND ANNOUNCEMENTS

9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS

V. ADJOURNMENT

Since we do not have time to discuss every point presented, it may seem that decisions are preconceived. However, background information is provided for the City Council on each agenda item in advance from city staff and appointed commissions, and decisions are based on this information and past experiences. If you are aware of information that has not been discussed, please raise your hand to be recognized. Please speak from the podium. Comments that are pertinent are appreciated. Items requiring excessive time may be continued to another meeting.

City of Brooklyn Park
Request for Council Action

Agenda Item:	3B.1	**Meeting Date:**	January 28, 2019
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	**Originating Department:**	Administration
Resolution:	N/A	**Prepared By:**	Wokie Freeman-Gbogba, Assistant City Manager
Ordinance:	N/A		
Attachments:	1	**Presented By:**	Jay Stroebel, City Manager Jackson K. George, Jr., Honorary Consul General, Republic of Liberia
Item:	Presentation About Impending Immigration Deadline		

City Manager's Proposed Action:

Presentation of information regarding impending immigration deadline**.**

Overview:

Thousands of Brooklyn Park residents, particularly Liberians, will be affected when a temporary protected immigration status expires in March 2019. Jackson K. George, Jr., Honorary Consul General of the Republic of Liberia, will present information about this impending deadline and the potential impacts on the community in Minnesota and in Liberia.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A SUMMARY OF 2017 IMMIGRATION ACTION ITEMS

Immigration Action Items Update

City Council

December 11, 2017

Assistant City Manager Wokie Freeman-Gbogba &
Chief Craig Enevoldsen

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March 27, 2017

City Council adopted:

Resolution Declaring Support for Refugees and Immigrants

Immigrants help Brooklyn Park thrive as…

Business owners

Employees

Community leaders

Students

Nonprofit leaders

City staff

Neighbors

And MORE!

Key Learnings

- Uncertainty of federal immigration policy and enforcement
- Brooklyn Park home to many in Temporary Protected Status (TPS), Deferred Enforced Departure status (DED) and Deferred Action for Childhood Arrivals (DACA)
- Anxiety of the unknown exists in community
- Limited city government role, however potential for significant impact (schools, housing, economy, etc.)
- Community partners developing resources

Conclusions

- Many are looking for reassurance that the City is supportive of immigrant and refugee community members
- Community members need information and resources
- There was/is an interest in having more reassurance and information from the police on their policies and practices related to immigrants
- Fear of families being separated due to increased enforcement of immigration policy/practice changes

City actions in response to community concerns

- "All Are Welcome" signs in city buildings
- Trained and gave staff resources to share with community
- Supported immigration-related events
  - Sponsored and tabled at World Refugee Day event
- Used City communication platforms to provide info and access to legal advice

City actions in response to community concerns

- Partnered with Hennepin Technical College (HTC), the Human Rights Commission, and Brooklyn Park Library on *When Home Won't Let You Stay* refugee exhibit and event
- Partnered with HTC, Joint Community Police Partnership, and the Multicultural Advisory Committee on the *Green Card Voices* exhibit and event

Date	Activities RE: Police response to federal Executive Orders and Council Resolution
January 21	Draft policy presented to MAC (Multi-Cultural Advisory Committee) for review/comments
Jan 30	Presentation to Council during Council orientation night
February 1	Letter from Mayor released to community and Police immigration policy posted online. A Channel 12 story followed.
February 1	Chief Enevoldsen met with (Human Rights Commission Chair) and Alfreda Daniels (NW Suburbs Community and Labor Coalition) to discuss police policy
Feb 13	Resolution in support of immigrants proposed and tabled by the City Council
Feb 15	Staff "Lunch and Learn" to discuss impacts on community and staff members
Feb 17	Discussion with Law Firm DeLeon and Nestor about policy.
Feb 18	MAC meeting to discuss their comments on immigration policy
Feb 23	Presentation/Discussion with Chief Enevoldsen at monthly Community Engagement event
Feb 24	Presentation/Discussion with Chief Enevoldsen with faith leaders of BAMA
Feb 25	MN Acts Now Immigration forum – Chief and Mayor Lunde were on the panel.
Feb 27	Public comments at City Council meeting on this topic
March 6	Presentation by immigration attorney and Chief Enevoldsen to City Council and Q&A with the community
March 15	Chief Enevoldsen met with representatives from Freedom Cities and Think Again Brooklyns to discuss ACLU policy recommendations

Date	Activities RE: Police response to federal Executive Orders and Council Resolution
March 16	Human Rights Commission reviewed and added potential actions the Council could direct staff to take
March 20	Public comments at City Council meeting on this topic
March 21	Think Again Brooklyns forum on immigration – Chief Enevoldsen on the panel
March 23	Community Engagement Gathering – Community gave feedback on potential action steps the City could take to address BP immigrant communities' concerns
March 25	Immigration workshop at the CAC hosted by MN Acts Now and City sponsored
March 27	Council passed Resolution Declaring Support for Immigrants
April 15	Immigration Workshop and Panel "We all want to get home safely" with JCPP and Gentlemen's Club of Suburban Hennepin (Liberian community members)
May-June	Police policy amended based on community conversations and legal review to remain in compliance with Chapter 1373
August 16	City Manager, CM Jacobson and Police Chief met with NW Coalition to discuss changes to police policy
Nov 8	MN Acts Now Community/Police forum – Chief Enevoldsen on the panel
Nov 9	Chief shares updated policy on immigration with the community

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City of Brooklyn Park
Request for Council Action

Agenda Item:	4.1	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Operations and Maintenance Engineering Services Division
Resolution:	X		
Ordinance:	N/A	**Prepared By:**	Jason Ives, Senior Project Manager
Attachments:	3	**Presented By:**	Jesse Struve, P.E., City Engineer
Item:	Approve Plans and Order Advertisement for Bid for 2019 Street Reconstruction Project, CIP 4003-19		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING PLANS AND ORDERING ADVERTISEMENT FOR BID FOR 2019 STREET RECONSTRUCTION PROJECT, CIP 4003-19.

Overview:

Operations and Maintenance (O&M) staff rate the condition of city roadways on an annual basis. Based on these ratings, O&M has an extensive pavement rehabilitation program that utilizes seal coating, overlays, and mill and overlay methods to extend the life of the city's roads. Unfortunately, even with proper maintenance, roadways eventually need to be reconstructed.

Based on the annual street condition assessments, there is a portion of the southwest part of town in need of rehabilitation beyond the city's normal maintenance plan. The adopted 2018-2022 Capital Improvement Plan (CIP) includes a large area to be reconstructed in 2019 (see attached). The first three areas were reconstructed in 2016, 2017 and 2018.

The plans will address any deficiencies in existing utilities, preliminary design considerations and alternatives, and provide an estimate of probable cost. Staff held two neighborhood meetings prior to bringing the plans to the Council. The first meeting was oriented toward listening to resident concerns (drainage, sight lines, etc.) and in the second meeting staff proposed plans and impacts to properties. There are concerns throughout the project with watermain breaks and issues with tree roots in the sanitary sewer. Staff has analyzed the project and determined a full replacement of the watermain and sanitary sewer systems are necessary, cost-effective, and feasible from an engineering standpoint.

The proposed schedule for the project is as follows:

- January 28, 2019 – Council Accepts Plans and Orders Advertisement for Bid
- March 12, 2019 – Bid Opening
- March 25, 2019 – Award Contract
- April / May 2019 – Start Construction
- October 2019 – Complete Construction

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The project is included in the adopted 2018-2022 Capital Improvement Plan (CIP) for a scheduled 2019 completion as Project No. 4003-19 with an estimated cost of $3,550,000. All project costs will be paid using

franchise fees and utility enterprise funds (watermain, sanitary sewer and storm sewer). There will be no assessments to the property owners.

Attachments:

4.1A RESOLUTION
4.1B LOCATION MAP
4.1C CONSTRUCTION PLAN SHEETS

RESOLUTION #2019-

RESOLUTION APPROVING PLANS AND ORDERING ADVERTISEMENT
FOR BID FOR 2019 STREET RECONSTRUCTION PROJECT, CIP 4003-19

WHEREAS, the City Engineer has prepared plans for the following improvements to wit:

CIP 4003-19: 2019 Street Reconstruction Project bounded by 63rd Avenue North on the north, 62nd Avenue North on the south, Zealand Avenue North on the west and Sunny Lane North on the east.

WHEREAS, said project is included in the City's 2018-2022 CIP as CIP #4003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park.

1. Such plans, a copy of which is attached hereto and made a part hereof, are hereby approved.

2. The City Clerk shall prepare and cause to be inserted in the official paper and online for bids upon the making of such improvement under such approved plans. The advertisement shall be published as required by law, shall specify the work to be done, shall state that bids will be opened at 11:30 a.m. on March 12, 2019 in the Council Chambers at City Hall, and that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cashier's check, bid bond or certified check payable to the City of Brooklyn Park for not less than 5% of the amount of such bid.

LOCATION MAP
PROPOSED 2016–2019
STREET RECONSTRUCTION

PROJECT AREA

AREA LIMIT

Brooklyn Park

NO SCALE

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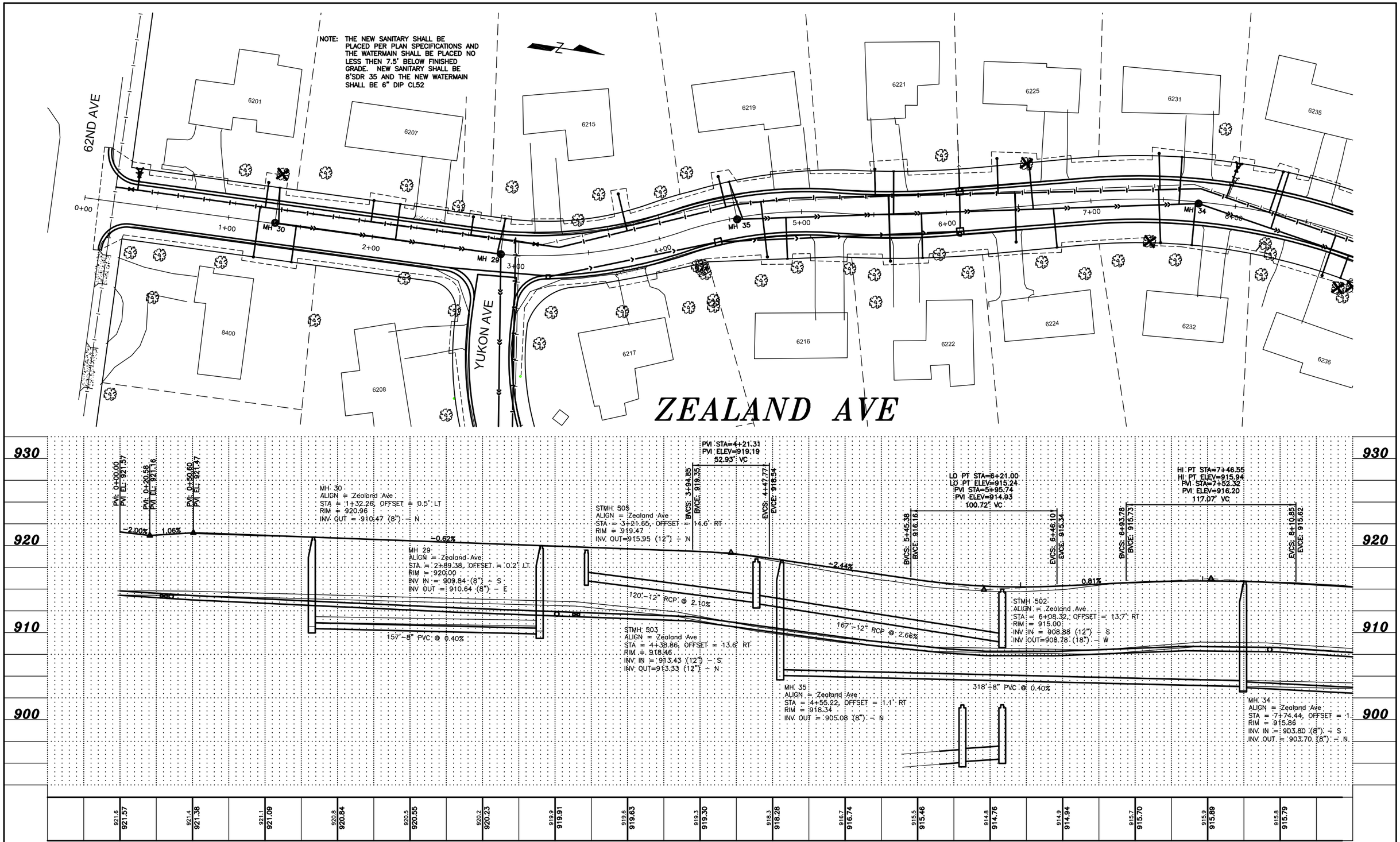

NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION

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I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

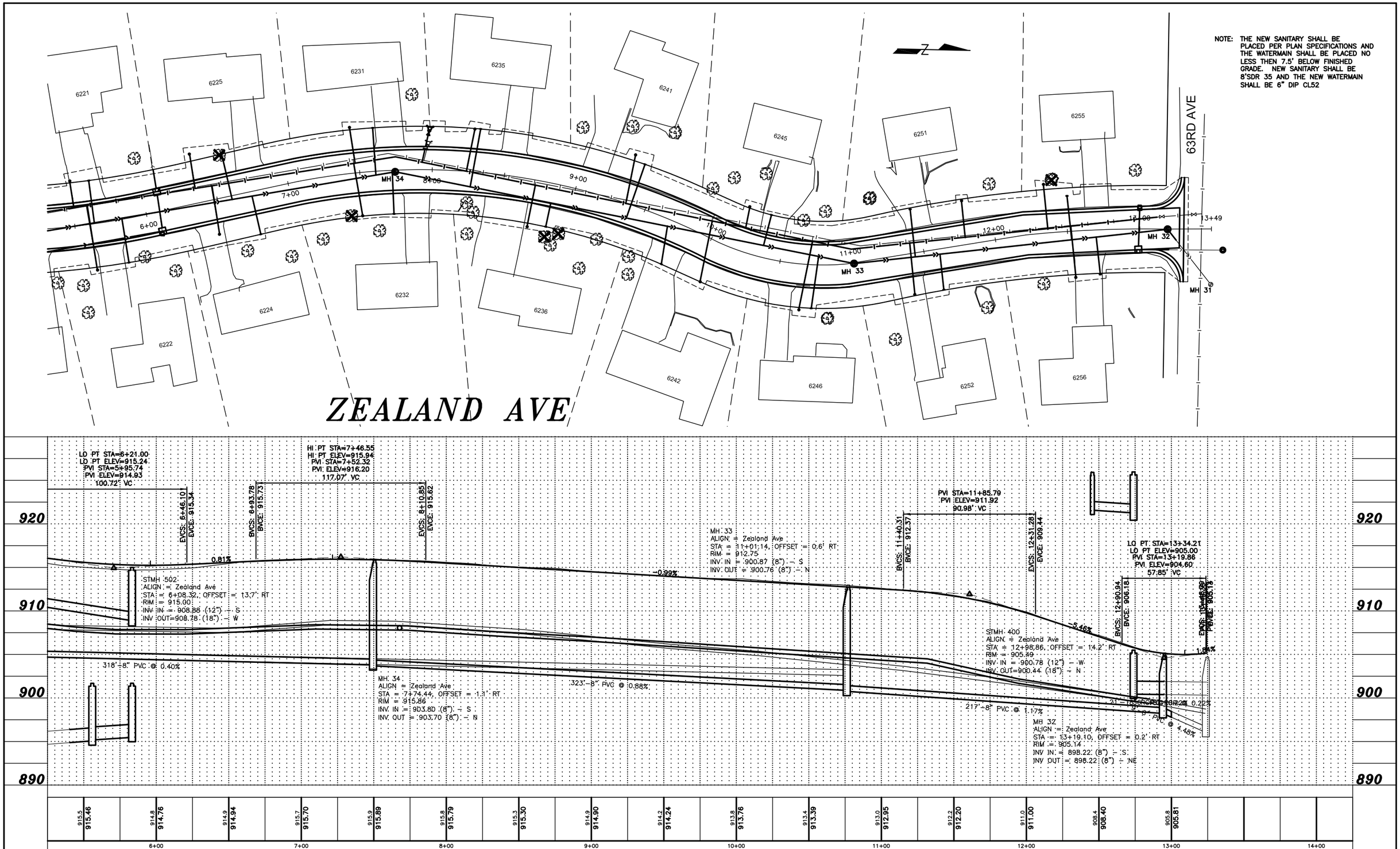
CRAIG RUNNAKKO, P.E. CONSTRUCTION ENGINEER

DATE ? LIC.NO. 26155

ZEALAND AVE
62ND AVE - 63RD AVE
STA 0+00 - 8+70

CAPITAL IMPROV. NO.	DRAWN BY	DATE APPROVED	SHEET
4003-19	TEH	1/28/2019	?
	DESIGNED BY CER	HORIZ. SCALE 1"=30'	OF
STATE AID PROJ. NO.	CHECKED BY JMS	VERT. SCALE 1"=5'	?

NOTE: THE NEW SANITARY SHALL BE PLACED PER PLAN SPECIFICATIONS AND THE WATERMAIN SHALL BE PLACED NO LESS THEN 7.5' BELOW FINISHED GRADE. NEW SANITARY SHALL BE 8"SDR 35 AND THE NEW WATERMAIN SHALL BE 6" DIP CL52



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ZEALAND AVE
62ND AVE - 63RD AVE
STA 5+25 - 14+00

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STATE AID PROJ. NO.

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DATE APPROVED 1/28/2019
DESIGNED BY CER
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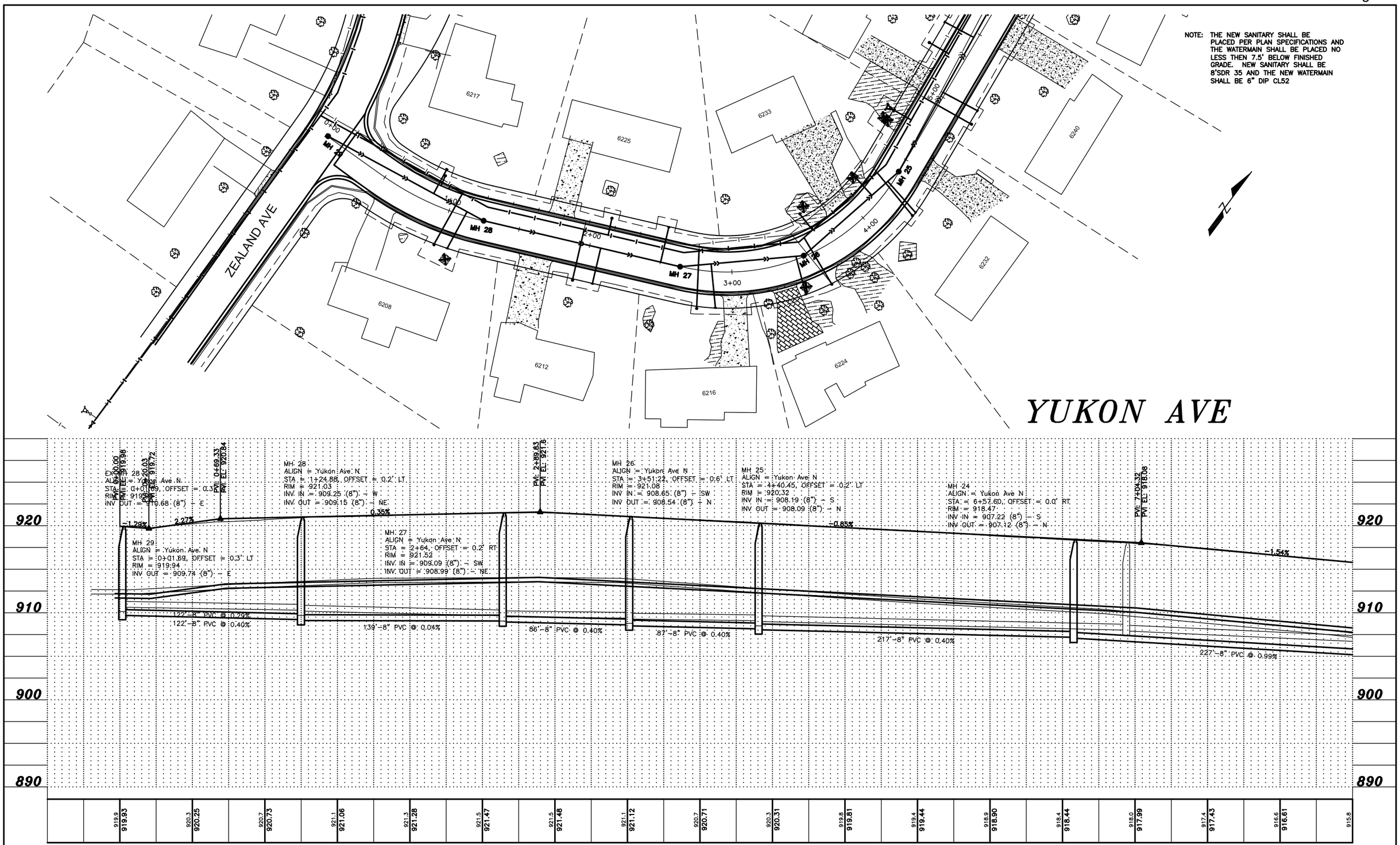

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CRAIG RUNNAKKO, P.E. CONSTRUCTION ENGINEER
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YUKON AVE
ZEALAND AVE - 63RD AVE
STA 0+00 - 5+50

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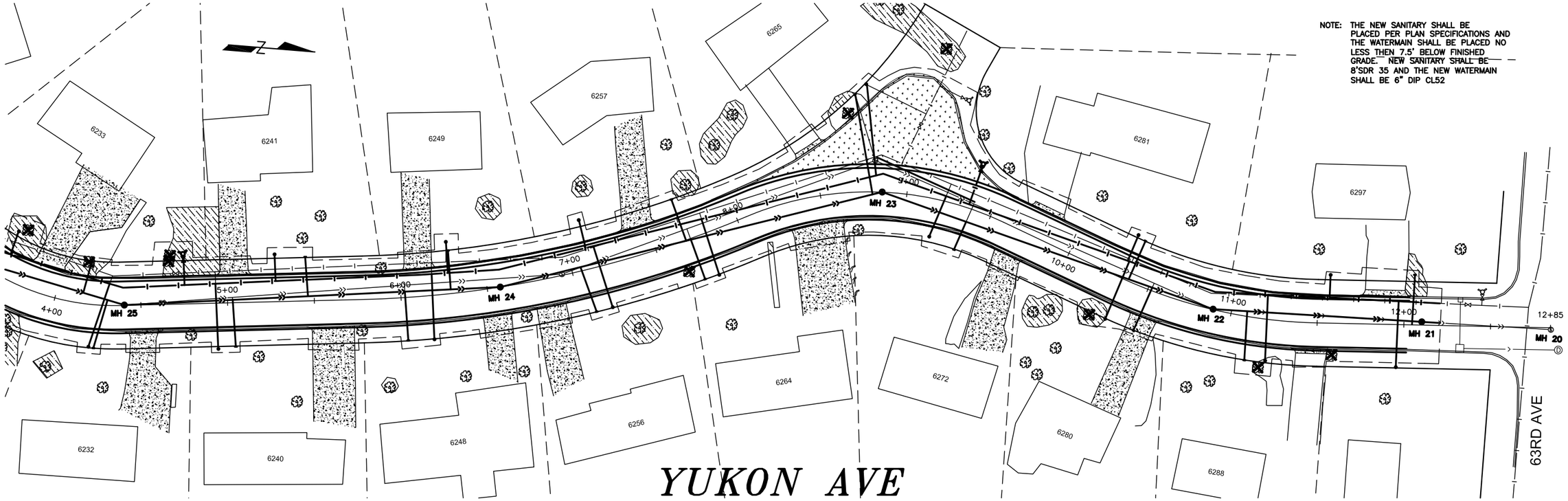

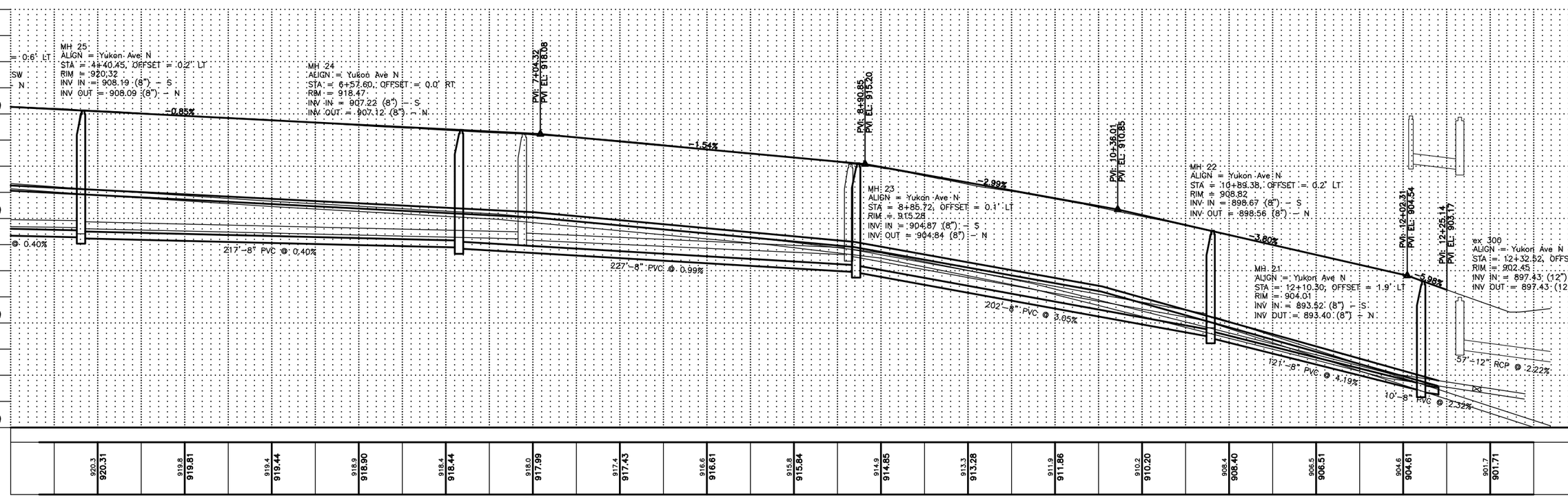

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YUKON AVE
ZEALAND AVE - 63RD AVE
STA 5+50 - 13+00

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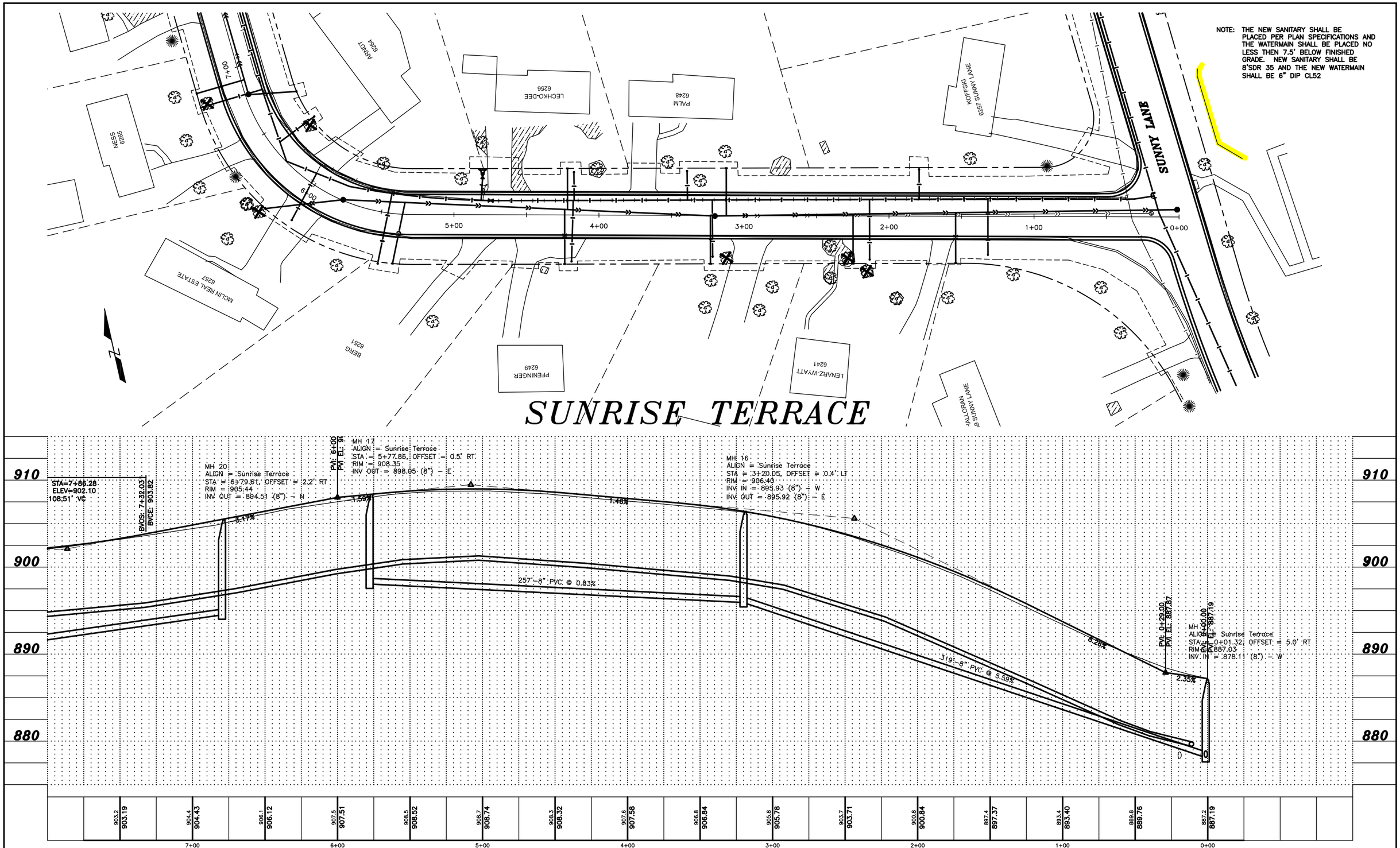

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CRAIG RUNNAKKO, P.E. CONSTRUCTION ENGINEER

DATE ? LIC.NO. 26155

SUNRISE TERRACE
SUNNY LANE - 63RD AVE
STA 0+00 - 7+25

CAPITAL IMPROV. NO. 4003-19

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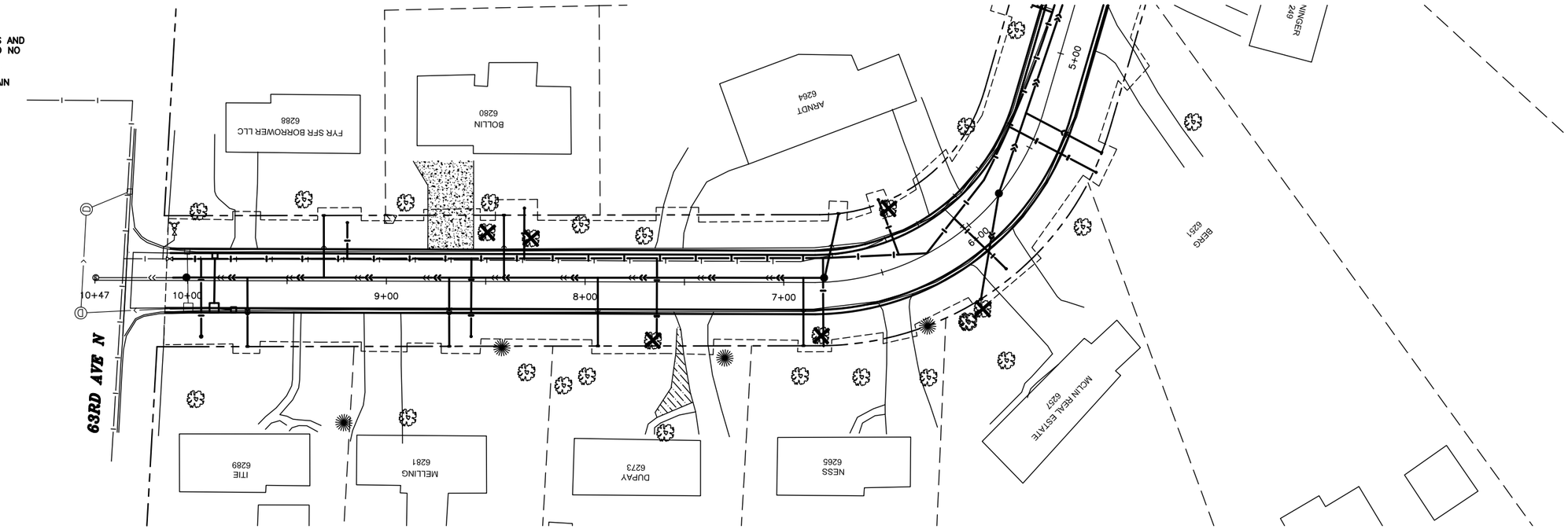
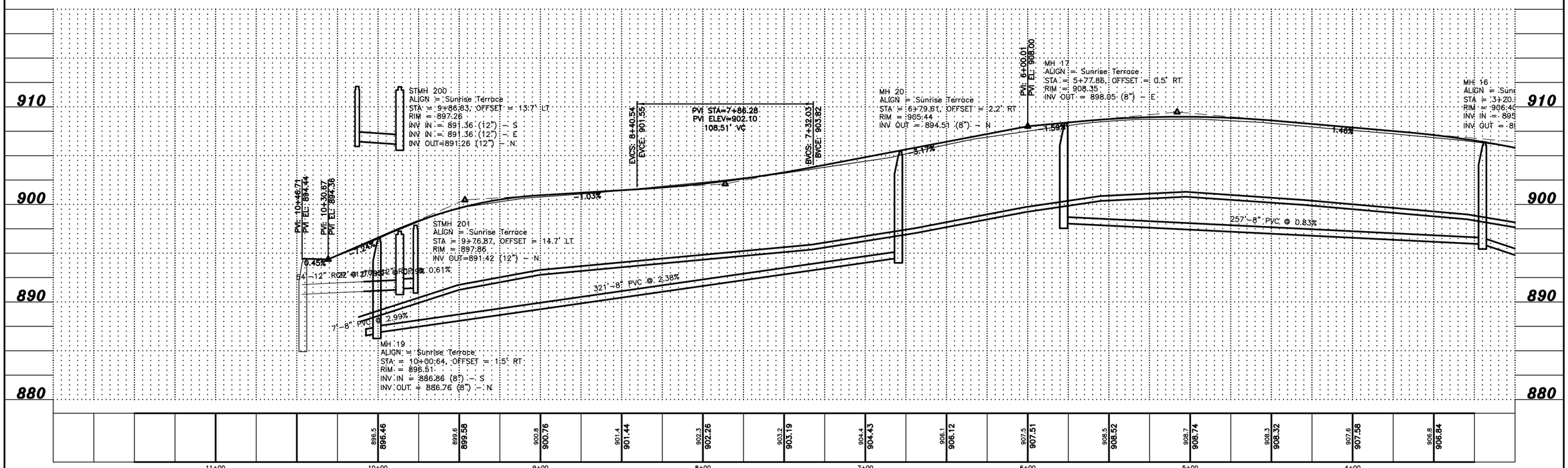


SUNRISE TERRACE



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CRAIG RUNNAKKO, P.E. CONSTRUCTION ENGINEER

DATE ? LIC.NO. 26155

SUNRISE TERRACE
SUNNY LANE - 63RD AVE
STA 7+25 - 11+00

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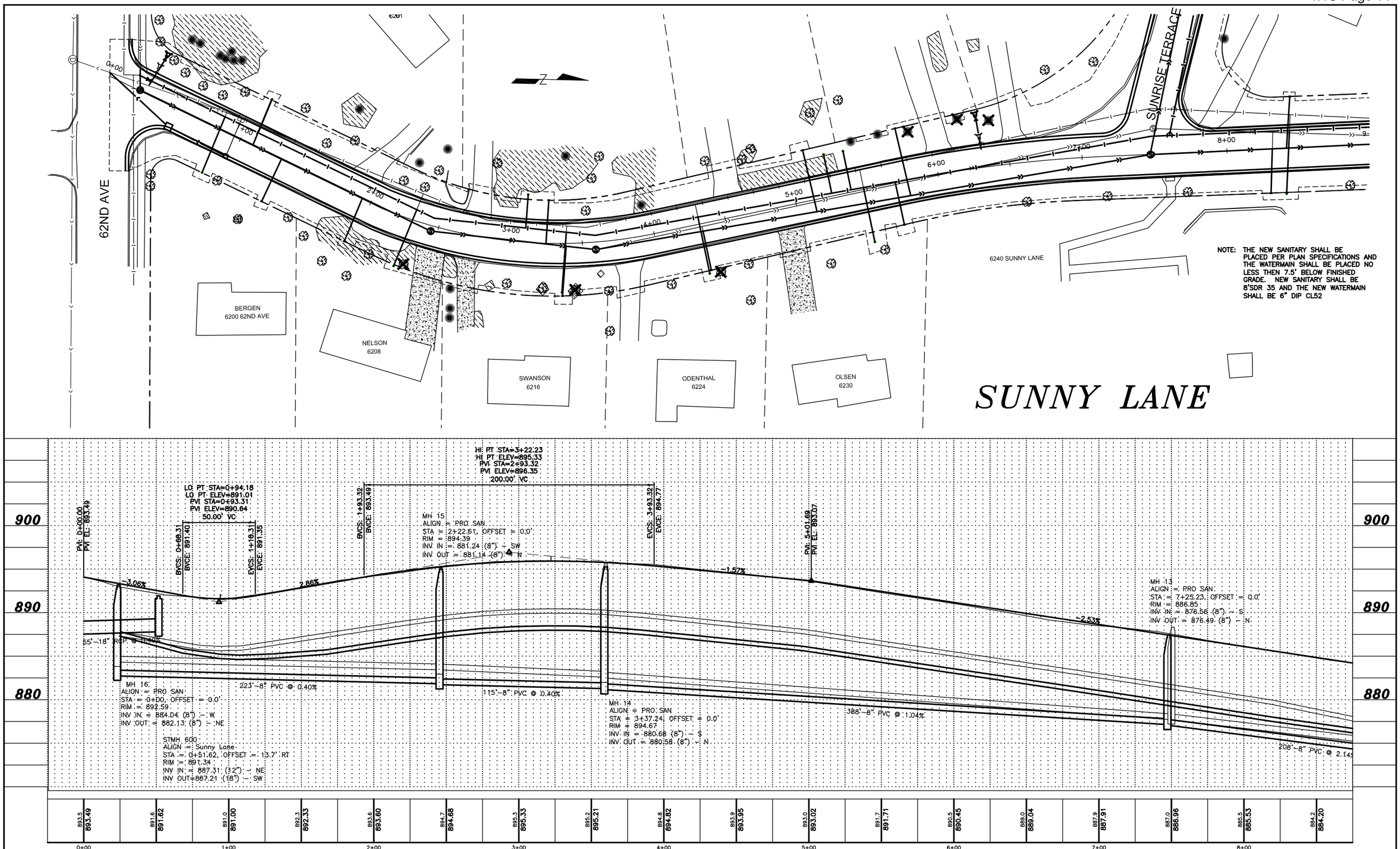

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SUNNY LANE
62ND AVE - 63RD AVE
STA 0+00 - 8+50

CAPITAL IMPROV. NO. 4003-19

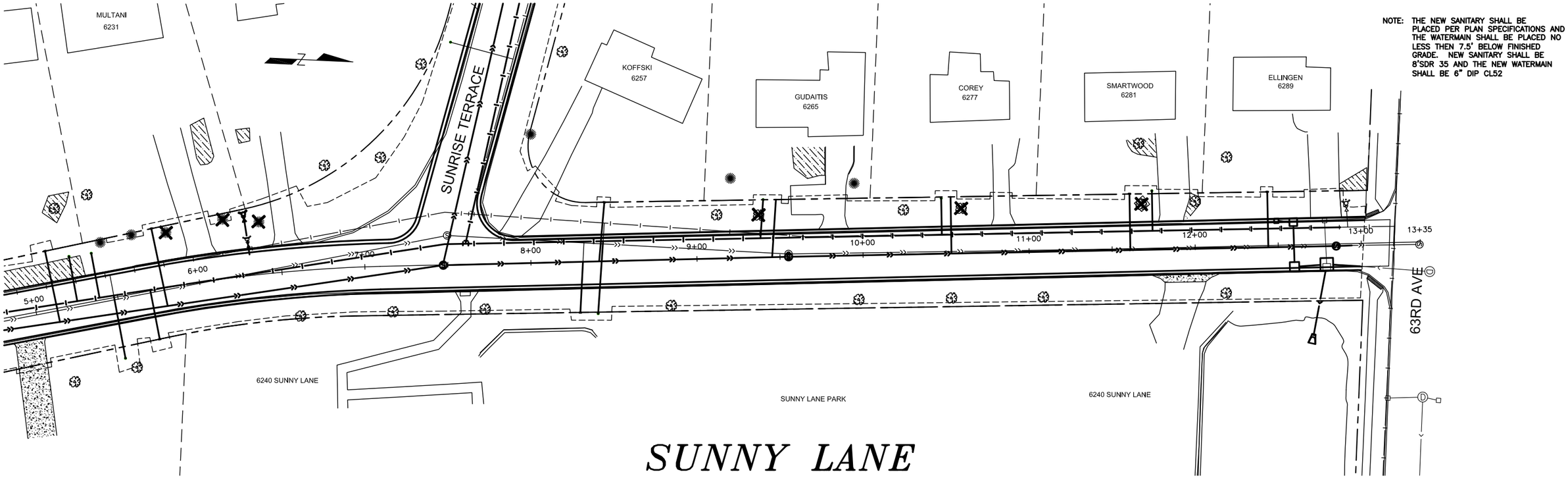
STATE AID PROJ. NO.

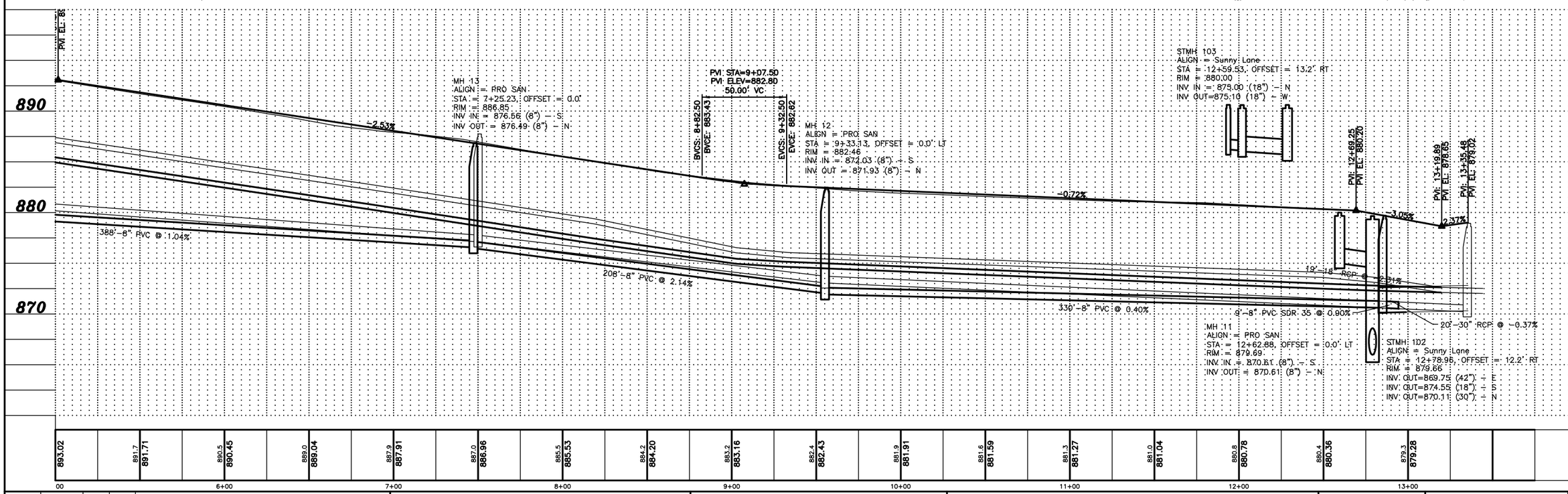
DRAWN BY TEH
DESIGNED BY CER
CHECKED BY JMS

DATE APPROVED 1/28/2019
HORIZ. SCALE 1" = 30'
VERT. SCALE 1" = 5'

SHEET ? OF ?

NOTE: THE NEW SANITARY SHALL BE PLACED PER PLAN SPECIFICATIONS AND THE WATERMAIN SHALL BE PLACED NO LESS THEN 7.5' BELOW FINISHED GRADE. NEW SANITARY SHALL BE 8"SDR 35 AND THE NEW WATERMAIN SHALL BE 6" DIP CL52





NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION
Brooklyn Park
Unique. United. Undiscovered.
5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
FAX# 763/493-8391

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

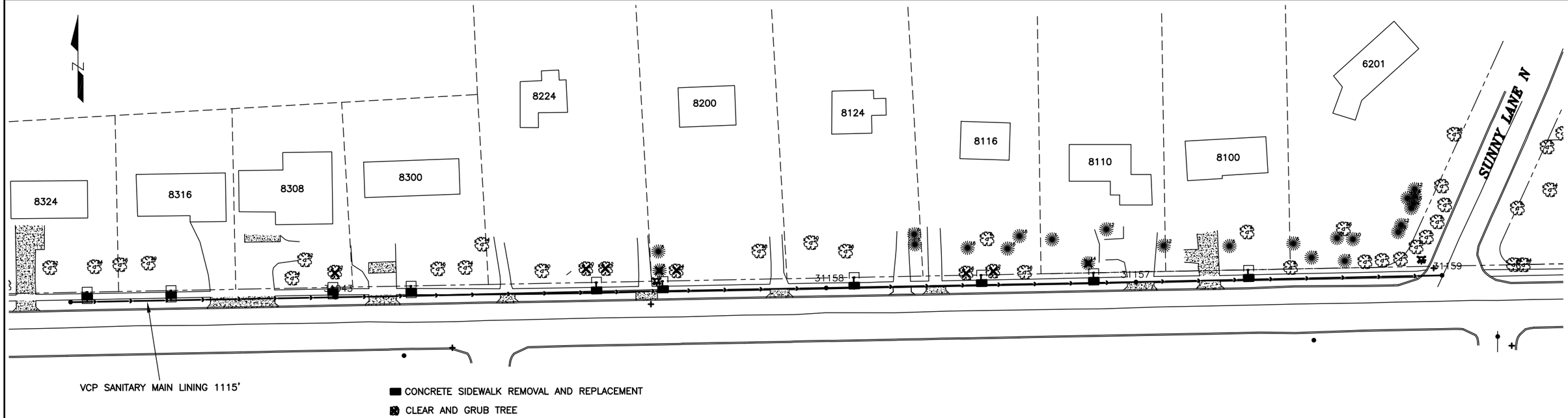
CRAIG RUNNAKKO, P.E. CONSTRUCTION ENGINEER
DATE ? LIC.NO. 26155

SUNNY LANE
62ND AVE - 63RD AVE
STA 5+50 - 13+36

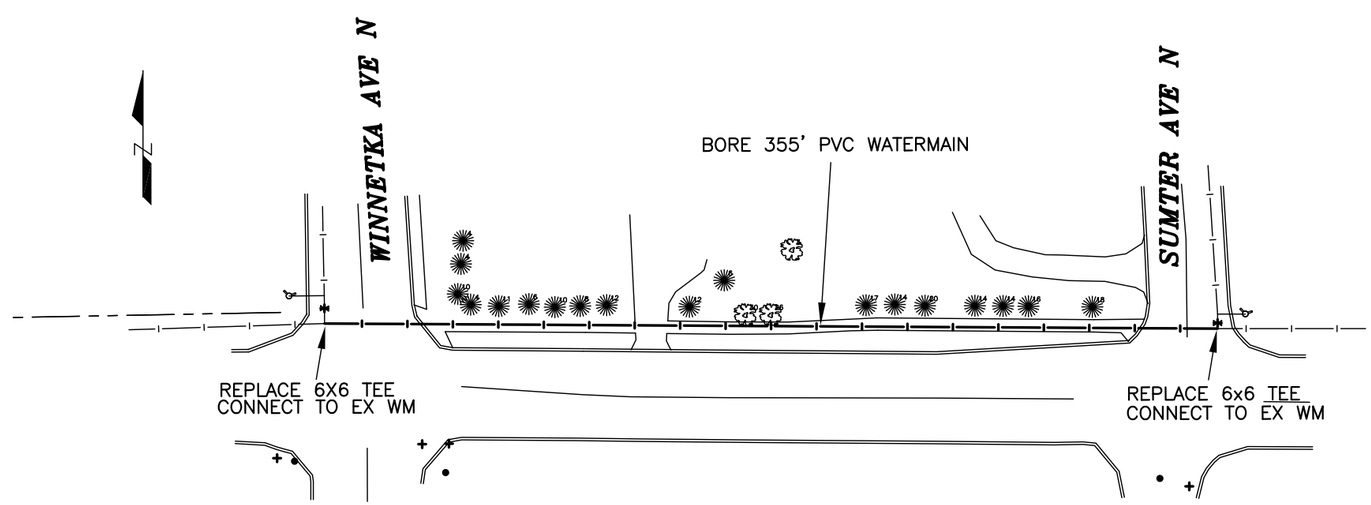
CAPITAL IMPROV. NO. 4003-19
STATE AID PROJ. NO.

DRAWN BY TEH
DESIGNED BY CER
CHECKED BY JMS
DATE APPROVED 1/28/2019
HORIZ. SCALE 1" = 30'
VERT. SCALE 1" = 5'

SHEET ? OF ?



62ND AVE N SANITARY LINING



62ND AVE N WATERMAIN

NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION
Brooklyn Park
Unique. United. Undiscovered.
5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
FAX# 763/493-8391

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

CRAIG RUNNAKKO, P.E. CONSTRUCTION ENGINEER
DATE ? LIC.NO. 26155

62ND AVE SANITARY LINING
62ND AVE WATERMAIN

CAPITAL IMPROV. NO.	DRAWN BY	DATE APPROVED	SHEET
?	TEH	1/28/2019	?
	DESIGNED BY	HORIZ. SCALE	OF
STATE AID PROJ. NO.	CER	VARIES	?
	CHECKED BY	VERT. SCALE	
	JMS	N/A	

City of Brooklyn Park
Request for Council Action

Agenda Item:	4.2	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Operations and Maintenance
Resolution:	X		
Ordinance:	N/A	**Prepared By:**	Jon Watson, Public Utilities Superintendent
Attachments:	3	**Presented By:**	Dan Ruiz, Director
Item:	Accept Bids and Award Contract for the Repair of Raw Water Supply Piping at the Water Treatment Plant to Magney Construction Inc.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO ACCEPT BIDS AND AWARD CONTRACT FOR THE REPAIR OF RAW WATER SUPPLY PIPING AT THE WATER TREATMENT PLANT TO MAGNEY CONSTRUCTION INC.

Overview:

Last fall, water treatment plant staff discovered water leaking into the basement of the water treatment plant. Some excavating was performed outside of the building and it was determined that the leak was on the main water pipe, which brings untreated water into the plant. The line was taken out of service, and the consulting engineering firm of Sambatek Inc. was hired to review the situation and produce plans to solve the problem. Plans and specifications were produced in early January and the project was put out for bid. The project was advertised in the Sun-Post on January 10, 2019, on the City's website and in the Consultant's electronic (Quest CDN) bulletin board. On January 18, 2019, eight bids were received with the lowest responsible bid being from Magney Construction Inc. in the amount of $118,000.00. An alternate line item was provided in the bid documents and four contractors submitted their ideas to value engineer the repair. Magney Construction submitted an alternate bid, which cut their original bid by $24,600. They are an experienced mechanical piping contractor who has completed many projects for municipalities, including previous work for the City.

Primary Issues/Alternatives to Consider:

It is important to repair this pipe because it is a key element to produce safe drinking water for the City's utility customers. At present, an alternative pipe is being used to feed the plant, but this contingency pipe is not large enough for the water demand in the summer.

Should the Council award the bid as recommended?
Operations and Maintenance staff recommends approval as presented.

Budgetary/Fiscal Issues:

The project is **not included** in the 2019-2023 Capital Improvement Plan and 2019 Water Supply & Treatment Capital Budget. A contingency to reduce the scope of other utility projects will be undertaken to bridge this unexpected expense.

Attachments:

4.2A RESOLUTION
4.2B LETTER OF RECOMMENDATION FROM SAMBATEK ENGINEERS
4.2C BID TAB

RESOLUTION #2019-

RESOLUTION TO ACCEPT BIDS AND AWARD THE CONTRACT TO MAGNEY CONSTRUCTION INC. FOR THE REPAIR OF RAW WATER SUPPLY PIPING AT THE WATER TREATMENT PLANT

WHEREAS, a leak was discovered in the primary raw water supply pipe; and

WHEREAS, the leak must be repaired before the summer season; and

WHEREAS, plans and specifications were produced by Sambatek Inc.; and

WHEREAS, the project was advertised in the Sun-Post on January 10, 2019; and

WHEREAS, on January 18, 2019, eight bids were received as follows:

Contractor	Total
Magney Construction Inc., Chanhassen, MN	$118,000.00
Shank Constructors Inc., Brooklyn Park, MN	$137,700.00
Dave Perkins Contracting Inc., Nowthen, MN	$146,480.00
New Look Contracting Inc., Rogers, MN	$161,750.00
PCI Roads Inc., St. Michael, MN	$169,000.00
Total Mechanical Services Inc., St. Paul Park, MN	$169,400.00
Lametti & Sons Inc., Hugo, MN	$182,700.00
E. C. I. Inc, Oakdale, MN	$235,125.00

WHEREAS, the project can be accommodated in the 2019 Public Utilities Expenditure Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to award the bid for the repair of raw water supply piping at the water treatment plant to Magney Construction Inc. in the amount of $118,000.00; and

BE IT FURTHER RESOLVED to authorize the City Manager and Operations and Maintenance Director to authorize minor contract changes and obtain approval from the Council at the conclusion of the project.

Sambatek

Engineering | Surveying | Planning | Environmental

Memorandum

DATE: Tuesday, January 22, 2019
TO: Jon Watson - Public Utilities Superintendent
FROM: R Peplin PE BCEE
SUBJECT: January 18, 2019 – Bid Results – Repair of Raw Water Supply Piping
O&M PU 19-02
Sambatek Project # 21664

On January 18, 2019, bids were received by the City for the Repair of Raw Water Supply Piping at the city's water treatment facility. The attached bid tabulation provides a summary.

Based on those results, the following tabulation ranks the bids based on the Lump Sum Base Bid amounts:

Contractor	Lump Sum Base Bid
Magney Construction Inc.	$ 142,600
Dave Perkins Contracting Inc.	$ 146,480
New Look Contracting Inc.	$ 161,750
PCI Roads	$ 169,000
Shank Constructors Inc.	$ 195,800
Lametti & Sons Inc.	$ 216,700
Total Mechanical Services Inc.	$ 224,800
Engineering & Construction Innovations Inc.	$ 235,125

The Lump Sum Base Bid required the contractors to provide costs utilizing the identified materials of construction provided in the construction documents.

The bid form also allowed the contractors to propose alternate methods of construction utilizing the specified materials. Not all contractors submitted an alternate bid. The following is a tabulation of the contractors based on their alternate bid.

Contractor	Lump Sum Base Bid	Alternate Bid #1	Lump Sum Base Bid adjusted with Alternate Base Bid #1
Magney Construction Inc.	$142,600	$(24,600)	$118,000
Shank Constructors Inc.	$195,800	$(58,100)	$137,700
Dave Perkins Contracting Inc.	$146,480	NA	$146,480
New Look Contracting Inc.	$161,750	NA	$161,750
PCI Roads	$169,000	NA	$169,000
Total Mechanical Services Inc.	$224,800	$169,400	$169,400
Lametti & Sons Inc.	$216,700	$182,700	$182,700
Engineering & Construction Innovations Inc.	$235,125	NA	$235,125

Based on these results the following recommendations are provided:

1. Magney Construction Inc. was the lowest bid contractor on both the Lump Sum Base bid and with the adjustments from the Alternate Bid #1.
2. The required documentation requested on the Bid form (Bid Security (5%), List of Proposed Suppliers, Qualifications Statement and Evidence of authority to do business in MN) were provided by Magney Construction Inc.
3. The Alternate Bid #1 documentation provided by Magney Construction Inc. has been reviewed by the City's Operation & Maintenance staff and Sambatek on January 22 and is acceptable with the following comments:
    a. Additional engineering details on specific fittings that are included in the Alternate Bid #1 are to be evaluated once the excavation has been initiated and the contract adjustments, if required, will be determined.
4. It is our recommendation that the specified project be awarded to Magney Construction Inc. for $118,000.

Brooklyn Park, MN
BID TAB
DATE: 1/18/19 JOB NO. O&M PU-19-02
Repair of Raw Water Supply Piping

Contractor	Engineering & Construction Innovations Inc.	Lametti & Sons Inc.	New Look Contracting Inc.	Magney Construction Inc.	PCI Roads	Dave Perkins Contracting Inc.	Shank Constructors Inc.	Total Mechanical Services Inc.
BASE BID								
Total Lump Sum Base Bid	$ 235,125	$ 216,700	$ 161,750	$ 142,600	$ 169,000	$ 146,480	$ 195,800	$ 224,800
ALTERNATES								
Alternate Bid #1	NA	$ 182,700	NA	$ (24,600)	NA	NA	$ (58,100)	$ 169,400
ACKNOWLEDGEMENT OF ADDENDA								
Addendum No. 1	X	X	X	X	X	X	X	X
Addendum No. 2	X	X	X	X	X	X	X	X
ATTACHMENTS TO THIS BID								
Required Bid security (5%)	X	X	X	X	X	X	X	X
List of Proposed Suppliers	X	X	unknown	X	X			
"Qualifications Statement" - Document 004513	To be submitted 5 days after bid pursuant to the Instructions to Bidders	Can be provided upon obtainment of apparent low bid	To be provided after project award	X	X	TBD	X	
Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids				X	X		X	
Alternate Bid Documentation	NA	Yes	NA	Yes	NA	NA	Yes	Yes
Notes:								

City of Brooklyn Park
Request for Council Action

Agenda Item:	4.3	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Rental and Business Licensing Division
Resolution:	N/A	**Prepared By:**	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	1	**Presented By:**	Keith Jullie, Rental and Business Licensing Manager
Item:	Set a Public Hearing on February 11, 2019 to Consider the Issuance of an On-Sale Wine License for Linh Huynh Food Inc. Doing Business As Kim Anh Restaurant Located at 8586 Edinburgh Center Dr N.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO SET A PUBLIC HEARING ON FEBRUARY 11, 2019 TO CONSIDER THE ISSUANCE OF AN ON-SALE WINE LICENSE FOR LINH HUYNH FOOD INC. DOING BUSINESS AS KIM ANH RESTAURANT LOCATED AT 8586 EDINBURGH CENTER DR N.

Overview:

This is a new On-Sale Wine License for Linh Huynh Food Inc. doing business as Kim Anh Restaurant located at 8586 Edinburgh Center Dr N.

Pursuant to state statute, they must comply with state laws, local laws and procedures. To comply with state laws, a public hearing must be held prior to City Council approval of the license required. The results of the inspections and investigations will be available at the public hearing on February 11, 2019.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.3A PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING
CITY OF BROOKLYN PARK, MINNESOTA

NOTICE IS HEREBY GIVEN that the Brooklyn Park City Council will hold a public hearing in the City Hall Council Chambers, 5200 85th Avenue North, on Monday, February 11, 2019 at 7:00 p.m. or soon thereafter to consider the issuance of an On-Sale Wine License for Linh Huynh Food Inc. doing business as Kim Anh Restaurant, located at 8586 Edinburgh Center Dr N.

All persons desiring to be heard are invited to attend. Written comments will be received by the Licensing Division prior to the hearing.

Devin Montero
City Clerk

Published in the Brooklyn Park Sun Post on January 31, 2019.

City of Brooklyn Park
Request for Council Action

Agenda Item:	4.4	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Police Department
Resolution:	X		
Ordinance:	N/A	**Prepared By:**	Sergeant Mark Bergeron
Attachments:	1	**Presented By:**	Sergeant Mark Bergeron
Item:	Renew the agreement with Cornerstone to provide victims and families of domestic violence advocacy services based out of the Police Department		

City Manager's Proposed Action:

MOTION_____, SECOND_____ , TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO AWARD AN AGREEMENT TO CORNERSTONE, FOR AN AMOUNT NOT TO EXCEED $5417 PER MONTH DURING THE CONTRACT PERIOD, TO PROVIDE VICTIMS AND FAMILIES OF DOMESTIC VIOLENCE ADVOCACY SERVICES BASED OUT OF THE POLICE DEPARTMENT.

Overview:

The mission of the Brooklyn Park Police Department is to provide a safe and orderly community through delivery of professional police services for those who live in, work in, and visit the City of Brooklyn Park. By working together on a united front with our professional partners and the community, we are most effective in our mission; and by valuing our diversity, we provide courteous, impartial service with dignity and honor.

The Brooklyn Park Police Department has a history of collaborating with a variety of justice system and community organizations for the purpose of improving capacity for law enforcement and for building community. The partnership with Cornerstone has expanded domestic violence advocacy services to provide a Coordinated Community Response to incidents of domestic violence and greatly enhance the level of service victims receive.

Cornerstone was founded in 1983 and has a long standing history of positive working relationships with law enforcement, prosecution and families. Cornerstone serves victims of domestic abuse and their children for the communities of Bloomington, Eden Prairie, Edina, Richfield, St. Louis Park, Metropolitan Airports Commission, Brooklyn Center, Robbinsdale, Crystal, Maple Grove and Brooklyn Park.

Cornerstone offers a variety of services to all victims of domestic violence, including: Emergency Shelter, Supportive Housing, Advocacy in Family, Civil, and Criminal Court, Educational Workshops, Therapeutic Services, Children & Families Program Services, Individual and Group Support. Cornerstone also operates DayOne, the statewide emergency shelter hotline.

In March of 2012, Cornerstone began serving victims of domestic violence from Brooklyn Park with a fulltime advocate based out of the police department. The arrangement greatly increased the communication between police staff and advocates allowing for more effective service for the victims and their families. The arrangement also greatly increased the accessibility to community based advocacy for victims with limited transportation. In December of 2013, Cornerstone assigned a second fulltime advocate to the police department. Cornerstone staff has indicated this second advocate will allow them to fulfill all community and police department requests for service. No additional staff increases will be needed based on past and current trends.

In addition, Cornerstone has expanded their services in the Northwest Metro area as they recently began providing advocacy services for the communities of Brooklyn Center, Robbinsdale, Crystal and Maple Grove. They also provide assistance through the Hennepin County Services Hub located at the corner of Brooklyn Blvd & 69th Ave. These services include legal advocacy for the writing of court orders as well as housing advocacy with a housing specialist.

Cornerstone will continue to provide a community based response by providing two fulltime advocates working out of the Police Department. The advocates will continue to work in cooperation with the Police Department and City Attorney's Office on case follow up, victim services, officer in-service trainings and review of system responses. Additionally, continuing to have the advocates housed at the Police Department, will allow for victims to receive walk-in assistance with completing Order for Protection/Harassment Restraining Orders.

Cornerstone is a recognized a leader and innovator in their field and has the capacity to handle the many challenges faced by Brooklyn Park's ever changing community.

Primary Issues/Alternatives to Consider:

Renew the agreement with Cornerstone to provide victims and families of domestic violence advocacy services based out of the Police Department. This agreement shall be for a period of 12 months, from January 1, 2019 through December 31, 2019.

Budgetary/Fiscal Issues:

The amount of money proposed to be spent is no greater than $5417 per month during contract period. This is within the amount of the 2019 budget for domestic violence advocacy services which has been budgeted at $65,000 annually.

Attachments:

4.4A RESOLUTION

RESOLUTION #2019-

RESOLUTION TO AWARD AN AGREEMENT TO CORNERSTONE
FOR AN AMOUNT NOT TO EXCEED $5417 PER MONTH DURING THE CONTRACT PERIOD TO PROVIDE VICTIMS AND FAMILIES OF DOMESTIC VIOLENCE ADVOCACY SERVICES BASED OUT OF THE POLICE DEPARTMENT

WHEREAS, the mission of the Brooklyn Park Police Department is to provide a safe and orderly community through delivery of professional police services for those who live in, work in, and visit the City of Brooklyn Park; an

WHEREAS, the Brooklyn Park Police Department has a history of collaborating with a variety of justice system and community organizations for the purpose of improving capacity for law enforcement and for building community; and

WHEREAS, Cornerstone was founded in 1983 and has a long standing history of positive working relationships with law enforcement, prosecution and families; and

WHEREAS, Brooklyn Park's collaboration with Cornerstone has built upon the community efficacy to serve victims of domestic violence with advocacy services and increase the conviction rate of offenders; and

WHEREAS, the Cornerstone advocates will continue to be based out of the police department, a central and accessible location to domestic violence victims and their families.

WHEREAS, the parties desire to enter into an Agreement which sets forth the terms by which Cornerstone will perform domestic violence advocacy services; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve and enter into a 12 month (January 1, 2019 – December 31, 2019) Agreement with Cornerstone for an amount not to exceed $5417 per month during the contract period, to continue to provide victims and families of domestic violence advocacy services based out of the Police Department.

City of Brooklyn Park
Request for Council Action

Agenda Item:	4.5	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Community Development
Resolution:	N/A		
Ordinance:	N/A	**Prepared By:**	JoAnn Millette, Development Specialist
Attachments:	N/A	**Presented By:**	Cindy Sherman, Planning Director
Item:	Letters of Credit/Bond Releases, Escrow/Cash Bond Releases		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO RELEASE THE REMAINING ENGINEERING ESCROW $2,185.39 FOR THE "LUPIENT COLLISION CENTER" PROJECT #17-102 LOCATED AT 7910 LAKELAND AVENUE N FOR BROOKLYN PARK PROPERTIES, LLC. THIS PROJECT HAS EXPIRED.

MOTION _____, SECOND _____, TO RELEASE THE REMAINING ENGINEERING ESCROW $1,121.77 FOR THE "FAIRFIELD INN" PROJECT #17-107 LOCATED AT 5651 96TH AVENUE N FOR 7910 LAKELAND AVENUE N FOR OPUS DEVELOPMENT COMPANY AND SAMBATEK, INC. THIS PROJECT HAS EXPIRED.

MOTION _____, SECOND _____, TO REDUCE THE ENGINEERING ESCROW BY $23,000, AND REDUCE THE CASH BOND BY $76,500 FOR COMPLETION PROGRESS OF THE "610 WEST APARTMENT" PROJECT #15-104 LOCATED AT 6705, 6711 AND 6729 OAK GROVE PKWY FOR DORAN COMPANIES.

The City will continue to hold a cash bond in the amount of $5,000 and an engineering escrow in the amount of approximately $2,000 until the trailer being used for signage along 610 is removed and the landscaping can be inspected and approved in the spring.

MOTION _____, SECOND _____, TO RELEASE THE ON-SITE IMPROVEMENT BOND #1854929 ($450,000) POSTED BY GREAT AMERICAN INSURANCE COMPANY, REDUCE THE ENGINEERING ESCROW BY $12,000, AND REDUCE THE CASH BOND BY $25,400 FOR COMPLETION PROGRESS OF THE "HAMPTON INN & HOME2 SUITES" PROJECT #16-123 LOCATED AT 9470 AND 9490 WEST BROADWAY FOR MIDAS HOSPITALITY.

The City will continue to hold a cash bond in the amount of $10,000 and an engineering escrow in the amount of approximately $5,900 until landscaping can be inspected and approved in the spring.

MOTION _____, SECOND _____, TO RELEASE THE ON-SITE IMPROVEMENT BOND #100143 ($196,100) POSTED BY MERCHANTS BONDING COMPANY, REDUCE THE CASH BOND BY $7,300 AND REDUCE THE ENGINEERING ESCROW $6,000 FOR COMPLETION PROGRESS OF THE "ASPEN LANE SELF STORAGE" PROJECT #17-121 FOR EBERT CONSTRUCTION.

The City will continue to hold a cash bond in the amount of $3,000 and an engineering escrow in the amount of $1,000 until landscaping can be inspected and approved in the spring.

Primary Issues/Alternatives to Consider: N/A
Budgetary/Fiscal Issues: N/A
Attachments: N/A

City of Brooklyn Park
Request for Council Action

Agenda Item:	4.6	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Finance Department, Police Department
Resolution:	X	**Prepared By:**	LaTonia Green, Finance Director Todd Milburn, Deputy Chief
Ordinance:	N/A		
Attachments:	1	**Presented By:**	LaTonia Green, Finance Director Todd Milburn, Deputy Chief
Item:	Authorize the Purchase and Funding of Police Vehicles to Replace Totaled Squads		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ AUTHORIZING STAFF TO ENTER INTO A PURCHASE CONTRACT WITH FORD OF HIBBING FOR TWO FORD POLICE INTERCEPTOR VEHICLES OFF THE STATE CONTRACT AND REPLACE ANY EQUIPMENT NECESSARY TO PLACE THE VEHICLES BACK IN OPERATION, WITH FUNDING BEING PROVIDED BY AN AMENDMENT TO THE 2019 BUDGET AUTHORIZING A TRANSFER FROM THE LOSS CONTROL INTERNAL SERVICE FUND TO THE CENTRAL SERVICES INTERAL SERVICE FUND.

Overview:

Squad cars 1639 and 1657 were involved in two separate accidents. The first occurred on December 18, 2018 and was assigned to the K9 unit. The second occurred on December 23, 2018 and was used for general patrol work. These vehicles are part of our authorized patrol fleet and have been deemed a total loss by our insurance adjustors. The purpose of the Loss Control Fund is to pay for our insurance premiums, cover any losses that the City experiences that fall within the deductible limits and receive any insurance claim settlements. We have a $5,000.00 deductible per occurrence. Loss Control will coordinate insurance payment from LMCIT, minus the $5,000.00 deductible, as well as pursue recovery through subrogation and restitution, as available. The preliminary investigations indicate that city staff were not at fault in either accident and, therefore, we anticipate subrogation.

Primary Issues/Alternatives to Consider:

If we do not proceed with these replacements, the Police Department will be short two vehicles relating to its patrol/response unit.

Budgetary/Fiscal Issues:

The purchase of two Ford Interceptor police packages is being recommended to be completed using the state contract through Ford of Hibbing for a cost of $33,263.00 for the K9 squad and $32,684.00 for the other, plus any taxes or license fees and the cost of any equipment necessary to place the new car into operation. The cost of the replacement Explorers will be funded through a combination of loss control, insurance, and central garage funds.

Attachments:

4.6A RESOLUTION

RESOLUTION #2019-

RESOLUTION AUTHORIZING STAFF TO ENTER INTO A PURCHASE CONTRACT WITH FORD OF HIBBING FOR TWO FORD POLICE INTERCEPTOR VEHICLES OFF THE STATE CONTRACT AND REPLACE ANY EQUIPMENT NECESSARY TO PLACE THE VEHICLES BACK IN OPERATION, WITH FUNDING BEING PROVIDED BY AN AMENDMENT TO THE 2019 BUDGET AUTHORIZING A TRANSFER FROM THE LOSS CONTROL INTERNAL SERVICE FUND TO THE CENTRAL SERVICES INTERNAL SERVICE FUND

WHEREAS, a police interceptor was involved in an accident on December 18, 2018 and another on December 23, 2018. Both have been determined by our insurance adjustor to be damaged beyond repair; and

WHEREAS, the purpose of the Loss Control Fund is to pay for our insurance premiums, cover any losses that the City experiences that fall within the deductible limits and receive any insurance claim settlements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that staff be authorized to enter into a purchase contract with Ford of Hibbing for a Ford Police Interceptor vehicle off the state contract and be authorized to purchase any additional equipment necessary to place the vehicle back into operation; and

BE IT FURTHER RESOLVED that the funding is provided by amending the 2019 Adopted Budget by authorizing a transfer from the Loss Control Internal Service Fund to the Central Services Internal Service Fund Central Garage Program in the amount of the purchase contract plus any costs associated with the purchase of equipment needed to place the vehicle back into operation.

City of Brooklyn Park
Request for Council Action

Agenda Item:	4.7	**Meeting Date:**	January 28, 2019
Agenda Section:	Consent	**Originating Department:**	Administration
Resolution:	N/A		
Ordinance:	N/A	**Prepared By:**	Devin Montero, City Clerk
Attachments:	3	**Presented By:**	Devin Montero
Item:	Approval of Minutes		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL WORK SESSION OF NOVEMBER 6, 2017, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF FEBRUARY 12, 2018, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 7, 2019, AS PRESENTED BY THE CITY CLERK.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.7A CITY COUNCIL WORK SESSION MINUTES, NOVEMBER 6, 2017
4.7B CITY COUNCIL SPECIAL MEETING MINUTES, FEBRUARY12, 2018
4.7C CITY COUNCIL MEETING MINUTES, JANUARY 7, 2019

REGULAR BROOKLYN PARK CITY COUNCIL WORK SESSION

Monday, November 6, 2017 Steve Lampi Meeting Room
6:00 p.m. 5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Bob Mata, Terry Parks, Susan Pha, Lisa Jacobson, Mark Mata and Rich Gates; City Manager Jay Stroebel; Community Development Director Kim Berggren; Parks and Recreation Director Jody Yungers and City Clerk Devin Montero

ABSENT: None.

C. DISCUSSION ITEMS/GENERAL ACTION ITEMS:

C.1 Recreation and parks System Plan Update (Jody Yungers/Ken Grieshaber, SRF)

Director Yungers and Ken Grieshaber, SRF, briefed the Council on the Recreation and Parks System Plan Update.

Council Member B. Mata asked what the original amount on the 1996 Park Bond Referendum was.

Director Yungers stated it was $8.6 million with a 20-year payback and a 5-year park improvement plan and added $400,000 to the actual amount.

Council Member Jacobson stated that she had brought up the opportunity for a potential public/private partnership related to an aquatics facility and asked if this was off the table or if it was something to have more discussion.

Director Yungers stated she believed they were willing to partner with anyone that came to the table to help share in an initial investment and with any partnership had to be cautious. They can help build it, but if the relationship was that the City had to share access and didn't meet the City's goals, then it was not a good partnership. She stated it was important they were leveraging partnerships to get wins on both sides. She stated that going to the table for a partnership to help someone build something they had better access to than the city didn't meet the City's objective.

Council Member Jacobson stated that her concern was building an aquatics facility and do enough in the building to justify the cost without a partner. She stated the partner could bring in large scale events in during the weekends, which would draw people to the community that were not currently coming to the city and wouldn't come if it was just an

open pool or for swimming lessons. She stated they would need hotels and restaurants and that was what she was interested in looking at further.

Director Yungers stated what they had heard, the community and senior community wanted different services from an aquatics facility. The partnership required a competitive swimming pool and there were three separate components of an aquatic facility. She stated it was important the City had its goals before looking at partnerships and balancing out the benefit to the City both economically and filling the gaps in services from what the community looked like.

Council Member Jacobson stated that they still needed to be able to afford it and was an expensive business to get into. She stated the one proposal they had looked at had multiple pools in the building including a rehab pool.

Council Member Gates asked about the massive facility in Eden Prairie and added that every lane in the pool had an advertisement to it. He asked if that was something that they should look at doing.

Director Yungers replied that it is a part of making those kinds of decisions on how much to get around sponsorships and was a community aquatic group that did the legwork to get that. And those were all the things they needed to be looking at. She stated that once they decide on what direction to go, then the real work was putting the program and financial plan together.

Council Member Parks stated he went to a lot of meetings and something that came in late was the cricket stadium and the stadiums were amazing.

Director Yungers stated that the international cricket association had contacted her following one of their meetings to talk about what that venue could look like and was important to remain open to many options.

Mayor Lunde considers the aquatic facility ahead of the cricket field because from day one, residents had asked why they didn’t have an aquatics facility.

C.2 City Hall Rehabilitation Discussion (Dan Ruiz, Greg Hoag, Wold Architects)

Director of Operations and Maintenance Dan Ruiz, representatives from Wold Architects and Engineers John McNamara and Melisa Stein briefed Council on the City Hall Rehabilitation Project.

Council Member Pha stated she did not like one of the proposed plans at all and didn't matter if they had a waiting area, people would still block hallways to get to the counters.

Council Member Parks stated the City was still growing and would rather have a two-story

building now than to have to add on to it later.

Council Member Jacobson stated they kept talking about cutting the budget which meant cutting staff and couldn't have it both ways. They couldn't cut the budget, cut staff and still create space for them.

Council Member M. Mata stated he had traveled to a lot of cities and liked things looking nice and thought the building was a workable facility and on aesthetics, he would rather not put in $4 million into the building. He stated he would rather band aid it and find a better year that they could build a new building. He stated if the DMV area was revenue neutral, then he didn't want to put any more money into it.

Council Member Pha thanked Director Ruiz for coming up with options for Council and was in favor of the plan for the DMV. She believed that a majority of the residents came to City Hall for those services and because it was cost neutral, they had not invested any money into that amenity that most of the residents used and appreciated. She stated it was an important investment and was essential and needed to increase the contributions to the Heritage Fund going forward. She stated it would be a hard choice because people were not going to like that they were investing more but it had to be done since it was being underfunded and future Council Members would end up struggling with this. She stated she was also in favor of changing the location to the Kakata room.

Mayor Lunde stated he didn't mind everything proposed but the DMV. The facilities in Maple Grove and Brooklyn Center were County owned and questioned why the County didn't build a facility or put a place in the city. He stated the City was covering the cost of something that was offered for free in other cities and would be paying twice to get those services.

Council Member B. Mata asked if they had approached the County to build that service.

Director Ruiz stated they would not build another one within that close proximity and would suggest the City not rebuild one and send residents to the other locations.

Council Member Pha stated staff should still reach out to Hennepin County and let them know that if the City did close down those services, the other facilities would probably not be able to handle the volume of people.

Mayor Lunde agreed with Council Member Pha and felt they should ask the County as well.

C.3 Metro Blue Line Rail Transit Update (Jennifer Jordan)

Light Rail Transit (LRT) Senior Project Manager Jennifer Jordan, gave the Council a Light Rail Transit update. She stated they were hopeful they would have all the work wrapped up and

adopted before the moratorium ended and June 2018 would be a very important time frame.

Council Member Parks asked if they had started construction yet.

Project Manager Jordan stated they were officially under construction before the Southwest Light Rail.

Council Member M. Mata stated that on 85th, there were only two areas of developable land and asked how they were going to change the zoning.

Project Manager Jordan stated the zoning would look at more than just green field land and were going to look at sites that could be re-developed.

Council Member Pha asked for an update on the fence.

Project Manager Jordan stated they had been working on putting together the matching grant program and had some options to present to Council at the next work session, along with cost sharing options in terms of replacement of fence panels.

Council Member M. Mata asked if they were unanimous on someone else owning the fence rather than each individual resident.

Director Berggren stated it was an important decision making point because as part of the whole process, it had been clear that Met Council and Hennepin County would not take ownership of the fence. She stated the expectation of those two agencies was that the City had to deal with it. She stated they were working toward a program where residents owned the fence and the city used regulatory and incentive programs to help with maintenance. She didn't' anticipate those agencies would change their minds.

Council Member Pha remembered that they pushed very hard for Hennepin County to take ownership of the fence and the residents didn't need to take the full burden of it. She thought the grant hybrid plan was perfect.

C.4 Budget Discussion and Department Presentations (Jay Stroebel/LaTonia Green)

City Manager Jay Stroebel provided a budget overview. He stated the Directors from the different departments would give brief budget presentations.

- ***Assistant City Manager Wokie Freeman-Gbogba presented the Administration Department budget.***

Mayor Lunde asked if Community Engagement was planning on going from two part time employees to one full time employee.

Assistant City Manager Freeman-Gbogba stated that it was their intention to do it by the end of 2018.

Mayor Lunde stated that the part time status led to people finding full time jobs somewhere else and the idea of having two part time positions was so that they could get people from different groups but understood they were going to lose them if they didn't make them full time. He stated the Community Engagement Team was very important in terms of reaching out to the community.

Council Member Parks stated there wasn't a lot of room in the current location at the water treatment plant for voting booths. He stated there were some recycling companies that would take some of the old booths and pay for them to get new voting booths and get some revenue in the process.

Council Member M. Mata asked how many hours a week on average did the two Community Engagement staff worked and if they were going to be made salaried.

Assistant City Manager Freeman-Gbogba responded that it was up to 29 hours and that it was not an exempt position and would become 40 hours a week.

Council Member M. Mata asked what was going to be done with the 18 hours of lost work.

Assistant City Manager Freeman-Gbogba stated interns helped with some of the additional work. The team would be able to manage with the FTE hours they now had available to do the work. She stated they had looked at all the different scenarios of how it would work, and in this environment and economic times, they had not been able to retain the part time community liaisons.

Council Member M. Mata appreciated having two people because they wouldn't be leaving at the same time and essential things could be done by one person until a replacement was found. He stated he didn't want to add anymore full-time employees because they had seen what it did to the budget every year. He appreciated they were kept under 30 hours a week on average.

Council Member B. Mata asked if we are looking forward to hiring the part time person they had now.

Assistant City Manager Freeman-Gbogba stated they were looking at all the possibilities.

Council Member Pha supported the full-time conversion and had spoken to some of the staff that left and their biggest complaint was that that they did not offer them a full-time position. She stated they needed someone steady who could go out in the community and build those long term relationships which could not be achieved with a part time position.

Council Member Jacobson stated that if they were trying to cut cost from the budget, she didn't think that giving the Council a raise was a good idea even if it was an extra $19 a month.

Council Member Gates stated they hadn't had a raise in 11 years and Council's time had gone up between 10 and 15 hours a month. He stated they didn't do the job for the money but the time that they took away from family and jobs to do this was just as important. He stated 2.5% was what the rest of other employees got and thought the Council should get that too.

Council Member Pha asked if they must decide on Council wage tonight or if they could bring it up at a different time. She believed the Council was an equity issue because the elected officials aren't compensated to a certain level that was adequate, it is only allowing the role to be occupied by a certain class or group of people that could afford that kind of discount and didn't open the door to people who would be great in those roles or took them because they could not afford that compensation or make that kind of move for their family. She believed that compensation for the Mayor and Council Members needed to be higher than what they had. She would like to bring the discussion back with a more comprehensive study analysis and they were not deciding it for the current Councils wages but for the future of our City and the people who made critical decisions for it. She stated that 11 years was a long time to not get a raise and it was also responsible governing.

City Manager Stroebel stated they could bring it back.

- ***Director of Community Development Kim Berggren briefed Council Members on the Community Development Department Budget.***

Council Member M. Mata asked how many of the Code Enforcement cases shown on the slide were duplicated cases, and if they were, meant they were not doing something correctly and kept going back multiple times for the same one. He also asked if they accomplished every set-up inspection yearly.

Director Berggren replied they kept up with their inspection cycles related to public health and rental inspections and the other areas were as requested.

Council Member M. Mata asked if there were areas they could reduce. He stated there was a time when they inspected every apartment complex yearly then realized they could do a third of them every three years. He asked if they could set it up to do inspections every fourth year instead of every year. He stated there were some buildings that didn't need to be inspected for

anything after they were built, yet they were inspected every year. He stated it took a staff person to do this yet, they were not seeing any violations or maybe just a few.

Director Berggren replied they had done reductions to the frequency of their Rental Inspection Program and were now down to every other year for single family which allowed them to reduce two full time employees (FTE) over the last two years. She stated the Council had brought it in the past and they had implemented it and the multifamily for most buildings were inspected every three years. She stated they could always adjust service levels based on Council's interest, however, the rental inspectors were worried about reducing inspections to every other year because they did see many violations. She stated one of the problems that they had was with their software which didn't track violations and were hoping to get to a point where they could track violations and have better data to show.

Mayor Lunde stated that regarding the New World software, they had invested and kept investing a lot into it and his concern was adding services to a software that had not lived up to its expectations. He asked if there was a moment when they said enough was enough. He stated they kept reinvesting and kept on having problems with it and didn't know if it was worth it. He stated he would like to see the total amount spent on the New World software including estimates on staff time.

Director Berggren stated they had significantly improved functionality a lot in the past year with the new updates in some work areas.

Council Member Pha asked what they charged for rental licenses and did they charge for inspections yearly for single family homes and apartments.

Director Berggren didn't have the fee schedule but stated they did look at their fees to make sure that they were comparable to other cities. They did charge annually whether there was an inspection or not. She stated the cost of running the rental inspection program was about even with the revenue that was coming in.

- ***Acting Fire Chief Todd Seitz briefed Council Members on the Fire Department Budget.***

Council Member Parks stated for the size of the City, didn't think they had enough fire fighters and would like to see the station on his side of town staffed at some point. He asked if they had looked at revamping the paid-on call positions. He stated if they got another 15-30 paid on call fire fighters, it was going to reduce the response time and the station would be manned as well, and injuries to the full-time staff would be reduced with the backup. He preferred that to using fire fighters from neighboring cities every time they had a major fire. He stated it was on his wish list for the Fire Department and didn't think they had a safe amount of staff. He also stated a very aggressive inspection program saved a lot of calls.

Chief Seitz stated they weren't doing a lot of inspections but were involved in pre-planning. The fire fighters were going out and verify all those and if they didn't have pre-plans, helped create them. He stated they had been looking at a lot of variety of different buildings and would do some basic inspections, but the problem was that their call line was so high that they got called out in the middle of an inspection and didn't want to inconvenience the business owner at the same time. He stated they were trying to balance that convenience and do the inspection at the same time.

Council Member Jacobson had concerns with their medicals especially how some of the senior properties relied on the budget to decrease their own. She asked if there was a best practice around a building getting a certain number of calls a year before they started to get charged and looking into it would be worth the time.

Chief Seitz stated they had been more aggressive with buildings which had services that should be providing those than they had with others. He stated the issues they had was when someone called 911, they responded not knowing if it was the resident or not. They also didn't know if the facility was contracted to receive the services or not. He stated it was not as easy as saying that everyone in the home got a free assist. If they didn't have contracted services, they couldn't do that and the Fire Department was relying on them to be truthful. He stated they had issues with group homes and ambulance services as well and had conversations with them about it and sent a letter to the service stating they would start charging them if they continued to get called for those services.

Council Member Gates stated his concern was the decrease in the small equipment and it was a hard thing to control. He thought that all four stations needed to be opened and made sure they had it in place or at least have the discussions sooner rather than later. He stated it was important for both residents and fire fighters.

Council Member M. Mata understood not using the full-time staff to do fire inspections. He stated he understood a fire fighter leaving an inspection to deal with a fire, but as a business owner, if a pager went off for someone with a headache and the inspector had to leave and inconvenience the business owner to answer that emergency call, that owner was not going to be happy about it. He stated they used to have four to five part time paid inspectors and asked if they could get those back. He stated Brooklyn Park was one of the largest cities and shouldn't have to use other cities to help. He stated he would like to see it somehow come back in place and would also like to get back to hiring people who lived in the City and not 30 minutes away. He stated that when the pager went off, expected them to come and help if they were paid on call and right now, pagers were being shut off. He stated they also had people living 30 minutes away working as fire fighters and it used to be two miles from a station. He stated they didn't need to be an EMT to do the job and some of the things that were put on as requirements limited the pool of hiring people and thought they could get

different members from the community. He stated the full-time staff did not represent what the City looks like and he would like to get the paid on-call to start looking more like it. He stated they would get a lot more people learning and teaching their cultures and church groups on how to be better citizens. He stated there was a lot of money spent on a lot of equipment and fire fighters were very intuitive people and made a lot of things work to get the job done. He stated he would like to see some of the miscellaneous items they did not need to do cut down to find some place in the budget that they could make some headway.

Council Member Gates asked that if they were to staff up the paid on-call, would the City have to pay for them to become fire fighters.

Chief Seitz replied yes and most of their recruiting efforts had been around looking for people who were already trained. He stated one of their full-time staff would have to run some type of academy to make the training possible.

Council Member Gates asked if the idea presented a year ago about partnering with Hennepin Tech was still a dream.

Chief Seitz replied that right now it was and Hennepin Technical College was in such a flux right now with their program and didn't see it lasting.

- ***Police Chief Enevoldsen briefed Council Members on the Police Department Budget.***

Council Member Jacobson asked about the diversification, as they were losing Police Officers, looked to see if they were Brooklyn Park in the first place or not. She is looking to see if they were from Brooklyn Park and if they became a Brooklyn Park officer were they less likely to be lured away to another city.

Chief Enevoldsen stated it went with retention and recruitment and had changed their process. He stated what they had learned was that they must go younger. The standard application process was not bringing in the candidates they were looking for. They were now teaching at the high schools to see if they were interested and telling the parents that they would pay for their college education. He stated during the hiring process they would get extra points and move higher up on the list if they went to school, lived or worked in the city. He stated from a recruitment standpoint thought they were in a good place and just needed to figure out the retention piece. He stated they entertained the thought of bringing in the Black State Police Association to help mentor the new cops but saw it as a tool for them to poach.

He stated their 2018 budget stayed relatively the same and what increased their budget was the purchase of new vests for the tactical team.

Council Member Pha asked about the body worn cameras and how it was going, how long they kept the data and how they anticipated the data storage cost into the budget.

Chief Enevoldsen stated they had been fully operational now for almost a year, stored the data on their server and didn't think storage was going to be a problem. He stated it would make more sense in the future to store the information in the Cloud. He stated the Legislature never weighed in on the retention, so they were going by the State's Retention schedule right now.

Council Member Pha supported keeping it longer in the Cloud so that it could be accessed. Her concern was when using the cameras and asked if the officers decided when to turn it on or was it turned on automatically.

Chief Enevoldsen stated they were supposed to turn it on every time they went into the public. The public was concerned with officers recording health issues so in their policy, they were giving people the option to have the camera shut off for non-law enforcement related activity at their discretion.

Council Member Pha asked if there were limits to how many calls they would respond to from commercial businesses abusing the services and using the police to fill in for their security deficiencies and if there was a cap to it.

Chief Enevoldsen stated they had started to investigate it and didn't have a cap on how many times they could call the police. He stated the only thing they had in place right now was the False Alarm Ordinance. He stated he was uncomfortable with limiting the number of times people could call 911 because it could be very subjective and responding to 911 calls was their core function.

Council Member M. Mata stated there were other things that Council could do such as cut back on their business hours to remedy certain situations. He asked if they had sold the old SWAT vehicle.

Chief Enevoldsen stated that it was given to them by the Federal Government, so they returned it to them.

Council Member M. Mata stated the SWAT vehicle was something that he didn't mind investing in because it could save the lives of the officers. He asked if they had something in place for the candidates whose schooling they paid for to come back and work for the city for a certain number of years after school.

Chief Enevoldsen stated that was what they did with their cadet program right now and the candidates signed a contract.

Council Member M. Mata stated they should have a budget for Narcan's and with a buddy system, field officers could administer them to each other due to the potential increase of chances of an officer being affected out on the field. He appreciated having a cadet working

overnight and putting them on different shifts allowed for a Community Service Officer to alleviate some of the duties of a police officer such as the parking ban. He would also like to see the parking ban discussion with all the Council Members together instead of individually.

City Manager Stroebel stated that parking was a complex issue and would be hard to do in a group setting. He stated there were a lot of conversations to be had to get everyone's perspective.

Mayor Lunde asked about mental health, asked if they were seeing the effect where people were taking their retirement as soon as they could and such.

Chief Enevoldsen stated that a couple of years ago they added $25,000 in the budget for an in-house psychologist and shared the numbers of people who visited with him and the number has gone up dramatically and didn't know what that was related to.

Mayor Lunde stated he would like to see more cadets in the program and was not an area where he wanted to save money.

- ***Director Yungers briefed Council Members on the Recreation and Parks Department Budget.***

Council Member Jacobson asked where the problem youth were coming from they were talking about.

Chief Enevoldsen stated that they were from all over.

Council Member Jacobson stated she would like to steer them to the Tree House. There were gang bangers showing up there and over the many years it had been there, it had been a neutral spot. She wanted to make sure that they were keeping an eye out there.

Council Member Pha thanked Chief Enevoldsen and Director Yungers for their incredible work because it made a difference in the crime reduction. She thanked Chief Enevoldsen for his passion when it came to the youth in the community and engaging them before they got into trouble or the system.

Mayor Lunde thanked everyone for their work on Tater Daze and thought it was a raging success. He also thanked Antonio Smith for his work with My Brother's Keeper/Cities United. He was known nationwide for the work that he had done and supported the youth cohort. He asked staff to let them know on anything they needed from the Council to keep it successful.

Director Ruiz presented for the Operation and Maintenance Department Budget.

Council Member Jacobson asked if there had been any other discussions about the Organics Recycling. She wanted them to track the number of residents who would recycle on their own versus forcing everyone to do it.

Director Ruiz replied they had requested the numbers and hadn't gotten them yet but should be able to get those numbers from Hennepin County. He stated they had about 200-300 people drop off organics at their dumpster for pumpkin recycling.

Council Member M. Mata asked for the pricing of the Ball Field Groomer.

Director Ruiz responded that it was $28,000.

Council Member M. Mata stated his kids went through the BPPA System and Babe Ruth system of Brooklyn Park and didn't recall them ever taking care of the lip until one time when someone did. He understood the toll on it but thought they needed to worry more about having an effective weed killer that worked for the infield and the grass. He didn't want to spend money on something he thought they could do without and there were a few parks where they could do it.

Director Ruiz stated that it was an 18-year piece of equipment and a couple of his guys were giving him the rundown of the equipment and were very excited about it explaining how much it would help them. He stated they wanted to present it for Council's consideration.

- ***Director LaTonia Green presented for the Finance Department budget.***

Council Member Pha stated that regarding the rates of the property taxes, which were going up, asked what they anticipated would be the average increase in property value.

Director Green replied that the total market value went up by about 12%, which included new construction as well. She stated that was how they got to the median. She added that they had about two thirds of residential properties that would probably receive a decrease and about one third would receive an increase in their property taxes based on what we were recommending.

Council Member Pha stated she would like to see statistics home values where those increases were happening in to understand the impact of it.

City Manager Stroebel stated they would talk to the City Assessor about looking at neighborhoods to get some sense of market growth possibly.

Director Green stated that right now they didn't have that information from the County.

Council Member M. Mata stated not every house was going to be valued equally even if they were in the same neighborhood. He thought the percentage increases or decreases should be the same across the board for everyone.

Council Member B. Mata stated the problem was that most people with a fixed income would have a hard time trying to keep up with those taxes. He stated they were putting a hardship on some of their residents and couldn't see another increase in the budget.

Mayor Lunde stated that 77% of the budget was people and if they were going to make cuts to get zero, they would have to let people go.

Council Member B. Mata stated they needed to figure out a way to cut the budget and it didn't have to be people. There were a lot of different ways and could take out the $300,000 fire truck they didn't need.

City Manager Stroebel stated that truck was gone. He stated the Departments went through and outlined several reduction strategies that were taken. He stated there were costs like the Workers Compensation that were going up and the Council talked about increasing additional investment in things like the Heritage Fund to maintain what they currently had. He stated they were in an environment where the peer cities were doing 2.5 to 3% Cost of Living Adjustments (COLA) and the struggle they had was wrestling with how to provide services at reasonable costs.

Council Member B. Mata asked if peer cities meant cities of the same size or income level.

City Manager Stroebel stated that it was all of it. He stated there was a lot of competition for good employees and cost of things was going up. He stated that was where they would see in the budget that they were trying to make tactical investments to address some of the challenges with their funds. He stated staff leadership had tried to be prudent and knew 6.23% was higher than the Council's appetite and they were trying to find a balance.

Council Member Jacobson stated the city continued to grow and built more commercial businesses, which was why the Council must be careful moving forward as they put businesses on the tax roll and moved them off when they turned them into non-profit organizations. She stated they had done that at least once this year and it was a big amount of money and all those things played into the final budget.

Council Member M. Mata asked if four voted no to the budget, was staff prepared to comeback with something else. He stated they must look at the needs versus wants. He stated for years they had grown $1.8 million every year for the last 10 years and that was a lot.

Mayor Lunde agreed but when campaigning, the three things he constantly heard about were shopping, places to eat and crime, and crime was always number one. He stated the city was twice as diverse and with more people, everyone said that diversity caused crime, but that was not true, and unfortunately, this was what most Minnesotans believed.

Council Member Pha stated she would like to look at ways they could increase revenue. She stated she read about a hotel tax and asked if that was feasible and something they could implement.

Council Member Jacobson said they already had it.

Council Member Pha said they could look at things like that and see how they were doing compared to other cities and maybe they could increase those taxes a little bit more to compensate in the budget.

City Manager Stroebel stated they were a very property tax dependent city in terms of revenue especially residential property taxes, which was why Councils in the last decades had focused on commercial industrial growth.

Council Member Jacobson stated that even if they wanted to do something like that, they would have to go to the State to do it.

Mayor Lunde asked if they could get a list of bills that could and could not be paid online at a future date.

C.5 Street-Signal Light and Storm Sewer Utility Rate Discussion (Dan Ruiz)

Operations and Maintenance Director Dan Ruiz and City Engineer Jesse Struve presented on the Street-Signal Light and Sewer Utility Rate.

Council Member Pha asked if there was a way they could reduce the number of ponds they had in the City because that would be less ponds to take care of.

City Engineer Struve stated a lot of the area was fully developed for two-thirds of the city, and to do regional treatments would involve purchasing properties, which might have to come into play at some point. He stated North of 610, they had been working with Target to do a regional storm water treatment for that area when it developed but they didn't have a lot of room to try to implement that. He stated while they liked to say they could reduce ponds, with the storm water regulations for requiring infiltration of the first inch of rainfall, there had been discussions on increasing that from 1 to 1.3 inches, which would only make the number of ponds to go up.

Mayor Lunde asked if they could add that to the legislative agenda because those kinds of things had a significant dollar impact be it on the state or federal level.

City Engineer Struve stated the infiltration requirement was not the federal mandate. The federal mandate was inspecting and cleaning out the ponds and the infiltration requirement was based on the local Watershed District rules and regulations.

Council Member Jacobson asked if lakes fell under the same rules and standards.

City Engineer Struve stated yes, if storm waters were being directed toward it.

Council Member M. Mata asked if most of the ponds were meant to bleed down into a table somewhere.

City Engineer Struve stated the old ponds were not necessarily designed to do that and had infiltration rates that far exceeded other communities he had been in.

Director Ruiz stated as time passed, the ponds got clogged up with silt and sediments and they lost the infiltration and the system didn’t operate properly and that's when they must dredge them out.

Council Member M. Mata asked if the Federal Government came in and stated that they were mandated to check it just like everyone in the entire country.

Director Ruiz and Engineer Struve stated yes and it was the same for all cities over a population of 5,000.

Council Member M. Mata added that it was mind boggling that the Federal Government just expected them to do this without knowing what the results will come in as.

Engineer Struve stated it all stemmed from maximum daily logs, and studies that had been implemented. He stated knowing there was an issue from those studies, cities were now required to do things to improve those conditions and part of it was inspecting some of those facilities they had put in. He stated those were things that should have been done regardless and was not what had been historically done.

Council Member M. Mata stated that they couldn’t expect them to come up with multi millions of dollars to fix everything in one year.

Engineer Struve replied they were not proposing that they fix everything in one year. They planned to address it over the next 50 years. He stated the federal requirement was to plan to start addressing it.

Director Ruiz stated they had looked at the Capital Project needs and putting it into their model. Brooklyn Park's monthly storm-water sewer charge was one of the lowest in the metro at $3.33 per month and needed to catch up. He stated cities that had been more proactive and were doing more had double or higher charges than Brooklyn Park. He stated they had been doing the bare minimum and the requirements increased in 2013.

Council Member Parks commented that now they were going to ask residents for more money again.

Council Member Pha asked if they could charge more there so that they could charge less on property taxes because people didn't equate one to the other on services.

Director Ruiz replied that was set up as an Enterprise Fund and the collected fee was only used for the storm sewer operation and back in the early 2000, those fees were covered by the General Fund and partially by the Sanitary Sewer Fund for reconstruction projects. He stated there was a growing demand for public safety that took more General Fund dollars.

Council Member Pha asked how that played into the cost of staff or facility and their capacity to manage all of that.

Director Ruiz stated that it did, and they had five full time Employees (FTE) that were funded through the Storm Sewer funds and they would have been on the General Fund in 2001 and since then, there was the transition to have that system fully funded.

Council Member M. Mata asked if they would need more FTEs to do the project.

Director Ruiz stated it depended on their capacity in engineering. He stated that anywhere they could hold a flat rate they were doing that, but the reality was that the requirements were considerable, and they were well below the average rate.

D.1 COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Pha stated she would be gone for two weeks and would be back before Thanksgiving.

D.2 CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated on Wednesday, there was a Police Community Relations conversation. On Thursday, at Hennepin Technical College, they were doing a Green Card Voices exhibit with immigration reform. He stated they needed to find a new date for the meeting with the League of Minnesota Cities and would try for December 4.

E. ADJOURNMENT

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 11:16 p.m.

_____
JEFFREY JONEAL LUNDE, MAYOR

_____
DEVIN MONTERO, CITY CLERK

BROOKLYN PARK SPECIAL CITY COUNCIL MEETING
CLOSED EXECUTIVE SESSION

Monday, February 12, 2018 Administration Conference Room
6:00 p.m. 5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Rich Gates, Lisa Jacobson, Susan Pha, Terry Parks, Bob Mata and Mark Mata; City Manager Jay Stroebel; Human Resources Manager Beth Toal; and Eric Zakovich, Employee Strategies

ABSENT: None.

Mayor Lunde stated the purpose of the executive session was to conduct the City Manager's annual performance review.

2.1 MOTION LUNDE, SECOND GATES TO CLOSE THE MEETING PURSUANT TO MINNESOTA STATUTES, SECTION 13D.05 SUBDIVISION 3(A) TO CONDUCT THE CITY MANAGER'S ANNUAL PERFORMANCE REVIEW. MOTION PASSED UNANIMOUSLY.

The Mayor and Council conducted the city manager's annual performance review with City Manager Jay Stroebel.

The closed Executive Session ended at 6:53 p.m.

At 6:53 p.m., Mayor Lunde adjourned the special meeting.

_____ _____
DEVIN MONTERO, CITY CLERK JEFFREY JONEAL LUNDE, MAYOR

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, January 7, 2019 Brooklyn Park Council Chambers
7:00 p.m. 5200 85th Avenue North

Mayor Lunde briefed the audience on the events of the meeting tonight regarding the swearing in ceremony. He stated the Council would conduct their business and then adjourn the meeting and there would be a reception in the Steve Lampi Room.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

Mayor Jeffrey Lunde was sworn in by City Clerk Devin Montero.

Council Members Elect Terry Parks, Wynfred Russell, and Tonja West-Hafner were sworn in by Mayor Lunde.

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner Susan Pha, Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Finance Director LaTonia Green; Police Chief Craig Enevoldsen and City Clerk Devin Montero.

ABSENT: None.

2A RESPONSE TO PRIOR PUBLIC COMMENT – None.

2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Stated when Highway 610 went in 20 years ago, the stretch of Regent/Zane Avenue was supposed to be done in a year and a half. It's 20 years later and still not done. Stated the City received MSA road money and would not cost the residents along that road extra money to finish it off and were promised the road would be reconstructed and had not been started. Stated the road was supposed to be a collector street but was a commuter street. According to the State, the City received more than $10 million in the last five years for state aid roadways and at that rate, had collected $40 million in the last 20 years for a $2 million project that had never been done.

   She stated the trucks on that road were tearing apart the asphalt at the stop sign at 93rd/Regent Avenue. She stated the approach at the Lenar homes was supposed to be temporary and had gone from a large crack to a larger crack in two weeks' time and that approach needed to be removed and needed to get blocked off. She stated the residents living there now were using that as short cut to avoid the four way stop at Regent/93rd Avenue and as a short cut to avoid the stop light on Noble/Zane Avenue.

2. Georgette Gray, OLM Executive Director, 7001 78th Avenue. She stated the Liberian community experienced two deaths on Brooklyn Boulevard and was concerned with the speed limits on Brooklyn Boulevard. She stated there were a lot of seniors in that area and had a senior building on that street.

3A. MOTION MATA, SECOND JACOBSON TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

4.0 MOTION MATA, SECOND PARKS TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-1 DESIGNATING REAL PROPERTY APPRAISERS FOR 2019.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-2 DESIGNATING U.S. BANK AS THE OFFICIAL DEPOSITORY FOR THE CITY OF BROOKLYN PARK FOR 2019.

4.3 TO CONFIRM THE CITY COUNCIL APPOINTMENT OF MARK ANDERSON OR ALTERNATE CHRIS SULLIVAN AS CITY TREE INSPECTOR FOR THE YEAR 2019.

4.4 TO CONFIRM THE MAYOR'S APPOINTMENT OF MARK ANDERSON, CHRIS SULLIVAN AND JASON NEWBY AS ASSISTANT WEED INSPECTORS FOR THE YEAR 2019.

4.5 TO SET A PUBLIC HEARING ON JANUARY 14, 2019, TO SOLICIT TESTIMONY AND CONSIDER ISSUANCE OF AN OFF-SALE INTOXICATING LIQUOR LICENSE FOR HARMONY LIQUOR HOLDINGS LLC DBA MADDIES LIQUOR, 8521 ZANE AVENUE NORTH, BROOKLYN PARK.

4.6 TO APPROVE A TOBACCO SALES LICENSE FOR NYA ENTERPRISES DBA BROOKLYN PARK BP, LOCATED AT 8080 BROOKLYN BLVD, BROOKLYN PARK, MN 55445.

4.7 TO CONFIRM THE CITY MANAGER'S APPOINTMENT OF DR. MATTHEW HOCKETT AS BROOKLYN PARK'S HEALTH OFFICER FOR A TERM OF ONE YEAR TO EXPIRE DECEMBER 31, 2019.

4.8 TO DESIGNATE THE BROOKLYN PARK SUN-POST AS THE OFFICIAL NEWSPAPER FOR THE CITY OF BROOKLYN PARK FOR THE YEAR 2019.

4.9 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-3 RELATING TO COUNCIL/STAFF RESPONSIBILITIES.

4.10 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-4 RELATING TO BUSINESS EXPENSES OF THE CITY COUNCIL.

4.11 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-5 AUTHORIZING SUPPLEMENTAL COMPENSATION FOR MAYOR AND COUNCIL MEMBERS WHO ATTEND APPROVED MUNICIPAL FUNCTIONS.

4.12 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-6 APPOINTING JESSE STRUVE AS DIRECTOR AND LATONIA GREEN AS ALTERNATE DIRECTOR

OF THE SUBURBAN RATE AUTHORITY FOR 2019.

4.13 TO APPROVE THE ELECTED OFFICIALS RULES OF PROCEDURES AND CODE OF CONDUCT MANUAL.

4.14 TO AUTHORIZE THE CITY MANAGER TO DESIGNATE A DEPARTMENT DIRECTOR, FIRE CHIEF, POLICE CHIEF OR THE ASSISTANT CITY MANAGER TO SERVE, IF NEEDED, AS ACTING CITY MANAGER THROUGH DECEMBER 31, 2019.

4.15 TO APPROVE THE APPLICATION AND APPOINTMENT POLICY FOR FILLING A VACANCY IN THE OFFICE OF MAYOR OR COUNCIL MEMBER.

MOTION PASSED UNANIMOUSLY.

5.1 Rental and Business Licensing Manager Keith Jullie briefed the Council on an On-Sale Intoxicating Liquor License for Ruelas WBL LLC dba El Rancho Mexican Restaurante, Located at 1408 85th Avenue North.

5.1 Mayor Lunde opened the public hearing to consider an On-Sale Intoxicating Liquor License for Ruelas WBL LLC dba El Rancho Mexican Restaurante, Located at 1408 85th Avenue North.

5.1 The following individuals addressed the Council – None.

5.1 MOTION JACOBSON, SECOND PARKS TO APPROVE AN ON-SALE INTOXICATING LIQUOR LICENSE FOR RUELAS WBL LLC DBA EL RANCHO MEXICAN RESTAURANTE, LOCATED AT 1408 85TH AVENUE NORTH. MOTION PASSED UNANIMOUSLY.

7.1 Mayor Lunde briefed on the Appointment of a Director to the Brooklyn Park Development Corporation (BPDC) Board of Directors.

7.1 MOTION LUNDE, SECOND PHA TO APPOINT WASHINGTON TOE TO THE BROOKLYN PARK DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS TO SERVE A TERM BEGINNING IMMEDIATELY AND ENDING JANUARY 1, 2022. MOTION PASSED

UNANIMOUSLY.

7.2 Mayor Lunde briefed on Council Liaison appointments to Commissions and Committees.

7.2 MOTION LUNDE, SECOND MATA TO CONFIRM THE MAYOR'S COUNCIL LIAISON APPOINTMENTS TO COMMISSIONS AND COMMITTEES FOR THE YEAR 2019.

7.2 TO APPOINT MARK MATA, TERRY PARKS AND WYNFRED RUSSELL AS MEMBERS OF THE AUDIT COMMITTEE.

7.2 TO APPOINT WYNFRED RUSSELL AS LIAISON BETWEEN THE CITY COUNCIL AND THE BUDGET ADVISORY COMMISSION.

7.2 TO APPOINT LISA JACOBSON AS LIAISON BETWEEN THE CITY COUNCIL AND THE CHARTER COMMISSION.

7.2 TO APPOINT TERRY PARKS AS LIAISON BETWEEN THE CITY COUNCIL AND THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION.

7.2 MAYOR LUNDE TO APPOINT MARK MATA AS LIAISON BETWEEN THE CITY COUNCIL AND THE HUMAN RIGHTS COMMISSION.

7.2 TO APPOINT TONJA WEST-HAFNER AS LIAISON BETWEEN THE CITY COUNCIL AND THE PLANNING COMMISSION.

7.2 TO APPOINT SUSAN PHA AS LIAISON BETWEEN THE CITY COUNCIL AND THE RECREATION AND PARKS ADVISORY COMMISSION.

7.2 MAYOR LUNDE TO APPOINT TERRY PARKS AS LIAISON AND LISA JACOBSON AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYN PARK DEVELOPMENT CORPORATION.

7.2 TO APPOINT SUSAN PHA AS LIAISON AND WYNFRED RUSSELL AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYNS YOUTH COUNCIL.

7.2 TO APPOINT JEFFREY LUNDE AS LIAISON AND SUSAN PHA AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYN BRIDGE ALLIANCE.

7.2 TO APPOINT TONJA WEST-HAFNER AS LIAISON AND JEFFREY LUNDE AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE FIRE RELIEF ASSOCIATION.

7.2 TO APPOINT WYNFRED RUSSELL AS LIAISON AND MARK MATA AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND MINNEAPOLIS NORTHWEST TOURISM BOARD.

7.2 TO APPOINT JEFFREY LUNDE AS LIAISON BETWEEN THE CITY COUNCIL AND NORTH METRO MAYORS ASSOCIATION.

7.2 TO APPOINT CAMILLE HEPOLA AS LIAISON AND JAY STROEBEL AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE NORTHWEST SUBURBS CABLE COMMUNICATIONS COMMISSION.

7.2 MAYOR LUNDE TO APPOINT TONJA WEST-HAFNER AS LIAISON BETWEEN THE CITY COUNCIL AND THE PROPERTY MANAGER'S COALITION.

7.2 MAYOR LUNDE TO APPOINT LISA JACOBSON AS LIAISON BETWEEN THE CITY COUNCIL AND THE TATER DAZE PLANNING TEAM.

7.2 MAYOR LUNDE TO APPOINT JEFFREY LUNDE AS LIAISON AND SUSAN PHA AS THE ALTERNATE LIAISON TO THE HENNEPIN COUNTY BOTTINEAU CORRIDOR STEERING COMMITTEE.

7.2 MAYOR LUNDE TO APPOINT JEFFREY LUNDE AS LIAISON AND LISA JACOBSON

AS THE ALTERNATE LIAISON TO BOTTINEAU LRT CORRIDOR MANAGEMENT COMMITTEE.

MOTION PASSED UNANIMOUSLY.

7.3 Mayor Lunde briefed on the appointment to Mayor Pro Tem and asked for nominations.

Council Member Terry Parks nominated Council Member Susan Pha as Mayor Pro Tem.

Council Member Tonja West-Hafner nominated Council Member Lisa Jacobson.

Council Member Jacobson declined the nomination and thanked Council Member West-Hafner for the nomination and asked for the nomination to be Vice President of the Economic Development Authority at its next meeting.

7.3 MOTION LUNDE, SECOND PARKS TO APPOINT SUSAN PHA AS MAYOR PRO TEM FOR THE YEAR 2019. MOTION PASSED UNANIMOUSLY.

7.4 Mayor Lunde briefed on the appointments to the Human Rights Commission.

7.4 MOTION LUNDE, SECOND PARKSTO CHANGE MARY PARGO'S APPOINTMENT TO REPRESENT THE CITY AT-LARGE ON THE HUMAN RIGHTS COMMISSION EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2019. MOTION PASSED UNANIMOUSLY.

7.4 MOTION LUNDE, SECOND PHA TO APPOINT AJA KING TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2019 AND FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. MOTION PASSED UNANIMOUSLY.

7.5 Mayor Lunde briefed on the Public Purpose Expenditures Policy.

7.5 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2019-7 ACCEPTING THE CURRENT PUBLIC PURPOSE EXPENDITURES POLICY. MOTION PASSED UNANIMOUSLY.

10.1 MOTION LUNDE, SECOND MATA TO ADJOURN THIS MEETING OF THE BROOKLYN PARK CITY COUNCIL IN RECOGNITION OF AND RESPECT FOR THE LIFE AND CONTRIBUTIONS OF FORMER COUNCIL MEMBER DEAN HENG AND RESPECTFULLY ASK THE SUPPORT OF FELLOW COUNCIL MEMBERS.

COUNCIL MEMBER HENG SERVED THE CITY OF BROOKLYN PARK AS THE WEST DISTRICT COUNCIL MEMBER FROM 2009-2012. HE SERVED AS COUNCIL LIAISON TO THE RECREATION AND PARKS ADVISORY COMMISSION, CITIZEN LONG-RANGE IMPROVEMENT COMMITTEE, HUMAN RIGHTS COMMISSION, THE BROOKLYN HISTORICAL SOCIETY AND AUDIT COMMITTEE. HE SERVED AS ALTERNATE COMMISSIONER TO THE SHINGLE CREEK AND WEST MISSISSIPPI WATERSHED MANAGEMENT COMMISSIONS.

HE ALSO SERVED ON THE CIVIC ENGAGEMENT RESOURCES ACTION TEAM AND EMBRACED THE VISION OF "BROOKLYN PARK, A THRIVING COMMUNITY INSPIRING PRIDE WHERE OPPORTUNITIES EXIST FOR ALL," TO MAKE THE CITY A BETTER PLACE TO LIVE, WORK AND PLAY.

HIS LEADERSHIP AND INVOLVEMENT ON THE CITY COUNCIL WAS INSTRUMENTAL IN THE PARTNERSHIP WITH THE TARGET COPORATION TO EXPAND TARGET NORTH CAMPUS, WHICH IS THE LARGEST EMPLOYMENT CENTER IN THE COMMUNITY AND IS GROWING TO CREATE THE LARGEST DEVELOPMENT IN THE CITY'S HISTORY. WITH HIS SUPPORT, STAFF BEGAN THE NEW INNOVATIVE BUSINESS FORWARD INITIATIVE.

HE WAS AN ACTIVE CONTRIBUTOR TO THE VISION AND LEADERSHIP FOR BROOKLYN PARK, RESULTING IN NUMEROUS AWARDS AND RECOGNITION.

HE WILL ALSO BE REMEMBERED AS AN ARTIST KNOWN FOR HIS WATERCOLOR, STAINED-GLASS, AND WOOD-BURNING, AND HIS WORK CAN BE SEEN TODAY IN CITY HALL.

HIS DEDICATED CONTRIBUTIONS ALSO TOUCHED MANY LIVES THROUGHOUT THE CITY AND THE SURROUNDING COMMUNITIES.

I FURTHER REQUEST THE MOTION BE MADE A PART OF THE PERMANENT RECORDS OF THIS BODY AND THAT A LETTER BEARING THE CITY SEAL AND THE SIGNATURE OF THE MAYOR BE SENT TO THE FAMILY ADVISING THEM OF THIS ACTION.

MOTION PASSED UNANIMOUSLY.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS-None.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated that on Monday, January 14, at 5 p.m., they would have the continuation of the Council orientation. He stated the Department Directors would be giving an overview of city operations, priorities, initiatives and issues for each of the departments.

He congratulated the four members of the Council who were sworn in tonight and stated he looked forward to working with the entire Council in 2019 and 2020.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 7:33 p.m.

_____
JEFFREY JONEAL LUNDE, MAYOR

_____
DEVIN MONTERO, CITY CLERK

City of Brooklyn Park
Request for Council Action

Agenda Item:	5.1	**Meeting Date:**	January 28, 2019
Agenda Section:	Public Hearings	**Originating Department:**	Community Development
Resolutions:	XX	**Prepared By:**	Todd A. Larson, Senior Planner Jeff Holstein, Transportation Engineer
Ordinance:	N/A		
Attachments:	8	**Presented By:**	Cindy Sherman, Planning Director
Item:	Three Rivers Park District/City of Brooklyn Park – Waiver of Platting #19-100 to Subdivide 37.66 Acres into Two Parcels for the Future Highway 169/101st Avenue Interchange and Purchase 2.3 Acres of the Property		

City Manager's Proposed Actions:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING WAIVER OF PLATTING TO SUBDIVIDE PROPERTY AT THE NORTHEAST CORNER OF HIGHWAY 169 AND 101ST AVENUE INTO TWO PARCELS.

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO PURCHASE 2.3 ACRES OF PROPERTY FROM THREE RIVERS PARK DISTRICT FOR USE IN HIGHWAY 169 INTERCHANGE PROJECT.

Planning Commission Recommendation:

At its meeting on January 9, 2019, the Planning Commission unanimously (8-0) recommended approval of the proposed lot split. The Planning Commission reviewed the proposed lot split and provided a recommendation, but did not hold the public hearing. The City Council is holding the public hearing on the lot split to allow for proper notification.

Overview:

Three Rivers Park District (TRPD) owns property at the northeast corner of Highway 169 and 101st Avenue. This property will be impacted by the anticipated interchange of those two roadways. In order to construct the interchange, the City needs to buy approximately 2.3 acres from TRPD. The City will then turn most of the property over to MNDOT with the rest retained for future upgraded 101st Avenue. The future interchange will be a folded diamond, like the interchange at Highway 610 and West Broadway. The first action is to subdivide the property into two parcels via a metes and bounds subdivision (non-platted).

The second action is to take ownership of the property. The City is the lead agency on the interchange project. Eventually, the City will turn over some of the properties acquired for the interchange to MNDOT and retain the rest for a future upgraded 101st Avenue. Section 11.02 of the City Charter states that property acquisition is approved by a resolution after an appraisal from an outside source is provided to the Council. The appraisal is attached to this report.

Budgetary/Fiscal Issues:

Instead of a cash payment at this time, the City will reduce TRPD's monetary portion of grade separating Winnetka Avenue from the Rush Creek Regional Trail (a future project) by $30,000, the appraised value of the land. TRPD's board approved this arrangement in December 2018.

Alternatives to consider:

1. Approve the waiver of platting as recommended by the Planning Commission and the purchase of the land.
2. Deny the waiver of platting based on certain findings and not purchase the property.

Attachments:

5.1A RESOLUTION – WAIVER OF PLATTING
5.1B RESOLUTION – PROPERTY PURCHASE
5.1C LOCATION MAP
5.1D PLANNING AND ZONING INFORMATION
5.1E PLANNING COMMISSION MINUTES
5.1F PLANS
5.1G PURCHASE AGREEMENT
5.1H APPRAISAL

RESOLUTION #2019-

RESOLUTION APPROVING WAIVER OF PLATTING
TO SUBDIVIDE PROPERTY
AT THE NORTHEAST CORNER OF HIGHWAY 169 AND 101ST AVENUE
INTO TWO PARCELS

Planning Commission File #19-100

WHEREAS, Three Rivers Park District owns the following property (the "District Property"):

That part of the North 340.00 feet of the East 1/4 of the Southeast Quarter of the Southwest Quarter of Section 6, Township 119, Range 21 lying West of the Westerly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
That part of the North 340.00 feet of the West 1/4 of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21 lying East of the Easterly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21;
AND
Part 4: That part of the Southeast Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota, lying North of the South 1,111.00 feet thereof.

WHEREAS, a portion of the District Property, described below as "Parcel A," will be conveyed to the City of Brooklyn Park for the intent of constructing an interchange at 101st Avenue and Highway 169, resulting in a subdivision of the District Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park:

That the requirements of the Ordinance of the City of Brooklyn Park, Section 151.010 (B), relating to conveyance of parcels, are hereby waived to permit the conveyance as follows:

Parcel A (to be conveyed to City):

The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota;

lying southerly and westerly of the following described line:

Commencing at the southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 6; thence South 89 degrees 56 minutes 01 seconds East, assumed bearing, along the south line of said Southwest Quarter 328.55 feet to the west line of the East Three-Quarters of said Southwest Quarter of the Southeast Quarter; thence North 01 degrees 07 minutes 50 seconds East, along said west line 598.19 feet to the beginning of the line to be described; thence South 44 degrees 01 minutes 56 seconds East 4.19 feet; thence southerly 357.68 feet along a tangential curve concave to the southwest having a radius of 465.97 feet and a central angle of 43 degrees 58 minutes 49 seconds; thence South 00 degrees 03 minutes 07 seconds East, tangent to last described curve, 150.20 feet; thence North 90 degrees 00 minutes 00 seconds

East 155.56 feet; thence South 00 degrees 00 minutes 00 seconds East 36.46 feet; thence North 90 degrees 00 minutes 00 seconds East 225.41 feet; thence southeasterly 257.81 feet along a tangential curve concave to the southwest having a radius of 620.00 feet and a central angle of 23 degrees 49 minutes 31 seconds to the northerly right of way line of 101st Avenue North and there terminating.

Parcel B (to be retained by Three Rivers Park District):

That part of the North 340.00 feet of the East 1/4 of the Southeast Quarter of the Southwest Quarter of Section 6, Township 119, Range 21 lying West of the Westerly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
That part of the North 340.00 feet of the West 1/4 of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21 lying East of the Easterly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, which lies Easterly and Northerly of the following described line: Commencing at the southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 6; thence South 89 degrees 56 minutes 01 seconds East, assumed bearing, along the south line of said Southwest Quarter 328.55 feet to the west line of the East Three Quarter of said Southwest Quarter of the Southeast Quarter; thence North 01 degrees 07 minutes 50 seconds East, along said west line 598.19 feet to the beginning of the line to be described; thence South 44 degrees 01 minutes 56 seconds East 4.19 feet; thence southerly 357.68 feet along a tangential curve concave to the southwest having a radius of 465.97 feet and a central angle of 43 degrees 58 minutes 49 seconds; thence South 00 degrees 03 minutes 07 seconds East, tangent to last described curve, 150.20 feet; thence North 90 degrees 00 minutes 00 seconds East 155.56 feet; thence South 00 degrees 00 minutes 00 seconds East 36.46 feet; thence North 90 degrees 00 minutes 00 seconds East 225.41 feet; thence southeasterly 257.81 feet along a tangential curve concave to the southwest having a radius of 620.00 feet and a central angle of 23 degrees 49 minutes 31 seconds to the northerly right of way line of 101st Avenue North and there terminating.
AND
That part of the Southeast Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota, lying North of the South 1,111.00 feet thereof

This resolution must be recorded with the Hennepin County Recorder's office and Registrar of Titles.

RESOLUTION #2019-

RESOLUTION AUTHORIZING PURCHASE OF PROPERTY
FROM THREE RIVERS PARK DISTRICT
FOR USE IN HIGHWAY 169 INTERCHANGE PROJECT

WHEREAS, Three Rivers Park District ("Three Rivers") is the owner of a parcel of land, legally described as shown on the attached Exhibit A ("Property"); and

WHEREAS, the City of Brooklyn Park (the "City") is undertaking a highway improvement project (the "Project") at the junction of U.S. Highway 169 and 101st Avenue North in Brooklyn Park, which project requires acquisition of the Property; and

WHEREAS, the City finds that purchase of the Property from Three Rivers would serve a public purpose by allowing the Project to be undertaken; and

WHEREAS, the City desires to enter into a purchase agreement with Three Rivers for the conveyance of the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park as follows:

1. The City is authorized and directed to purchase, and acquire title to, the Property.

2. The appropriate City officials are authorized and directed to execute all appropriate documents to facilitate the transactions and to take all additional steps and actions necessary or convenient to accomplish the intent of this Resolution.

Exhibit A

The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota;

lying southerly and westerly of the following described line:

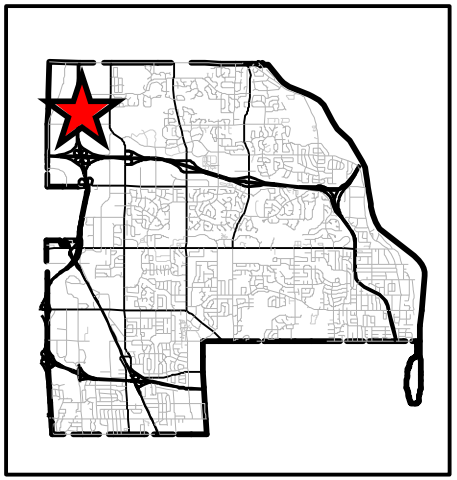
Commencing at the southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 6; thence South 89 degrees 56 minutes 01 seconds East, assumed bearing, along the south line of said Southwest Quarter 328.55 feet to the west line of the East Three-Quarters of said Southwest Quarter of the Southeast Quarter; thence North 01 degrees 07 minutes 50 seconds East, along said west line 598.19 feet to the beginning of the line to be described; thence South 44 degrees 01 minutes 56 seconds East 4.19 feet; thence southerly 357.68 feet along a tangential curve concave to the southwest having a radius of 465.97 feet and a central angle of 43 degrees 58 minutes 49 seconds; thence South 00 degrees 03 minutes 07 seconds East, tangent to last described curve, 150.20 feet; thence North 90 degrees 00 minutes 00 seconds East 155.56 feet; thence South 00 degrees 00 minutes 00 seconds East 36.46 feet; thence North 90 degrees 00 minutes 00 seconds East 225.41 feet; thence southeasterly 257.81 feet along a tangential curve concave to the southwest having a radius of 620.00 feet and a central angle of 23 degrees 49 minutes 31 seconds to the northerly right of way line of 101st Avenue North and there terminating.

Waiver of Platting #19-100
City of Brooklyn Park/Three Rivers Park District

Brooklyn Park
Community Development

Spring 2016 Air Photo.

200 Feet



Map Date January 4, 2019

Land Use Plan	Parks and Open Space
Current Zoning	Conservancy District (CD)
Surrounding Zoning	North – Business Park with Planned Development Overlay (BP/PD) *NorthPark Business Center* West – Conservancy District (CD) and Urban Reserve with Highway Overlay (R1/HO) South – Urban Reserve with Highway Overlay (R1/HO) East – Urban Reserve (R1) and Conservancy District (CD) Northeast – Detached Single-Family Residential District (R2B)
Neighborhood	Future 4
Parcel Areas	
Existing	37.66 acres
Parcel A (to City)	2.6 acres
Parcel B (TRPD)	35.06 acres
Conforms to:	
Land Use Plan – Yes	
Zoning Code – Yes	
Variances Needed – None	
Notification	30 Mailed Notices Sun Post Neighborhood Update Email – Northwoods

UNAPPROVED MINUTES
MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting - January 9, 2019

1. CALL TO ORDER

The meeting was called to order at 7:00 PM.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Herbers, Husain, Kiekow, Kisch, Mersereau, Mohamed, Morton-Spears, Vosberg; Senior City Planner Larson; Planning Director Sherman; Council Member Liaison West-Hafner. Those not present were: Commissioners Hanson.

8. OTHER BUSINESS

A. Three Rivers Park District/City of Brooklyn Park – Waiver of Platting #19-100 to subdivide 37.66 into two parcels for the future Highway 169/101s^{t} Avenue interchange.

Senior Planner Larson introduced the item by explaining it was not included in the public hearing as it was a last-minute addition to the agenda, so it was too late to send the proper notification required for a public hearing. He stated that notifications will be going out for City Council to hold a public hearing on January 28. He said the City of Brooklyn Park and the Three Rivers Park District are jointly requesting to subdivide off a portion of a corner of property owned by the Three Rivers Park District. The City of Brooklyn Park would acquire this land, and then turn it over to MN DOT for construction of the 101st Avenue Interchange. The interchange would be a folded-diamond design with loops similar to the interchange at West Broadway and Highway 610. He explained that subdivisions are subject to a public hearing, and that the Commission can choose to open the floor up to public comments. He clarified that the Planning Commission is being asked to make a recommendation for City Council.

Commissioner Vice-Chair Kisch opened the floor for public comment.

Seeing no one approach the podium, Commissioner Vice-Chair Kisch closed the floor to public comment.

MOTION MOHAMED, SECOND MERSEREAU TO RECOMMEND APPROVAL OF WAIVER OF PLATTING #19-100 FOR THREE RIVERS PARK DISTRICT AT THE NORTHEAST CORNER OF 101ST AVENUE AND HIGHWAY 169, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

Commissioner Kiekow asked how much it will cost for the City of Brooklyn Park to purchase the property and turn it over to MN DOT.

Senior Planner Larson said this transaction will not have an initial cost. He stated the appraisal and the agreed upon price with the Three Rivers Park District is $30,000. He explained that instead of giving money to Three Rivers, the City of Brooklyn Park is going to give Three Rivers Park District a $30,000 credit towards their portion of the trail and grade separating projects that will occur later at Winnetka and Xylon.

Commissioner Kiekow asked for the purpose of the extension along 101st Ave away from the 169 ramps.

Senior Planner Larson explained the eastern tail accounts for the larger picture which includes having 101st Ave widened out to four lanes with multi-purpose trails on both sides, a landscape median, and streetlights. He stated that 101st Ave will go east, and then swing southward and eventually realign with Oak Grove Pkwy for one continuous roadway.

Planning Director Sherman added that everything is shifting northwards to protect Grace Fellowship Church from impact although some right of way will still be acquired from them.

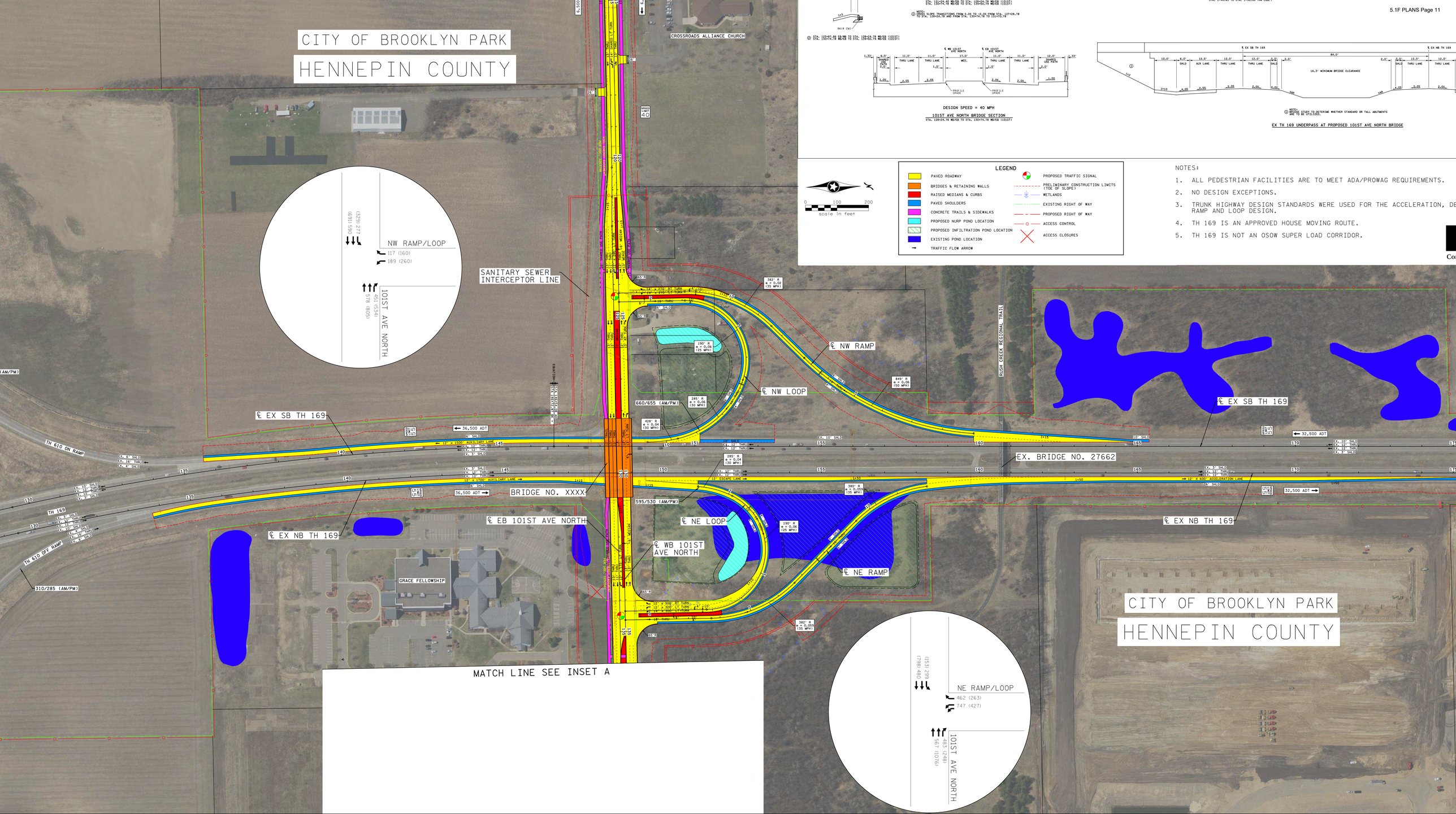
Commissioner Vice-Chair Kisch asked for confirmation that the amount of designated land mapped out has room for any potential alternative layouts or shifts as the designs continue to progress.

Planning Director Sherman explained the City Council has reviewed a few design options, and the current proposal is based on the final design they agreed upon.

MOTION CARRIED UNANIMOUSLY.

CITY OF BROOKLYN PARK

HENNEPIN COUNTY



DESIGN SPEED = 40 MPH

101ST AVE NORTH BRIDGE SECTION

STA. 128+24.76 WB/EB TO STA. 130+74.78 WB/EB (101ST)

NOTE:
① BEFORE STAGE 1B DETERMINE WHETHER STANDARD OR TALL ABUTMENTS WILL BE UTILIZED.

EX TH 169 UNDERPASS AT PROPOSED 101ST AVE NORTH BRIDGE

0 100 200
scale in feet

LEGEND

- PAVED ROADWAY
- BRIDGES & RETAINING WALLS
- RAISED MEDIANS & CURBS
- PAVED SHOULDERS
- CONCRETE TRAILS & SIDEWALKS
- PROPOSED NURP POND LOCATION
- PROPOSED INFILTRATION POND LOCATION
- EXISTING POND LOCATION
- TRAFFIC FLOW ARROW
- PROPOSED TRAFFIC SIGNAL
- PRELIMINARY CONSTRUCTION LIMITS (TOE OF SLOPE)
- WETLANDS
- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- ACCESS CONTROL
- ACCESS CLOSURES

NOTES:

1. ALL PEDESTRIAN FACILITIES ARE TO MEET ADA/PROWAG REQUIREMENTS.
2. NO DESIGN EXCEPTIONS.
3. TRUNK HIGHWAY DESIGN STANDARDS WERE USED FOR THE ACCELERATION, DE RAMP AND LOOP DESIGN.
4. TH 169 IS AN APPROVED HOUSE MOVING ROUTE.
5. TH 169 IS NOT AN OSOW SUPER LOAD CORRIDOR.

CITY OF BROOKLYN PARK

HENNEPIN COUNTY

pw:\\srf-pw.bentley.com:srf-pw\Documents\Projects\11431\03_Design\Z_Working\ctroyevich\11431_Park_Property_2018-10-31.dgn

SRF

TH 169 / 101ST AVENUE INTERCHANGE

Three Rivers Park District - Park Property Aquisition

Brooklyn Park, MN

Job #
11/1/2018

Figure 1

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT ("Agreement") is entered into by and between **Three Rivers Park District,** a public corporation and political subdivision of the State of Minnesota ("Three Rivers") and the **City of Brooklyn Park,** (the "City"), a Minnesota municipal corporation.

RECITALS

WHEREAS, Three Rivers is a political subdivision of the State of Minnesota, whose primary duties are acquisition, development and maintenance of large parks, wildlife sanctuaries or other reservations, and means for public access to historic sites and to lakes, rivers and streams and to other natural phenomena, and to acquire, establish, operate and maintain trail systems; and

WHEREAS, Three Rivers owns the property described on attached Exhibit A and depicted in Exhibit B ("Subject Property") which is a part of a larger parent parcel ("Parent Parcel") owned by Three Rivers, which Parent Parcel is described in Exhibit C, including a legal description of the remainder parcel after the Subject Property is split from the Parent Parcel; and

WHEREAS, the City is undertaking a highway improvement project at the junction of U.S. Highway 169 and 101st Avenue North in Brooklyn Park, which project requires acquisition of the Subject Property; and

WHEREAS, the City and Three Rivers have agreed to undertake the future Winnetka Avenue and Rush Creek Regional Trail Grade Separation Project ("Rush Creek Project"), which Rush Creek Project is anticipated to include Hennepin County funding participation, as a joint project which includes certain monetary obligations of Three Rivers; and

WHEREAS, the City and Three Rivers wish to enter into an agreement for the conveyance of the Subject Property from Three Rivers to the City;

NOW THEREFORE, for and in consideration of the above premises and the promises contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Conveyance**. Three Rivers agrees to convey to the City and the City agrees to accept from Three Rivers the Subject Property together with all improvements, structures, and fixtures thereon, if any.

2. **Consideration**. In consideration of the conveyance by Three Rivers to the City of the Subject Property, the City shall reduce by $30,000 the obligation of Three Rivers to pay for the Rush Creek Project, which amount is equal to the appraised value of the Subject Property. The result of this obligation reduction shall increase the City's share of Rush Creek Project costs, and will not impact in any way the share of said costs borne by Hennepin County.

3. **Deed/Marketable Title**. Three Rivers agrees to execute and deliver at closing a quit claim deed in recordable form conveying marketable title to the Subject Property.

4. **Real Estate Taxes**. Real estate taxes due and payable in the year of closing, if any, shall be paid by the City.

5. **Title and Documents**.

(a) Documents and Information to be provided. Within 30 days after the execution of this Agreement by the parties, Three Rivers shall provide the City with the following:

(i) Copies of any environmental audits or assessments of the Subject Properties that are in the Three Rivers' possession, if any;

(ii) Copies of any certificates, authorizations, permits, licenses, and approvals which have been issued covering the Subject Property, if any;

(iii) Copies of any surveys of the Subject Property that are in the Three Rivers' possession; and

(iv) Copies of any written agreements affecting the ownership and use of the Subject Property known to Three Rivers, if any.

(b) Title Commitment. The City may, at its sole discretion, obtain an owner's title commitment. The City shall pay the title commitment fee and shall pay the premium for any title insurance it desires. The title examination period shall commence upon the City's receipt of a current title insurance commitment.

(c) Review of Commitment. In the event City elects to obtain a title commitment pursuant to (b) above, City shall have 30 days after receipt of the title commitment within which to object to the contents. If said objections are not made in writing and delivered to Three Rivers within such time period, the City shall be deemed to have waived such objections. If the City objects to the contents of the title documents, Three Rivers shall have 60 days from the date of such objections to make title marketable or to determine to not make title marketable. If title is not made marketable within said 60 days, the City can waive this requirement in writing within 14 days thereafter and proceed to closing; otherwise, this Agreement shall be null and void and neither party shall have any further obligation under this Agreement.

6. **Environmental**. To the best of the Three Rivers' knowledge, and except as disclosed in the reports and other documents provided to the City, Three Rivers represents that its operations are in compliance with all applicable federal, state and local statutes, laws, rules, regulations, ordinances, orders, judicial or administrative decisions of any governmental authority or court of competent jurisdiction in effect and in each case, if applicable, as amended as of the closing relating to: (a) pollution of the environment; (b) a Release, as defined below, or threatened Release of Hazardous Materials, as defined below; or (c) the handling, storage, transport, or disposal of Hazardous Materials (collectively, "Environmental Laws").

During the period of the Three Rivers' ownership of the Subject Property, to the best of the Three Rivers' knowledge, and except as disclosed in the reports and other documents provided to the City: (a) there has been no Release, as defined below, of any Hazardous Materials, as defined below, on the Subject Property; and (b) there have not been, and Three Rivers has not received any notices from any governmental authority of any underground storage tanks on the Subject Property. For purposes of this Agreement, "Release" shall mean, in violation of applicable Environmental Laws, depositing, discharging, injecting, spilling, leaking, leaching, dumping, emitting, escaping, emptying, seeping, or placing and other similar actions into or upon any land, water or air, or otherwise entering into the environment, and "Hazardous Materials" shall mean (a) any chemicals, materials or substances defined as or included in the definition of "hazardous substances," "hazardous wastes," "hazardous materials," "extremely hazardous substances," "toxic substances," "pollutant or contaminant" or words of similar import, under applicable Environmental Laws; (b) any petroleum or petroleum products, natural or synthetic gas, radioactive materials, polychlorinate, biphenyls, asbestos in any form that is friable, urea formaldehyde foam insulation or radon; and (c) any other chemical, material, or substance, the handling, storage, transport, or disposal of which is prohibited, limited, or regulated by any governmental authority under applicable Environmental Laws.

Three Rivers has disclosed to the City all reports and other documents in its possession concerning environmental matters relating to the Subject Property. To the best of Three Rivers' knowledge there are no existing claims or causes of action, and there are no pending claims regarding the Subject Property, or against the Subject Property or Three Rivers involving the violation of Environmental Laws, and Three Rivers has no such claims against third parties.

Three Rivers shall indemnify and hold the City harmless from and against any and all claims brought under Environmental Laws pertaining to conditions in existence and known to Three Rivers prior to conveyance to the City.

7. **Three Rivers' Warranties**. As an inducement to the City to enter into this Agreement, and as part of the consideration therefore, Three Rivers represents and warrants to and covenants with the City that to the best of the Three Rivers' knowledge at the time of closing there are no persons in possession of the properties, including, but not limited to tenants, licensees, or permittees.

8. **Defaults/Right to Terminate**. In addition to the other rights to terminate this Agreement granted to each of the parties pursuant to this Agreement, either party may cancel this Agreement upon 30 days' written notice to the other party at any such time as such other party is in default of its agreements under this Agreement and remains in such default for 30 days following the notice of such default.

9. **Due Authorization**. The City and Three Rivers hereby represent to the other that each has requisite power and authority to execute this Agreement and the referenced documents and to perform its obligations set forth in these documents; and the individuals executing this Agreement and all such other documents have a legal power, right, and actual authority to bind each of the parties to the terms and conditions of the Agreement and all other such documents. Further, each of the parties to this Agreement represents to

the other that its execution and performance of this Agreement and all other documents referred to herein does not violate any applicable statute, ordinance, governmental restriction or regulation, or any prior restriction or agreement.

10. **Closing; Contingencies**.

(a) Performance at Closing. Subject to paragraphs 5 and 8 above, the closing of the transaction contemplated by this Agreement shall take place at 3000 Xenium Lane North, Plymouth, MN 55441 on April 18, 2019, or at such time and place as may be agreed upon between the parties.

(i) At the closing Three Rivers shall:

(a) sign an Affidavit of Seller confirming the absence of judgments, mechanics liens, and unrecorded interests against the Subject Properties not disclosed in this Agreement;

(b) deliver any documents necessary to clear title in accordance with this Agreement, if any;

(c) sign the well disclosure statement required by Minnesota Statutes Section 103I.235;

(d) provide an executed quit claim deed; and

(e) provide Board of Commissioners' authorization approving the transfer of the Subject Property.

(ii) At the closing the City shall:

(a) pay the title commitment fee, if any;

(b) pay the premium for title insurance, if title insurance is desired by the City; and

(c) pay any and all other closing costs including all filing fees.

(b) Contingencies. Notwithstanding the foregoing, the parties to this Agreement acknowledge that the closing is expressly subject to the following contingencies:

(i) The City shall obtain the lot split approval required by this conveyance, if any; and

(ii) The City shall prepare all documents, requirements and approvals necessary for Met Council and Three Rivers to remove any restrictive covenants encumbering the Subject Property; and

(iii) This Agreement and the obligations of Three Rivers hereunder are strictly contingent upon approval of this Agreement by Three Rivers' Board of Commissioners; and

(iv) This Agreement and the obligations of the City hereunder are strictly contingent upon approval of this Agreement by the City Council; and

(v) Consent of the District Court for Three Rivers to convey the Subject Property to the City pursuant to Minn. Stat. § 398.09(c).

Any failure to satisfy a contingency shall render this Agreement null and void and the parties shall execute any instruments necessary to cancel this Agreement.

11. **Condemnation**. In the event of the initiation of proceedings for condemnation (or sale in lieu of condemnation) of the Subject Property or portions thereof prior to closing, the City shall have the right to cancel this Agreement, in which case this Agreement shall be deemed null and void and neither of the parties shall have any further obligations. Conversely, the City may elect to purchase Subject Property and close the transaction notwithstanding such proceedings and, if the City elects, all awards or payments made for such portion of Subject Property by the condemning authority to which Three Rivers would otherwise be entitled shall be paid to the City and the City shall proceed to close the transaction and pay the full purchase price for the Subject Property.

12. **Possession**. Three Rivers shall deliver possession of the Subject Property on the date of closing.

13. **Representations and Warranties**. The Obligations of the City under this Agreement are contingent on the representations and warranties of Three Rivers contained in this Agreement which must be true as of the date of this Agreement and on the date of closing. All representations of the parties hereto shall survive closing and delivery of the quit claim deed.

14. **Time.** Time is of the essence for performance of the terms of this Agreement.

15. **Binding Effect**. The provisions of this Agreement shall inure to the benefit and shall be binding on representatives, successors and assigns of the parties, provided that neither party hereto shall have the right to assign its rights or obligations without the prior consent of the other party.

16. **Waivers**. No waiver of any of the provisions of this Agreement shall constitute a waiver of any other provision whether or not similar, nor shall any waiver be a continuing waiver. No waiver shall be binding unless executed in writing. Any party may waive any provision of this Agreement intended for its benefit; provided, however, such waiver shall in no way excuse the other party from the performance of any of its other obligations under this Agreement.

17. **Notices**. Any notices to be provided pursuant to the terms of this Agreement shall be in writing and shall be given by personal delivery, by express courier, or by deposit in U.S. Certified Mail, Return Receipt Requested, postage prepaid, addressed to Three Rivers or the City at the addresses set forth below or at such other address as either party may designate in writing. The date notice is given shall be the date on which the notice is

delivered, if notice is given by personal delivery, or the date notice is sent by express courier or U.S. Mail if otherwise.

If to the City:
City of Brooklyn Park
5200 - 85TH Ave. No.
Brooklyn Park, MN 55443
Attn: City Manager

with a copy to:
James Thomson
Kennedy & Graven, Chartered
200 South Sixth Street, Suite 470
Minneapolis, MN 55402

If to Three Rivers:
Three Rivers Park District
Office of the Superintendent
Attn: General Counsel
3000 Xenium Lane North
Plymouth, MN 55441

18. **Survival of Covenants**. All covenants, agreements, representations and warranties contained herein shall survive delivery of the deed from Three Rivers to the City and be enforceable by the City or Three Rivers after delivery of the deed.

19. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement.

THREE RIVERS PARK DISTRICT

Dated: 12/20/18

By _____
John Gunyou, Board Chair

Dated: 12/20/18

By _____
Boe R. Carlson, Superintendent
and Secretary of the Board

CITY OF BROOKLYN PARK

Dated: _____

By _____
Jeffrey Joneal Lunde, Mayor

Dated: _____

By _____
Jay Stroebel, City Manager

EXHIBIT A

Legal Description of the Subject Property

All that part of the following-described property located in Hennepin County, Minnesota:

The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21;

lying southerly and westerly of the following described line:

Commencing at the southwest corner of the Southwest Quarter of the Southeast Quarter of said
Section 6; thence South 89 degrees 56 minutes 01 seconds East, assumed bearing, along the south line of said Southwest Quarter 328.55 feet to the west line of the East Three-Quarters of said Southwest Quarter of the Southeast Quarter; thence North 01 degrees 07 minutes 50 seconds East, along said west line 598.19 feet to the beginning of the line to be described; thence South 44 degrees 01 minutes 56 seconds East 4.19 feet; thence southerly 357.68 feet along a tangential curve concave to the southwest having a radius of 465.97 feet and a central angle of 43 degrees 58 minutes 49 seconds; thence South 00 degrees 03 minutes 07 seconds East, tangent to last described curve, 150.20 feet; thence North 90 degrees 00 minutes 00 seconds East 155.56 feet; thence South 00 degrees 00 minutes 00 seconds East 36.46 feet; thence North 90 degrees 00 minutes 00 seconds East 225.41 feet; thence southeasterly 257.81 feet along a tangential curve concave to the southwest having a radius of 620.00 feet and a central angle of 23 degrees 49 minutes 31 seconds to the northerly right of way line of 101st Avenue North and there terminating.

EXHIBIT B

Depiction of Subject Property

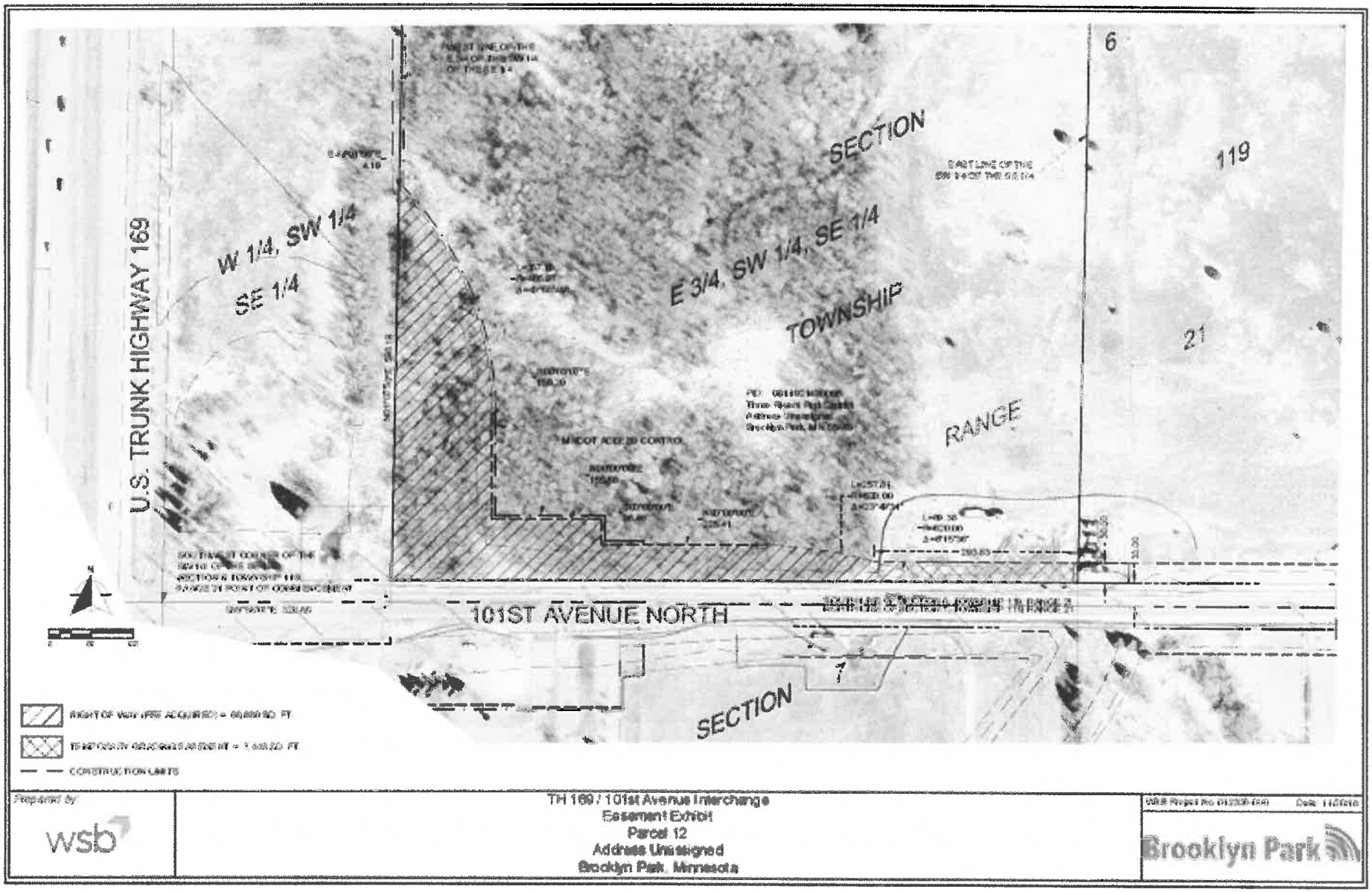


EXHIBIT C

Legal Description of Parent Parcel and Remainder

Parent Parcel:

Part 1: That part of the North 340.00 feet of the East 1/4 of the Southeast Quarter of the Southwest Quarter of Section 6, Township 119, Range 21 lying West of the Westerly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
Part 2: That part of the North 340.00 feet of the West 1/4 of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21 lying East of the Easterly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
Part 3: The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21;
AND
Part 4: That part of the Southeast Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota, lying North of the South 1,111.00 feet thereof.

Remainder Parcel:

Part 1: That part of the North 340.00 feet of the East 1/4 of the Southeast Quarter of the Southwest Quarter of Section 6, Township 119, Range 21 lying West of the Westerly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
Part 2: That part of the North 340.00 feet of the West 1/4 of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21 lying East of the Easterly right of way line of New U.S. Highway No. 52 as shown in final certificate number 1132963;
AND
Part 3: The East three-quarters of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, which lies Easterly and Northerly of the following described line: Commencing at the southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 6; thence South 89 degrees 56 minutes 01 seconds East, assumed bearing, along the south line of said Southwest Quarter 328.55 feet to the west line of the East Three Quarter of said Southwest Quarter of the Southeast Quarter; thence North 01 degrees 07 minutes 50 seconds East, along said west line 598.19 feet to the beginning of the line to be described; thence South 44 degrees 01 minutes 56 seconds East 4.19 feet; thence southerly 357.68 feet along a tangential curve concave to the southwest having a radius of 465.97 feet and a central angle of 43 degrees 58 minutes 49 seconds; thence South 00 degrees 03 minutes 07 seconds East, tangent to last described curve, 150.20 feet; thence North 90 degrees 00 minutes 00 seconds East 155.56 feet; thence South 00 degrees 00 minutes 00 seconds East 36.46 feet; thence North 90 degrees 00 minutes 00 seconds East 225.41 feet; thence southeasterly 257.81 feet along a tangential curve concave to the southwest having a radius of 620.00 feet and a central angle of 23 degrees 49 minutes 31 seconds to the northerly right of way line of 101st Avenue North and there terminating.
AND
Part 4: That part of the Southeast Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota, lying North of the South 1,111.0

Report Type
Appraisal Report

Effective Date
April 7, 2018

Client

City of Brooklyn Park
Attn: Jeff Holstein, PE, PTOE, City Transportation Eng.
5200 85th Avenue North
Brooklyn Park, MN 55443

Subject Property

Total Acquisition
XXXX 101st Avenue North
Brooklyn Park, Hennepin County, MN 55445
Owner: Three Rivers Park District **Parcel Number: n/a**
Project Name: TH 169 / 101st Avenue Interchange
Project Number: n/a

File # G1803005

Prepared By:
Ethan Waytas, MAI, Appraiser
William R. Waytas, SRA, Appraiser

Nagell Appraisal Incorporated
12805 Highway 55, Suite 300
Plymouth, Minnesota 55441
Tel: 952.544.8966 | Fax: 952.544.8969

NAGELL APPRAISAL INCORPORATED
12805 Highway 55, #300
Plymouth, MN 55441
Established in 1968

Minneapolis: 952-544-8966
St. Paul: 651-209-6159
Central Fax: 952-544-8969

City of Brooklyn Park
Attn: Jeff Holstein, PE, PTOE, City Transportation Engineer
5200 85th Avenue North
Brooklyn Park, MN 55443

April 19, 2018

To Jeff Holstein:

In accordance with your request, an **appraisal report** has been made on the following described property:

Subject Property: Total Acquisition
XXXX 101st Avenue North
Brooklyn Park, MN 55445

Described below is a summary of the appraisal report contained herein.

Property Overview

The subject is a vacant land parcel located in Brooklyn Park. Based on county records the total site has a size of 143,661 SF. Surrounding uses include industrial and park land. The current owner of the subject is Three Rivers Park District; the site zoning and future land use plan are for a park use.

The City of Brooklyn Park is intending to acquire land for the construction of an interchange. The city requested an appraisal that indicates the market value of the site (acquisition area only).

The client requested that only the acquisition area is to be appraised. The total site area is 1,640,381 SF while the acquisition area is 143,661 SF. Based on the larger parcel rule (see later in the report), the acquisition area has a different highest and best use as compared to the remainder of the site. Additionally, the acquisition will not negatively impact the remainder of the site. Therefore, it is appropriate to appraise the acquisition area only.

Based on county wetland maps and engineering reports, it appears the subject parcel is almost entirely comprised of wetland area. As such, the cost to stabilize the soil and mitigate the destruction of existing wetland would likely be very high. This effectively renders the site not buildable. A variety of non-buildable sale comparables (with an emphasis on low or wetland sites) will be selected to indicate the value of the subject.

Report Use

Negotiation purposes regarding a total acquisition of land owned by Three Rivers Park.

Intended User(s)

City and city engineer

Extraordinary Assumptions

None

Hypothetical Conditions

None

Property Rights Appraised

- *Fee Simple:* The property is vacant land, as such, the appraised value reflects the fee simple interest.

Property Components Appraised

- *Real Estate:* The appraised value includes the real estate value opinion.
- *Furniture, Fixtures, & Equipment (FF&E):* The appraised value does not include any values of fixtures, furnishings and equipment. The appraised value reflects real estate only.
- *Business Value:* The appraised value does not include business value.

Highest and Best Use Conclusions

- *As Vacant:* Continued park or open land use.
- *As Improved:* Not applicable as the subject is vacant land.

Valuation Methodology

The highest and best use of the subject is the existing park use.

Given the highest and best use, the following approaches are used:

- *Cost Approach:* Not applied due to subjective depreciation amounts.
- *Sales Comparison Approach:* Similar open and park land property sales.
- *Income Approach:* Not applicable as land like the subject is very rarely rented, which limits the reliability of this approach.

The property is legally described herein. The appraisal assumes that the property meets all current environmental standards. The appraisal analysis and conclusions are subject to certain limiting conditions and assumptions described herein. The final value opinion, as of **April 7, 2018**, is:

FINAL VALUE OPINION – Fee Simple Interest	**$45,000**

Exposure Time / Marketing Time

Exposure Time:	Final values reflect "market exposure" time of under 1 year before the effective date of the appraisal. Changes in the market, use, lease and/or building subsequent to the effective appraisal date could impact value.
Marketing Time:	Marketing times for appropriately priced properties is generally 6 to 18 months +/-.

Our company has 11 employees, has been in business since 1968 and has sufficient knowledge, education, experience, resources and/or contacts to competently complete this assignment. The accompanying report contains data secured from my personal investigation and from sources considered to be reliable; however, correctness is not guaranteed. To the best of my knowledge and belief, the statements contained in this report are true and correct. Neither my employment to make this appraisal, nor the compensation, is contingent upon the value reported. This report has been prepared in conformity with the code of professional ethics and standards of professional appraisal practice of the Appraisal Institute and appraisal standards set forth by Uniform Standards of Professional Appraisal Practice.

Please contact us if you have further questions.

Sincerely,

Ethan Waytas, MAI
Certified General MN 40368613

William R. Waytas, SRA
Certified General MN 4000813

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SUMMARY OF IMPORTANT FACTS & CONCLUSIONS

General Description:	Vacant park land
Appraisal Report:	Appraisal Report
Current Use:	Vacant park land
Extraordinary Assumptions:	None
Hypothetical Assumptions:	None
Site Size:	143,661 SF (3.298 acres), per county
Year Built:	n/a, the subject is not improved
GBA:	n/a, the subject is not improved
Zoning:	CD, Conservancy District
Highest and Best Use:	Existing park use or open land
Property Rights Appraised:	Fee Simple
Business Value / FF&E:	No business value or FF&E included
Cost Approach:	Not Applicable
Sales Comparison Approach:	**$45,000**
Income Approach:	Not Applicable
Final Value Opinion (as is):	**$45,000**

VALUE TYPE, CONDITION & STABILITY OF PROPERTY

Type of Value:	This report provides an opinion of **Market Value**.
Condition of Value:	This report provides an opinion of the **as-is** value.
Occupancy:	The property is currently vacant land.

INTENDED USE OF THE APPRAISAL

Intended Use:	The client intends to use the appraisal to assist the city regarding a potential partial acquisition. No party, other than the named client and listed intended users, may use or rely upon any part of this report without the prior written authorization of both the named client and the appraiser. This report is not valid unless it contains the original signatures in blue ink. Any unauthorized third party relying upon any portion of this report does so at its own risk.
Intended User(s):	**City and city engineer**

DATE OF APPRAISAL

Effective Date:	**April 7, 2018**
Inspection Date:	**April 7, 2018**
Date of Report:	April 19, 2018

SCOPE OF THE APPRAISAL REPORT

USPAP defines Scope of Work as: The type and extent of research and analyses in an assignment.

For each appraisal, appraisal review and appraisal consulting assignment, an appraiser must:

1) Identify the problem to be solved,
2) Determine and perform the scope of work necessary to develop credible assignment results; and
3) Disclose the scope of work in the report.

1)	Provide a reasonably supported value opinion as it relates to the intended use & scope.
2)	Per assignment request (see addenda for engagement letter), the following degree of research and analysis has been made. The narrative format used is an **Appraisal Report**, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2a of USPAP. See individual approaches for further detail.
3)	**The scope of work for this appraisal includes:** • **a)** *Property Identification:* Public record, plat maps, zoning maps and aerial photographs were used to identify the subject property. • **b)** *Property Inspection:* A viewing of the subject property and neighborhood by the appraiser. *Physical factors:* Based on property viewing and conversations with the client, city and county officials. Lot size is based on county information. *Economic Factors:* Consisted of gathering of information from market experts, city and/or county offices, and internet about the region, community, neighborhood, zoning, utilities, and any pending projects in the area that may affect the subject property. • **c)** *Extent of Data Researched:* Sales data of competing properties within the subject market area were given primary consideration. The most relevant data is used in this report. Sources include, appraiser data files, assessor, internet, developers, agents, MLS, periodicals, in-office library, etc. In addition, during the course of appraisal practice and of this appraisal process, the appraiser has had ongoing discussions with market participants (buyers, sellers, property managers, real estate agents/brokers, appraisers, etc.) and/or viewed market data in relation to how the current real estate market may impact the subject value. The appraiser has not researched the title or ownership records. • **d)** Type and Extent of Analysis Applied at Opinions or Conclusions: An extensive review of market data was performed. The most recent, similar and proximate data has been used. The data used will be adjusted on a grid. Reasonable and appropriate collection, verification, analysis and viewing has been performed in the valuation approaches, given the purpose and intended use of the report. A final value opinion will be discussed and correlated.

The data used was obtained from sources considered credible, yet its accuracy is not guaranteed. If found otherwise, value could differ.

PROPERTY RIGHTS APPRAISED

Real property ownership consists of a group of distinct rights. There are two primary property rights, Fee Simple and Leased Fee (as defined by The Appraisal of Real Estate, 13th Edition, Appraisal Institute).

Fee Simple Interest: Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Note: This would typically reflect an owner-occupied property. When the property rights appraised are the unencumbered fee simple interest of the real estate, the appraised value is subject to normal easements for drainage, public streets and utilities, if any. The effect of any existing mortgage or delinquent taxes on the subject property has not been considered in this appraisal.

Leased Fee Interest: The ownership interest held by a lessor (landlord), which includes the right to the contract rent specified in the lease plus reversionary right when the lease expires. The lessor's interest in a property is considered a leased fee interest regardless of the duration of the lease, specified rent, the parties to the lease, or any of the terms in the lease contract.

A leased property, even one with rent that is consistent with market rent, is appraised as a leased fee interest, not as a fee simple interest. Even if the rent of the lease terms are not consistent with market terms, the lease fee interest must be given special consideration and is appraised as a leased fee interest. (The Appraisal of Real Estate, 13th Edition, Page 114)

The subject is currently vacant land. Given the scope of the assignment and use of the report, the **Fee Simple** interest will be appraised.

PROPERTY COMPONENTS APPRAISED

Real Estate: The appraised value includes the real estate value opinion. The methods utilized for the real estate valuation include:

- Sales Comparison Approach

FF&E: The appraised value does not include personal property, FF&E, or inventory.

Business Value: There is no business value included in the appraised value.

IDENTIFICATION

Address:	XXXX 101st Avenue North Brooklyn Park, MN 55445
County PID:	06-119-21-43-0006
Legal:	THAT PART OF SE 1/4 OF SE 1/4 LYING N OF S 1111.0 FT THOF ALSO THE E ¾ OF SW 1/4 OF SE 1/4 ALSO THE N 340 FT OF W 1/4 OF SW 1/4 OF SE 1/4 ALSO THE N 340 FT OF THE E 1/4 OF SE ¼ OF SW 1/4 EX ROADS
Fee Owner:	Three Rivers Park District
Census Tract #:	0268.12

REAL ESTATE TAXES

Taxes, per County Records		
	Payable 2019	**Payable 2019**
Tax	Tax exempt	n/a
Tax ratio (includes special assessments)	*n/a*	*n/a*
Special Assessments / Solid Waste Fee / Other	$0	n/a
Total Tax & Assessments:	$0	n/a
Delinquent taxes:	None noted, county records indicate taxes are current	
COUNTY ASSESSOR'S VALUE		
	Payable 2018 (1-2-2017)	**Payable 2019 (1-2-2018)**
Land	n/a	n/a
Building	n/a	n/a
TOTAL	**n/a**	**n/a**

Typical Tax Ratios by Property Type	
Commercial (retail, office, industrial, hotel, other, etc.)	1.5% – 4.0%
Residential (multi-family, apartment, etc.)	0.9% – 1.5%
Single-family dwellings	0.8% – 1.5%

The appraised value given in this report assumes any/all special assessments, and/or liens are paid in full and that there are no delinquent taxes, fees, payments, association dues, etc. Should it be found that any of these exist the amount should be deducted from the appraised value. Appraiser did not research these items; typically, a title search would reveal any of these.

SUBJECT SALES & BUILDING HISTORY

Listing History:	None noted, the subject does not appear to be listed for sale.	
Sales History:	***Sale Price:***	n/a
	Sale Date:	n/a
	Buyer:	n/a
	Seller:	n/a
	Terms:	n/a
	Source:	County, public records
	Comments: There are no known or reported sales of the subject property within the past 3 years.	
Pending Sale:	None noted.	
Building History:	None, the site is vacant.	
Lease History:	None noted.	
Leasehold Interest:	None apparent.	
Association Dues:	The subject is reportedly not part of an association or common interest community (CIC).	

REGIONAL DATA

Metro Area

Minneapolis-Saint Paul is the most populous urban area in Minnesota and is composed of 186 cities and townships. Built around the Mississippi, Minnesota and St. Croix rivers, the area is also nicknamed The Twin Cities for its two largest cities, Minneapolis and Saint Paul. Saint Paul is the second largest city in Minnesota, as well as the state capital.

The area is part of a larger U.S. Census division named Minneapolis-St. Paul-Bloomington, MN-WI, the country's 16th-largest metropolitan area, composed of eleven counties in Minnesota and two counties in Wisconsin. This larger area, in turn, is enveloped in the U.S. Census combined statistical area called Minneapolis-St. Paul-St. Cloud, MN-WI with an estimated population of 3.5 million people in 2006, ranked the 13th most populous in the U.S.

In both of the fully developed central cities–Minneapolis and St. Paul–the population has declined due to smaller household sizes, yet growth in other areas of their counties has been more than offsetting. Below is detailed where this growth has occurred:

POPULATION								
County	Census 2000	Census 2010	Forecast 2015	Growth 2000 - 2010		Growth 2010 - 2015		Source: US Census Bureau
				total	*annual*	*total*	*annual*	
Hennepin	**1,116,200**	**1,152,425**	**1,165,830**	**3.25%**	**0.32%**	**1.16%**	**0.12%**	
Ramsey	511,035	508,640	491,820	-0.47%	-0.05%	-3.31%	-0.33%	
Dakota	355,904	398,552	437,520	11.98%	1.20%	9.78%	0.98%	
Anoka	298,084	330,844	374,350	10.99%	1.10%	13.15%	1.32%	
Washington	201,130	238,136	257,760	18.4%	1.84%	8.24%	0.82%	
Scott	89,498	129,928	186,820	45.17%	4.52%	43.79%	4.38%	
Wright	89,986	124,700	159,640	38.58%	3.86%	28.02%	2.80%	
Carver	70,205	91,042	114,870	29.68%	2.97%	26.17%	2.62%	
Sherburne	64,417	88,499	119,040	37.38%	3.74%	34.51%	3.45%	
Chisago	41,101	53,887	67,880	31.11%	3.11%	25.97%	2.60%	
Total	***2,837,560***	***3,116,653***	***3,375,530***	***9.84%***	***0.98%***	***8.31%***	***0.83%***	

Overall, the area has experienced moderate to good income growth. Annualized income growth of 2.5% to 3.5% is consistent with national averages.

MEDIAN HOUSEHOLD INCOME					
County	Census 2010	Estimate 2015	Growth 2010 - 2015		Source: US Census Bureau
			total	*annual*	
Hennepin	**59,236**	**68,935**	**16.4%**	**3.3%**	
Ramsey	50,136	57,384	14.5%	32.9%	
Dakota	69,508	77,196	11.1%	2.2%	
Anoka	65,771	73,382	11.6%	2.3%	
Washington	77,239	87,995	13.9%	2.8%	
Scott	77,314	92,506	19.6%	2.9%	
Wright	66,833	76,306	14.2%	2.8%	
Carver	80,173	92,653	15.6%	3.1%	
Sherburne	69,971	80,088	14.5%	2.9%	
Chisago	63,810	70,223	10.1%	2.0%	

Regional Data – continued

Economic Trends

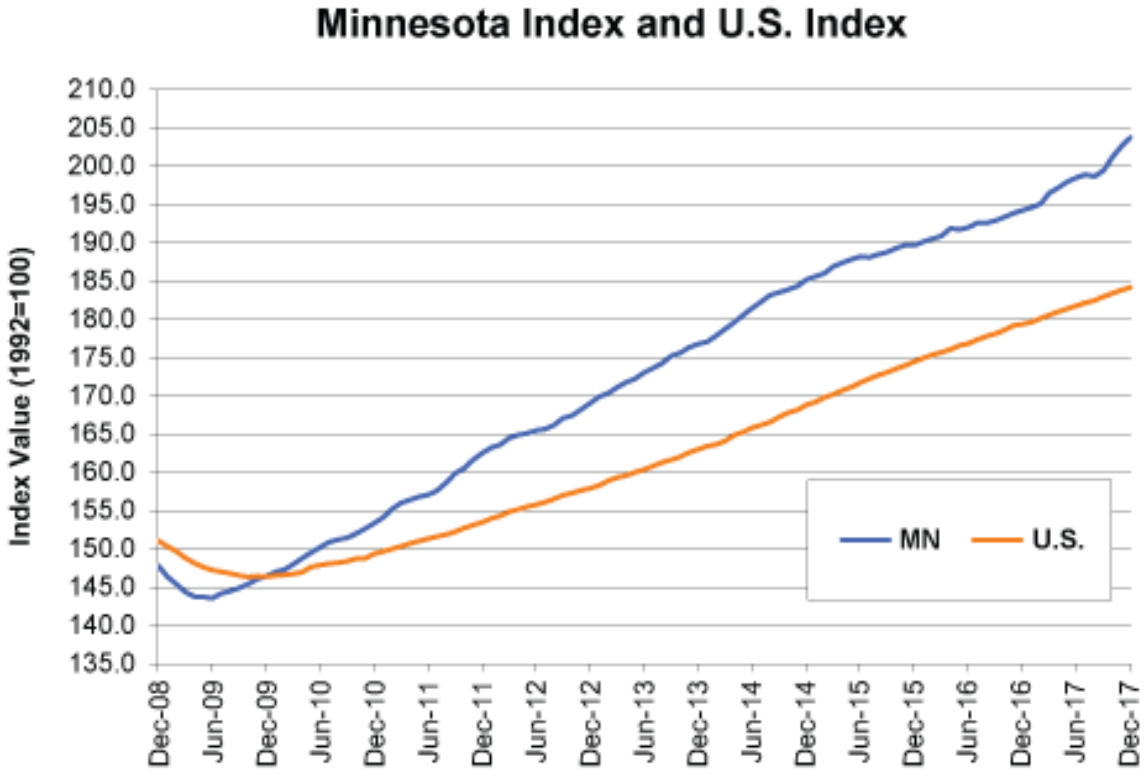
The current residential interest rates for a typical 30-year mortgage are around 3.25% to 4.75%. Commercial rates are around 3.75% to 5.0%. Rates are expected to be relatively stable for the foreseeable future.

The state of the macro economy (national, state, etc.) declined from its peak in 2006, but in 2010 began showing signs of recovery. Many economists are terming 2007 through 2009 as ***"The Great Recession".***

New construction labor costs have been trending upward, along with material costs appear to be rising. Overall, construction costs are very competitive to what they were 5 to 6 years ago. Generally, when vacancy is over 10%, new commercial/industrial construction is slow. *Generally vacancy and capitalization rates were on the rise during the "Great Recession" but are now showing signs of stabilizing and declining.*

Listing prices have been increasing since 2009/2010. Recently seller expectations and value appear to be trending towards equilibrium.

The TCMA and surrounding Minnesota economy is well diversified to support multiple commercial, office, industrial, and residential areas.

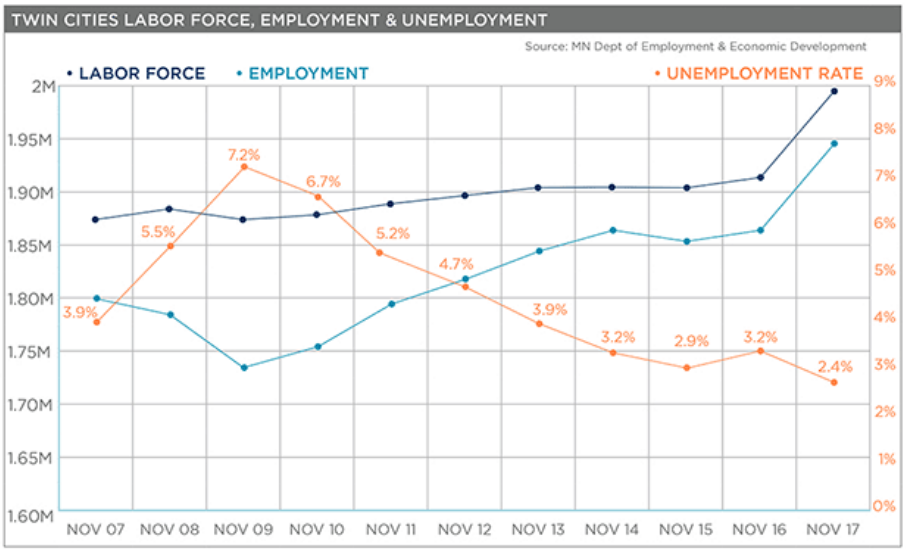


Source: Minnesota DEED

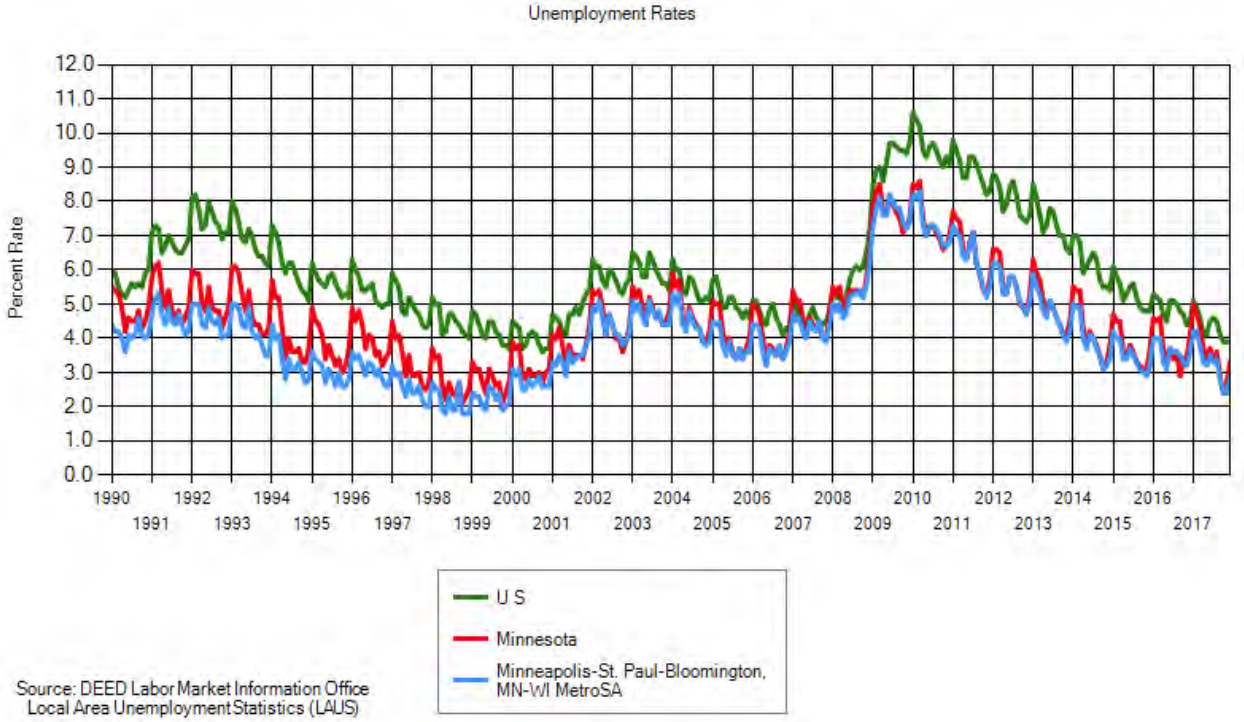
Minnesota's index has steadily increased, along with the national index, since the low point in 2009. Minnesota's economy recovered more quickly and stronger compared to the national recovery.

Regional Data – continued

EMPLOYMENT & LABOR



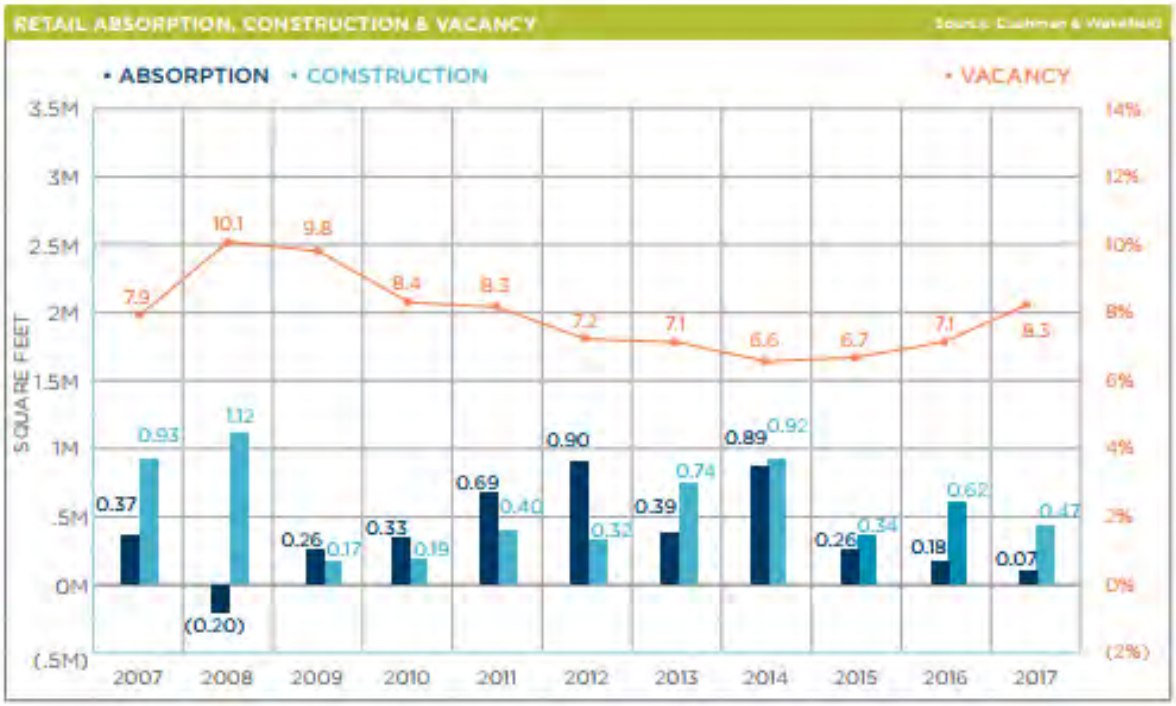
Over the past ten years, unemployment rates have gone from near historical lows in 1999 to at/near historical highs by year end 2009. Currently, unemployment is below pre-recession values.



Regional Data – continued

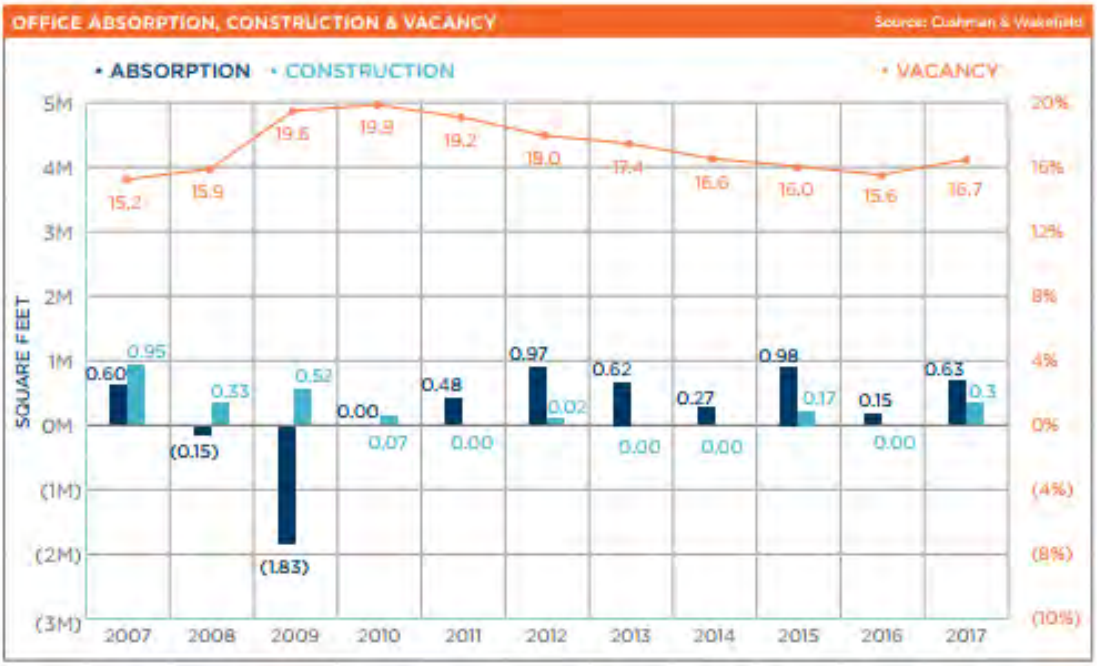
COMMERCIAL REAL ESTATE - Vacancy Rates for Major Building Types

Apartment vacancy declined significantly from 2009 to 2014 and remained relatively stable in 2015 and 2016. New construction is taking place in good quality and built-up markets. Despite the increased number of units, vacancy has remained at/near historic lows and rental rates are increasing slightly.

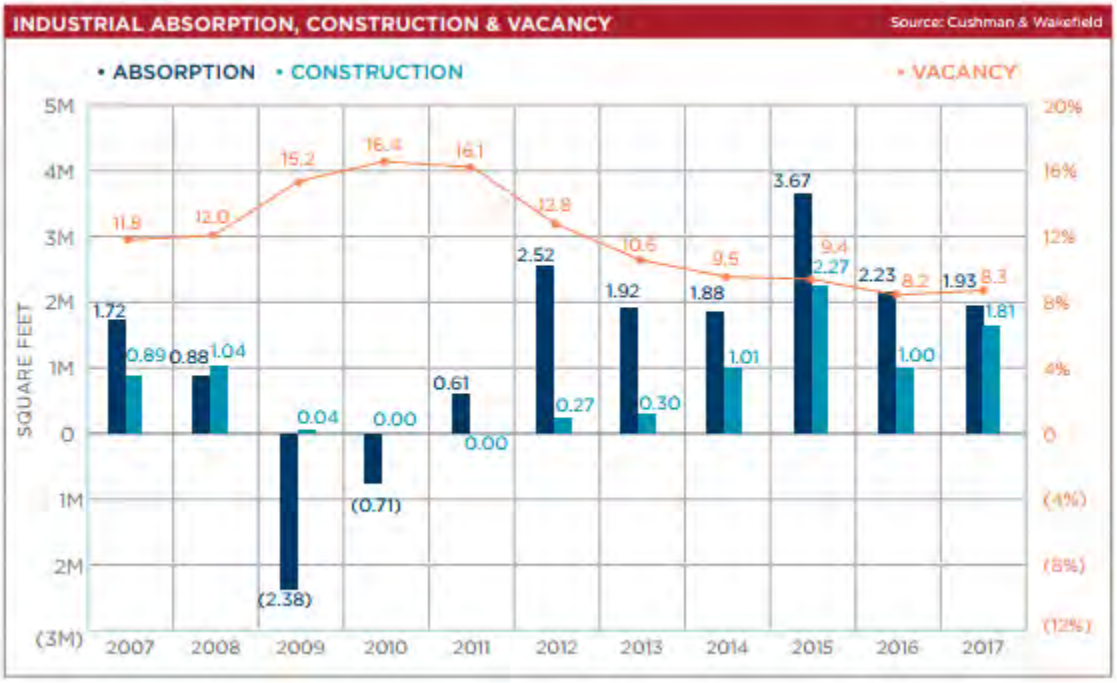


The retail market has recovered and is now showing signs of growth.

Regional Data – continued



Office vacancy is still the highest of the four major building sectors. New construction is typically limited when vacancy is over 10%. Vacancy trended downward from 2010 to 2015, but new construction in 2016 has increased the vacancy rate.



Vacancy has been trending downward over the past three years. Buildings with high clear height tend to have stronger demand in the current market.

REGIONAL MAP

CITY & NEIGHBORHOOD DESCRIPTION

Type of neighborhood:	Northwestern Suburban Community	
Percent built-up:	85% Developed	
Stage of Development:	Stable	
Development / Redevelopment:	Some new development, residential, commercial, and industrial	
Neighborhood boundaries:	City limits	
Predominant type & conformity:	*Single Family Residential*	*55%*
	Two- & Multi-Family	*15%*
	Commercial/Industrial	*15%*
	Other/Vacant Land	*15%*
	Total:	*100%*
	Average conformity	
Reputation of the area:	Average	
Typical property age:	New to 75+ years, mostly under 50 years	
Single-Family Home Sales:	$150,000 to $500,000+	
Apartment Sales:	$40,000 to $90,000+ per Unit	
Office Property Sales:	$75 to $125+ per SF	
Retail Property Sales:	$100 to $175+ per SF	
Industrial Property Sales:	$30 to $70+ per SF	
Capitalization Rates:	7-10% Historic	
Subject Market:	Stable	
Neighborhood Trend:	Stable, with gradual increases in value over time	
Detrimental influences:	No major apparent	

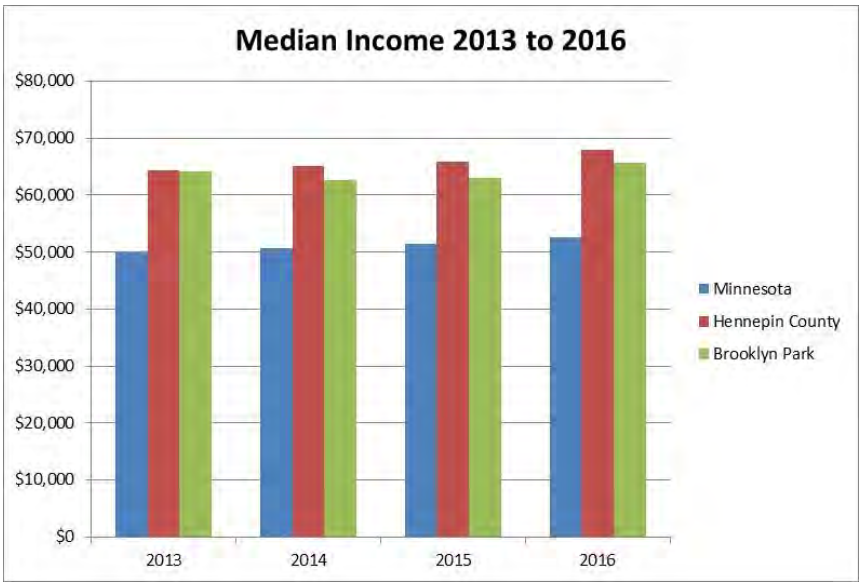
CITY-AREA: Brooklyn Park is located approximately 25 minutes northwest of Downtown Minneapolis/St. Paul. Brooklyn Park has a reputation as a stable community. Access to Downtown Minneapolis/St. Paul and surrounding communities is average to good. Similar surrounding communities include Osseo, Brooklyn Center, Coon Rapids, Champlin, Maple Grove, and Fridley. The Mississippi River forms the eastern boundary of the city, adding appeal to the area. The subject is situated along the County Road 81 corridor, a main thoroughfare the area. The immediate area is comprised of commercial, office, and residential. No apparent adverse influences.

NEIGHBORHOOD: The subject is located along the Highway 169 corridor near Highway 610. Surrounding uses include mostly industrial and residential uses, along with park land.

City & Neighborhood Description – continued

Subject City:

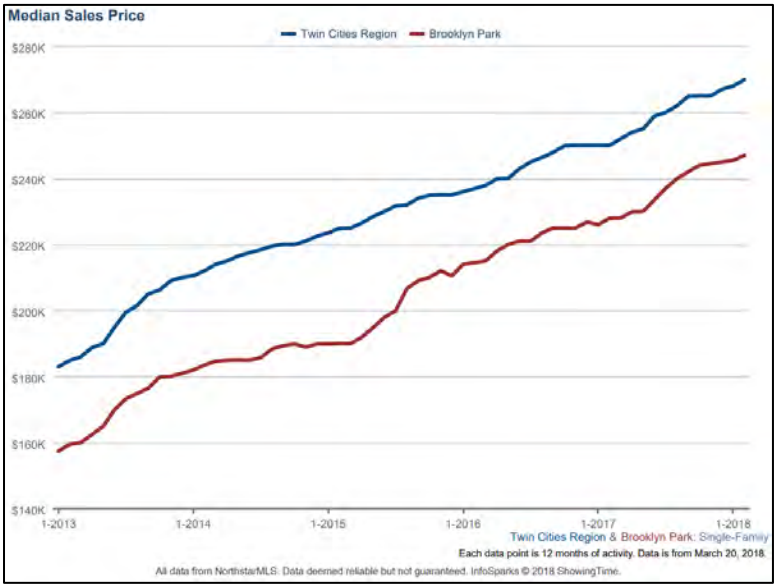
As of the 2010 census the population was 75,781, in 2000 it was 67,388. The indicated change is an increase of 12.5%. The 2016 population estimate for the city is 79,707, an increase of 5.2%.



The median income for the city is near county levels and above state levels (per Census Bureau). Income has remained relatively stable for city over the time frame above.

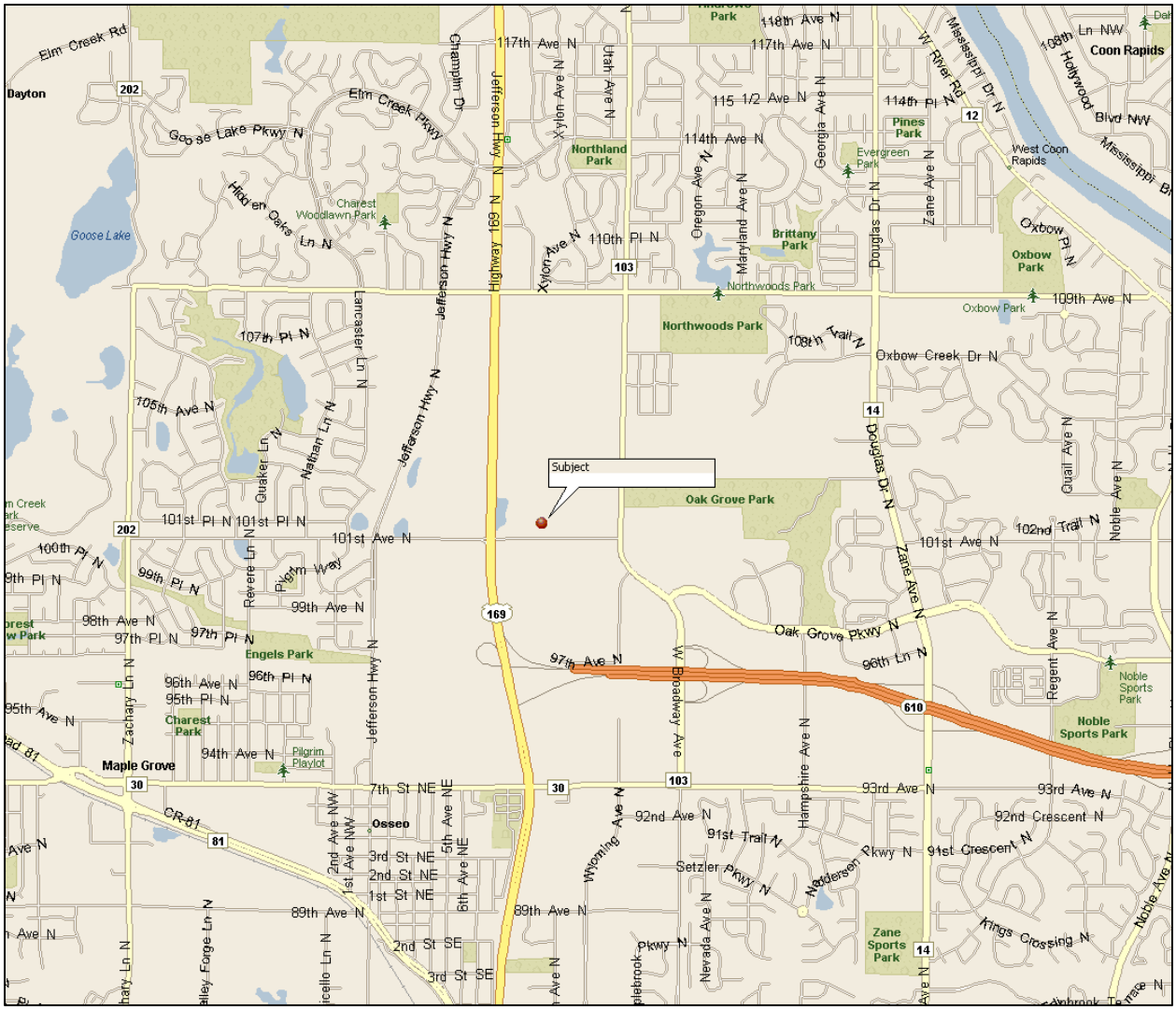
Median Home Prices: <u>City of Brooklyn Park</u>

Source: NorthstarMLS Stats



The median sale price for a single-family home in Brooklyn Park has steadily increased since 2013.

NEIGHBORHOOD MAP



SURROUNDING USES

The subject area is a mixture of residential, industrial, and agricultural properties (soon to be redeveloped to industrial). Target headquarters are to the southeast of the subject.

The Rush Creek Regional Trail is directly to the south of the subject. Additionally, it appears the city has a future park planned for the land south as well.

SITE DESCRIPTION

Dimensions:	Irregular	
Gross Site Area:	143,661 SF (3.298 acres), per county	
Topography / Shape / Low:	Mostly level, see topography map / Irregular / Yes, see following wetland map	
Soil conditions / Drainage:	Assumed stable / Appears average	
Utilities:		
Electricity/Gas	Yes / Yes	
Water/Sanitary Sewer	In area	
Off-Site Improvements:		
Street/Curb/Gutter:	Bituminous / Surface drainage	
Sidewalk/Alley:	None / None	
Visual Road Condition:	Average	
Street Lights/Storm Sewer:	Standard / Surface	
Access to site (#) / Frontage:	101st Avenue North, Winnetka Avenue North, Highway 169	
Visibility/Exposure:	Average / Average	
Flood hazard zone:	Appears no, see following flood map	
Bus Line:	None	
Apparent Easements:	Typical utility and drainage apparent	
Encroachments/Conditions:	None noted	
Surplus/Excess Land:	None noted	
Land to Building Ratio:	n/a	
Use / Functional Adequacy:	Vacant park land / Average	
Surrounding Uses:	N – Park and Industrial	S – Open land (owned by Target)
	E – Open land	W – Highway 169
Distance to Major Road:	About 1 mile southeast to Highway 610 access; about 0.7 miles northwest to Highway 169 access	

Comments: The subject is a somewhat rectangular property that is owned by Three Rivers Park. The site appears to be entirely encumbered by wetlands, see following page for map. Overall, the site has average appeal when compared to other industrial/park/residential sites.

ZONING

The subject is zoned **CD, Conservancy District.** Value assumes that no known issues are out of conformance that would restrict the continued use of the subject's current use. *Source: City Zoning Code.*

Subject Zoning:	**CD, Conservancy District**
Intent (city code):	The Conservancy District (CD) is intended to provide for a district for areas that contain valuable environmental qualities which are to be preserved as park or open space amenities and to prevent the over-crowding of land, to avoid undue concentration of population, a specific public purpose, and/or alleviate the burden of development from environmentally sensitive lands. These areas may also have been found to be unsuitable for residential, commercial, or industrial development due to flooding or bad drainage, slope, adverse soil conditions, rock formations, and/or unique natural features.
Permitted Uses:	Outdoor recreational uses operated by a governmental agency or conservation group, homeowners, or private association and facilities for making the area useful to public or association; open space areas connected with residential, institutional, or business development; conservation uses including drainage control, forestry, wildlife sanctuaries, and facilities for making same available and useful to public; agricultural uses; nature study areas and arboretums; transient produce sales
Conditional Uses:	No permit may be issued for construction for a building, structure, or land use considered conditional unless a Conditional Use Permit has been granted by the City Council

Zoning – Continued

Major Building Restriction/ Requirements in this district:	None noted, it appears that requirements vary depending on specific use as defined by the city council and/or planning department.
Parking:	Varies depending on use.
Use:	The subject's existing use appears to be allowed; if found otherwise, the appraised value could differ.
Future Land Use:	The site is guided for Park & Recreation.
Source:	*Zoning map, city code*

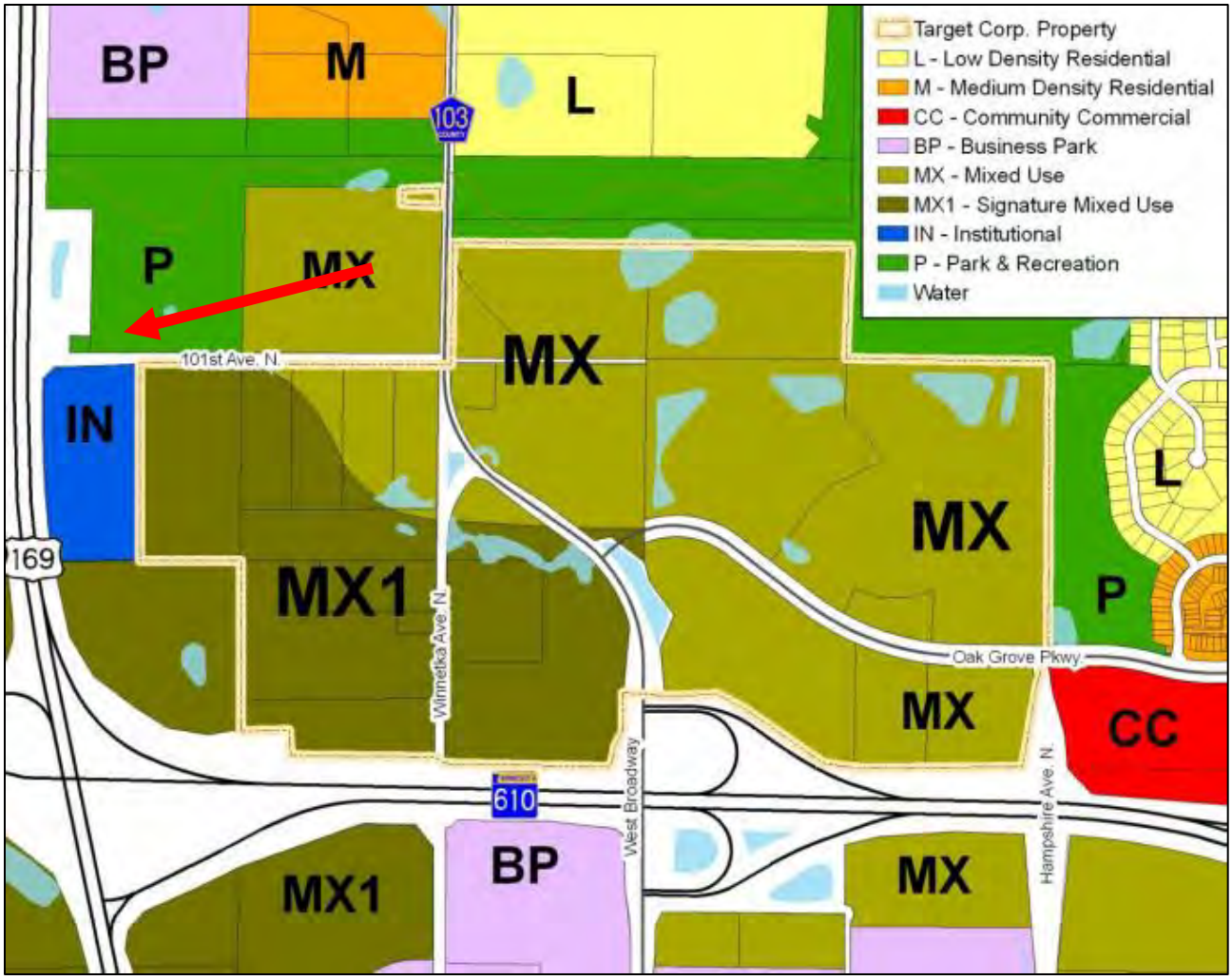
ZONING MAP

The subject is zoned CD, Conservancy District

Zoning Code

- CA - Mississippi River Critical Area Overlay
- HO - Highway Overlay
- PD - Planned Development Overlay
- B1 - Office Park
- B2 - Neighborhood Retail Business
- B2/PD - Neighborhood Retail Business/Planned Development
- B3 - General Business
- B3/PD - General Business/Planned Development
- B4 - Vehicle Sales and Showroom
- BP - Business Park
- BP/HO - Business Park/Highway
- BP/PD - Business Park/Planned Development
- I - General Industrial
- I/PD - General Industrial/Planned Development
- R1 - Urban Reserve
- R1/HO - Urban Reserve/Highway
- R2 - Detached Single-Family Estate (100' Lots)
- R2A - Detached Single-Family Residential (95' Lots)
- R2B - Detached Single-Family Residential (85' Lots)
- R3 - Detached Single-Family Residential (80' Lots)
- R3/PD - Detached Single-Family Residential (80' Lots)/Planned Development
- R3A - Detached Single-Family Residential (75' Lots)
- R4 - Detached Single and Attached Two-Family Residential
- R4A - Townhouse
- R4A/PD - Townhouse/Planned Development
- R4B - Detached Single-Family Residential (45' Lots)
- R4B/PD - Detached Single-Family Residential (45' Lots)/Planned Development
- R5 - Multiple Family Residential (1.5 and 2 Story)
- R6 - Multiple Family Residential (2.5 and 3 Story)
- R7 - Multiple Family Residential (Large)
- R7/PD - Multiple Family Residential (Large)/Planned Development
- CD - Conservancy District
- PCDD - Planned Community Development District
- PCDD/HO - Planned Community Development District/Highway
- PI - Public Institution
- PUD - Planned Unit Development Zone
- PUD/HO Planned Unit Development Zone/Highway
- PUD/PD - Planned Unit Development Zone/Planned Development
- TC - Town Center
- TC/HO - Town Center/Highway
- VR - Village Redevelopment
- NA - Not Available

FUTURE LAND USE MAP

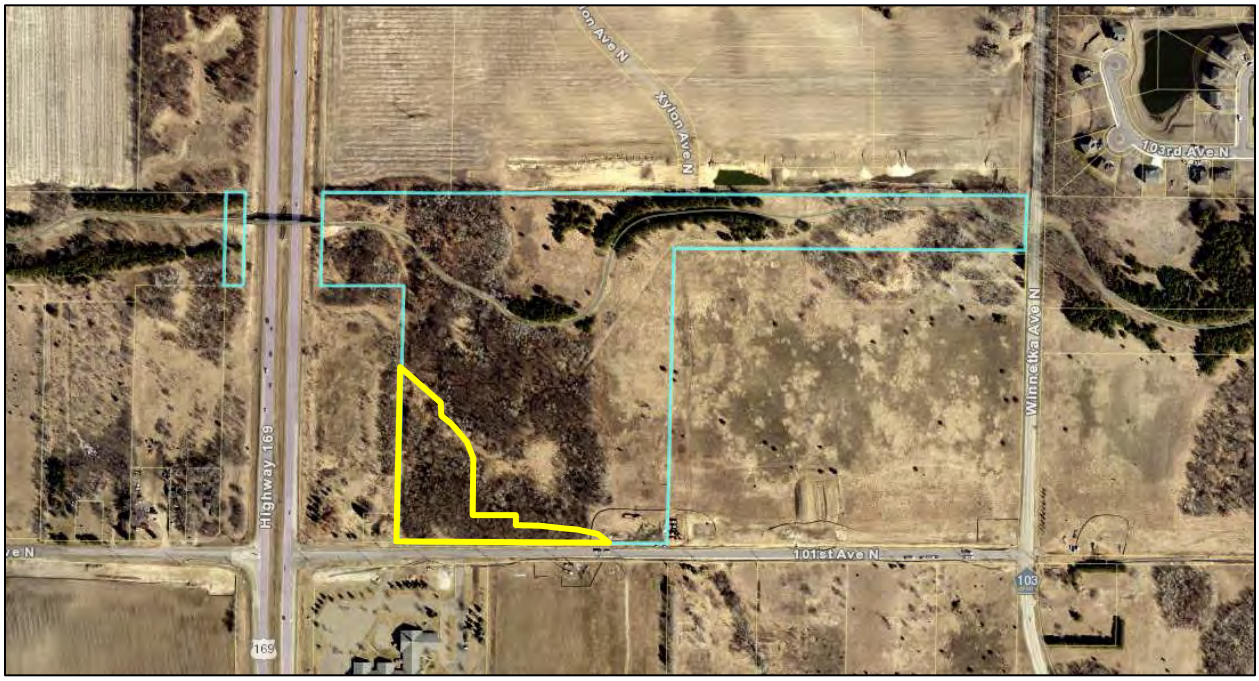


The subject is guided for Park & Recreation.

FLOOD MAP

Subject indicated by yellow arrow. It appears that the subject is not in a flood zone.

AERIAL / PLAT MAP



The above blue GIS outline is per county and reflects the overall gross site size. The yellow outline reflects the approximate site area that the city is acquiring.

Gross site size (blue outline):	1,640,381 SF (37.66 acres)
Subject outline (yellow):	143,661 SF (3.298 acres)

Larger Parcel:

The acquisition area is located in the southwest corner of the site. The three tests for the larger parcel rule are:

1. **Unity of Ownership:** The subject acquisition area is owned by Three Rivers, who also owns the adjoining land (same parcel).

2. **Contiguity:** The subject acquisition area is contiguous with the adjoining land (same owner).

3. **Unity of Use:** The yellow area and blue area have a park use. However, the yellow area is encumbered entirely by wetlands (see following maps) whereas the remainder of the site could be potentially developed. The differing highest and best uses indicate there is not unity of use.

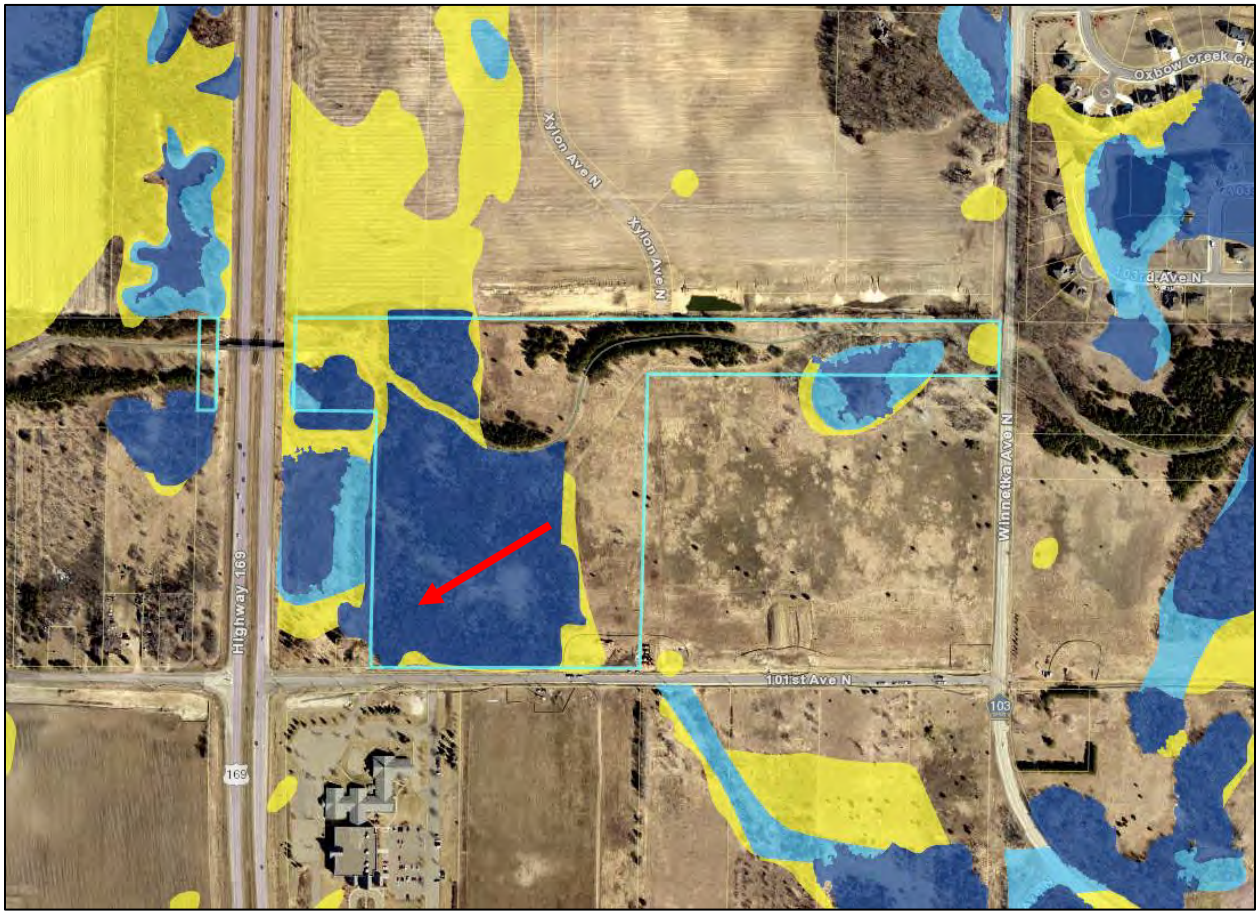
Larger Parcel Conclusion:

The entire parcel (blue outline) could be appraised, however, because of the different highest and best use for the yellow area a separate value would need to be allocated. Additionally, the acquisition of the yellow area is not considered to impact the remaining site. Therefore, the appraised value will reflect the yellow area only.

TOPOGRAPHY MAP

The subject location is indicated by the red arrow. It appears that the site is mostly level.

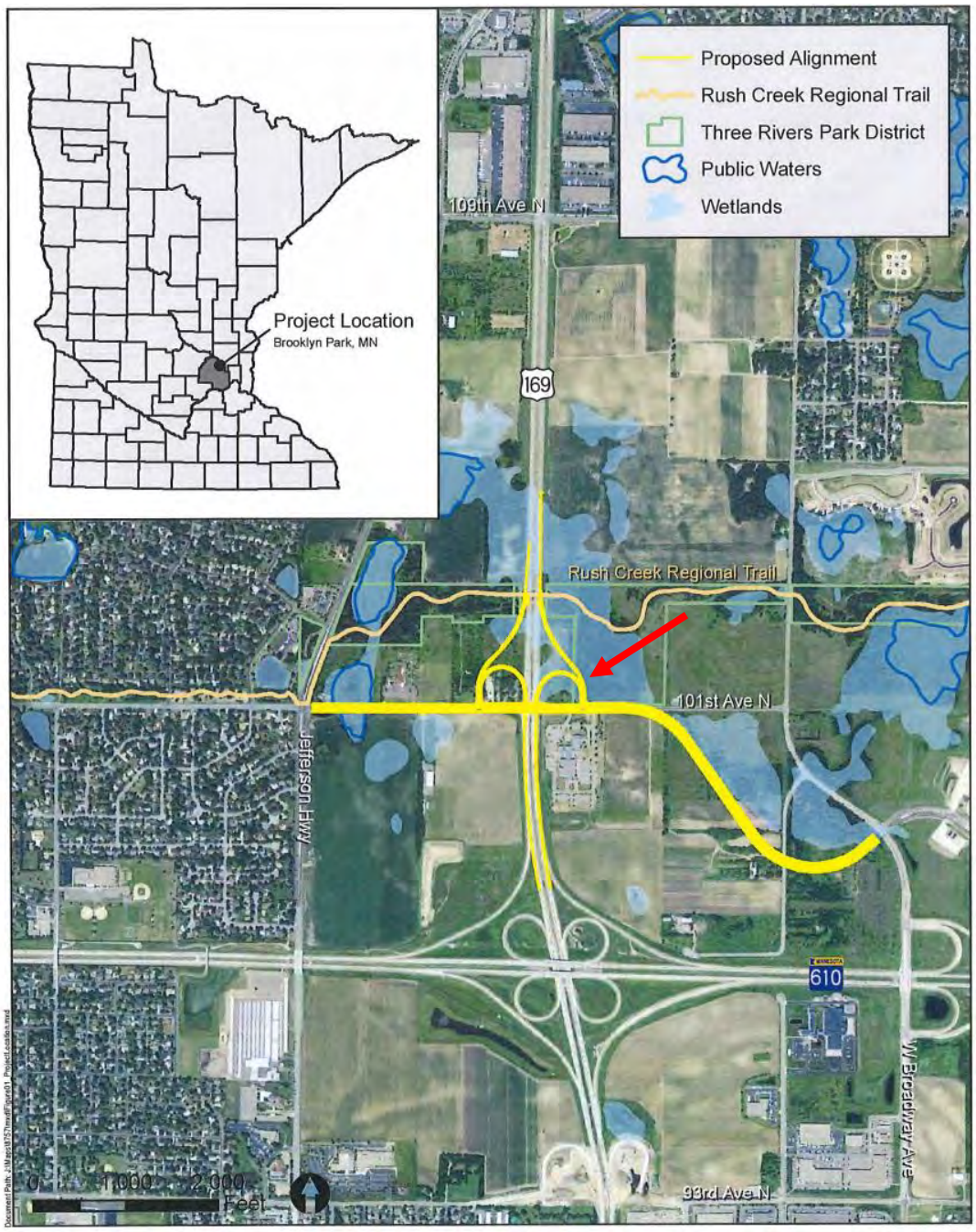
WETLAND MAP



The dark blue highlighted area reflects the county's "probable" wetland area. The yellow area is "potential" wetland.

The subject is outlined in light blue. The acquisition area is indicated by the red arrow. It appears to be mostly wetlands.

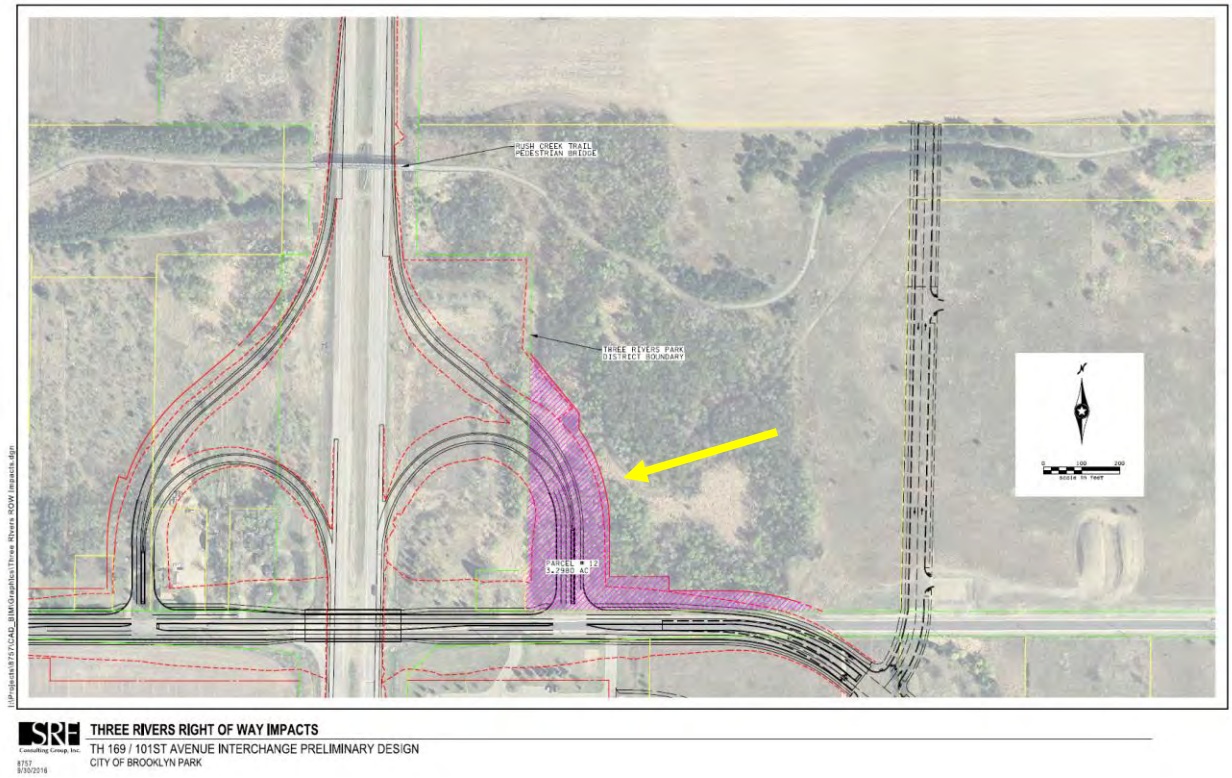
Wetland Map – Continued



The above map is from an Environmental Assessment Worksheet regarding the proposed project. The subject acquisition area is indicated by the red arrow and appears to be entirely encumbered by wetlands

PROPOSED PROJECT

The city is proposing to acquire 3.298 acres of land from the subject parcel for a new interchange at Highway 169 with 101st Avenue North. The interchange will allow 101st Avenue North to be connected on both sides of Highway 169.



The subject acquisition area (indicated by the yellow arrow) is outlined in pink on the above map.

SUBJECT PHOTOGRAPHS

Looking east on 101st Avenue North

Looking west on 101st Avenue North

Looking north on Winnetka Avenue North

Looking south on Winnetka Avenue North

Subject Photographs – Continued

Site view

Site view

Site view

Site view

HIGHEST AND BEST USE

Highest and best use as defined in The Appraisal of Real Estate, Thirteenth Edition, by the Appraisal Institute, is: "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value." Highest and best use is analyzed in two ways, site as vacant and site as improved.

Typically, there are four criteria in highest and best use analysis	
Legally permissible uses	*What uses are allowed by zoning?*
Physically possible uses	*What uses are physically possible on the site?*
Financially feasible use	*Which possible and permissible uses will produce a positive return?*
Maximally productive use	*Of the financially feasible uses, which use produces the highest return warranted by the market (the ideal improvements)?*

Site as Vacant: Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements. *The Dictionary of Real Estate Appraisal, Fifth Edition, by the Appraisal Institute.*

Legally Permissible Uses: The current **CD, Conservancy District** zoning allows for primarily park related uses. The site is guided for a park use as well.

Physically Possible Uses: The physical characteristics of the site do not appear suitable for development as the site is mostly wetland (see previous exhibits). Given this, the site has limited appeal in the market as any development would likely require wetland mitigation. Public utilities are in the area (gas, electricity, water, sanitary sewer).

Financially Feasible Uses: Typically, surrounding uses, market demand, and availability of financing drive financially feasible uses.

Surrounding Uses: Uses in the immediate area are mostly park, industrial, and residential. Given the current wetland locations, a park or open land use is logical and would be supported by surrounding uses.

Financing: Over the past 3+ years, financing has loosened up since the "Great Recession". However, borrowers typically must be well qualified with 20% to 30% down. For new projects, lenders commonly require significant pre-leasing activity for multi-tenant properties. Financing for owner occupied projects is rated to be average.

Note: Cities or governmental agencies typically pay cash when acquiring property for a park use.

Market Demand: Market demand for park land is limited as cities, counties, or park districts are typically the only buyers. Generally, governmental agencies will purchase non-park land to incorporate or to create a park.

Financially Feasible Uses: Given the existing wetland area, which likely impedes development, there do not appear to be any non-park or public uses that would be financially feasible. An open land or park use is likely the most feasible option.

Highest and Best Use – Continued

Maximally Productive Use:

The subject, given the narrow site dimensions, does not appear to be a buildable site. Given this, the subject has the likely following potential uses:

1. **Park or public use:** The subject is currently zoned and used for park land. Generally, the market does not purchase this type of land. If a governmental agency sells park land it is typically at the market price of adjoining non-park land. The subject being almost entirely wetland makes a park use logical.

2. **Industrial/Residential use:** If the subject was not zoned and guided for a park use, it is likely that it would have been industrial or residential. A developer would recognize the existing wetlands and realize that any development would require wetland mitigation. This is typically completed by purchasing wetland credits at a 2:1 ratio (site size of 3.298 acres would likely require 6.596 acres of equivalent wetland mitigation). The wetland mitigation appears to be costly; a developer would likely not develop the site given the cost and availability of nearby vacant land with no building restrictions.

Option 1 is the most logical given the high and speculative cost to develop the site. Therefore, similar low and wetland sales will be considered to indicate the value of the subject.

Given the subject's zoning, frontage, and access, the highest and best use for the subject site as vacant would be for a park or public use.

The most likely buyer is a public user.

Note: Benefit, if any, is not considered in this appraisal for the overall larger parcel due to the construction of the full interchange.

Site as Improved: The use that should be made of a property as it exists. An existing improvement should be renovated or retained as so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one. *The Dictionary of Real Estate Appraisal, Fifth Edition, by the Appraisal Institute.*

This analysis is not applicable as the subject is vacant land.

COST APPROACH

Due to the subjectivity in physical and external depreciation, the Cost Approach is not considered a reliable indicator of value and therefore was not applied.

INCOME APPROACH

Given the scope of the assignment the Income Approach was considered less reliable and was therefore not applied.

SALES COMPARISON APPROACH

The Sales Comparison Approach to Value is predicated upon sales of properties with similar characteristics as the subject. The primary premise of this approach is that the market value of the subject is directly related to the prices of competing properties after adjustment. Adjustments are made in an effort to account for significant differences.

Supply and Demand: Sales in the market result from negotiations between buyers, sellers and lenders. Buyers reflect market demand and sellers supply. If demand is high, prices tend to increase, if it is low, prices usually decrease.

Substitution: The principle of substitution holds that the value of a property tends to be set by the price paid to acquire a substitute property of similar utility and desirability within a reasonable amount of time (The Appraisal of Real Estate, 14th Edition). The Sales Comparison Approach is less reliable if substitute properties are not available in the market. There are adequate sales to apply the sales comparison approach and formulate a reliable indication of market value.

Balance: The market tends to force a balance between supply and demand. Balance can change due to shifts in population, variations in purchasing power, consumer tastes and preference and time.

Externalities: When possible, select comparables with similar location, economic conditions and support facilities.

The Following Outline Is Used In The Sales Comparison Approach:

- A location map of the comparable sales.

- Comparable sales are listed.

- An adjustment grid using the comparable sales.

- A discussion of adjustment and conclusion of value.

Comparable Location Map

Primary Comparable Selection/Search Criteria:

- Low land, wetland
- Sale date of January 1, 2014 +
- Data from competing communities
- In some instances, older data and/or data from competing communities will be utilized due to proximity to the subject and other characteristics similar to the subject.

Sales Comparison Approach – Continued

Sale 1 Aerial Image:

Sales Comparison Approach -- continued

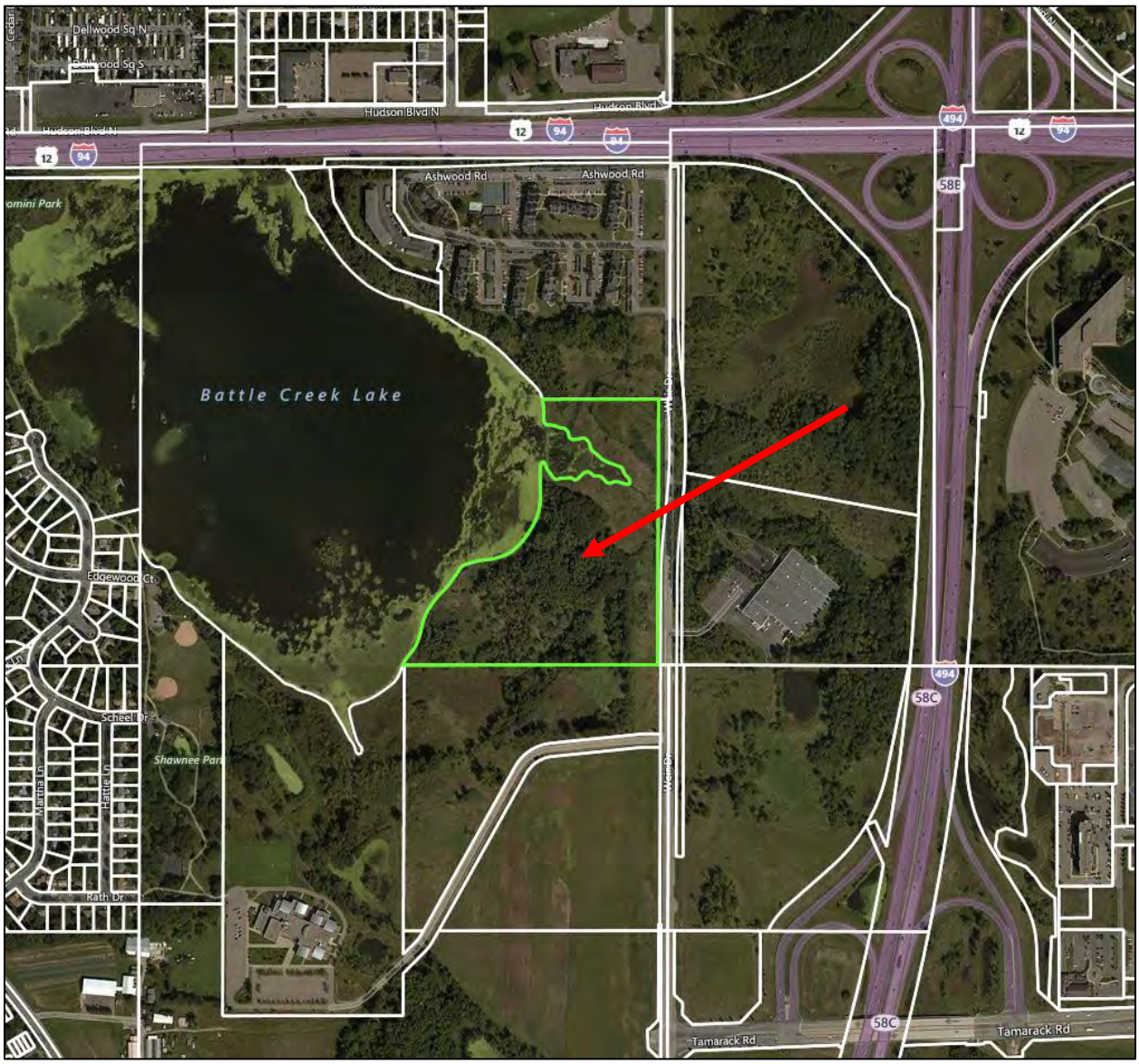
Land Sale Comparable #1	

Property Data			
Address:	**XXXX Dunkirk, Plymouth**		
PID/Legal Description:	05-118-22-33-0001		
Description:	Land parcel	**Zoning/Intended Use:**	Residential
Physical Characteristics:	Mostly Low/Wet	**Utilities:**	Available
Site Size:	1,749,805 SF	**Improvements:**	None
Comments:	Low/wetland that is not buildable. The city purchased for a park use.		

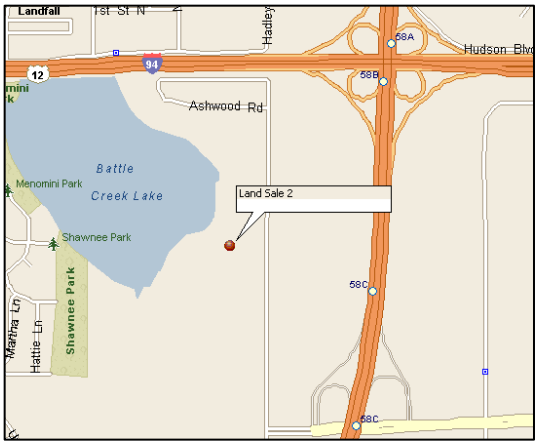
Sale Data			
Sale Price:	$310,000	**Price /SF:**	**$0.18 per SF**
Sale/Close Date:	March 2, 2017	**Sale Terms:**	Cash
Buyer:	City of Plymouth	**Sale Conditions:**	Typical
Seller:	Sween, Raskob, Kvistad	**Source/Verification:**	MLS / CREV
Comments:	The property was listed on the open market.		

Sales Comparison Approach – Continued

Sale 2 Aerial Image:



Sales Comparison Approach -- continued

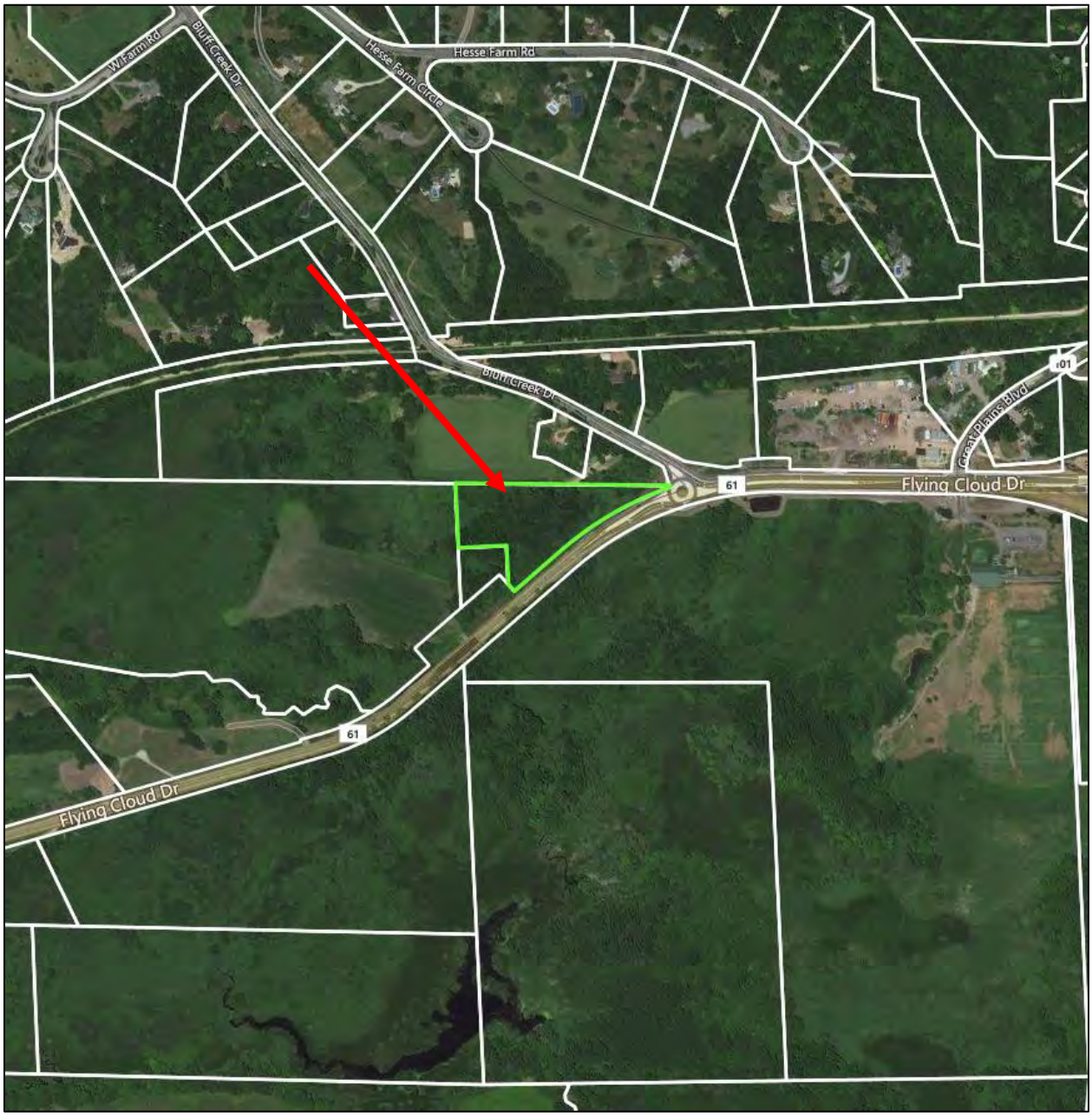
Land Sale Comparable #2	
	

Property Data			
Address:	**XXXX Weir Drive, Woodbury**		
PID/Legal Description:	0602821140003		
Description:	Land parcel	**Zoning/Intended Use:**	Open Land
Physical Characteristics:	Mostly Low/Wet	**Utilities:**	Available
Site Size:	1,002,316 SF	**Improvements:**	None
Comments:	Mostly low/wet site that does not appear to be buildable. There is a nature lake to the west with visual appeal only.		

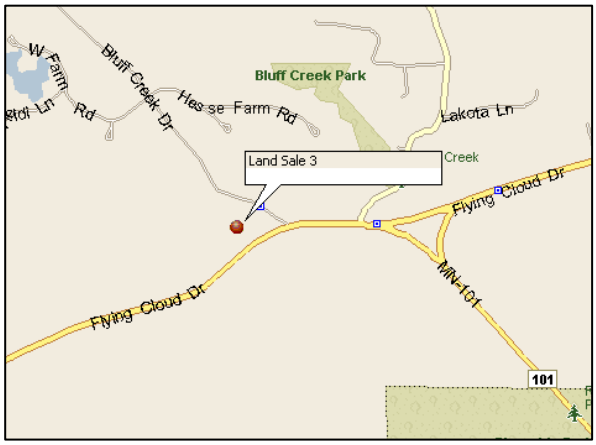
Sale Data			
Sale Price:	$34,500	**Price /SF:**	**$0.03 per SF**
Sale/Close Date:	May 12, 2017	**Sale Terms:**	Cash
Buyer:	City of Woodbury	**Sale Conditions:**	Typical
Seller:	Washington/Ramsey Acquisition, LLC	**Source/Verification:**	RediComps / CREV
Comments:	The buyer and seller privately negotiated the sale price.		

Sales Comparison Approach – Continued

Sale 3 Aerial Image:



Sales Comparison Approach -- continued

Land Sale Comparable #3	
	

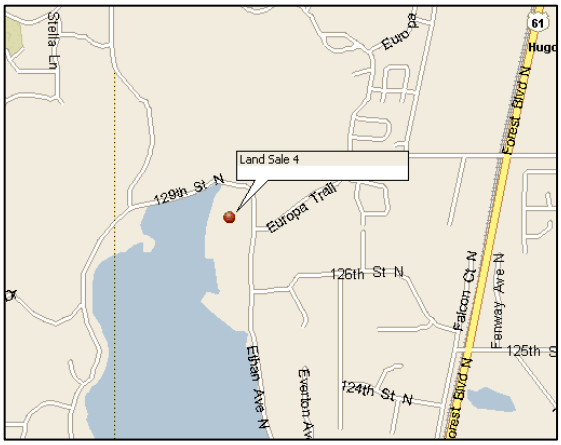
Property Data			
Address:	**XXXX Flying Cloud Drive, Chanhassen**		
PID/Legal Description:	274500110		
Description:	Land parcel	**Zoning/Intended Use:**	Open Land
Physical Characteristics:	Mostly Low/Wet	**Utilities:**	Available
Site Size:	220,414 SF	**Improvements:**	None
Comments:	Reportedly, the property is 90%+ covered by wetland area and floodplain.		

Sale Data			
Sale Price:	$25,000	**Price /SF:**	**$0.11 per SF**
Sale/Close Date:	April 4, 2014	**Sale Terms:**	Cash
Buyer:	County of Carver	**Sale Conditions:**	Typical
Seller:	David Zamjahn	**Source/Verification:**	RediComps / CREV
Comments:	The buyer wanted only a portion of the site but then ultimately purchased the total parcel from the buyer. The buyer and seller privately negotiated the purchase price and based it on an appraisal.		

Sales Comparison Approach – Continued

Sale 4 Aerial Image:

Sales Comparison Approach -- continued

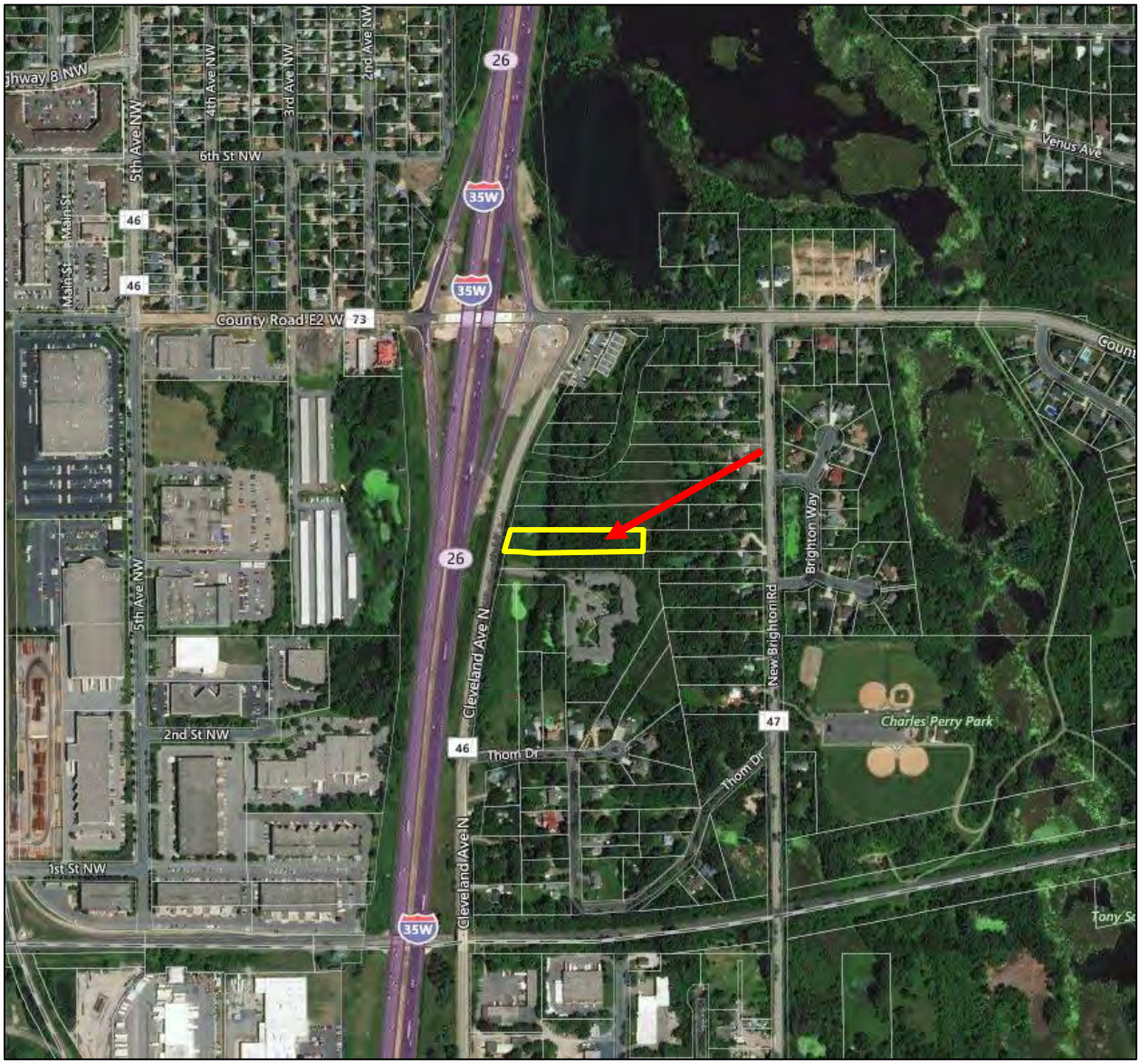
Land Sale Comparable #4	
	

Property Data			
Address:	**12812 Ethan Avenue North, Hugo**		
PID/Legal Description:	Multiple		
Description:	Land parcel	**Zoning/Intended Use:**	Residential
Physical Characteristics:	Mostly Low/Wet	**Utilities:**	Available
Site Size:	91,912 SF	**Improvements:**	None
Comments:	The parcel is mostly unbuildable. The agent indicated that a building area could be created with an engineering plan and soil mitigation. That said, the price reflected as is (not buildable). The site is on Bald Eagle Lake, which does have recreational boating appeal.		

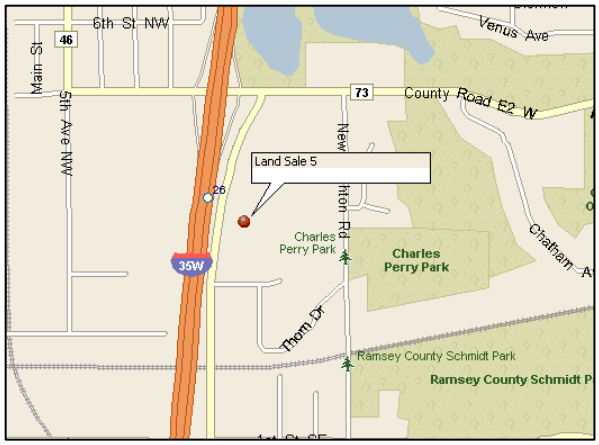
Sale Data			
Sale Price:	$60,000	**Price /SF:**	**$0.65 per SF**
Sale/Close Date:	September 26, 2017	**Sale Terms:**	Cash
Buyer:	Barbona Properties, LLC	**Sale Conditions:**	Typical
Seller:	Cheetah Properties LLC	**Source/Verification:**	MLS / CREV
Comments:	The property was listed on the open market.		

Sales Comparison Approach – Continued

Sale 5 Aerial Image:



Sales Comparison Approach -- continued

Land Sale Comparable #5	
	

Property Data			
Address:	**3758 Cleveland Avenue North, Arden Hills**		
PID/Legal Description:	283023320037		
Description:	Land parcel	**Zoning/Intended Use:**	Commercial
Physical Characteristics:	Mostly Low/Wet	**Utilities:**	Available
Site Size:	52,272 SF	**Improvements:**	None
Comments:	Non-buildable parcel with low/wetland on the eastern 75% of the site and a powerline on the western side of the site.		

Sale Data			
Sale Price:	$19,900	**Price /SF:**	**$0.38 per SF**
Sale/Close Date:	January 6, 2016	**Sale Terms:**	Cash
Buyer:	Anselmo Montiel	**Sale Conditions:**	Typical
Seller:	Modesette	**Source/Verification:**	MLS / CREV
Comments:	The property was listed on the open market.		

Sales Comparison Approach – Continued

Listed below is the adjustment grid for the comparables listed on the previous pages. Comparable items of significant difference are adjusted for:

Description	Subject	1	2	3	4	5
Address	XXXX 101st Avenue North Brooklyn Park	XXXX Dunkirk Plymouth	XXXX Weir Drive Woodbury	XXXX Flying Cloud Drive Chanhassen	12812 Ethan Ave N Hugo	3758 Cleveland Ave N Arden Hills
Proximity	Subject	8.09 mi SW	24.7 mi SE	24 mi S	18.1 mi E	11.3 mi SE
Financing	Market	Cash	Cash	Cash	Cash	Cash
Conditions	Typical	Typical	Typical	Typical	Typical	Typical
Market Conditions	--	Mar-17	May-17	Apr-14	Sep-17	Jan-16
Location	Average	Average	Average	Average	Lake	Average
Zoning/Use	Park	Residential	Open Land	Open Land	Residential	Commercial
Phys Char	Wetlands	Mostly Low/Wet	Mostly Low/Wet	Mostly Low/Wet	Mostly Low/Wet	Mostly Low/Wet
Improvements	None	None	None	None	None	None
Size	--	--	--	--	--	--
Age	--	--	--	--	--	--
Condition	--	--	--	--	--	--
Utilities	Available	Available	Available	Available	Available	Available
Sale Price	--	$310,000	$34,500	$25,000	$60,000	$19,900
Site Size (SF)	143,661	1,749,805	1,002,316	220,414	91,912	52,272
Price per SF - Site Size		**$0.18**	**$0.03**	**$0.11**	**$0.65**	**$0.38**
Cond. Adj.	**+/-**					
Financing	Market					
Conditions	Typical					
Market Conditions	--					
Net Cond. Adj.		**0%**	**0%**	**0%**	**0%**	**0%**
Effective $/SF - Site Size		**$0.18**	**$0.03**	**$0.11**	**$0.65**	**$0.38**
Adjustments	**+/-**					
Location	Average				-10%	
Zoning/Use	Park					
Phys Char	Wetlands					
Improvements	None					
Utilities	Available					
Site Size (SF)	143,661	20%	20%			
Net Adjustment		**20%**	**20%**	**0%**	**-10%**	**0%**
Adjusted Price per SF - Site Size		**$0.21**	**$0.04**	**$0.11**	**$0.59**	**$0.38**

Discussion of Adjustments

Property Rights: Refers to the ownership interest conveyed at the time of sale. Properties with leases or other encumbrances in place can sell for more or less than comparable properties that sell fee simple interest. The sale prices of the comparable properties were not impacted by existing lease terms (if any).

Financing: The impact financing may have had on the sale price, favorable interest rate or term. All sales were cash or estimated to be near or at market rates.

Conditions of sale: Reflects non-market conditions, which may or may not have impacted the sale price, such as differing motivations of buyer or seller (related parties, distressed or liquidation sale, listings, pending, occupancy, assemblage, etc.), impending eminent domain proceedings, influence due to tax ramifications, or lack of market exposure.

Market Conditions: The market did not indicate a time adjustment, therefore no adjustment.

Location: This adjustment is based on the appraiser's judgment. It takes into consideration surrounding land uses, intended use, neighborhood characteristics, traffic, exposure and access.

Zoning/Use: Comparables had similar uses.

Physical Characteristics: Shape and topography adjustments reflect the market preference for rectangular and level parcels, which optimize development potential. All comparables considered competing.

Improvements: Not necessary, the comparables were vacant land.

Utilities: The subject and comparables have competing utilities, no adjustment necessary.

Site Size: Adjustments recognize larger parcels of land typically sell for less per SF than smaller sites. Comparables adjusted accordingly.

Conclusion: The comparables used are rated to be the most indicative of data analyzed and bracket the subject value. Other sales reviewed were older, further and/or needed more adjustment. Adjustments are made on a per square foot basis. The comparables utilized in this analysis each have several similar characteristics in common with the subject. While none are totally identical to the subject, each represents a viable alternative to a prospective buyer of the subject property and, after adjustment, can be utilized as an indicator of market value for the subject property.

Indicator	Un-Adjusted Price per SF	Adjusted Price per SF
Range	$0.03 - $0.65	$0.04 - $0.59
Average	$0.27	$0.27
Median	$0.18	$0.21

Note: A wide range in public use land sales is not uncommon. There is very limited sales data available of this property type.

Less weight given to Sale 5 as it appears that with soil corrections there could be a buildable area. About equal weight given to the remaining sales comparables. Based on the subject characteristics, a rate at the **mid-range** is considered appropriate.

Site Size (SF)	Value per SF	Total
143,661	$0.30	$43,098

Opinion of Value (as is)	**$45,000**

Note: The if the was made buildable with appropriate fill and wetland mitigation credits, the above value could differ significantly.

RECONCILIATION

Indicated Value by Cost Approach	Not Applied
Indicated Value by Sales Comparison Approach	**$45,000**
Indicated Value by Income Approach	Not Applied

The **Cost Approach** to value was not applied as the subject is being appraised as vacant land.

The Direct **Sales Comparison Approach** to value analyzed recent sales of properties as compared with the characteristics of the subject property. Adjustments were made to the comparables to make them as similar to the subject as possible. This results in an indication of market value at which a typical buyer would be willing to pay for the subject property.

The **Income Approach** was not utilized due to limited/ rents of properties similar to the subject.

Conclusion: The Sales Comparison Approach is given the most weight.

Final Value Opinion	
The value opinion is:	**$45,000**

EXPOSURE TIME / MARKETING TIME

Reasonable Exposure Time: *Typically 12 months before the effective date of the appraisal.*	**Marketing Time Opinion:** *6 to 18 months or less after the effective date of the appraisal.*

DEFINITIONS

MARKET VALUE - The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

(A) buyer and seller are typically motivated;

(B) both parties are well informed or well advised, and each acting in what they consider their own best interest;

(C) a reasonable time is allowed for exposure in the open market;

(D) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

(E) the price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute

ENVIRONMENTAL & STRUCTURAL ISSUES

Regarding any adverse environmental and/or improvement structural conditions (such as, but not limited to, hazardous wastes, toxic substances, mold, construction defects or inadequacies, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property: **None are apparent**, however, appraiser is not an expert in this field. Value assumes no hazardous or structural conditions exist. Value assumes any abandoned wells will be properly sealed. If any of these conditions exist the appraised value could differ significantly.

EXTRAORDINARY ASSUMPTIONS & HYPOTHETICAL CONDITIONS

As stated by USPAP;

Extraordinary Assumption: An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions of conclusions.

None

Hypothetical Condition: That which is contrary to what exists but is supposed for the purpose of analysis.

None

ASSUMPTIONS AND LIMITING CONDITIONS

1. The appraisers assume no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor do the appraisers render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership and good management.

2. The furnished legal description is assumed to be correct.

3. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraisers have made no survey of the property. It is assumed unless otherwise noted that no survey has been viewed and that all improvements are located within the legally described property.

4. The appraisers are not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefore.

5. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.

6. The appraisers assume that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraisers assume no responsibility for such conditions, or for engineering, which might be required to discover such factors.

7. Unless otherwise stated in this report, the existence of hazardous materials, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, radon gas, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

8. Information, estimates, and opinions furnished to the appraisers, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, the appraisers can assume no responsibility for accuracy of such items furnished the appraisers.

9. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the appraisers are affiliated. No part of the contents of this report, or copy thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the appraiser is connected), shall be disseminated to the public through advertising, public relations, news, sales, or any other public means of communications without the prior written consent and approval of the appraisers.

Assumptions & Limiting Conditions – continued

10. The appraisers have no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property. The appraisers have no personal interest or bias with respect to the parties involved.

11. The appraiser has personally inspected the subject site (unless noted otherwise). The comparable sales data has been viewed via aerial maps, photographs and/or online street views along with file pictures, when available. To the best of the appraiser's knowledge and belief, all statements and information in this report are true and correct, and the appraisers have not knowingly withheld any significant information.

12. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is our personal, unbiased professional analyses, opinions, and conclusions. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The appraisal is for the sole use of the named client.

13. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey and analysis of the property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.

14. No one provided significant professional assistance to the person(s) signing this report.

15. This appraisal assignment was not based on a requested minimum valuation or specific valuation or approval of a loan.

16. To the best of our knowledge and belief, the reported analysis, opinions, and conclusions were developed, and this report was prepared in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

17. The appraised value opinion assumes all leases (if any) are current and paid in full as of the effective date of the appraisal.

18. Excel grids and tables may have slight deviations due to rounding, which may have a nominal impact on value.

19. The appraised value opinion assumes all formulas used in the Excel grids throughout the report are accurate.

20. Unless noted, value assumes no apparent adverse site, building or zoning issues or conditions.

21. Site and building sizes are based on public record, data services, client and/or appraiser measurement at the time of appraisal and are considered reliable, but not guaranteed. Actual sizes herein could vary if made by an engineer/surveyor/contractor.

22. If any of the above is found to be different, value could change.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

1) The statements of fact contained in this report are true and correct.

2) The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analysis, opinions, and conclusions.

3) I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

4) I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

5) My engagement in this assignment was not contingent upon developing or reporting predetermined results.

6) My compensation for completing this assignment is not contingent upon the development or reporting of predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

7) My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

8) The reported analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which includes the Uniform Standards of Appraisal Practice.

9) **William R. Waytas** made a personal inspection of the subject property. **Ethan Waytas** did not view the subject property.

10) No one provided significant professional assistance to the person signing this report.

11) In accordance with the competency provision USPAP, I have verified that my knowledge, experience and education are sufficient to allow me to competently complete this appraisal. See attached qualifications.

12) As of the date of this report, William R. Waytas and Ethan Waytas have completed the requirements of the continuing education program of the appraisal institute.

13) The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representative.

14) We **have not** provided services as an appraiser, regarding the subject property within the 3-year period immediately preceding acceptance to this assignment.

Ethan Waytas, MAI
Certified General MN 40368613
Date: see report

William R. Waytas, SRA
Certified General MN 4000813
Date: see report

CERTIFICATE OF APPRAISER

I hereby certify:

I have personally inspected the property herein appraised and that I have previously afforded the property owner the opportunity to accompany me during an inspection. Such opportunity was afforded to the owner/representative and said individual **did not choose to accompany me, however, the city has been in contact with the owner.**

That to the best of my knowledge and belief the statements contained in the appraisal herein above set forth are true and the information upon which the opinions expressed therein are based as correct; subject to the limiting conditions herein set forth.

That I understand that such appraisal is to be used in connection with an acquisition, and that such appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable to appraisal of such purposes and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established State law.

That in making this appraisal I have disregarded any increase or decrease in the before value caused by the project for which the property is being acquired. That neither my employment nor the compensation for making this appraisal and report are in any way contingent upon the value reported herein. That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.

That I will not reveal the findings and results of such appraisal to anyone other than the proper officials of the acquiring agency until authorized by agency officials to do so, or until I am required to do so, by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That the conclusion set forth in this appraisal was reached without collaboration or direction as to value.

Ethan Waytas, MAI
Certified General
MN 40368613
Date: **See Report**

William R. Waytas, SRA
Certified General
MN 4000813
Date: **See Report**

QUALIFICATIONS

Appraisal Experience

Presently and since 2006, **Ethan Waytas, MAI** has been employed as an employee of Nagell Appraisal Incorporated, an independent appraisal firm (11 employees) who annually prepare 1,500 +/- appraisal reports of all types. He is currently a full time licensed certified general real estate appraiser, partner, and director of the company's IT department.

Properties appraised:

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Testimony

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Holds the MAI designation from the Appraisal Institute

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Curriculum Vitae -- continued

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-- Court, deposition, commission, arbitration & administrative testimony given.

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-- Court appointed in Wright County.

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-- Chairman of Residential Admissions, Metro/MN Chapter, AI.
-- Chairman Residential Candidate Guidance, Metro/Minnesota Chapter, AI.
-- Elm Creek Watershed Commission, Medina representative 3 years.
-- Medina Park Commission, 3 years.

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ADDENDA TO APPRAISAL REPORT

Report Type
Real Estate Consulting
Letter Report

Effective Date
April 7, 2018

Client

City of Brooklyn Park
Attn: Jeff Holstein, PE, PTOE, City Transportation Eng.
5200 85th Avenue North
Brooklyn Park, MN 55443

Subject Property

Total Acquisition
XXXX 101st Avenue North
Brooklyn Park, Hennepin County, MN 55445
Owner: Three Rivers Park District **Parcel Number: n/a**
Project Name: TH 169 / 101st Avenue Interchange
Project Number: n/a

File # G1811002

Prepared By:
Ethan Waytas, MAI, Appraiser
William R. Waytas, Appraiser

Nagell Appraisal Incorporated
12805 Highway 55, Suite 300
Plymouth, Minnesota 55441
Tel: 952.544.8966 | Fax: 952.544.8969

NAGELL APPRAISAL INCORPORATED

12805 Highway 55 #300
Plymouth, MN 55441
Established in 1968

Minneapolis 952-544-8966
St. Paul 651-209-6159
Central Fax 952-544-8969

City of Brooklyn Park
Attn: Jeff Holstein, PE, PTOE, City Transportation Engineer
5200 85th Avenue North
Brooklyn Park, MN 55443

November 21, 2018

To Jeff Holstein:

Per your request, this is a letter report that updates a prior appraisal. The purpose of this letter is to recalculate the damage amount as a result of the acquisition area being reduced.

This report is not an appraisal, but rather provides the above recalculation of damages. This letter is not valid and must be accompanied by the prior appraisal of the subject property with an effective date of April 7, 2018 and a report date of April 19, 2018.

The client provided a revised acquisition map (see rear of letter) with a new take area of 2.29 acres or 99,752 SF.

The indicated value per SF from the prior appraisal was $0.30. When applied to the total new acquisition area the damages are:

99,752 SF x $0.30 per SF = $29,926 rounded to **$30,000**

If you have additional questions, please do not hesitate to contact us.

Sincerely,

Ethan Waytas, MAI
Certified General MN 40368613

William R. Waytas
Certified General MN 4000813

REVISED ACQUISITION MAP

The client provided the below revised acquistion map:

SRF **TH 169 / 101ST AVENUE INTERCHANGE**
Three Rivers Park District - Park Property Aquisition
Brooklyn Park, MN
Job #
11/1/2018

Figure 1

QUALIFICATIONS

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City of Brooklyn Park
Request for Council Action

Agenda Item:	6.1	**Meeting Date:**	January 28, 2019
Agenda Section:	Land Use Actions	**Originating Department:**	Community Development
Resolutions:	XX		
Ordinance:	N/A	**Prepared By:**	Todd A. Larson, Senior Planner
Attachments:	8	**Presented By:**	Cindy Sherman, Planning Director
Item:	Oak Village (D.R. Horton) – Preliminary Plat and Conditional Use Permit for a 56-Unit Townhome Development Southwest Corner of Oak Grove Pkwy. and Regent Avenue N.		

City Manager's Proposed Actions:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING PRELIMINARY PLAT OF "OAK VILLAGE" SUBDIVIDING 5.36 ACRES INTO 56 TOWNHOME LOTS AND TWO COMMON LOTS SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH.

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING CONDITIONAL USE PERMIT FOR "OAK VILLAGE," A 56-UNIT TOWNHOME DEVELOPMENT SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH.

Planning Commission Recommendation:

At its meeting on January 9, 2019, the Planning Commission unanimously (8-0) recommended approval of the proposed development with the conditions listed in the attached resolutions. There was some discussion about the reduced garage size and the addition of shelving or other storage solutions to make up for the 29-square foot shortfall. The conditional use permit resolution contains language that has been worked out with the applicant and staff to meet the Commission's concerns.

Overview:

In 2001-2002, the Planning Commission and City Council approved a master-planned development called Oxbow Commons for the area between Zane Avenue, 101st Avenue, Regent Avenue, and the Great River Energy transmission line. The development included retail, office, and residential uses in all densities. Approximately half of the Oxbow Commons area has been developed to date with such uses as the Fairview Clinic and Urgent Care, Stone Mountain Pet Lodge, McDonalds, St. Therese at Oxbow Lake, and Lakeside at Oxbow Commons single-family subdivision. In the development plan, some areas were more detailed than others in the way of building design, placement, and use. The 5.36-acre site was only identified as "Medium Density Residential/7 units per acre."

In 2016, the Planning Commission and City Council reviewed the different land uses around the Highway 610 and Zane interchange. This area had several undeveloped properties that were never developed, even after the economy rebounded from the 2008 recession. The land use designation was changed from Medium Density (3-9 units per acre) to Medium-High Density (minimum 7 units per acre with no maximum).

The current proposal from DR Horton is for a 56-unit row townhome. The 10.4 units per acre density falls within the range allowed with the 2016 updated plan. The site is adjacent to Wickford Village, a mixed townhome/single-family neighborhood. The proposed units conform to the residential design requirements of the Oxbow Commons Master Plan.

The site is zoned Town Center (TC) where all uses are considered conditional uses when in conformance with the Comprehensive Plan; therefore, a conditional use permit (CUP) is required in addition to the plat.

Budgetary/Fiscal Issues:

Park dedication will be collected on all lots. Additionally, a portion of the costs for a future traffic signal will be collected per the Oxbow Commons development approvals.

Alternatives to consider:

1. Approve the proposal as recommended by the Planning Commission.
2. Approve the proposal with modifications.
3. Deny the proposal based on certain findings.

Attachments:

6.1A RESOLUTION – PRELIMINARY PLAT
6.1B RESOLUTION – CONDITIONAL USE PERMIT
6.1C LOCATION MAP
6.1D PLANNING AND ZONING INFORMATION
6.1E PLANNING COMMISSION MINUTES
6.1F OXBOW COMMONS DEVELOPMENT PLAN
6.1G DEVELOPER'S NARRATIVE
6.1H PLANS

RESOLUTION #2019-

RESOLUTION APPROVING PRELIMINARY PLAT OF
"OAK VILLAGE"
SUBDIVIDING 5.36 ACRES INTO 56 TOWNHOME LOTS AND TWO COMMON LOTS
SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH

Planning Commission File #18-125

WHEREAS, the plat of "Oak Village" has been submitted in the manner required for platting of land under the Brooklyn Park Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder; and

WHEREAS, said plat is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152; and

WHEREAS, the Planning Commission held a public hearing and reviewed the proposal at its meeting on January 9, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request #18-125 "Oak Village" shall be approved subject to the following conditions:

1.00 DRAWINGS

1.01 Preliminary Site Plan on file dated 12-26-2018; and Preliminary Site Development Plans dated 12-26-2018 are approved for 56 attached row townhome lots upon compliance with the requirements in this resolution.

2.00 BONDS, ESCROWS AND DIRECT PAYMENTS

2.01 A Development Contract and bonding shall be required in the amount of **$1,069,300.00** as a development bond or letter of credit, a **$56,200.00** cash bond, and a **$64,400.00** developer's escrow as required by Chapter 152. The developer's escrow must be posted with the City Treasurer to cover engineering, legal and administrative costs incurred by the City. If this account becomes deficient, it shall be the developer's responsibility to deposit additional funds. This must be done before final bonding obligations are complete. Bonding may be recalculated based on a phasing plan.

2.02 Payment of any special assessments on the property.

2.03 Payment of $41,666.67 for the future traffic signal at 101st and Zane Avenues per the Oxbow Commons development plan approvals.

2.04 Park dedication will be required at the time of final plat approval at the rate in effect at the time.

3.00 REQUIRED DOCUMENTS

3.01 Approval of Title by the City Attorney.

3.02 All utility construction, drainage, grading and development plans must be approved by the City Engineer prior to receiving a building permit.

3.03 A comprehensive search shall be performed to identify any existing wells on the property. A licensed well driller shall properly abandon any unused wells in the plat. Such abandonment shall be reviewed and approved by the Minnesota Department of Health.

3.04 A final plat showing the correct square footage for each lot area must be submitted prior to recording of the final plat.

3.05 West Mississippi Watershed Commission approval and storm water maintenance agreements.

3.06 Approval from the Minnesota Department of Transportation for any work conducted in their right-of-way.

3.07 Homeowners Association documents must be reviewed by the City Attorney's office. These documents must contain the following items:

a. Private street, driveway, and walkway maintenance.
b. Landscaping maintenance of all grounds.
c. Heat must be provided to any vacant units during winter months to prevent pipe freezing.

4.00 GENERAL CONDITIONS

4.01 It shall be the developer's responsibility to keep active and up to date the developer's contract and financial surety (Letter of Credit, bonds, etc.). These documents must remain active until the developer has been released from any further obligation by City Council motion received in writing from the Engineering Department.

4.02 Before final bonding obligations are released, a certificate signed by a registered engineer must be provided. This certificate will state that all final lot and building grades are in conformance to drainage development plan(s) approved by the City Engineer.

4.03 No burying of construction debris shall be permitted on the site.

4.04 Dust control measures must be in place to prevent for dust and erosion including, but not limited to, daily watering, silt fences, and seeding. The City Engineer may impose measures to reduce dust.

4.05 Adequate dumpsters must be on site during construction of streets, utilities, and homes. When full, they must be emptied immediately or replaced with an empty dumpster.

4.06 Metal roll-off dumpster containers for construction debris shall be present at each building site within the front yard prior to framing inspections being conducted. Dumpsters shall be monitored for overflow and emptied and completely covered with a secured tarp or cover at the end of each work day.

4.07 Adequate portable toilets must be on-site at all times during construction of utilities, roadways, and homes. At no time shall any home under construction be more than 250 feet away from any portable toilet. Toilets must be regularly maintained.

4.08 During construction, streets must be passable, at all times, free of debris, materials, soils, snow, and other obstructions.

4.09 Street lighting shall be public via the Xcel Energy Group-5 Program.

4.10 Landscaping shall conform to the Landscape Plan dated 12-26-2018 with the following modifications:

a. Ornamental trees must be placed far enough from the structures to accommodate tree growth.
b. The landscaping plan must be reviewed and approved by the owner of the transmission line easement.

4.11 A sign indicating private roadways shall be placed at each entrance to the development.

4.12 The drainage and utility easements shown on the two common lots shall be removed and shown as a 20-foot wide utility easement for sanitary sewer and water mains. A 10-foot utility easement may be shown adjacent to rights-of-way.

4.13 No building permits will be issued prior to the adequate public utilities being in place, including street lights, and streets have been installed and determined to be available to use. The City will require that the utilities, lighting, and street system have been designed, bid, constructed and considered operational prior to issuance of any building permits in the development. Also, the City must have all the necessary right-of-way and/or easements needed for the property to be serviced.

If the petitioner needs additional time to satisfy the requirements listed in this Preliminary Plat in order to get it released for recording, then a one-year time extension must be requested. Time extension requests are subject to the conditions found in Subdivision Code (Section 151). The failure on the part of the petitioner to submit a final plat per Section 151 within one year from the date of this approval shall deem the preliminary approval to be null and void.

RESOLUTION #2019-

RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR
"OAK VILLAGE,"
A 56-UNIT TOWNHOME DEVELOPMENT
SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH

Planning Commission File #18-125

WHEREAS, the residential subdivision of "Oak Village" has been submitted in the manner required for developing land in the Town Center Zoning District under the Brooklyn Park City Code Section 152.460 through 152.467 and all proceedings have been duly had thereunder; and

WHEREAS, the proposed development is legally described as:

Lots 1 through 57 and Outlot A, Oak Village, Hennepin County, Minnesota

WHEREAS, the Town Center zoning district requires a conditional use permit for all uses in conformance with the Comprehensive Plan in that district; and

WHEREAS, said development is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park Chapters 152; and

WHEREAS, the Planning Commission held a public hearing and reviewed the proposal at its meeting on January 9, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Conditional Use Permit request #18-125 "Oak Village" shall be approved subject to the following conditions:

1. This development approval is for 56 attached row homes.

2. Home plans for the attached units must conform to the plans dated 11-26-2018 except as modified in this resolution.

3. A homeowner's association must be active and responsible for all roadways, landscaping, and common areas, including:

    A. Professional management;
    B. Lawn maintenance;
    C. Snow removal of driveways, entry walks, and sidewalks;
    D. Refuse service;
    E. Maintenance and replacement of mailbox structures;
    F. Common area landscape maintenance, including drainage swales and ponds;
    G. Private street maintenance and snow removal;
    H. Maintenance and irrigation of landscape and private improvements within public rights of way;
    I. Approval, oversight, and enforcement of architectural standards for any improvement to home or landscape;
    J. Oversight and enforcement of rules and regulations regarding use of the property;
    K. Collection for and maintenance of insurance and reserves for common elements and shared wall townhome structures; and
    L. Exterior building maintenance.

4. The attached units must have a full-width stone base on the sides of Units 1, 10, 11, 18, 19, 29, 30, 35, 36, 46, 47, and 56 (as shown on the preliminary plat).

5. The garages do not meet the required 480 square feet area requirement. All homebuyers of initial construction shall be provided the option to have selected shelving installed in the garage and the shelving will be provided in the base price; other storage options may be selected at additional cost. This requirement is to meet the storage intent of City Code in lieu of the reduced garage area. This option must be disclosed to the homebuyers during the design and purchase process.

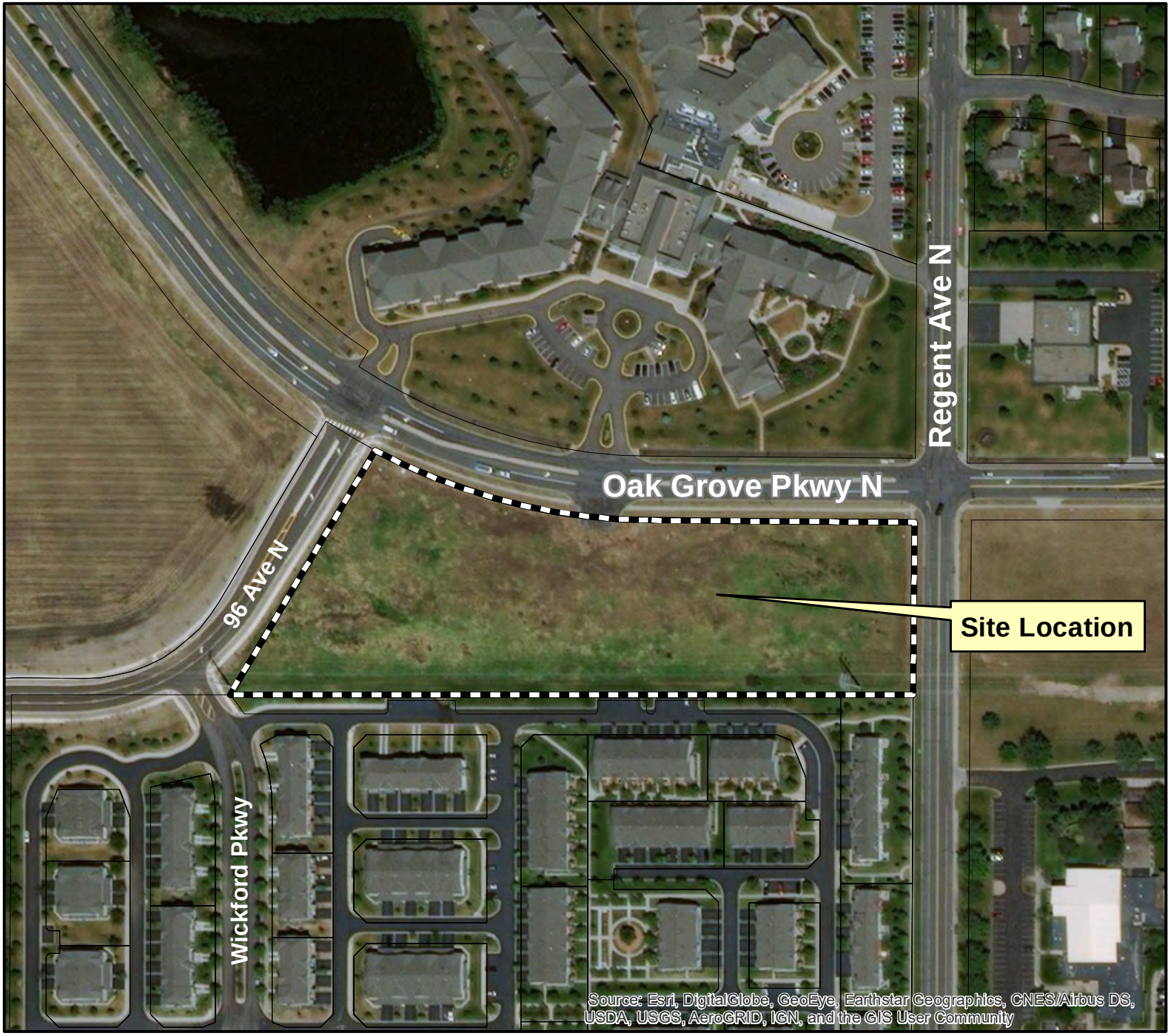
6. The dog park fence must be a black vinyl coated chain link fence, or a more decorative alternative, with a self-closing gate system.

7. The developer acknowledges the site is located across 96th Avenue from a site currently guided for commercial land uses and shall disclose this in all marketing materials.

8. A walkway must be added to the west of Unit 11 connecting the sidewalk along Oak Grove Parkway with the private roadway.

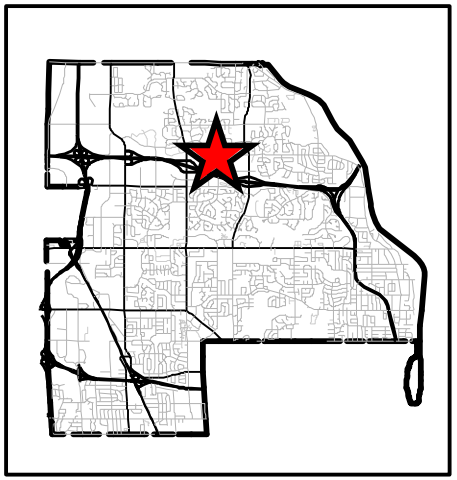
Plat/Conditional Use Permit #18-125
D.R. Horton - "Oak Village"

Brooklyn Park
Community Development



Spring 2016 Air Photo.

200 Feet



Map Date December 17, 2018

Land Use Plan	Medium-High Residential
Current Zoning	Town Center (TC)
Surrounding Zoning	North, South, and West – Town Center (TC) East – Public Institution (PI)
Neighborhood	Founders
Site Area	5.36 Acres
Number of Units	56
Average Density	10.4 units/acre
Unit Size	1,665 ft²
Conforms to: Land Use Plan – Yes Zoning Code – Yes Subdivision Code – Yes Variances Needed – None	
Notification	148 Mailed Notices 2 Proposed Development Signs Neighborhood Update Email – Founders Neighborhood

Building Designs
The proposed building design is a row-home style townhome. Each building will contain four, five, or six units. The front door is on one side with the garage being accessed from the opposite side. The three-level units have a small covered front porch. The primary building material is vinyl siding with a stone base. The stone will be wrapped around the entire base of the exposed sides of the buildings, but stopping a quarter of the way on the interior faces. The materials, articulation, and rooflines meet the requirements of City Code and the Oxbow Commons Master Plan.

The Town Center zoning regulations prohibits a large number of the same unit to ensure diversification of the housing stock. The 56 units that are proposed are within the 60-unit limit of the same type. These units are different enough from the row townhomes in the adjacent Wickford Village to ensure housing style diversity.

Access and Roadways
One private roadway access to Oak Grove Parkway will be provided. The access point exists today with a full median opening. All of the driveways will be accessed via the private roadway. A sign indicating a private roadway must be erected at the entrance.

Pedestrian Connections
The three streets adjacent to the site have sidewalks. All of the units fronting those streets will have a direct walkway connection. The southern row of units will have a walkway connecting those front doors with the parking areas and the adjacent sidewalks. A walkway needs to be added to the west of Unit 11 so that visitors can walk around that building.

Parking and Garages
All units have a two-car garage and a driveway capable of parking two vehicles. Additional guest parking will be provided in three parking areas off the private roadway. There is enough parking on-site to meet the requirements of City Code. No street parking is allowed on Oak Grove Parkway or 96th Avenue, but some parking is available on Regent Avenue.

City Code requires that all townhomes have a minimum 480 square foot garage. The proposed garages are 451 square feet, which is 29 square feet smaller than the requirement. In other developments with this same situation, the developer installed shelving or racking as standard for the unit to meet the intent of the storage requirements of Code. A condition is included in the attached resolution to include shelving.

Landscaping and Screening
The site has an extensive landscaping plan that takes into account the transmission line easement. Trees cannot be planted in this area limiting the space elsewhere on site available for planting the required six per unit. The developer is proposing to use a substitution for larger trees as allowed by City Code. Shrubs will be planted around the building perimeter as well as for screening along the dog park and parking areas.

Some ornamental trees are shown in the easement area. The landscaping plan must be approved by the power company to avoid unintended tree removal in the future.

Dog Park
The development will feature a large fenced dog park for its residents. It is recommended that the fence be a black vinyl coated chain link fence or more decorative alternative.

Storm Water Management
Two basins are proposed in the transmission line easement area. The basins must be landscaped with grasses or natural plants so that they are attractive in the event of low/no water. The basins are private, but a maintenance agreement must be signed so that the association is responsible for the regular maintenance per the West Mississippi Watershed rules.

Public Utilities
Public utilities are available to the site. The preliminary plat indicates drainage and utility easements across the entirety of the two common lots. This is not desirable because it may make the City responsible for private utilities. Instead, a 20-foot utility easement for sanitary sewer and water main shall be shown over those mains. Also, a 10-foot utility easement adjacent to rights-of-way shall be shown for the small utilities (gas, cable, power, etc.).

Park Dedication
Park dedication will be required on all lots. The Recreation and Parks Advisory Commission will be reviewing the proposal at its meeting on January 16, 2019. It is recommended that a cash dedication be collected on all 56 lots. The current rate is $4,600 per lot for a total of $257,600.

UNAPPROVED MINUTES

MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting - January 9, 2019

1. CALL TO ORDER

The meeting was called to order at 7:00 PM.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Herbers, Husain, Kiekow, Kisch, Mersereau, Mohamed, Morton-Spears, Vosberg; Senior City Planner Larson; Planning Director Sherman; Council Member Liaison West-Hafner. Those not present were: Commissioners Hanson.

7. PUBLIC HEARING

A. Oak Village (D.R. Horton) – Preliminary Plat and Conditional Use Permit for "Oak Village," a 56-unit townhome development at the southwest corner of Oak Grove Pkwy. and Regent Ave. N.

Senior Planner Larson introduced the application. He explained the proposed site is a portion of a pervious approved master plan called, "Oxbow Commons," for the area east of Zane Ave., south of 101st, west of Regent Ave., and down to the southern border made up of power lines. He noted recent developments in Oxbow Commons include Stone Mountain Plaza. He stated the development plan had more detail in some areas such as the commercial spine and Main Street area, whereas other areas had less detail such as the location for the proposed townhome development which just indicated medium residential density of seven units per acre. He explained when the economy was moving out of the recession development was still on the stagnant side, and a few master development updates were made for the area along Highway 610 and Zane Ave requiring this area to have medium-high density which allows for the density in this proposal. He described the 56-units that will be in row style buildings of four to six units. The front doors will face outwards to the public streets, and there is one row in the back which will face a walkway. All the garages are internal to the site and accessed off a private shared roadway. He noted on the landscaping plans there is a large easement for the powerline that makes up the southern border of the site, limiting the ability to put full-size trees on the site although smaller ornamental trees and shrubs may be possible. He stated that instead of getting the requirement of six trees per unit, the developer wants fewer but larger trees, which is allowable by code. Staff recommends making sure the ornamental trees are not placed too close to the property, so they have a chance to flourish. He noted that the garages are just shy of the required 480 square feet, which is like other recently developed row townhomes such as Wickford Village and Avebury Place. He explained City Council approved these developments with the condition that storage such as shelving, cabinets, or racks be standard with each unit to enhance storage ability for the residents. Staff recommends the same condition apply to Oak Village. Staff recommends approval.

Reid Schulz, representative of D.R. Horton, 20860 Kenbridge Court in Lakeville, MN. He said he is accompanied this evening by John Bender with Westwood Professional Services, the planning, civil engineering and landscape architecture firm working on this project. He thanked staff for their efforts to ready their proposal for the Planning Commission. He reiterated that they are proposing 56 units, and the style of townhomes are similar to a project they completed in Lino Lakes called "Woods Edge." He explained the homes will be three-levels which is similar to adjacent developments. He reiterated that the proposed site was designated for this use and density in the Oxbow Commons Master Plan, so they feel this product will fit well within the area. He stated that D.R. Horton is a national builder with a variety of local twin cities communities including The Cove at Northwoods in Brooklyn Park. He stated their excitement to be working again with Brooklyn Park while providing a different type of

product. He generally concurred with the recommendations and requirements outlined in the Staff Report. He explained the smaller garage size is necessary due to the constraints of the powerline easements and the fixations of the street frontages on the site. He noted there will be a flex room of roughly 160 square feet installed behind the garage that can be semi or unfinished with the intention this will provide the homeowners with storage or some other opportunity for use although it would be non-conforming for a bedroom. He stated there will also be additional storage under staircases for a rough total of 200 square feet for storage potential. He stated the proposed buildings are maximized as much as possible and are about 1 square foot larger than the product in Lino Lakes, and no storage concerns have been documented at the Lino Lakes development. He pointed to Item 5 in the Conditional Use Permit Resolution which discusses that all garages must come with shelving, cabinets or racking at no expense to the homeowners. He said they want to provide their buyers with options to meet their storage needs as some people may not want permanently installed fixtures should they have bikes, for example. He explained they are open to providing storage options such as installing bike racks, but they want the resolution to be amended to state they will provide storage needs that meet their buyers' intent, while significant upgrades would be a part of the home package.

Commissioner Vice-Chair Kisch opened the public hearing.

Seeing no one approach the podium, Commissioner Vice-Chair Kisch closed the public hearing.

Commissioner Mersereau discussed Item 5 in the Conditional Use Permit Resolution pointing to notes provided in the proposal that indicate the additional storage was to make up for the lesser space in the garage, but she felt this was not explained clearly in the resolution. She requested the language be tweaked to explain the additional shelving and storage is to make up for the smaller garage space. She agreed that verbiage should be included about the type of storage being at the buyer's discretion to fit their needs. She asked the developer if it would be either shelving, cabinet and racking or the flex space.

Mr. Schulz said they would provide both storage options.

Commissioner Mersereau stated the verbiage in Item 5 should reflect that both storage options are being provided. She asked if this will be across the street from St. Therese with the North Fire Station to the northeast and the St. Girard property to the east.

Senior Planner Larson confirmed that is the correct location.

Commissioner Mersereau asked if it is safe to estimate that the proposed development could add anywhere between 50 – 200 more cars to the area, and how this may impact emergency services.

Senior Planner Larson explained that Regent Ave is a Class-I Collector Roadway, and Oak Grove Parkway is a Minor Arterial. He stated that they were designed for much more traffic that is currently not present. He noted the possibility of a traffic signal being installed in the future at Oak Grove Pkwy and Regent Ave as indicated in the initial Environmental Review, but the current traffic doesn't justify a signal.

Commissioner Vosberg pointed out Item 3.07(C) in the Preliminary Plat Resolution that mandates heat to be provided to vacant units during the winter to prevent pipes from freezing. She explained she doesn't normally see this requirement for developments. She asked if this would be just during construction or all the time.

Senior Planner Larson explained this is the first time this requirement has been included in a resolution and will be included as a requirement going forward for attached home developments. He described past incidents where a middle unit was vacant, and the heat was either turned off or failed with no one noticing. This in turn froze the pipes which impacts the fire sprinkler system throughout the building potentially impacting someone else's unit.

He stated the mechanism is in place to guarantee the association ensures there is heat in the winter months to keep a pipe from bursting.

Commissioner Vosberg asked if these units would be sold or rented.

Mr. Schulz confirmed they would be homeowner occupied, and their HOA documents does have standard language to prohibit short-term lease rentals. He said long-term lease rentals would be allowed.

Commissioner Vosberg asked if the HOA language would be based on current City requirements for rentals and homeowners.

Mr. Schulz confirmed this is correct.

Commissioner Vosberg pointed to the landscape plan for the Preliminary Plat submittal where it states, “See Oak Grove Pkwy Median Planting,” and it indicated, “See sheet 10.” She asked if this development would be responsible for the median planting, and if so where is sheet 10.

Senior Planner Larson answered the very last page of the civil plans package has close-ups of the landscape plan.

Commissioner Vosberg said the last page indicates it is for the monument. She asked what is to be in the median.

Mr. Schulz clarified the plans describe the plantings around a monument median that divides the incoming and outgoing traffic.

Commissioner Vosberg asked if it is to be a monument in the median of a public road.

Mr. Schulz clarified the median monument would be on a private road.

Commissioner Kiekow asked for a maximum or minimum dollar amount for the garage storage options the developer would provide at their expense.

Mr. Schulz explained while they understand the need for storage, they are trying to keep prices of the townhomes down. He stated that any additional requirements as to what is put in to the homes will be passed on to the buyers, potentially outpricing the buyers. He said their goal is to provide the right product for the right buyer. He provided that if the City is adamant about the shelving they will abide, but they would prefer to make it conditional based on the buyer’s storage need. He believed the HOA documents and association will be able to maintain and oversee the development to prohibit people from storing trash and recycling bins on driveways. He reiterated that they feel mandating shelving or other storage options may not meet the intent of the buyer therefore diminishing the value. He stated they don’t want to assign a dollar amount especially if a buyer doesn’t want additional storage. He explained they prefer this to be open-ended and they will provide storage solutions on a need basis.

Planning Director Sherman explained the intent of this condition is to meet the storage needs that are lost by not meeting the minimum square footage. She stated the language can be ironed out in a way that satisfies both D.R. Horton and the City’s concern that the storage capacity is being met. She noted the intent is not to have storage that exceeds traditional needs, but something in the middle. She agreed that if someone doesn’t want the additional storage then they can opt out, but if someone wants them to put a bike rack up then the City wants the developer to do this as part of the normal process of the purchase.

Commissioner Kiekow asked how the buyer will know they can ask for additional storage at no expense to themselves.

Planning Director Sherman said they may have to do some homework and take a look at the recorded resolutions. She stated that typically the developer would be asked to include the recorded documentation in their marketing material in the same way that builders are required to provide recorded material when people are purchasing a home across from an industrial park. She believed this to be more of an offering than a mandate but agreed this can be further clarified in the language.

Commissioner Kiekow believed this needs to be more definitive because some customers will say they don't want it while others will request a $5000 add-on at the builder's expense. He stated this needs to be written so that D.R. Horton is protected from being taken advantage of while protecting the buyer from not understanding their options.

Planning Director Sherman stated she doesn't want to craft the language on the spot at the meeting but agreed to commit to modifying the language before the proposal goes to City Council taking into account the concerns presented by the Commission.

Commissioner Mohamed asked what the proposed square footage of the garage is currently.

Mr. Schulz answered 451 square feet.

Commissioner Mohamed asked if that is sufficient for two vehicles.

Mr. Schulz stated yes. He explained the Woods Edge product in Lino Lakes is smaller with a garage around 420 square foot, and there hasn't been concerns with parking vehicles.

Commissioner Mohamed stated that Brooklyn Park has a parking issue, not a space issue. He asked City Staff if there have been other developments that have asked for smaller garage sizes. He provided an example of his own neighbor who has a big truck that doesn't fit in his garage, so it stays on the driveway. He explained this is an issue because someone is constantly parking on their driveway which provides a window of opportunity for someone to break into the vehicle. He stated that a good garage saves a lot of nuisance for the neighborhood.

Planning Director Sherman provided that there are a number of other developments that have garage sizes smaller than City Code. She explained it has become apparent that this style of townhome makes it difficult to meet the 480 square foot minimum with relation to the rest of the building. She said Avebury and Wickford Village are a few examples of developments with smaller garages, and there is similar language regarding additional storage in the City resolutions for those facilities. She explained the main concern is not that vehicles are required to be in the garage, but trash and recycling bins are required to be inside. She said the intent with this requirement is to make sure people have room for their vehicles and trash containers, and D.R. Horton believes this space can accommodate this need with two vehicles in the garage.

Commissioner Mohamed asked where the 34 spaces of off-street parking for guests would be located.

Mr. Schulz explained there are three different parking located on the west side, right in the middle of the development, and over to the east side. He mentioned the amount of off-street parking spaces do exceed City Code requirements and is close to evenly distributed throughout the development.

Commissioner Mohamed asked for clarification that these spaces would be for visitor parking.

Mr. Schulz stated this would be for visitor parking.

Commissioner Vice-Chair Kisch recommended the developer identify definitive storage parameters to make up for the difference in square footage in advance. He explained this would allow them to easily show the packages available to the homeowner. He stated that some homeowners may choose to use the flex room for storage, where as other homeowners may want to make it an office or work-out room. He believed it important to address the intent of City Staff's recommendation to make up for the loss of square footage as has been done on previous developments but thought it would be good to bring some parameters as to what is achievable. He asked the developer to work with the City to define the storage options. He stated he would like Item 5 to also include, "The developer shall disclose the storage options in all marketing materials," similar to the language in Item 7.

Mr. Schulz indicated the revised floor plans provided to City Staff reflect optional shelving and agreed to provide that in marketing as well. He expressed confidence they can work through this issue with City Staff.

Vice-Chair Kisch said he is also comfortable with City Staff working with the developer through this issue. He stated confusion with the wording used in the latter half of Item 4 referencing, "… the east sides of Buildings 9 and 12, and the west sides of Building 7 and 10," since building numbers were not identified in the plans.

Senior Planner Larson referenced the last page of the building elevations that include a full stone base identified as the left side as well as a partial stone base identified as the right side which may not be preferred in all cases. He said the numbers correlate to the unit numbers used on the Preliminary Plat. He clarified the requirement is to ensure the outside edge of all exposed sides have the full stone base whereas the internal sides between buildings will have the partial stone base.

Vice-Chair Kisch asked for an explanation why the requirement references the east sides of building 9 and 12 versus using unit numbers.

Senior Planner Larson stated that may be an error.

Commissioner Vice-Chair Kisch recommended the language of the last half of the condition be removed from the resolution unless there is further reasoning.

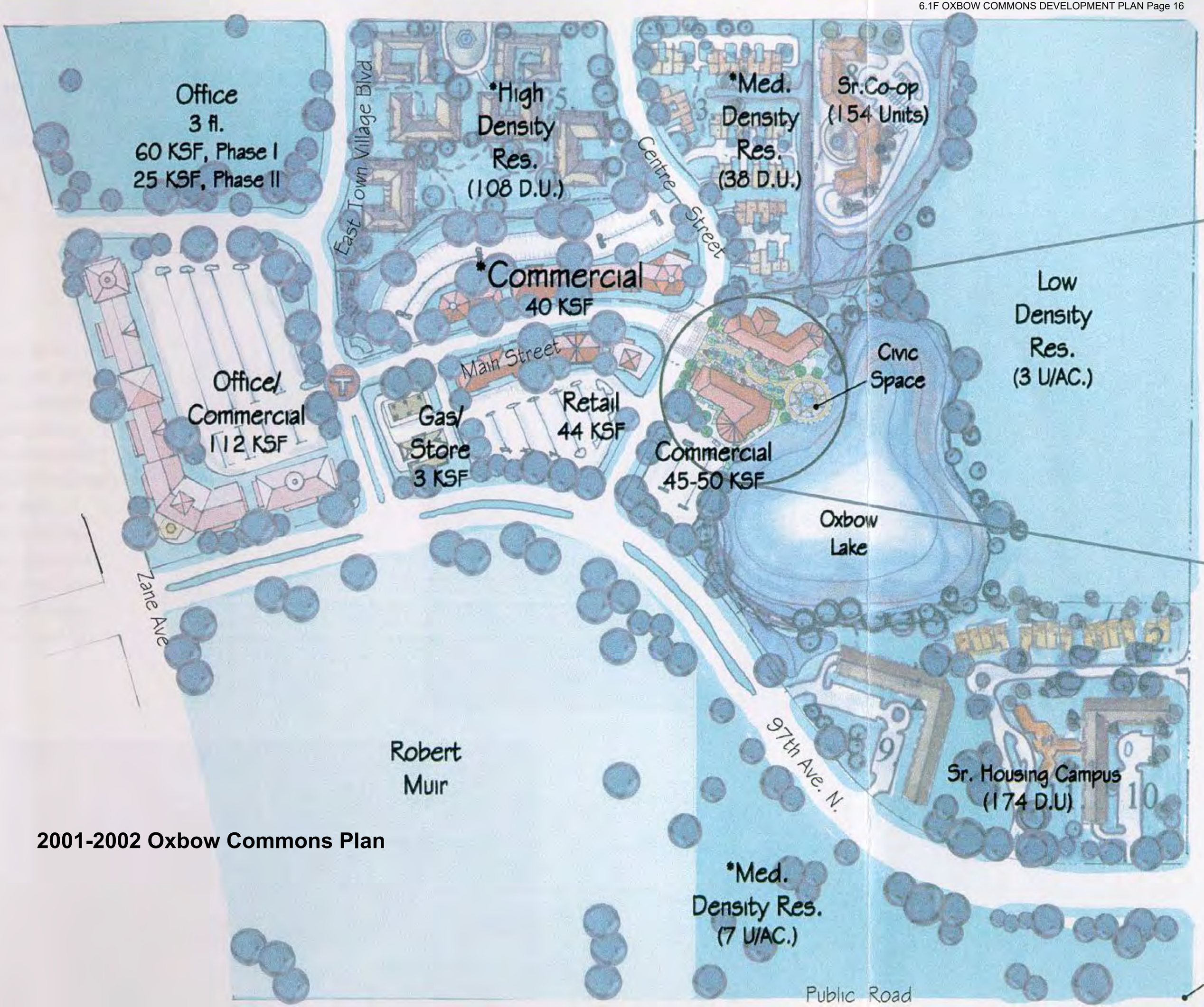
Senior Planner Larson believed the first part of the sentence includes all the units that should have a full stone base, and agreed the rest is not necessary.

MOTION MOHAMED, SECOND VOSBERG TO RECOMMEND APPROVAL OF PRELIMINARY PLAT AND CONDITIONAL USE PERMIT FOR OAK VILLAGE SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

Commissioner Vice-Chair Kisch made a friendly amendment to include language changes as per the Commission discussion.

MOTION CARRIED UNANIMOUSLY.

Planning Director Sherman said the items presented at this meeting will go to City Council on Monday, January 28.



2001-2002 Oxbow Commons Plan

December 3, 2018

City of Brooklyn Park
5200 85th Ave., N.
Brooklyn Park, MN 55443

Re: Preliminary Plan and CUP Application – Oak Village Townhomes

Introduction:

D.R. Horton is pleased to submit this application for approval of a Preliminary Plat and Conditional Use Permit for Oak Village Townhomes. The proposed development consists of 56 townhomes on 5.3 acres within the Oxbow Commons development located on the southwest corner of Oak Grove Parkway and Regent Avenue North. The property is currently described as Outlot B, Oxbow Commons. Surrounding land uses include the Wickford Village townhomes to the south, St. Gerard Church to the east, St. Therese Senior living to the north and vacant lots to the west.

The City's Amended 2030 Comprehensive Plan designates this property's land use to be Medium-High Density Residential in the Land Use Plan, accommodating residential uses with a densities of 7 units per acre and above. Our proposal is for 10.4 units/acre, meeting the density goals of the City.

The property is currently zoned Town Center, a Master-planned development. No rezoning of the property is required for the proposed application, however a Conditional Use Permit (CUP) is required for residential uses within the Town Center Zoning, As part of this application, we are asking for Conditional Use Permit approval.

Proposed Uses:

The proposed development includes 56 attached townhomes provided in various 4-6 unit building configurations with staggering facades to add architectural interest. For an increased streetscape presence, the townhome units feature a front porch on the public street and/or open

space side and sidewalk connection, with garage access occurring in the rear via private streets.

The units will include a garage size large enough to accommodate 2 cars and storage space for garbage bins and other items. Guest parking will be satisfied by a combination of driveway parking and internal parking stalls. Per section 152.142 of the code, guest parking should be accommodated onsite at a rate of 0.5 stalls per unit. Our proposal includes 34 off-street guest parking stalls, exceeding the required stalls of 28.

All the attached townhomes are proposed to be platted as individual homes within a surrounding common lot that will be owned and maintained by the homeowners association. The HOA will be responsible for snow removal, shared amenities (including dog park and monument maintenance), Stormwater and landscape maintenance for all the townhome units. Lot 57 will be a sizable open space area that will provide community trails, stormwater management and the dog park amenities for the residents of Oak Village.

Outlot A will be platted that encompass the private streets and will be HOA owned and maintained.

Building and Site Design:

The Town Center zoning design standards (section 152.463) define certain design elements in residential developments.

Variety of design, as defined under subsection A.1. *No more than 60 units of any type of townhouse shall be built within one area*. We are proposing 56 units for this development and future phases are not practical as this site is isolated by existing development and roadways.

Façade Articulation, as defined under subsection A.3. *Buildings shall address the street with varied and articulated facades, frequent entries and windows. Porches and balconies are encouraged.* As illustrated in the enclosed submittal materials, our proposed buildings include a variety of architectural elements that break up the building and add architectural interest to the buildings. Building provide a variety of articulation with façade stepping, all building entries have elevated porches, and the buildings include multiple exterior finishes that break up the buildings exteriors.

Outdoor Spaces, as defined under subsection A.4. *Outdoor spaces such as porches and patios shall be used to increase the sense of privacy and security within the housing unit.* Our proposal includes separate and private entry porches on every unit with divider walls for privacy. On the garage side, the units have a private deck/balcony for additional outdoor private space.

Proposed Streets and Sidewalks:

The existing curb cut location along Oak Grove Parkway are proposed to be utilized for the internal private street connections into the proposed development. All private streets are proposed to be 24' back to back wide and located within the HOA owned outlot. The existing public pedestrian sidewalks along Oak Grove Parkway, Regent Avenue North and 96th Avenue will remain in-place, and additional inner-connecting sidewalks will be provided internally to provide pedestrian connectivity to the front porches and to the open spaces.

Street lighting is provided by a combination of existing street lights supplemented with additional lighting internally and located where necessary.

Stormwater Management & Grading:

As part of the Oxbow Commons Master Development Plan, regional ponding and storm sewer utilities are provided for Stormwater Management for rate control and water quality for properties within the Oxbow Commons Development. Onsite water quantity is required.

Geotechnical exploratory soil borings were conducted in early November that showed the presence of clayey fill material placed onsite. Open cut test pits were dug in late November to confirm the presence of this underlying soil. Due to the restricting non-permeable soils onsite, Wenck Associates, the consulting engineer for the West Mississippi Watershed District, indicated that filtration would be an acceptable alternative to infiltration for this restricted site. Our proposal is to provide the required water quantity volume through filtration within the filtration basins proposed onsite.

Our proposal meets and exceeds the requirements of the City of Brooklyn Park and West Mississippi Watershed District. Upon City review of these plans and reports, a permit application will be made to Bassett Creek Watershed District. Additional stormwater requirements or changes may result from their review.

Landscaping:

As defined section 152.274 of the code, the required number of trees for townhome developments include 5 overstory deciduous trees, 1 ornamental deciduous tree and 5 understory shrubs. Some substitutions are allowed per code.

These landscaping requirements indicate a total of 280 overstory trees, 56 understory trees and 280 shrubs.

The parcel includes an overhead utility easement that prohibits overstory trees from being planted within the easement. This easement encompasses approximately 1.7 acres of this site or 32 percent. As shown in the enclosed development plans, the project it is utilizing a variety of tree substitutions meet the code to extent practical. As part of the substitutions, larger diameter trees will be planted, understory trees will be proposed within the easement (pending final approval by Great River Energy) and substitute for additional site and foundation shrubs.

Summary:

D.R. Horton is pleased to be bringing this quality neighborhood development to the City of Brooklyn Park, and look forward to receiving any comments from city staff, Planning Commission, and City Council. We respectfully request staff recommendation for approval of the provided preliminary plat and Conditional Use Permit (CUP) plans, and placement on the next available Planning Commission and City Council agendas.

If you have any questions or comments about this request, please contact me at 952-985-3757 or at rtschulz@drhorton.com.

Sincerely,

Reid Schulz

D.R. Horton, Inc - Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, MN 55044

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Preliminary Plat Submittal

for

Oak Village
Brooklyn Park, Minnesota

Prepared for:

D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, Minnesota 55044
Contact: Reid Schulz
Phone: 952-985-3757

Prepared by:

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

Project number: 0020706.00
Contact: John Bender

Vicinity Map

(Not to Scale)

Sheet List Table	
Sheet Number	Sheet Title
1	Cover
2	Existing Conditions
3	Preliminary Plat
4	Preliminary Grading Plan
5	Preliminary Utility Plan
6	Street Profiles & Details
7	Details
8	Preliminary Landscape Plan
9	Preliminary Landscape Plan
10	Preliminary Landscape Plan

NO.	DATE	REVISION	SHEETS
1	12/26/18	City Comments	All

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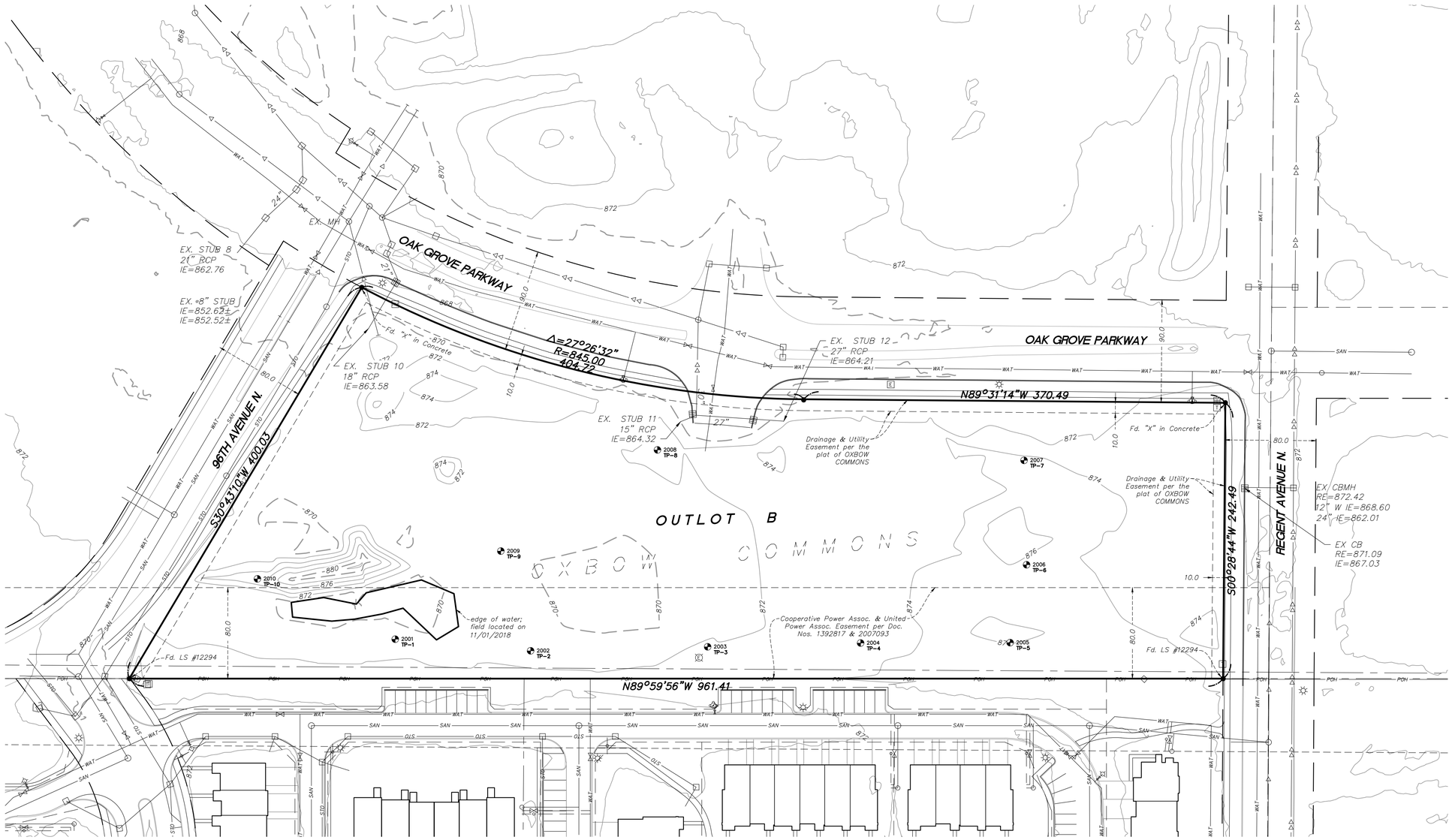

LEGAL DESCRIPTION

Outlot B, Oxbow Commons, Hennepin County, Minnesota.

(Torrens)

LEGEND

BUSH/SHRUB	STORM MANHOLE
CONIFEROUS TREE	TELEPHONE BOX
DECIDUOUS TREE	TELEPHONE MANHOLE
WETLAND	TRAFFIC CONTROL BOX
STEEL/WOOD POST	HAND HOLE
SIGN–TRAFFIC/OTHER	TRAFFIC LIGHT
SIGN–TRAFFIC/OTHER	GATE VALVE
MAIL BOX	HYDRANT
HANDICAPPED STALL	WATER METER
PERC TEST	CURB STOP BOX
MONITORING WELL	WATER MANHOLE
CABLE TV BOX	WELL
GAS METER	CABLE TV
STREET LITE	GAS LINE
GUY WIRE	POWER OVERHEAD
POWER POLE	POWER UNDERGROUND
ELECTRIC BOX	SANITARY SEWER
ELECTRIC METER	STORM SEWER
ELECTRIC MANHOLE	TELEPHONE OVERHEAD
ELECTRIC TOWER	TELEPHONE UNDERGROUND
SANITARY MANHOLE	WATERMAIN
SEWER CLEANOUT	FENCE LINE
BEEHIVE CATCH BASIN	DECIDUOUS TREE LINE
CATCH BASIN	CONIFEROUS TREE LINE
FLARED END SECTION	CURB & GUTTER
CONCRETE SURFACE	BITUMINOUS SURFACE

○ Denotes Iron Monument Set
● Denotes Iron Monument Found
◉ Denotes Cast Iron Monument Found

0' 50' 100' 150'

NOT FOR CONSTRUCTION

Latest Revision Date: 12/26/18

0020706EXP01.dwg

Date: 12/03/18 **Sheet:** 2 **OF** 10

Oak Village

Brooklyn Park, Minnesota

Existing Conditions

Westwood

Phone (952) 937-5150
Fax (952) 937-5822
Toll Free (888) 937-5150

12701 Whitewater Drive, Suite #300
Minnetonka, MN 55343
westwoodps.com

Westwood Professional Services, Inc.

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

Craig W. Morse

Date: 12/26/18 License No. 23021

Revisions:
12/26/18 City Comments

Designed: CLJ
Checked: JHB
Drawn: CTY
Record Drawing by/date:

Prepared for:

D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, Minnesota 55044

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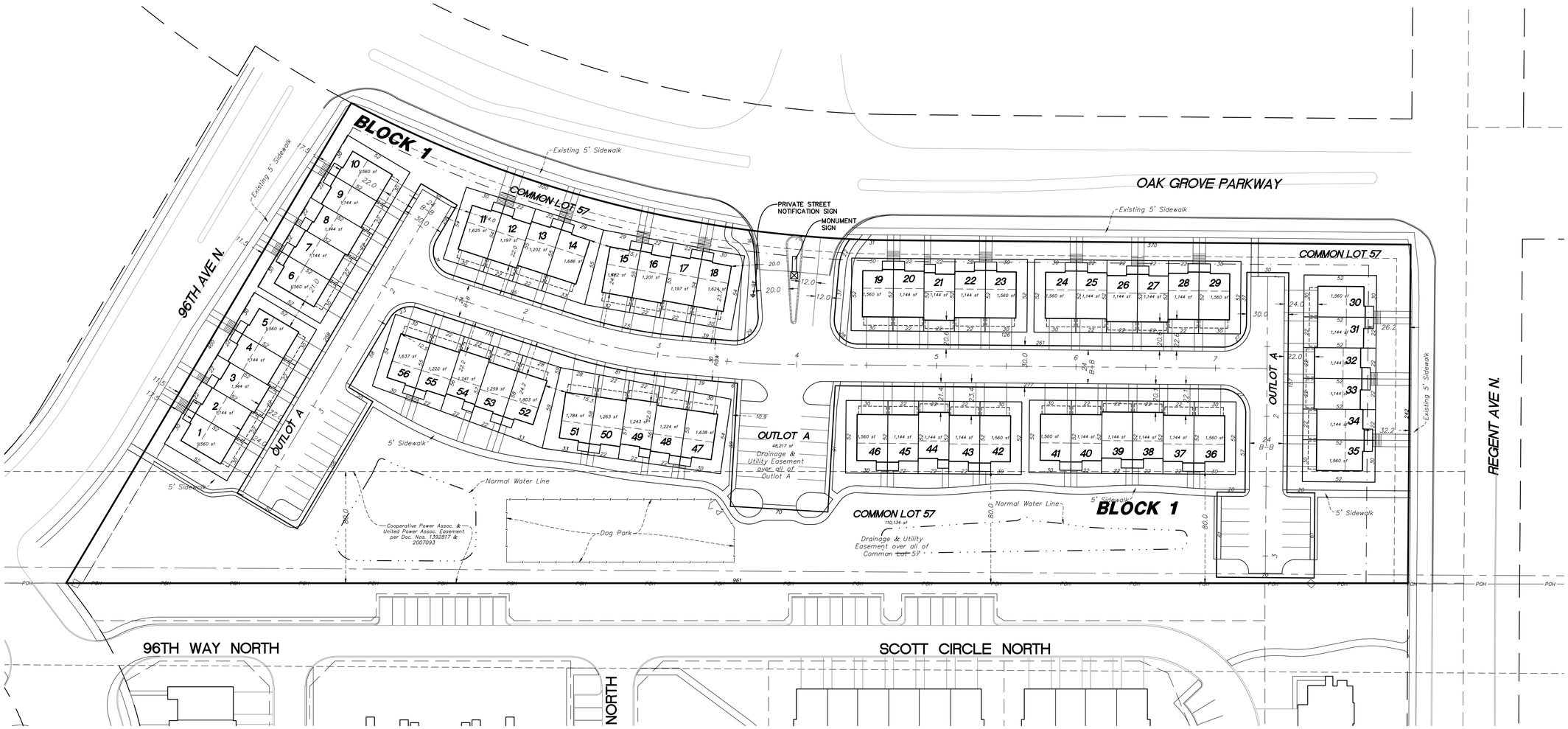


Property Description:

Outlot B, Oxbow Commons, Hennepin County, Minnesota.

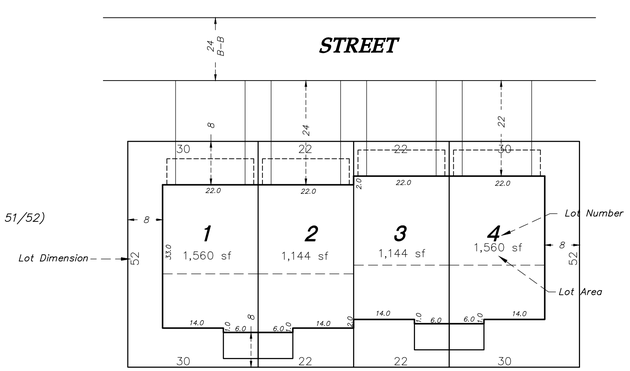
(Torrens)

Development Data

EXISTING ZONING	TC Town Center
PROPOSED ZONING	TC Town Center
GROSS SITE AREA	5.36 ac
OUTLOT A (Private Drive)	1.11 ac
PROPOSED HOMES	56
GROSS DENSITY	10.4 un/ac
PROPOSED SETBACKS (minimums)	
FRONT	15 ft (R/W to principal structure, porches may encroach)
SIDE	20 ft B/W buildings (15 ft btw 14/15 & 51/52)
PRIVATE STREET/PARKING	15 ft min.
DRIVEWAY LENGTHS	20 ft min.; 22' & 24' typical

Typical Lot Detail

(No Scale)



Development Notes

1. ALL LOT DIMENSIONS ARE ROUNDED TO THE NEAREST FOOT.
2. ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
3. STREET NAMES ARE SUBJECT TO APPROVAL BY THE CITY.
4. DRAINAGE AND UTILITY EASEMENTS SHALL BE PROVIDED AS REQUIRED. DRAINAGE AND UTILITY EASEMENTS WILL BE PROVIDED OVER ALL PUBLIC UTILITIES AND UP TO 1 FOOT ABOVE THE HIGH WATER LEVEL OF ALL PONDS.
5. STREET WIDTHS SHOWN ARE FROM BACK OF CURB TO BACK OF CURB.

0' 40' 80' 120'

NOT FOR CONSTRUCTION

Latest Revision Date: 12/26/18
0020706PPP01.dwg

Date: 12/03/18 Sheet: 3 OF 10

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

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

Craig W. Morse
Date: 12/26/18 License No. 23021

Revisions:
12/26/18 City Comments

Designed: CLJ
Checked: JHB
Drawn: CTY
Record Drawing by/date:

Prepared for:
D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, Minnesota 55044

Oak Village

Brooklyn Park, Minnesota

Preliminary Plat

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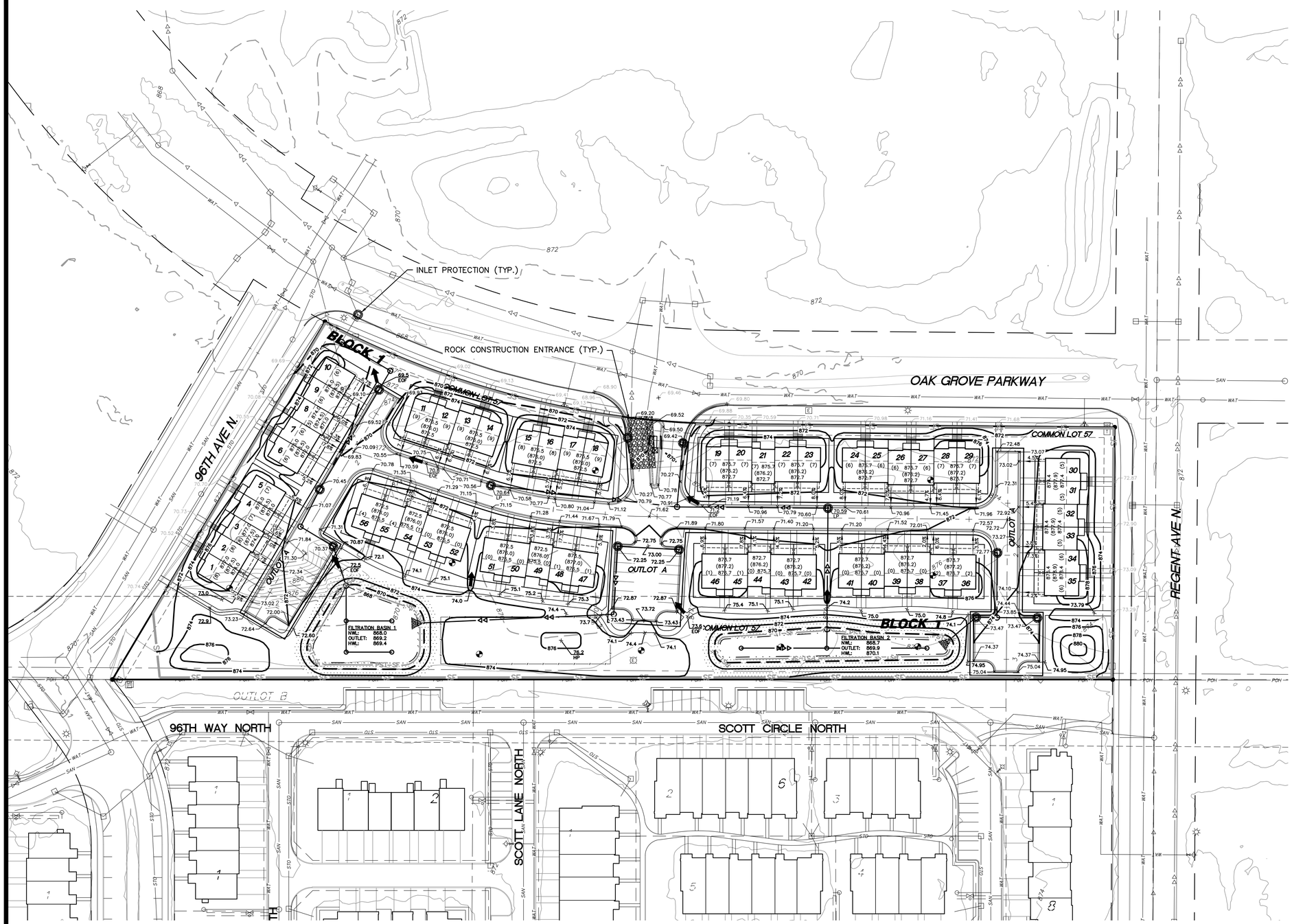
GOPHER STATE ONE CALL
Twin City Area 651-454-0002
Mn. Toll Free 1-800-252-1166



EROSION CONTROL NOTES:

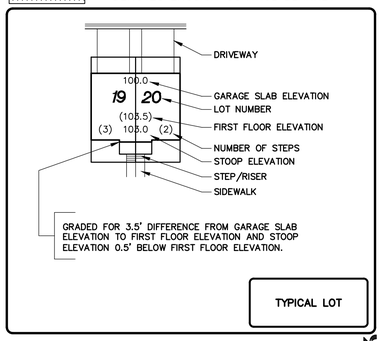
- ALL SILT FENCE AND OTHER EROSION CONTROL FEATURES SHALL BE IN-PLACE PRIOR TO ANY EXCAVATION/CONSTRUCTION AND SHALL BE MAINTAINED UNTIL VIABLE TURF OR GROUND COVER HAS BEEN ESTABLISHED. EXISTING SILT FENCE ON-SITE SHALL BE MAINTAINED AND OR REMOVED AND SHALL BE CONSIDERED INCIDENTAL TO THE GRADING CONTRACT. IT IS OF EXTREME IMPORTANCE TO BE AWARE OF CURRENT FIELD CONDITIONS WITH RESPECT TO EROSION CONTROL. TEMPORARY PONDING, DIKES, HAY BALES, ETC., REQUIRED BY THE CITY SHALL BE INCIDENTAL TO THE GRADING CONTRACT.
- ALL STREETS DISTURBED DURING WORKING HOURS MUST BE CLEANED AT THE END OF EACH WORKING DAY. A ROCK ENTRANCE TO THE SITE MUST BE PROVIDED ACCORDING TO DETAILS TO REDUCE TRACKING OF DIRT ONTO PUBLIC STREETS.

GENERAL GRADING & DRAINAGE NOTES:

- ALL CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISHED SURFACE/GUTTER GRADES UNLESS OTHERWISE NOTED.
- REFER TO THE SITE PLAN/RECORD PLAT FOR MOST CURRENT HORIZONTAL SITE DIMENSIONS AND LAYOUT.
- THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHICAL FEATURES WITH THE OWNERS AND FIELD-VERIFY PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM PLAN.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL RULES.
- POSITIVE DRAINAGE FROM THE SITE MUST BE PROVIDED AT ALL TIMES.

LEGEND:

	DENOTES SOIL BORING
SF	DENOTES SILT FENCE
PST-SF	DENOTES POST CONSTRUCTION SILT FENCE
980	DENOTES EXISTING CONTOURS
980	DENOTES PROPOSED CONTOURS
	DENOTES EXISTING STORM SEWER
	DENOTES PROPOSED STORM SEWER
	DENOTES PROPOSED DRAINTILE
	DENOTES EXISTING TREE LINE
	DENOTES APPROXIMATE TREE REMOVAL LIMITS
× 856.3	DENOTES EXISTING SPOT ELEVATION
66.30	DENOTES PROPOSED SPOT ELEVATION
	DENOTES BIO-ROLL EROSION CHECKS
E.O.F.	DENOTES EMERGENCY OVERFLOW ELEVATION
	DENOTES POND MAINTENANCE ACCESS
	DENOTES EROSION CONTROL BLANKET



0' 50' 100' 150'

NOT FOR CONSTRUCTION

Latest Revision Date: 12/26/18

0020706GDP01.dwg

Date: 12/03/18 Sheet: 4 OF 10

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

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

John Bender
Date: 12/26/18 License No. 43358

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12/26/18 City Comments

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Oak Village

Brooklyn Park, Minnesota

Preliminary Grading Plan

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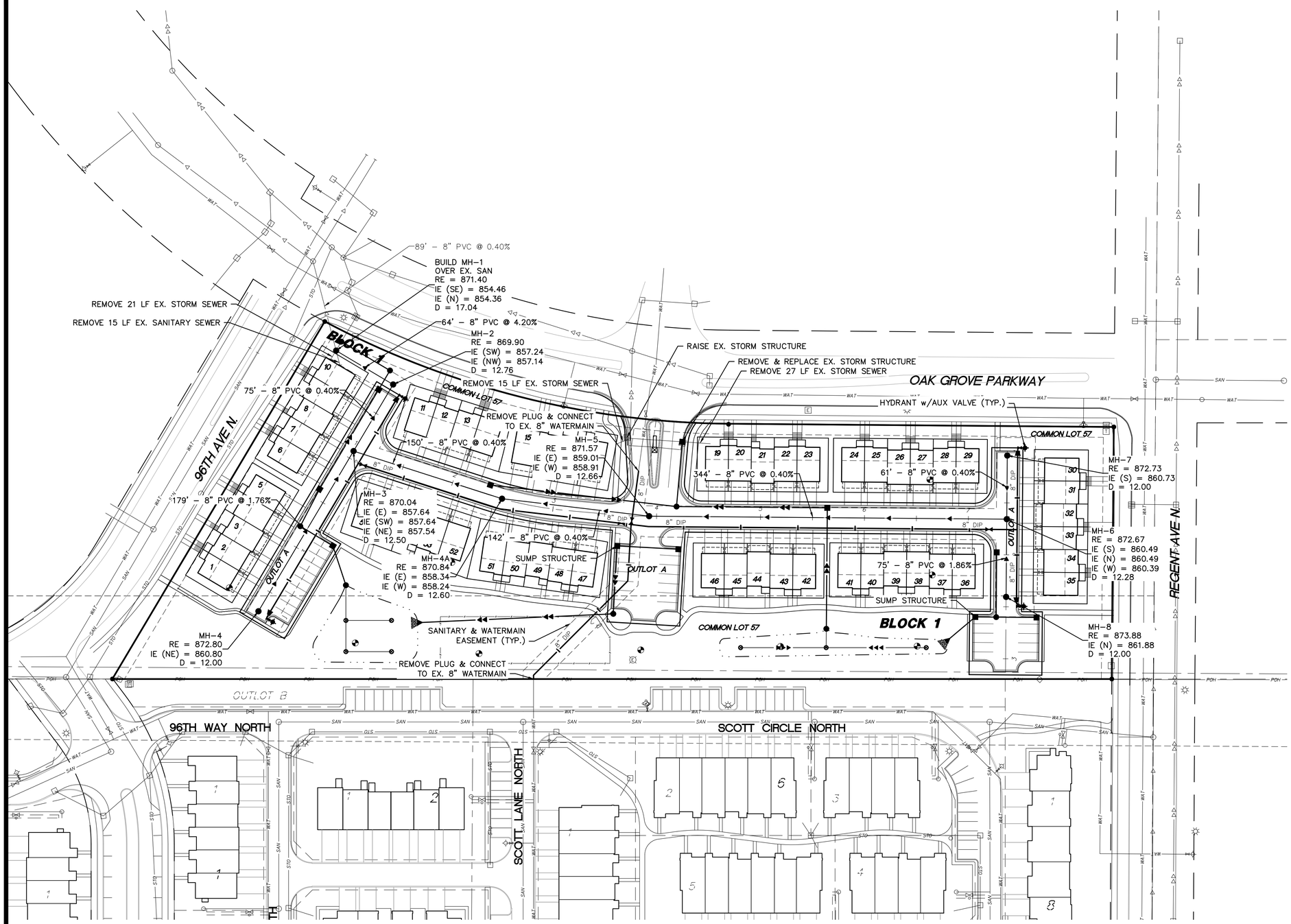

GENERAL UTILITY NOTES:

- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OF ANY DIFFERENCES.
- UNLESS OTHERWISE NOTED, ALL MATERIALS, CONST. TECHNIQUES AND TESTING SHALL CONFORM TO THE CITY OF COTTAGE GROVE STANDARD DETAIL PLATES AND TO THE "STANDARD SPECIFICATION FOR HIGHWAY CONSTRUCTION" MINN. DEPT. OF TRANS., 2016 INCLUDING THE CURRENT ADDENDUM.
- THE CONTRACTOR SHALL RECEIVE THE NECESSARY PERMITS FOR ALL WORK OUTSIDE OF THE PROPERTY LIMITS.
- VERIFY EXISTING INVERT LOC. & ELEV. PRIOR TO BEGINNING CONSTRUCTION.
- THE WATER SERVICE SHALL BE INSTALLED WITH A MIN. OF 7.5 FT. OF COVER. THE CONTRACTOR SHALL VERIFY THE CITY AS-BUILT CONSTRUCTION PLANS TO CHECK LOCATION AND MATERIAL TYPE.
- ALL STORM SEWER PIPE SHALL BE CLASS 5 UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL CONTACT "GOPHER STATE ONE CALL" FOR FOR UTILITY LOCATIONS PRIOR TO UTILITY INSTALLATION.

LEGEND

EXISTING

SANITARY SEWER — SAN
WATER — WAT
HYD. W/VALVE
STORM SEWER — STO

PROPOSED

SANITARY SEWER
WATER
HYD. W/VALVE
STORM SEWER
6" PERFORATED PVC DRAINTILE

0' 50' 100' 150'

NOT FOR CONSTRUCTION

Latest Revision Date: 12/26/18
0020706UTP01.dwg

Date: 12/03/18 Sheet: 5 OF 10

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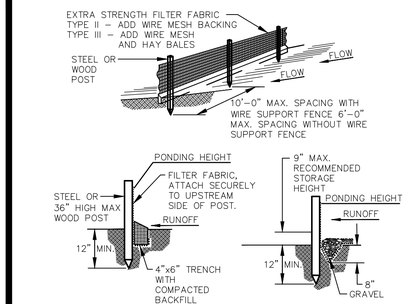


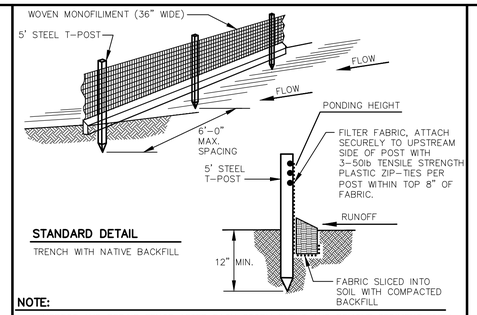
STANDARD DETAIL
TRENCH WITH NATIVE BACKFILL

ALTERNATE DETAIL
TRENCH WITH GRAVEL

NOTE:

1. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.

Westwood	SILT FENCE	LAST REVISED: 03/03/08 GD02

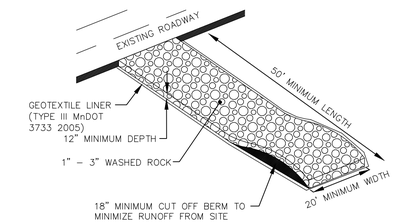


STANDARD DETAIL
TRENCH WITH NATIVE BACKFILL

NOTE:

1. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN ACCUMULATED TO 1/3 THE HEIGHT OF THE FABRIC OR MORE.
2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
4. ALL ENDS OF THE SILT FENCE SHALL BE WRAPPED UPSLOPE SO THE ELEVATION OF THE BOTTOM OF FABRIC IS HIGHER THAN "PONDING HEIGHT".
5. "HEAVY DUTY" IS SAME AS MACHINE SLICED ONLY HAND INSTALLED.

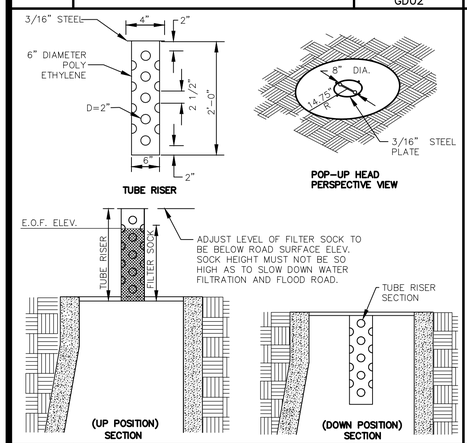
Westwood	MACHINE SLICED SILT FENCE (HEAVY DUTY)	LAST REVISED: 03/03/08 GD03



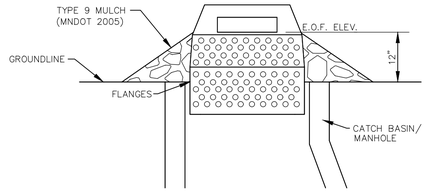
NOTE:

ROCK CONSTRUCTION ENTRANCE SHOULD BE A MINIMUM THICKNESS OF 1.0' AND CONTAIN MAXIMUM SIDE SLOPES OF 4:1. ROCK ENTRANCE SHOULD BE INSPECTED AND MAINTAINED REGULARLY. ROCK ENTRANCE LENGTH MAY NEED TO BE EXTENDED IN CLAY SOILS.

Westwood	ROCK CONSTRUCTION ENTRANCE	LAST REVISED: 03/03/08 GD05



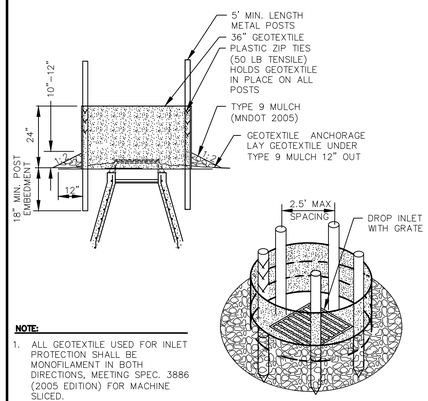
Westwood	STORM DRAIN INLET PROTECTION	LAST REVISED: 03/03/08 GD13



NOTE:

1. THE SEDIMENT CONTROL BARRIER SHALL BE A METAL OR PLASTIC/POLYETHELENE RISER SIZED TO FIT INSIDE THE CATCH BASIN/MANHOLE; HAVE PERFORATIONS TO ALLOW FOR WATER INFILTRATION; HAVE AN OVERFLOW OPENING, FLANGES AND A LID/COVER.

Westwood	STORM DRAIN (SEDIMENT CONTROL INLET HAT)	LAST REVISED: 03/03/08 GD14



NOTE:

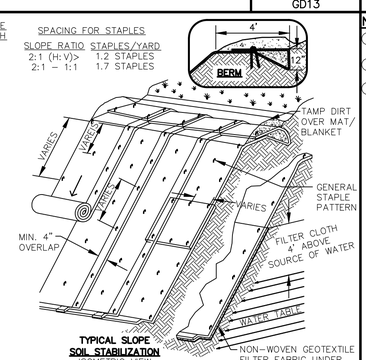
1. ALL GEOTEXTILE USED FOR INLET PROTECTION SHALL BE MONOFILAMENT IN BOTH DIRECTIONS, MEETING SPEC. 3886 (2005 EDITION) FOR MACHINE SLICED.

Westwood	SILT FENCE RING ROCK BARRIER COMBINATION	LAST REVISED: 03/03/08 GD15

CATEGORY OF BLANKET	STAPLE LENGTH
00	5"
0	5"
1	4"
2	4"
3	6"
4	6"
5	5"
6	5"
7	5"

SPACING FOR STAPLES

SLOPE RATIO	STAPLES/YARD
2:1 (H:V)>	1.2 STAPLES
2:1 – 1:1	1.7 STAPLES



TYPICAL SLOPE SOIL STABILIZATION
ISOMETRIC VIEW

WET SLOPE LINING

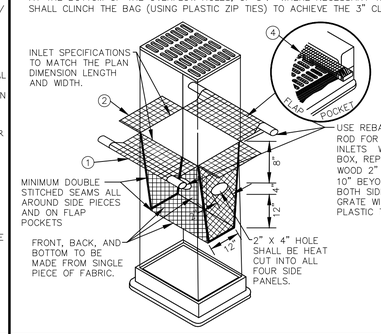
NOTE:

1. MATS/BLANKETS SHOULD BE INSTALLED VERTICALLY DOWNSLOPE.
2. SLOPE SURFACE SHALL BE FREE OF ROCKS, CLODS, STICK AND GRASS.
3. MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT.
4. LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL.
5. DO NOT STRETCH.

Westwood	TEMPORARY EROSION BLANKETS TURF REINFORCEMENT MATS FOR SLOPES	LAST REVISED: 03/03/08 GD21

NOTE:

1. ALL GEOTEXTILE USED FOR INLET PROTECTION SHALL BE MONOFILAMENT IN BOTH DIRECTIONS, (MEETING MnDOT SPEC. 3733 GEOTEXTILES)
2. FINISHED SIZE (INCLUDING POCKETS) SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.
3. DO NOT INSTALL PROTECTION IN INLETS SHALLOWER THAN 30". THE INSTALLED BAG SHALL HAVE A MINIMUM SIDE CLEARANCE BETWEEN THE INLET WALLS AND THE BAG, MEASURED AT THE BOTTOM OF THE OVERFLOW HOLES, OF 3". WHERE NECESSARY THE CONTRACTOR SHALL CLINCH THE BAG (USING PLASTIC ZIP TIES) TO ACHIEVE THE 3" CLEARANCE.



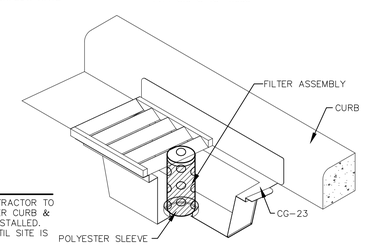
Westwood	STORM DRAIN FILTER BAG INSERT	LAST REVISED: 03/03/08 GD10

SPECIFICATIONS AND STANDARDS

AISC MANUAL OF STEEL CONSTRUCTION , 9TH EDITION.
AWS STRUCTURAL WELDING CODE – STEEL , D1.1–94.
29 CFR 1926 – OSHA SAFETY AND HEALTH STANDARDS

DESIGN LOADS

ALLOWABLE AXLE WEIGHT LOAD	n/a
SAFETY FACTOR	n/a
WATER FLOW RATE (THROUGH POLYESTER SLEEVE)	0.476 cfs @ 3" head
MAXIMUM OVERFLOW RATE	2.14 cfs @ 15" head

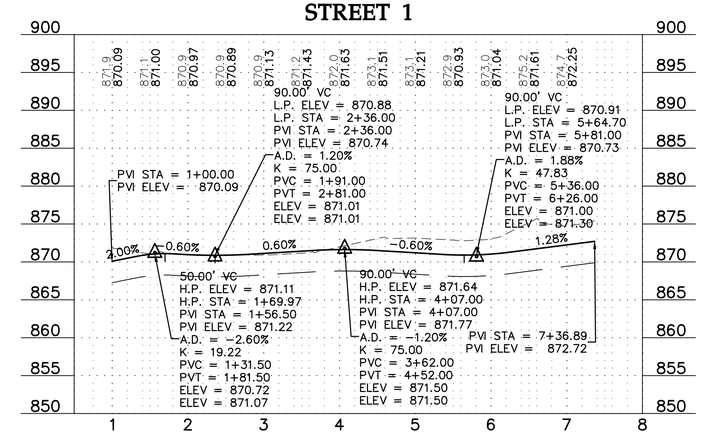


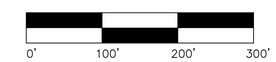
NOTE:

1. STREET CONTRACTOR TO INSTALL AFTER CURB & GUTTER IS INSTALLED. MAINTAIN UNTIL SITE IS STABILIZED.

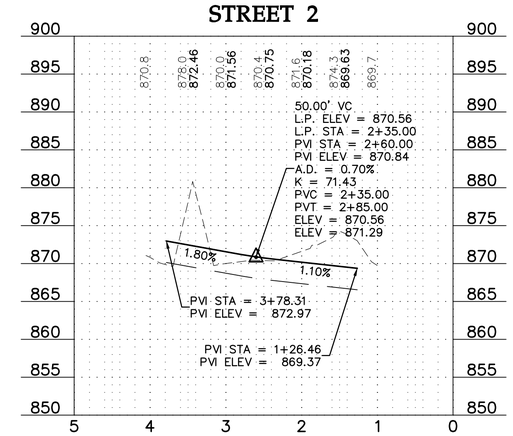
Westwood	ROAD DRAIN CG-23 "WIMCO" CURB INLET PROTECTION	LAST REVISED: 03/03/08 GD12

STREET 1

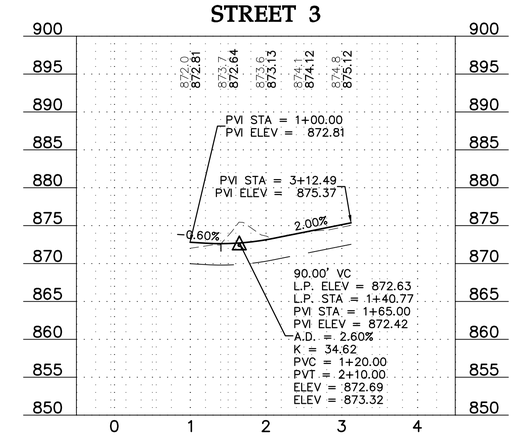


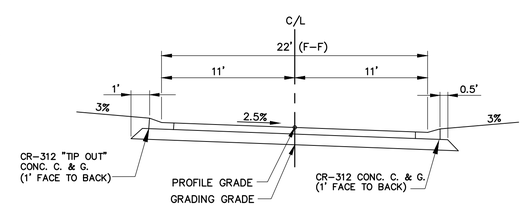


STREET 2

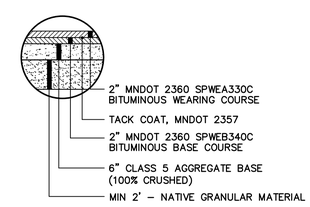


STREET 3

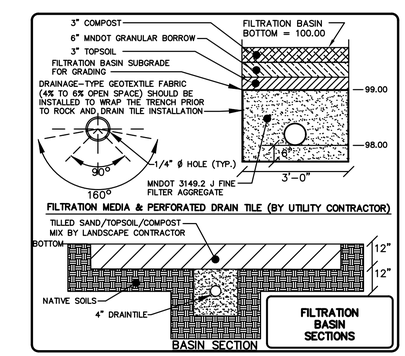




PRIVATE DRIVE SECTION
N.T.S.



TYPICAL STREET SECTION
N.T.S.



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Date: 12/03/18 Sheet: 6 OF 10

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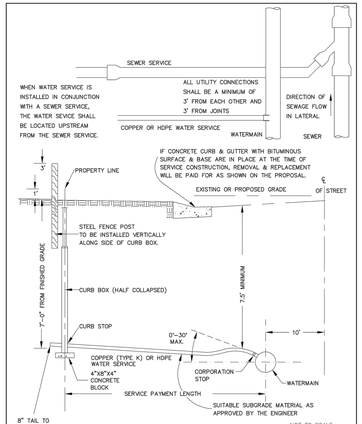
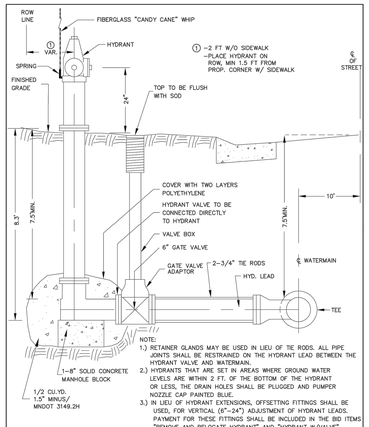
Street Profiles & Details



NOT TO SCALE
4-96
3-07
3-11
1-18

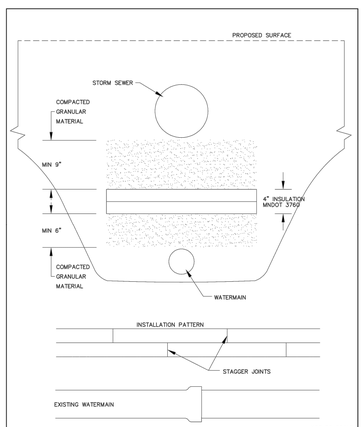
WATER SERVICE
DETAIL DRAWING W-2
CITY OF BROOKLYN PARK



NOTE:
1.) RETAINER GLANDS MAY BE USED IN LIEU OF TIE RODS. ALL PIPE JOINTS SHALL BE RESTRAINED ON THE HYDRANT LEAD BETWEEN THE HYDRANT VALVE AND WATERMAIN.
2.) HYDRANTS THAT ARE SET IN AREAS WHERE GROUND WATER LEVELS ARE WITHIN 2 FT. OF THE BOTTOM OF THE HYDRANT OR LESS, THE DRAIN HOLES SHALL BE PLUGGED AND PUMPER NOZZLE CAP PAINTED BLUE.
3.) IN LIEU OF HYDRANT EXTENSIONS, OFFSETTING FITTINGS SHALL BE USED, FOR VERTICAL (6"-24") ADJUSTMENT OF HYDRANT LEADS. PAYMENT FOR THESE FITTINGS SHALL BE INCLUDED IN THE BID ITEMS "REMOVE AND RELOCATE HYDRANT" AND "HYDRANT W/VALVE".

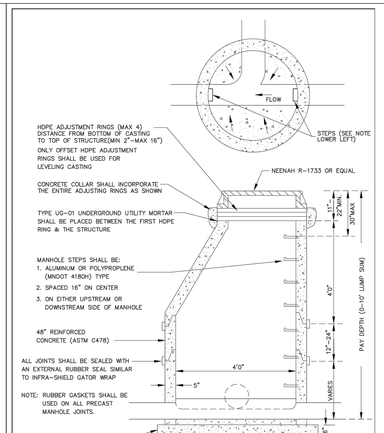
NOT TO SCALE
2-98
3-07
3-11
11-15

HYDRANT
DETAIL DRAWING W-3
CITY OF BROOKLYN PARK



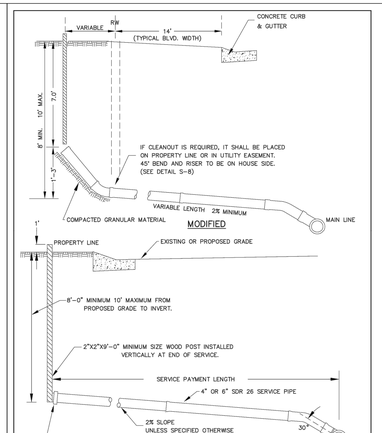
NOT TO SCALE
4-96

WATERMAIN INSULATION
DETAIL DRAWING W-6
CITY OF BROOKLYN PARK



NOT TO SCALE
1-2018

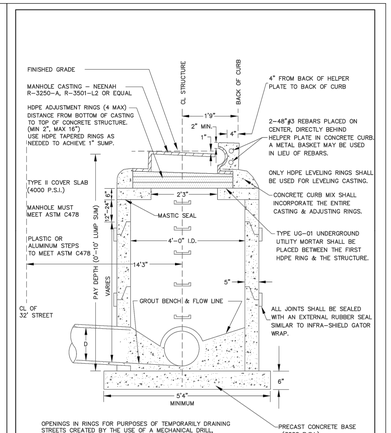
STANDARD MANHOLE
DETAIL DRAWING S-1
CITY OF BROOKLYN PARK



TYPICAL

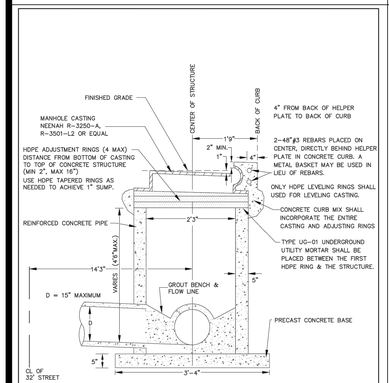
NOT TO SCALE
2-2003

BUILDING SERVICE
DETAIL DRAWING S-5
CITY OF BROOKLYN PARK



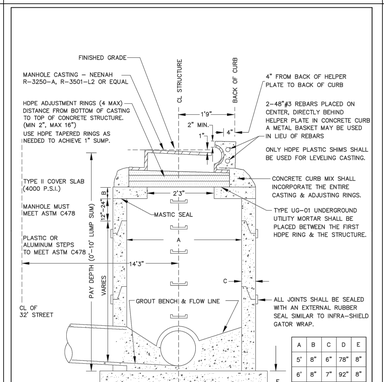
NOT TO SCALE
1-2018

STANDARD CATCH BASIN
DETAIL DRAWING S-10
CITY OF BROOKLYN PARK



NOT TO SCALE
1-2018

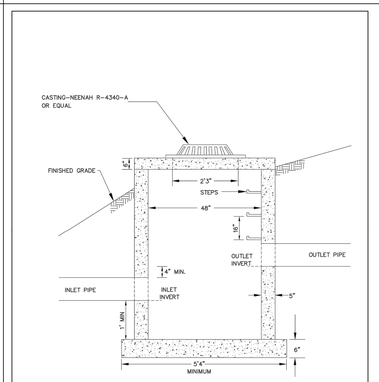
SHALLOW CATCH BASIN
DETAIL DRAWING S-11
CITY OF BROOKLYN PARK



A	B	C	D	E
5'	8"	6"	78"	8"
6'	8"	7"	92"	8"
7'	8"	8"	106"	8"
8'	8"	9"	120"	8"

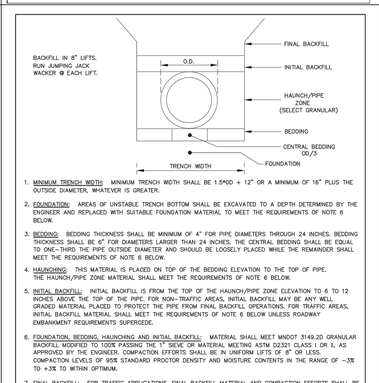
NOT TO SCALE
1-2018

LARGE DIAMETER CATCH BASIN
DETAIL DRAWING S-12
CITY OF BROOKLYN PARK



NOT TO SCALE
2-2003

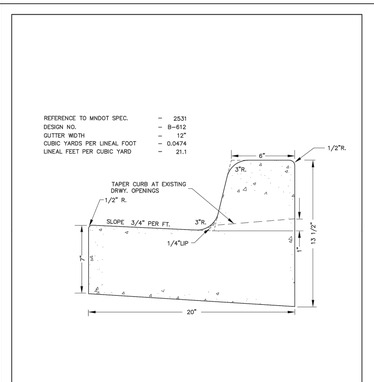
POND OUTLET STRUCTURE
DETAIL DRAWING S-13
CITY OF BROOKLYN PARK



1. MINIMUM TRENCH WIDTH: MINIMUM TRENCH WIDTH SHALL BE 1.5*OD + 12" OR A MINIMUM OF 16" PLUS THE OUTSIDE DIAMETER, WHATEVER IS GREATER.
2. FOUNDATION: AREAS OF UNSTABLE TRENCH BOTTOM SHALL BE EXCAVATED TO A DEPTH DETERMINED BY THE ENGINEER AND REPLACED WITH SUITABLE FOUNDATION MATERIAL TO MEET THE REQUIREMENTS OF NOTE 6 BELOW.
3. BEDDING: BEDDING THICKNESS SHALL BE MINIMUM OF 4" FOR PIPE DIAMETER'S THROUGH 24 INCHES. BEDDING THICKNESS SHALL BE 6" FOR DIAMETERS LARGER THAN 24 INCHES. THE CENTRAL BEDDING SHALL BE EQUAL TO ONE-THIRD THE PIPE OUTSIDE DIAMETER AND SHOULD BE LOOSELY PLACED WHILE THE REMAINDER SHALL MEET THE REQUIREMENTS OF NOTE 6 BELOW.
4. HAUNCHING: THIS MATERIAL IS PLACED ON TOP OF THE BEDDING ELEVATION TO THE TOP OF PIPE. THE HAUNCH/PIPE ZONE MATERIAL SHALL MEET THE REQUIREMENTS OF NOTE 6 BELOW.
5. INITIAL BACKFILL: INITIAL BACKFILL IS FROM THE TOP OF THE HAUNCH/PIPE ZONE ELEVATION TO 6 TO 12 INCHES ABOVE THE TOP OF THE PIPE. FOR NON-TRAFFIC AREAS, INITIAL BACKFILL MAY BE ANY WELL GRADED MATERIAL PLACED TO PROTECT THE PIPE FROM FINAL BACKFILL OPERATIONS. FOR TRAFFIC AREAS, INITIAL BACKFILL MATERIAL SHALL MEET THE REQUIREMENTS OF NOTE 6 BELOW UNLESS ROADWAY EMBANKMENT REQUIREMENTS SUPERCEDE.
6. FOUNDATION, BEDDING, HAUNCHING AND INITIAL BACKFILL: MATERIAL SHALL MEET MNDOT 3149.2D GRANULAR BACKFILL MODIFIED TO 100% PASSING THE 1" SIEVE OR MATERIAL MEETING ASTM D2321 CLASS I OR II, AS APPROVED BY THE ENGINEER. COMPACTION EFFORTS SHALL BE IN UNIFORM LIFTS OF 8" OR LESS. COMPACTION LEVELS OF 95% STANDARD PROCTOR DENSITY AND MOISTURE CONTENTS IN THE RANGE OF -3% TO +3% TO WITHIN OPTIMUM.
7. FINAL BACKFILL: FOR TRAFFIC APPLICATIONS. FINAL BACKFILL MATERIAL AND COMPACTION EFFORTS SHALL BE CONSISTANT WITH THE ENGINEER'S PARAMETERS FOR THE SUB GRADE OF THE PAVEMENT CROSS-SECTION. FOR NON-TRAFFIC APPLICATIONS FINAL BACKFILL MAY BE ANY MATERIAL.
8. ADDITIONAL REQUIREMENTS: ANY ADDITIONAL CONSIDERATIONS AS REQUIRED BY THE ENGINEER AND THE STRUCTURAL DESIGN OF THE SYSTEM SHALL GOVERN OVER THE MINIMUMS SET FORTH HERE AND SHALL BE INCLUDED IN THE BID PRICE OF THE PIPE.

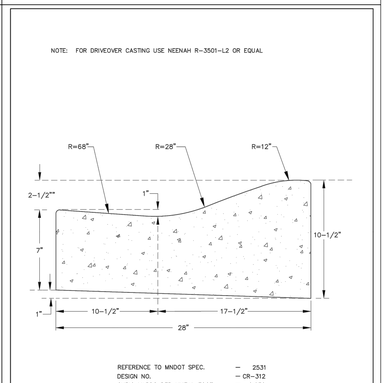
NOT TO SCALE
1-2018

HDPE STORM SEWER
DETAIL DRAWING S-16
CITY OF BROOKLYN PARK



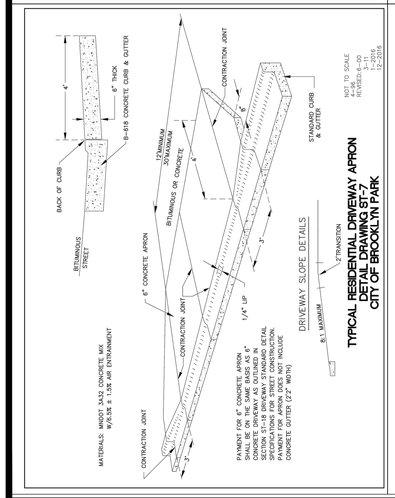
NOT TO SCALE
4-96

B-612 CONCRETE CURB AND GUTTER
DETAIL DRAWING ST-1
CITY OF BROOKLYN PARK



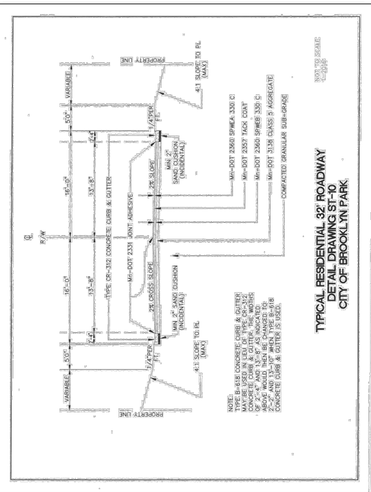
NOT TO SCALE
1-2016

CR-312 CONCRETE CURB and GUTTER
DETAIL DRAWING ST-3
CITY OF BROOKLYN PARK



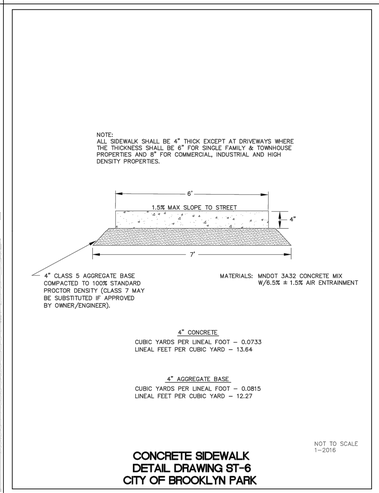
NOT TO SCALE
REVISED 8-00
1-2016
12-2016

TYPICAL RESIDENTIAL DRIVEWAY APRON
DETAIL DRAWING ST-7
CITY OF BROOKLYN PARK



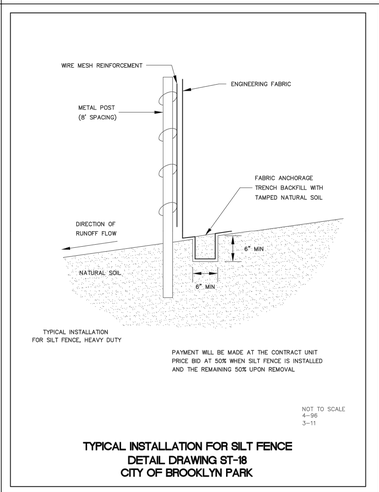
NOT TO SCALE
REVISED 12-2016

TYPICAL RESIDENTIAL 32' ROADWAY
DETAIL DRAWING ST-10
CITY OF BROOKLYN PARK



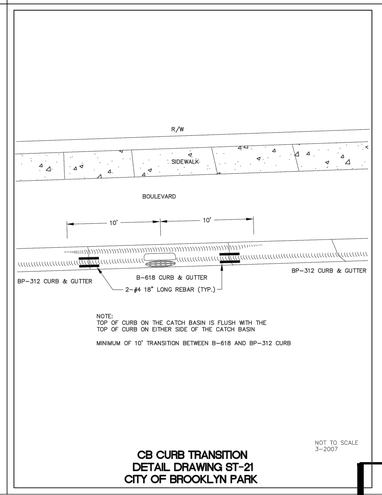
NOT TO SCALE
1-2016

CONCRETE SIDEWALK
DETAIL DRAWING ST-6
CITY OF BROOKLYN PARK



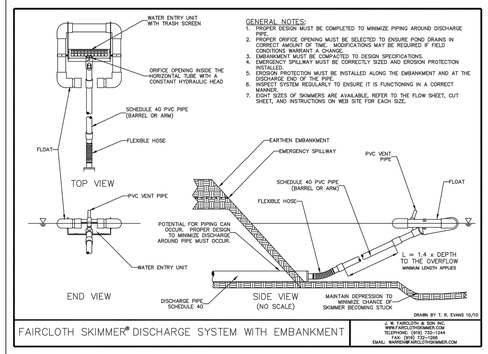
NOT TO SCALE
4-96
3-11

TYPICAL INSTALLATION FOR SILT FENCE
DETAIL DRAWING ST-18
CITY OF BROOKLYN PARK



NOT TO SCALE
3-2007

CB CURB TRANSITION
DETAIL DRAWING ST-21
CITY OF BROOKLYN PARK



GENERAL NOTES:
1. PROPER DESIGN MUST BE COMPLETED TO MINIMIZE PIPING AROUND DISCHARGE PIPE.
2. PROPER ORIFICE OPENING MUST BE SELECTED TO ENSURE POND DRAINS IN CORRECT AMOUNT OF TIME. MODIFICATIONS MAY BE REQUIRED IF FIELD CONDITIONS WARRANT A CHANGE.
3. EMBANKMENT MUST BE COMPACTED TO DESIGN SPECIFICATIONS.
4. EMERGENCY SPILLWAY MUST BE CORRECTLY SIZED AND EROSION PROTECTION PROVIDED.
5. EROSION PROTECTION MUST BE INSTALLED ALONG THE EMBANKMENT AND AT THE DISCHARGE END OF THE PIPE.
6. INSPECT SYSTEM REGULARLY TO ENSURE IT IS FUNCTIONING IN A CORRECT MANNER.
7. SHEET SIZES OF SKIMMERS ARE AVAILABLE. REFER TO THE FLOW SHEET, CUT SHEET, AND INSTRUCTIONS ON WEB SITE FOR EACH SIZE.

STANDARD CATCH BASIN
DETAIL DRAWING S-10
CITY OF BROOKLYN PARK

Call 48 Hours before digging:
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Latest Revision Date: 12/26/18

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Date: 12/03/18 Sheet: 7 OF 10

Oak Village

Details

Brooklyn Park, Minnesota

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

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

John Bender
Date: 12/26/18 License No. 43358

Revisions:
12/26/18 City Comments

Designed: CLJ
Checked: JHB
Drawn: CTY
Record Drawing by/date:

Prepared for:
D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, Minnesota 55044

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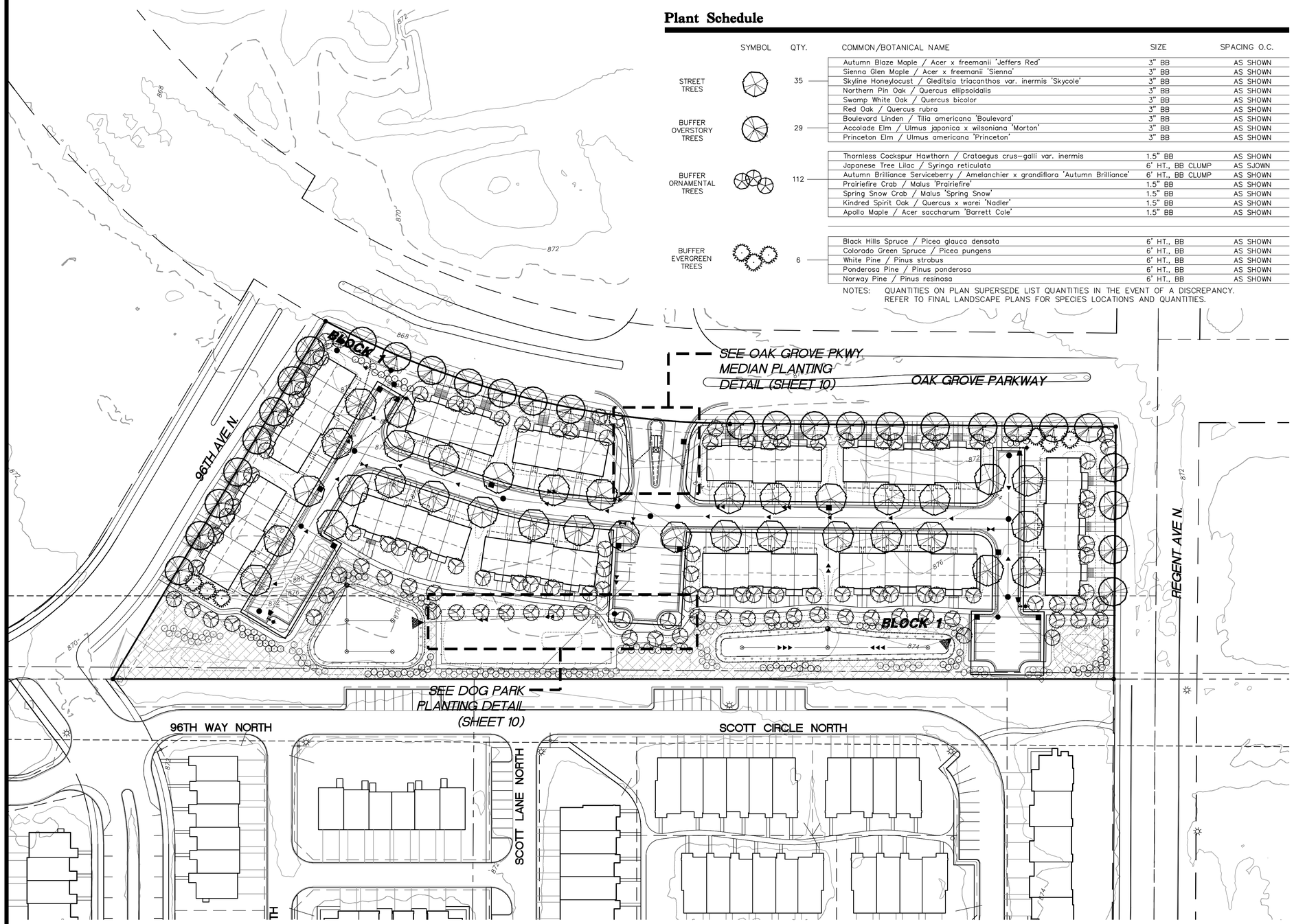

Plant Schedule

	SYMBOL	QTY.	COMMON/BOTANICAL NAME	SIZE	SPACING O.C.
STREET TREES		35	Autumn Blaze Maple / Acer x freemanii 'Jeffers Red'	3" BB	AS SHOWN
			Sienna Glen Maple / Acer x freemanii 'Sienna'	3" BB	AS SHOWN
			Skyline Honeylocust / Gleditsia triacanthos var. inermis 'Skycole'	3" BB	AS SHOWN
			Northern Pin Oak / Quercus ellipsoidalis	3" BB	AS SHOWN
			Swamp White Oak / Quercus bicolor	3" BB	AS SHOWN
BUFFER OVERSTORY TREES		29	Red Oak / Quercus rubra	3" BB	AS SHOWN
			Boulevard Linden / Tilia americana 'Boulevard'	3" BB	AS SHOWN
			Accolade Elm / Ulmus japonica x wilsoniana 'Morton'	3" BB	AS SHOWN
			Princeton Elm / Ulmus americana 'Princeton'	3" BB	AS SHOWN
BUFFER ORNAMENTAL TREES		112	Thornless Cockspur Hawthorn / Crataegus crus–galli var. inermis	1.5" BB	AS SHOWN
			Japanese Tree Lilac / Syringa reticulata	6' HT., BB CLUMP	AS SJOWN
			Autumn Brilliance Serviceberry / Amelanchier x grandiflora 'Autumn Brilliance'	6' HT., BB CLUMP	AS SHOWN
			Prairiefire Crab / Malus 'Prairiefire'	1.5" BB	AS SHOWN
			Spring Snow Crab / Malus 'Spring Snow'	1.5" BB	AS SHOWN
			Kindred Spirit Oak / Quercus x warei 'Nadler'	1.5" BB	AS SHOWN
			Apollo Maple / Acer saccharum 'Barrett Cole'	1.5" BB	AS SHOWN
BUFFER EVERGREEN TREES		6	Black Hills Spruce / Picea glauca densata	6' HT., BB	AS SHOWN
			Colorado Green Spruce / Picea pungens	6' HT., BB	AS SHOWN
			White Pine / Pinus strobus	6' HT., BB	AS SHOWN
			Ponderosa Pine / Pinus ponderosa	6' HT., BB	AS SHOWN
			Norway Pine / Pinus resinosa	6' HT., BB	AS SHOWN

NOTES: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
REFER TO FINAL LANDSCAPE PLANS FOR SPECIES LOCATIONS AND QUANTITIES.

Landscape Requirements

OVERSTORY TREE REQUIREMENTS: 280 TREES
* TOWNHOMES SHALL PROVIDE TREES AT A RATE OF 5 TREES PER UNIT OR 1 TREE PER 40 LINEAR FEET OF PROJECT PERIMETER (WHICHEVER IS GREATER).
– 56 UNITS: 280 TREES
– 2,717 LF: 68 TREES

UNDERSTORY TREE REQUIREMENTS: 56 TREES
* 1 ORNAMENTAL DECIDUOUS TREE PER UNIT.
– 56 UNITS: 56 TREES

SHRUB REQUIREMENTS: 280 SHRUBS
* TOWNHOMES SHALL PROVIDE SHRUBS AT A RATE OF 5 SHRUBS PER UNIT.

Landscape Provisions

OVERSTORY TREES PROVIDED: 70 TREES
– STREET TREES: 35 TREES
– SITE OVERSTORY TREES: 29 TREES
– SITE EVERGREEN TREES: 6 TREES

UNDERSTORY TREES PROVIDED: 112 TREES
– SITE ORNAMENTAL TREES: 112 TREES

SHRUBS PROVIDED: 860 TREES
– SITE SHRUBS: 280 SHRUBS
– FOUNDATION SHRUBS: 580 SHRUBS

Landscape Credits

OVERSTORY TREE CREDITS: 188 TREES
* 1, 3"BB OVERSTORY TREE = 1.5, 2"BB OVERSTORY TREES
– 3"BB DECIDUOUS OVERSTORY TREES: (64 * 1.5) = 96 TREES

* 1 CONIFEROUS TREE = 1 OVERSTORY TREE
– CONIFEROUS TREES: 6 = 6 TREES

* 2 ORNAMENTAL TREES = 1 OVERSTORY TREE
– ORNAMENTAL TREES: (112 – 56 ORNAMENTAL TREES REQUIRED) = (56 TREES / 2) = 28 TREES

* 10 SHRUBS = 1 OVERSTORY TREE
– SHRUBS: (860 – 280 SHRUBS REQUIRED) = (580 SHRUBS / 10) = 58 TREES

UNDERSTORY TREE CREDITS: 56 TREES

SHRUB CREDITS: 280 SHRUBS

Planting Legend

DENOTES STREET TREE
DENOTES BUFFER EVERGREEN
DENOTES BUFFER DECIDUOUS TREE
DENOTES BUFFER ORNAMENTAL
DENOTES DECIDUOUS SHRUB

Native Seeding Legend

DENOTES STORMWATER NATIVE SEED MIX (33–261) TOTAL AREA (.08 AC)

MESIC PRAIRIE GENERAL SEED MIX (35–241) TOTAL AREA (0.7 AC)

* ALL DISTURBED AREAS TO BE SODDED UNLESS NOTED OTHERWISE

0' 50' 100' 150'

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Latest Revision Date: 12/26/18
0020706PLP01.dwg

Date: 12/03/18 Sheet: 8 OF 10

Westwood
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Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

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

Cory Meyer
Date: 12/26/18 License No. 26971

Revisions:
12/26/18 City Comments

Designed: SAR
Checked: CLM
Drawn: SAR
Record Drawing by/date:

Prepared for:
D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, Minnesota 55044

Oak Village

Brooklyn Park, Minnesota

Preliminary Landscape Plan

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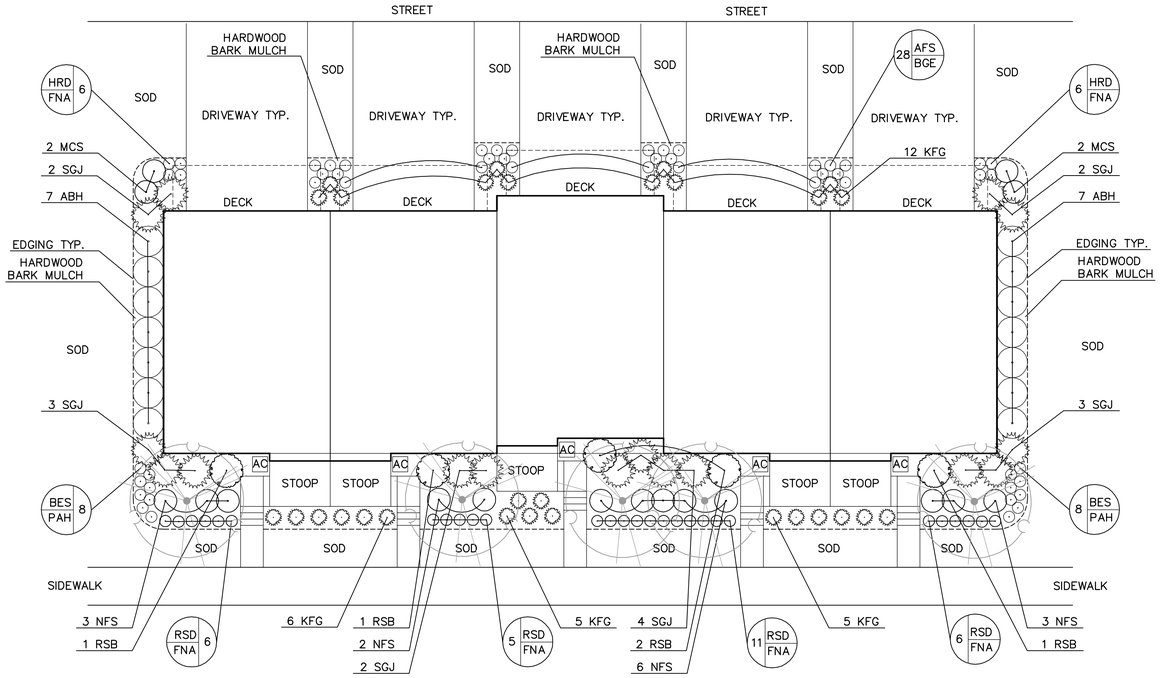
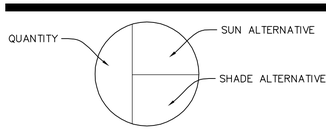
Typical Townhome Planting Detail - 5 Unit



* NOTES: SEE OVERALL LANDSCAPE PLAN FOR ORNAMENTAL TREE SPECIES SELECTION.

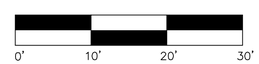
Legend



NOTES:

- QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
- CONTRACTOR TO SUBSTITUTE USING SHADE ALTERNATE SPECIES AS DETERMINED BY SOLAR ORIENTATION OF BUILDING (IE NORTH SIDE PLANTS RECEIVE SHADE ALTERNATE PLANTS). SEE RESPECTIVE PLANT KEY FOR ALTERNATE SPECIES SUBSTITUTIONS.
- 1½"RIVER ROCK AT 3" DEPTH WITH WEED BARRIER FABRIC TO BE USED IN BETWEEN DRIVEWAYS.
- DOUBLE SHREDDED HARDWOOD BARK MULCH TO BE USED AT 3" DEPTH WITH VINYL EDGER ON ALL LANDSCAPE PLANTING BEDS.
- ACTUAL AMOUNT OF STAIRS TO VARY PER UNIT BASED UPON TOPOGRAPHY.
- SEE LANDSCAPE PLAN FOR STREET AND BOULEVARD TREE LOCATIONS.

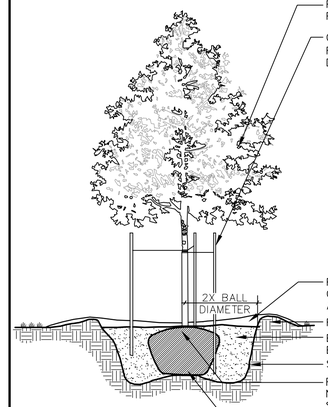
NORTH
VARIES



Townhome Plant Schedule

TYPE	CODE	QTY. 8 UNIT	QTY. 7 UNIT	QTY. 6 UNIT	QTY. 5 UNIT	QTY. 4 UNIT	QTY. 3 UNIT	COMMON/BOTANICAL NAME	SIZE	SPACING O.C.
SHRUBS & PERENNIALS	RSB	8	7	6	5	4	3	Regent Serviceberry / Amelanchier alnifolia 'Regent'	#5 CONT.	5'-0" O.C.
								shade alt: no change		
	NFS	21	18	16	13	11	8	Neon Flash Spirea / Spiraea japonica 'Neon Flash'	#5 CONT.	3'-0" O.C.
								shade alt: no change		
	MCS	4	4	4	4	4	4	Magic Carpet Spirea / Spiraea japonica 'Magic Carpet'	#5 CONT.	4'-0" O.C.
								shade alt: no change		
	ABH	14	14	14	14	14	14	Annabelle Hydrangea / Hydrangea arborescens 'Annabelle'	#5 CONT.	4'-0" O.C.
								shade alt: no change		
	SGJ	22	20	18	16	14	12	Sea Green Juniper / Juniperus chinensis 'Sea Green'	#5 CONT.	3'-0" O.C.
								shade alt: no change		
	KFG	45	41	33	29	21	17	Karl Forester Grass / Calamagrostis x acutiflora 'Karl Forester'	#1 CONT.	3'-0" O.C.
								shade alt: no change		
	BES	16	16	16	16	16	16	Goldstrum Black-Eyed Susan / Rudbeckia 'Goldstrum'	#1 CONT.	18" O.C.
								shade alt: PAH Patriot Hosta / Hosta 'Patriot'	*#1 CONT.*	*18" O.C.*
	RSD	45	39	34	28	23	17	Ruby Stella Daylily / Hemerocallis 'Ruby Stella'	#1 CONT.	18" O.C.
								shade alt: FNA Fanal Astilbe / Astilbe x arendsii 'Fanal'	*#1 CONT.*	*18" O.C.*
	AFS	49	42	35	28	21	14	Autumn Fire Sedum / Sedum x 'Autumn Fire'	#1 CONT.	18" O.C.
								shade alt: BGE Biokovo Geranium / Geranium x cantabrigiense 'Biokovo'	*#1 CONT.*	*18" O.C.*

Planting Details



PRUNE OUT MISDIRECTED BRANCHES. PROVIDE ONE CENTRAL LEADER.

GUYING AND STAKING, (OPTIONAL) FOR ONE (1) YEAR ON ALL DECIDUOUS AND CONIFEROUS TREES: TOP STAKES 5' ABOVE GROUND (MAX.) OR TO FIRST BRANCH. BOTTOM OF STAKE 3' (MIN.) BELOW GROUND. STAKING POSTS TO BE 2"X2" STAINED WOOD OR PAINTED STEEL DELINEATOR POSTS. PLACE 3 POSTS EQUIDISTANT AROUND AND OUTSIDE ROOT BALL. SECURE TREE TO POSTS WITH 16" LONG POLYPROPYLENE OR POLYETHYLENE, 40 MIL., 1.5" WIDE STRAP.

PLACE MULCH, DEPTH AS SPECIFIED, OVER PLANT PITS – DO NOT PILE AGAINST TRUNK.

FORM 3" DEEP WATERING BASIN.

BACKFILL PLANT PIT WITH SPECIFIED BACKFILL SOIL.

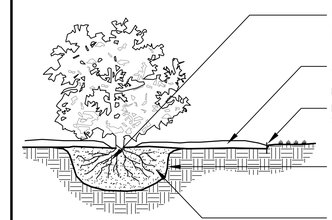
SCARIFY SIDES AND BOTTOM OF HOLE.

REFER TO AMERICAN STANDARD FOR NURSERY STOCK FOR MINIMUM BALL SIZE. ROOT FLARE TO BE PLANTED AT OR NEAR FINISHED GROUNDLINE.

SET ROOT BALL ON UNDISTURBED SUBSOIL OR COMPACTED SOIL MOUND MATCHING TREES NATURAL GROUNDLINE WITH FINISHED SITE GRADE.

N.T.S.

Westwood	DECIDUOUS TREE PLANTING	LAST REVISED: 06/05/13 LA28



REMOVE CONTAINER, SET SOIL MASS ON COMPACTED SOIL MOUND MATCHING SHRUBS NATURAL GROUNDLINE WITH FINISHED GRADE.

ALL PLANTING BEDS SHALL RECEIVE 4" OF SPECIFIED MULCH AND WEED BARRIER FABRIC.

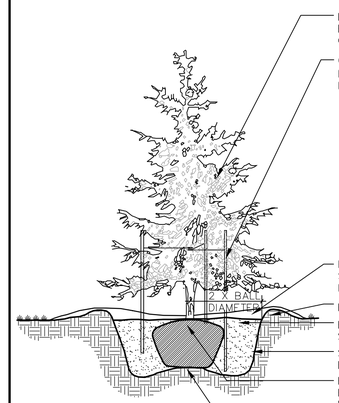
EDGE ALL PLANTING BEDS WITH SPECIFIED EDGER WHERE ADJACENT TO LAWN AREAS.

SCARIFY SIDES AND BOTTOM OF HOLE.

BACKFILL PLANT PIT WITH SPECIFIED BACKFILL SOIL.

N.T.S.

Westwood	SHRUB PLANTING	LAST REVISED: 06/05/13 LA27



PRUNE OUT MISDIRECTED BRANCHES. PROVIDE ONE CENTRAL LEADER.

GUYING AND STAKING, (OPTIONAL) FOR ONE (1) YEAR ON ALL DECIDUOUS AND CONIFEROUS TREES: TOP STAKES 5' ABOVE GROUND (MAX.) OR TO FIRST BRANCH. BOTTOM OF STAKE 3' (MIN.) BELOW GROUND. STAKING POSTS TO BE 2"X2" STAINED WOOD OR PAINTED STEEL DELINEATOR POSTS. PLACE 3 POSTS EQUIDISTANT AROUND AND OUTSIDE ROOT BALL. SECURE TREE TO POSTS WITH 16" LONG POLYPROPYLENE OR POLYETHYLENE, 40 MIL., 1.5" WIDE STRAP.

PLACE MULCH, DEPTH AS SPECIFIED, OVER PLANT PITS – DO NOT PILE AGAINST TRUNK.

FORM 3" DEEP WATERING BASIN.

BACKFILL PLANT PIT WITH SPECIFIED BACKFILL SOIL.

SCARIFY SIDES AND BOTTOM OF HOLE.

REFER TO AMERICAN STANDARD FOR NURSERY STOCK FOR MINIMUM BALL SIZE. ROOT FLARE TO BE PLANTED AT OR NEAR FINISHED GROUNDLINE.

SET ROOT BALL ON UNDISTURBED SUBSOIL OR COMPACTED SOIL MOUND MATCHING TREES NATURAL GROUNDLINE WITH FINISHED SITE GRADE.

N.T.S.

Westwood	EVERGREEN TREE PLANTING	LAST REVISED: 06/05/13 LA29

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Latest Revision Date: 12/26/18

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Date: 12/03/18 **Sheet: 9 OF 10**

Westwood

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

Cory Meyer

Date 12/26/18 License No. 26971

Revisions:
12/26/18 City Comments

Designed: SAR
Checked: CLM
Drawn: SAR
Record Drawing by/date:

Prepared for:

D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
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Preliminary Landscape Plan

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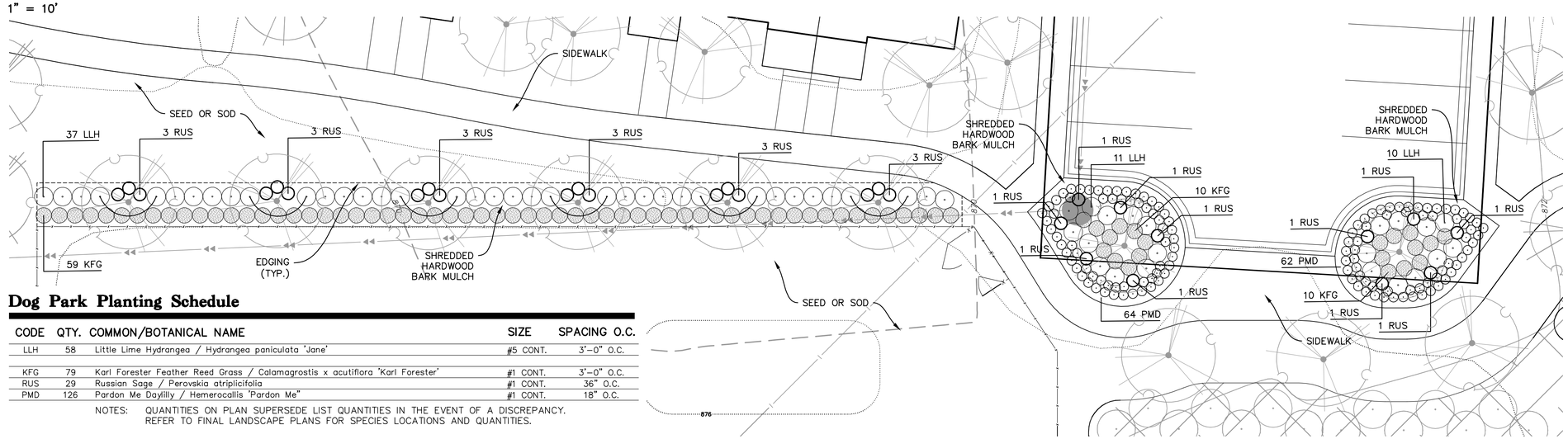
Planting Notes

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR. FIELD SUBSTITUTIONS MUST BE APPROVED BY LANDSCAPE ARCHITECT AND/OR CITY PRIOR TO INSTALLATION.
5. CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. AT TIME OF PLANTING ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:
   ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, OPEN WOUNDS, SCARS, ETC.
   ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.
   ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.
   ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.
   CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. AT CONTRACTOR DISCRETION, TWINE AND TOP OF BURLAP MAY BE LEFT ON FOR INITIAL YEAR AFTER INSTALLATION ONLY IF BIODEGRADABLE TWINE AND BURLAP ARE USED. CONTRACTOR TO VERIFY TWINE AND BURLAP DEGRADATION AFTER ONE YEAR PERIOD AND REMOVE ANY REMNANT MATERIAL AS NECESSARY.
11. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
12. REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
13. PRUNE PLANTS AS NECESSARY – PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
14. STAKING OF TREES IS OPTIONAL AT CONTRACTOR DISCRETION; REPOSITION AND PLUMB IF NOT PLUMB AFTER ONE YEAR. NON-PLUMB TREES TO BE SUBJECT TO WARRANTY REPLACEMENT OR REPAIR.
15. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
16. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 3877 (COMMON TOPSOIL BORROW) AND TO BE NATIVE TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
17. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION.
18. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
19. ALL DISTURBED AREAS TO BE SODDED EXCEPT POND AREAS AND WETLAND BUFFERS (SEE GRADING PLAN / EROSION CONTROL). SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. LAWN SPRINKLERS/IRRIGATION SYSTEMS SHALL ALL HAVE RAIN SENSORS TO LIMIT UNNECESSARY WATERING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
21. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
22. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.

Dog Park Planting Detail

1" = 10'



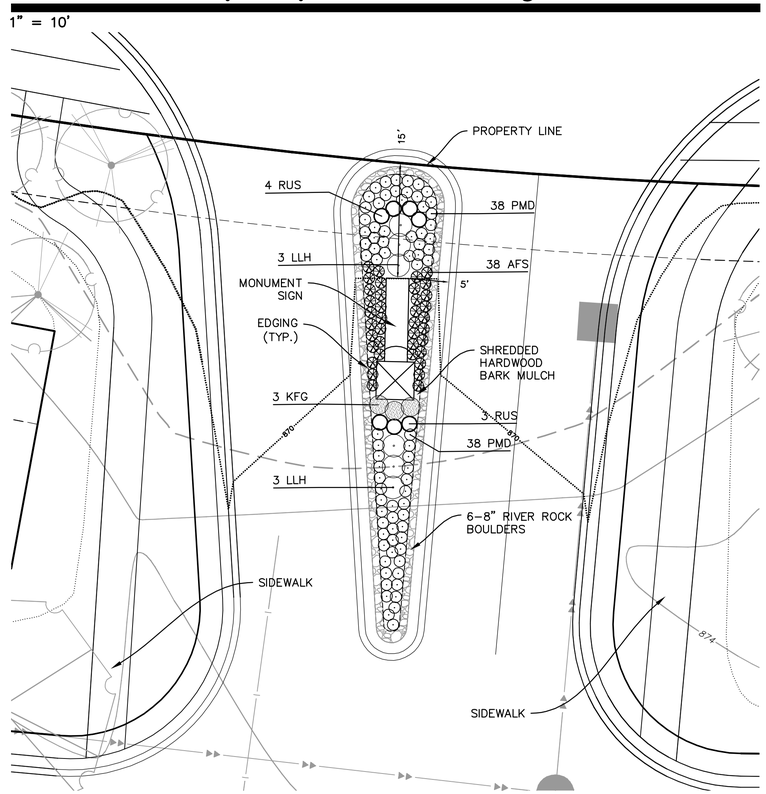
Dog Park Planting Schedule

CODE	QTY.	COMMON/BOTANICAL NAME	SIZE	SPACING O.C.
LLH	58	Little Lime Hydrangea / Hydrangea paniculata 'Jane'	#5 CONT.	3'-0" O.C.
KFG	79	Karl Forester Feather Reed Grass / Calamagrostis x acutiflora 'Karl Forester'	#1 CONT.	3'-0" O.C.
RUS	29	Russian Sage / Perovskia atriplicifolia	#1 CONT.	36" O.C.
PMD	126	Pardon Me Daylilly / Hemerocallis 'Pardon Me"	#1 CONT.	18" O.C.

NOTES: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY. REFER TO FINAL LANDSCAPE PLANS FOR SPECIES LOCATIONS AND QUANTITIES.

Oak Grove Parkway Entry Monument Planting Detail

1" = 10'



Oak Grove Parkway Entry Monument Planting Schedule

CODE	QTY.	COMMON/BOTANICAL NAME	SIZE	SPACING O.C.
LLH	6	Little Lime Hydrangea / Hydrangea paniculata 'Jane'	#5 CONT.	3'-0" O.C.
KFG	3	Karl Forester Feather Reed Grass / Calamagrostis x acutiflora 'Karl Forester'	#1 CONT.	3'-0" O.C.
RUS	7	Russian Sage / Perovskia atriplicifolia	#1 CONT.	36" O.C.
PMD	76	Pardon Me Daylilly / Hemerocallis 'Pardon Me"	#1 CONT.	18" O.C.
AFS	38	Autumn Fire Sedum / Sedum spectabile Autumn Fire	#1 CONT.	18" O.C.

NOTES: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY. REFER TO FINAL LANDSCAPE PLANS FOR SPECIES LOCATIONS AND QUANTITIES.

NOT FOR CONSTRUCTION

Latest Revision Date: 12/26/18

0020706PLP03.dwg

Date: 12/03/18 **Sheet:** 10 OF 10

Oak Village

Brooklyn Park, Minnesota

Preliminary Landscape Plan

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

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

Cory Meyer

Date 12/26/18 License No. 26971

Revisions:
12/26/18 City Comments

Designed: SAR
Checked: CLM
Drawn: SAR
Record Drawing by/date:

Prepared for:

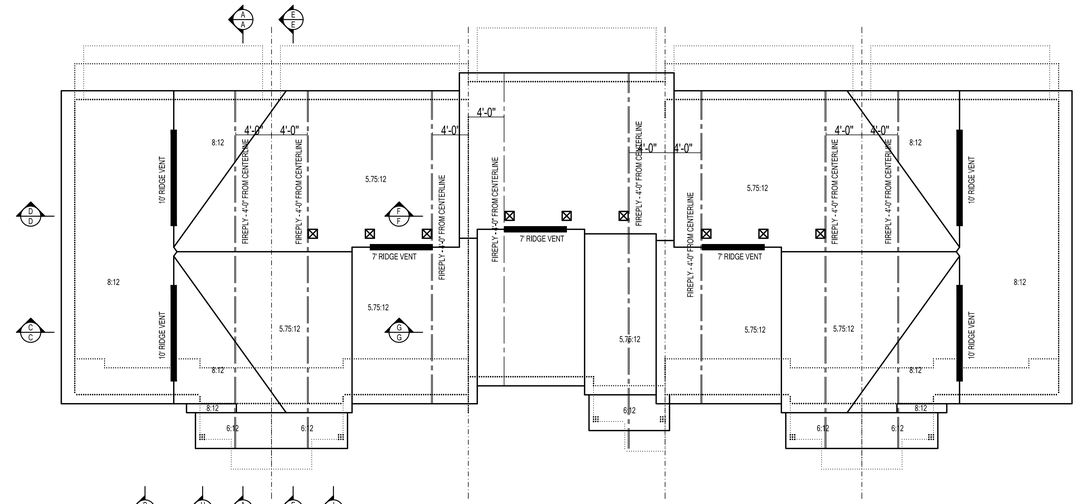
D.R. Horton, Inc.-Minnesota
20860 Kenbridge Court, Suite 100
Lakeville, Minnesota 55044

BASE PLANS
REVISED: 11/27/18

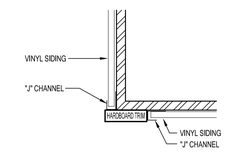
FIRE SUPPRESSION SYSTEM INCLUDED
SEE SPRINKLER PLANS

"2210" CALEDONIA=1,665 SQ. FT. FINISHED
"2215" DALTON = 1,665 SQ. FT. FINISHED
TOTAL (5 UNITS) = 8,325 SQ. FT. FINISHED

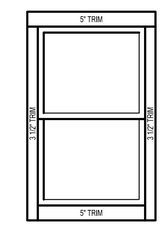
5
UNIT



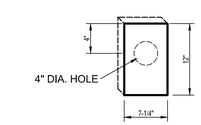
ROOF PLAN
1/8"=1'-0"



1-SIDED OUTSIDE CORNER



TYPICAL WDW & DOOR TRIM ON ALL 4 SIDES
1/2"=1'-0"



BLOCKING AT LIGHT FIXTURES
1/2"=1'-0"

FRONT ELEVATION
1/4"=1'-0"

SIDING LEGEND	
REF	PRODUCT
A	LAP SIDING "A"
B	LAP SIDING "B"
C	4" HARDBD TRIM
D	5" TRIM - VINYL LINEAL
E	BOARD & BATTEN
F	SHAKE
G	6-1/2" BEAD BOARD

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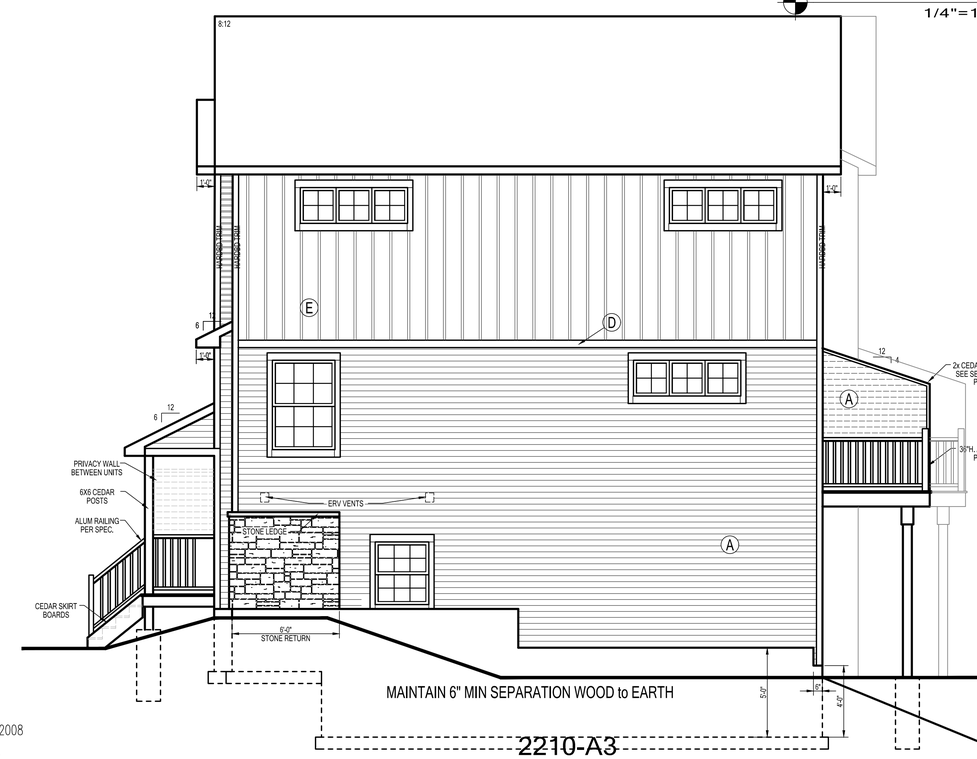
2200 SERIES ROW HOMES	1.0
2200 REVISED: 6-20-16-AW	
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X

ASPHALT SHINGLES

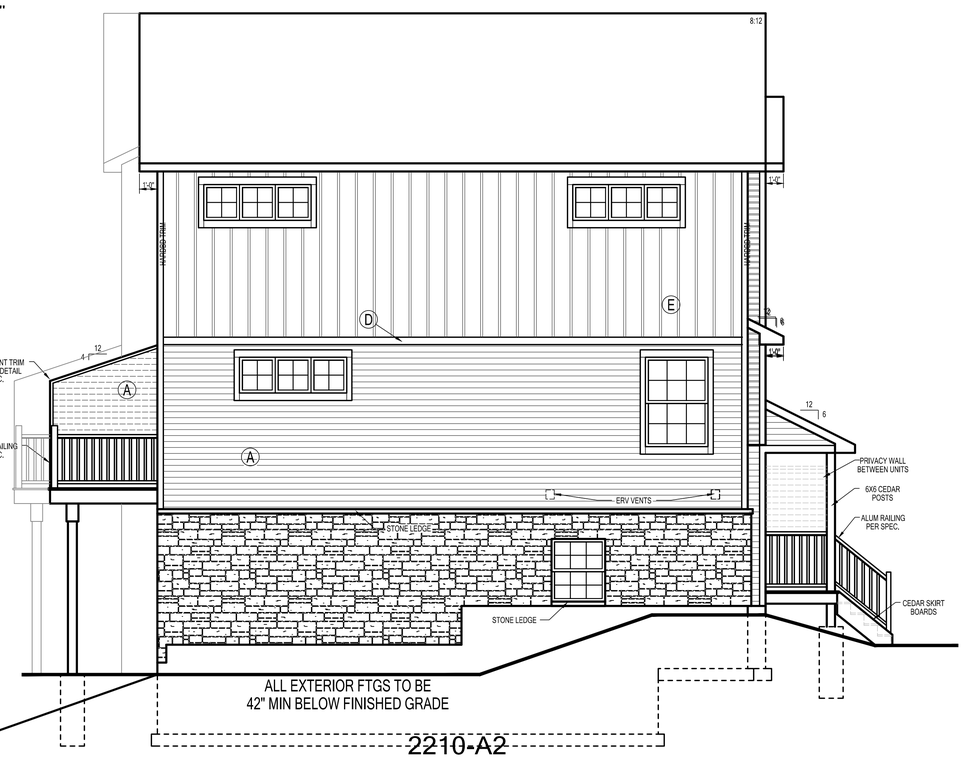
VENT 1/300th OF ROOF AREA
50% TO 80% NEAR RIDGE
REMAINDER IN SOFFIT
PER MRC SECTION R806

FLASH OVER ALL EXT OPGS

REAR ELEVATION
1/4"=1'-0"



2210-A3
RIGHT SIDE ELEVATION
1/4"=1'-0"



2210-A2
LEFT SIDE ELEVATION
1/4"=1'-0"

SIDING LEGEND	
REF	PRODUCT
A	LAP SIDING "A"
B	LAP SIDING "B"
C	N/A
D	5" TRIM - VINYL LINEAL
E	BOARD & BATTEN
F	SHAKE SIDING
G	6-1/2" BEAD BOARD

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2200 SERIES ROW HOMES	2.0
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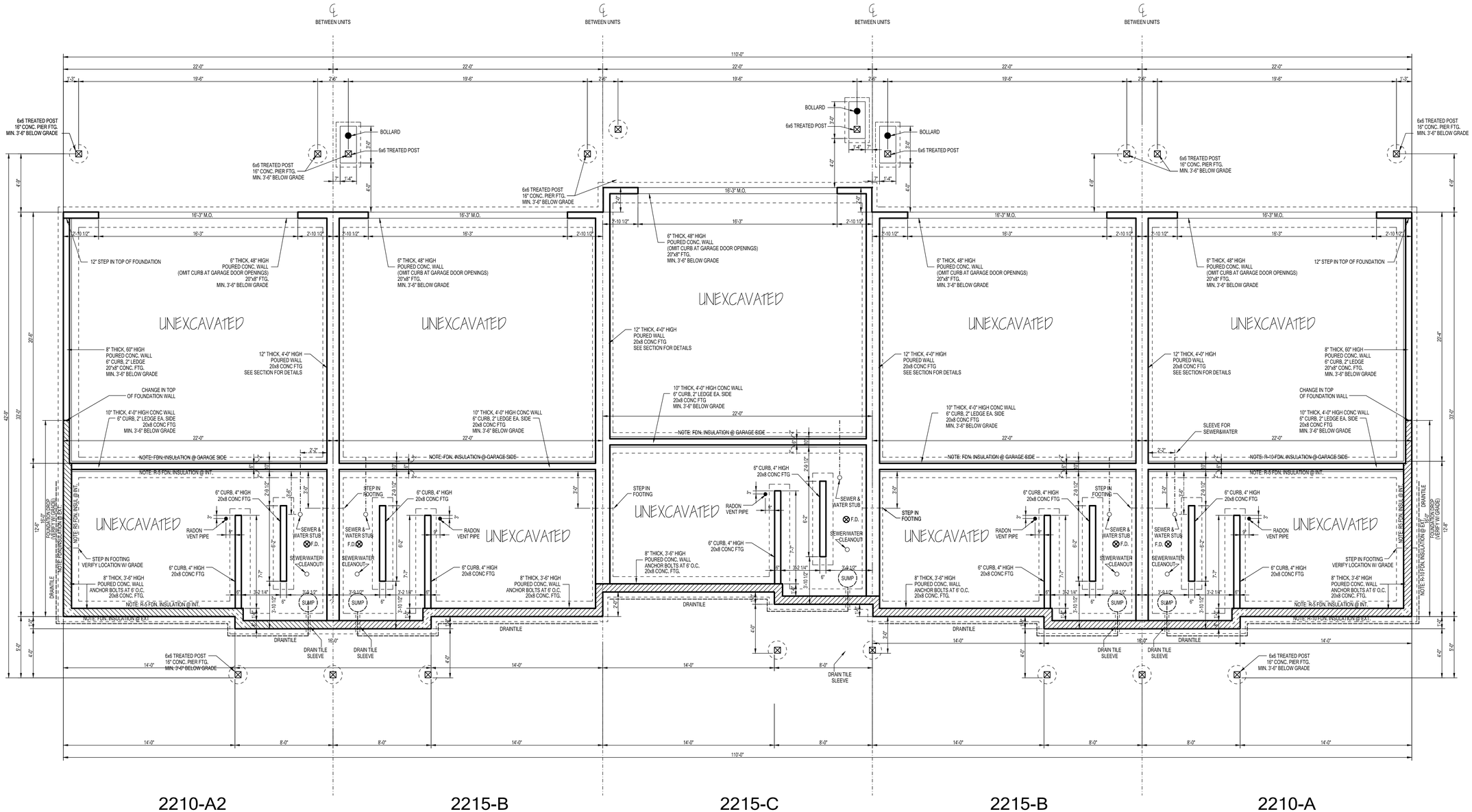
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X



2210-A2

FOUNDATION PLAN
1/4"=1'-0"

2215-B

FOUNDATION PLAN
1/4"=1'-0"

2215-C

FOUNDATION PLAN
1/4"=1'-0"

2215-B

FOUNDATION PLAN
1/4"=1'-0"

2210-A

FOUNDATION PLAN
1/4"=1'-0"

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2200 SERIES ROW HOMES	3.0
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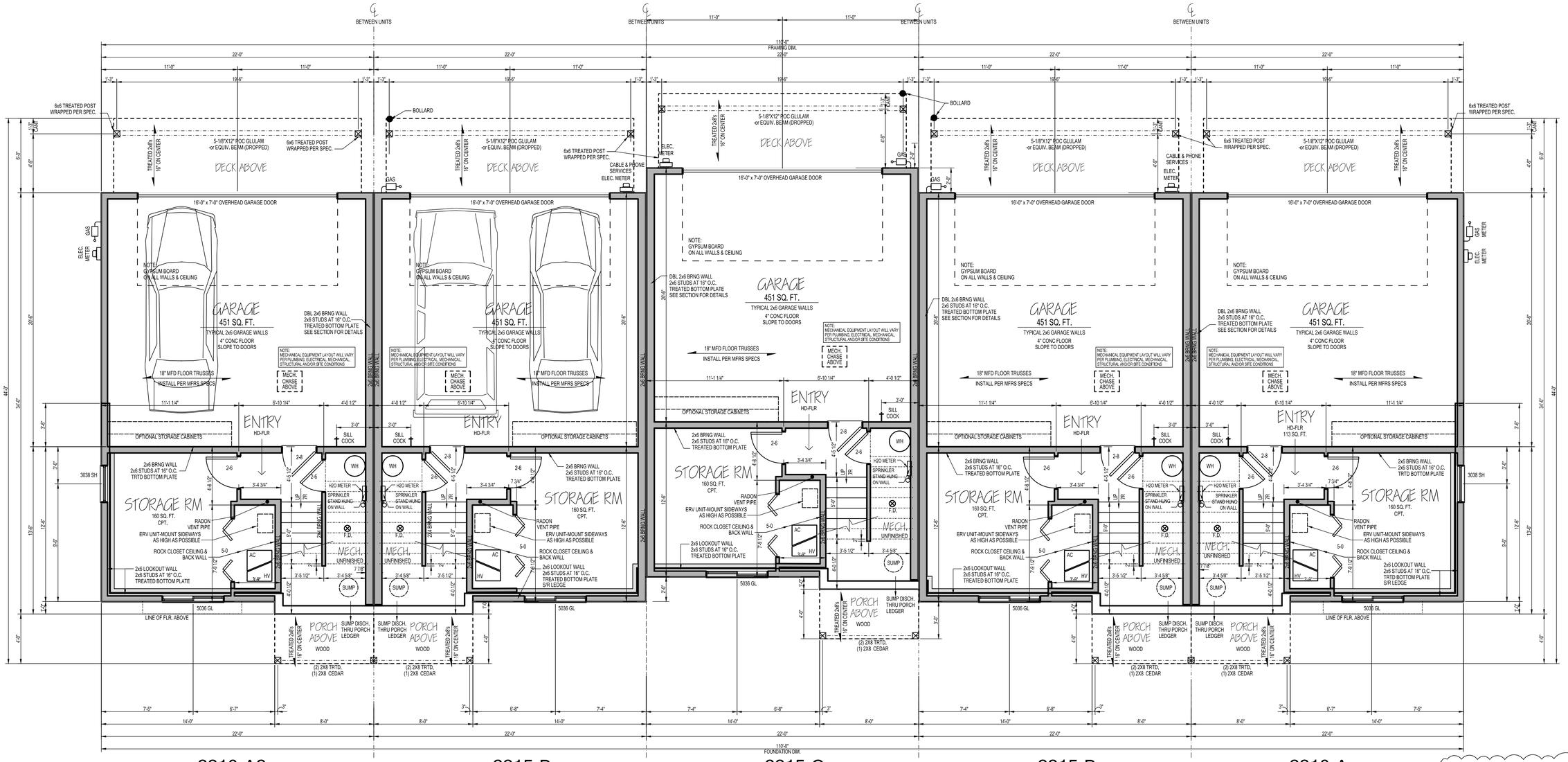
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X



2210-A2

LOWER LEVEL PLAN
1/4"=1'-0"

273 SQ. FT.
LIVING AREA INC. STAIRS

2215-B

LOWER LEVEL PLAN
1/4"=1'-0"

273 SQ. FT.
LIVING AREA INC. STAIRS

2215-C

LOWER LEVEL PLAN
1/4"=1'-0"

273 SQ. FT.
LIVING AREA INC. STAIRS

2215-B

LOWER LEVEL PLAN
1/4"=1'-0"

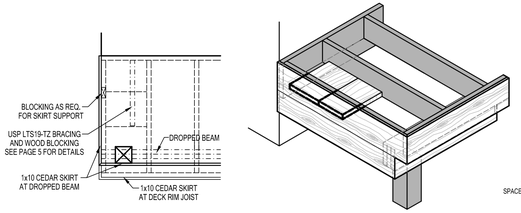
273 SQ. FT.
LIVING AREA INC. STAIRS

2210-A

LOWER LEVEL PLAN
1/4"=1'-0"

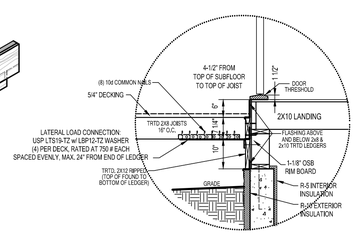
273 SQ. FT.
LIVING AREA INC. STAIRS

"2210" = 1,665 SQ. FT. FINISHED
"2215" = 1,665 SQ. FT. FINISHED
TOTAL (5 UNITS) = 8,325 SQ. FT. FINISHED



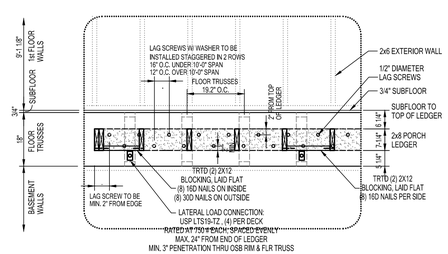
PORCH SKIRT DETAIL

1/2"=1'-0"



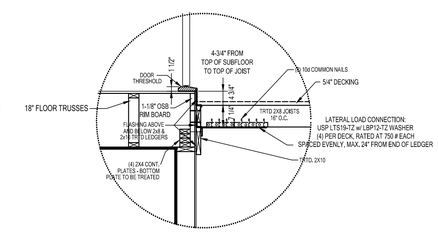
FRONT PORCH LEDGER SECTION A-8

1/2"=1'-0"



FRONT PORCH LEDGER DETAIL

1/2"=1'-0"



FRONT PORCH LEDGER SECTION B-8

1/2"=1'-0"

WINDOW & DOOR SCHEDULE-2210					
CALL-OUT	#	LOCATION	U-FACTOR	SHGC	ROUGH OPENING
5036 GLIDER	1	FLEX RM	0.29	0.29	60" X 42"
3038 SH	1	FLEX RM	0.32	0.28	36" X 44"

WINDOW & DOOR SCHEDULE-2215					
CALL-OUT	#	LOCATION	U-FACTOR	SHGC	ROUGH OPENING
5036 GLIDER	1	FLEX RM	0.29	0.29	60" X 42"

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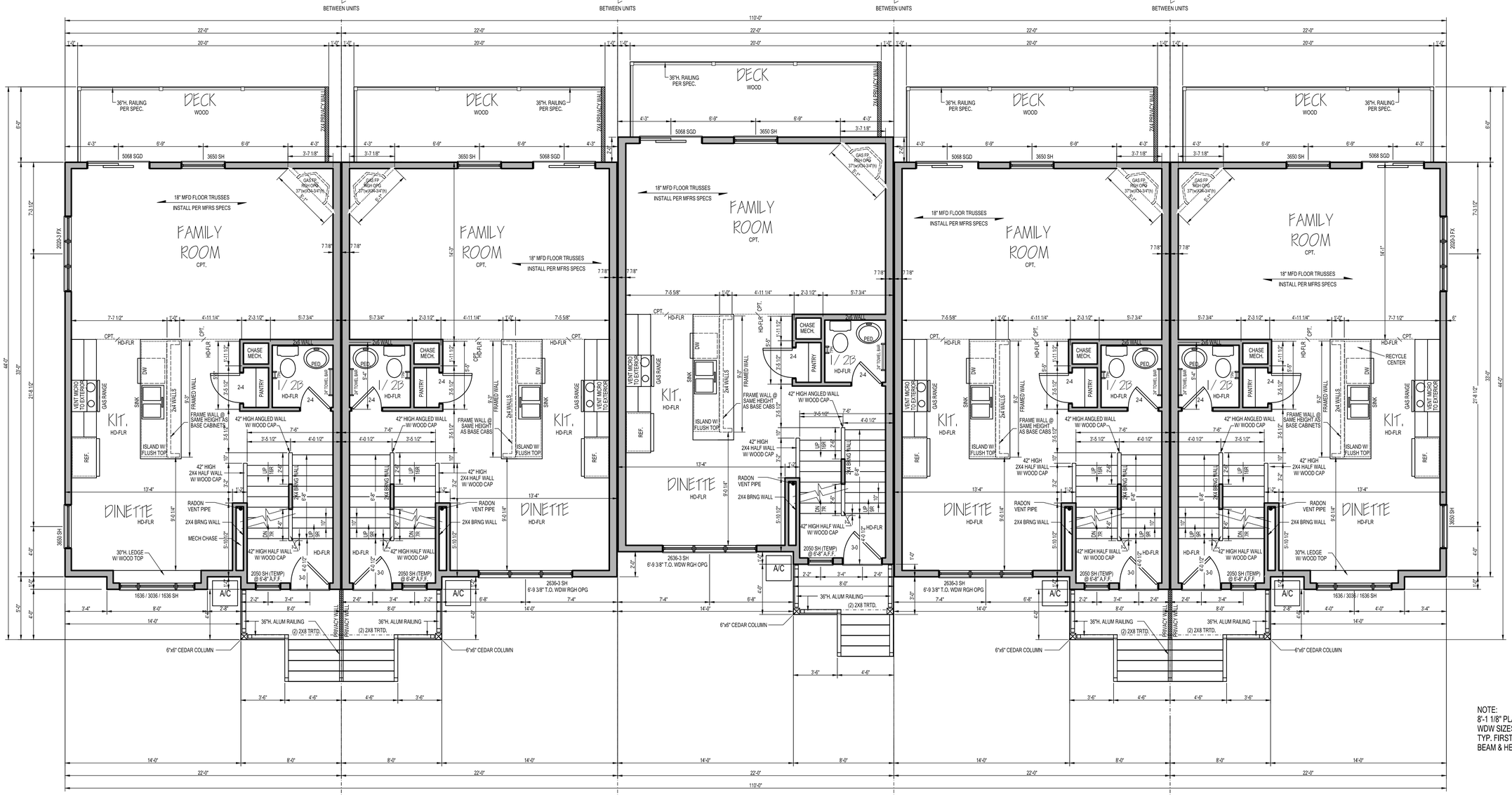
NOTE:
8'-7" PLATE HEIGHT TYPICAL
WDW SIZES GIVEN IN FEET AND INCHES (WIDTH x HEIGHT)
TYP. LOWER LEVEL WINDOW HEAD HEIGHT AT 7'-0" U.N.O.
BEAM & HEADER SIZES TO BE VERIFIED BY SUPPLIER/MFR

2200 SERIES ROW HOMES	3.1
2200 REVISED: 6-20-16-AW	
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X



2210-A2

MAIN LEVEL PLAN
3/16"=1'-0"
734 SQ. FT.
LIVING AREA INC. STAIRS

2215-B

MAIN LEVEL PLAN
1/4"=1'-0"
734 SQ. FT.
LIVING AREA INC. STAIRS

2215-C

MAIN LEVEL PLAN
1/4"=1'-0"
734 SQ. FT.
LIVING AREA INC. STAIRS

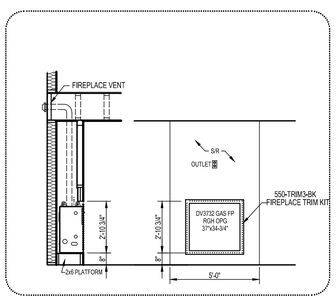
2215-B

MAIN LEVEL PLAN
1/4"=1'-0"
734 SQ. FT.
LIVING AREA INC. STAIRS

2210-A

MAIN LEVEL PLAN
1/4"=1'-0"
734 SQ. FT.
LIVING AREA INC. STAIRS

NOTE:
8'-1 1/8" PLATE HEIGHT TYPICAL
WDW SIZES GIVEN IN FEET AND INCHES (WIDTH x HEIGHT)
TYP. FIRST FLOOR WINDOW HEAD HEIGHT AT 6'-11 1/8" U.N.O.
BEAM & HEADER SIZES TO BE VERIFIED BY SUPPLIER/MFR



OPTIONAL GAS FIREPLACE
1/4"=1'-0"

WINDOW & DOOR SCHEDULE-2215					
CALL-OUT	#	LOCATION	U-FACTOR	SHGC	ROUGH OPENING
3-0 DOOR	1	FOYER	0.31	0.23	38 1/4" X 83 1/4
2050 SH	1	FOYER	0.3	0.28	24" X 60 1/4"
2636-3 SH	1	DINETTE	0.3	0.28	89 1/4" X 42"
5068 SGD	1	FAMILY RM	0.30	0.29	60 1/8" X 80"
3650 SH	1	FAMILY RM	0.3	0.28	42" X 60 1/4"

WINDOW & DOOR SCHEDULE-2210					
CALL-OUT	#	LOCATION	U-FACTOR	SHGC	ROUGH OPENING
3-0 DOOR	1	FOYER	0.31	0.23	38 1/4" X 83 1/4"
2050 SH	1	FOYER	0.3	0.28	24" X 60 1/4"
16-30-1636 CUST	1	DINETTE	0.3	0.28	71 1/2" X 42"
3650 SH	1	DINETTE	0.3	0.28	42" X 60 1/4"
2020-3 FX	1	FAMILY RM	0.31	0.30	71 1/4" X 24"
5068 SGD	1	FAMILY RM	0.30	0.29	60 1/8" X 80"
3650 SH	1	FAMILY RM	0.3	0.28	42" X 60 1/4"

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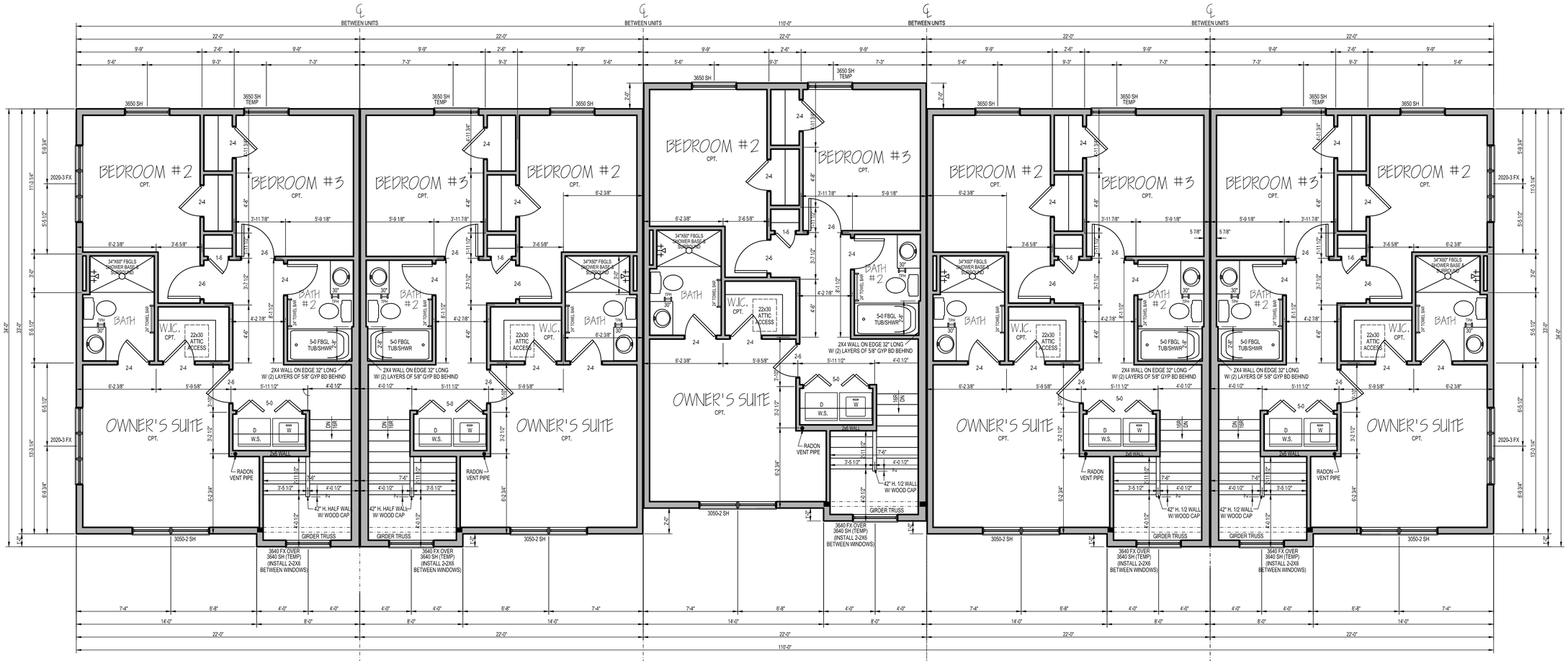
2200 SERIES ROW HOMES
2200 REVISED: 6-20-16-AW
REVISED: 7-29-16-CCC
PC598: 10-25-18-MG
REVISED: 11-26-18-LL

4.0 / X



2210-A2

UPPER LEVEL PLAN
1/4"=1'-0"

680 SQ. FT.
LIVING AREA INC. STAIRS

2215-B

UPPER LEVEL PLAN
1/4"=1'-0"

680 SQ. FT.
LIVING AREA INC. STAIRS

2215-C

UPPER LEVEL PLAN
1/4"=1'-0"

680 SQ. FT.
LIVING AREA INC. STAIRS

2215-B

UPPER LEVEL PLAN
1/4"=1'-0"

680 SQ. FT.
LIVING AREA INC. STAIRS

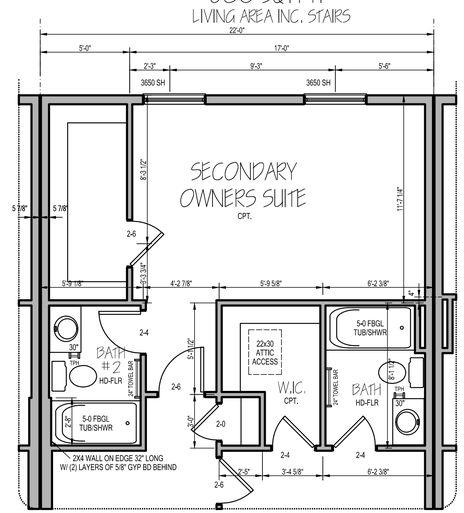
2210-A

UPPER LEVEL PLAN
1/4"=1'-0"

680 SQ. FT.
LIVING AREA INC. STAIRS

"2210" = 1,665 SQ. FT. FINISHED
"2215" = 1,665 SQ. FT. FINISHED
TOTAL (5 UNITS) = 8,325 SQ. FT. FINISHED

NOTE:
8'-1 1/8" PLATE HEIGHT TYPICAL
WDW SIZES GIVEN IN FEET AND INCHES (WIDTH x HEIGHT)
TYP. SECOND FLOOR WINDOW HEAD HEIGHT AT 6'-11 1/8" U.N.O.
BEAM & HEADER SIZES TO BE VERIFIED BY SUPPLIER/MFR



- OPTIONAL-
SECONDARY OWNERS SUITE
1/4"=1'-0"

WINDOW & DOOR SCHEDULE-2210					
CALL-OUT	#	LOCATION	U-FACTOR	SHGC	ROUGH OPENING
3640 SH	1	STAIRS	0.30	0.28	42" X 48"
3640 FX	1	STAIRS	0.28	0.30	42" X 48"
3050-2 SH	1	OWNERS SUITE	0.31	0.28	83 5/8" X 60 1/4"
2020-3 FX	1	OWNERS SUITE	0.31	0.30	71 1/4" X 24"
2020-3 FX	1	BEDROOM #2	0.31	0.30	71 1/4" X 24"
3650 SH	1	BEDROOM #2	0.30	0.28	42" X 60 1/4"
3650 SH	1	BEDROOM #3	0.30	0.28	42" X 60 1/4"

WINDOW & DOOR SCHEDULE-2215					
CALL-OUT	#	LOCATION	U-FACTOR	SHGC	ROUGH OPENING
3640 SH	1	STAIRS	0.30	0.28	42" X 48"
3640 FX	1	STAIRS	0.28	0.30	42" X 48"
3050-2 SH	1	OWNERS SUITE	0.31	0.28	83 5/8" X 60 1/4"
3650 SH	1	BEDROOM #2	0.30	0.28	42" X 60 1/4"
3650 SH	1	BEDROOM #3	0.30	0.28	42" X 60 1/4"

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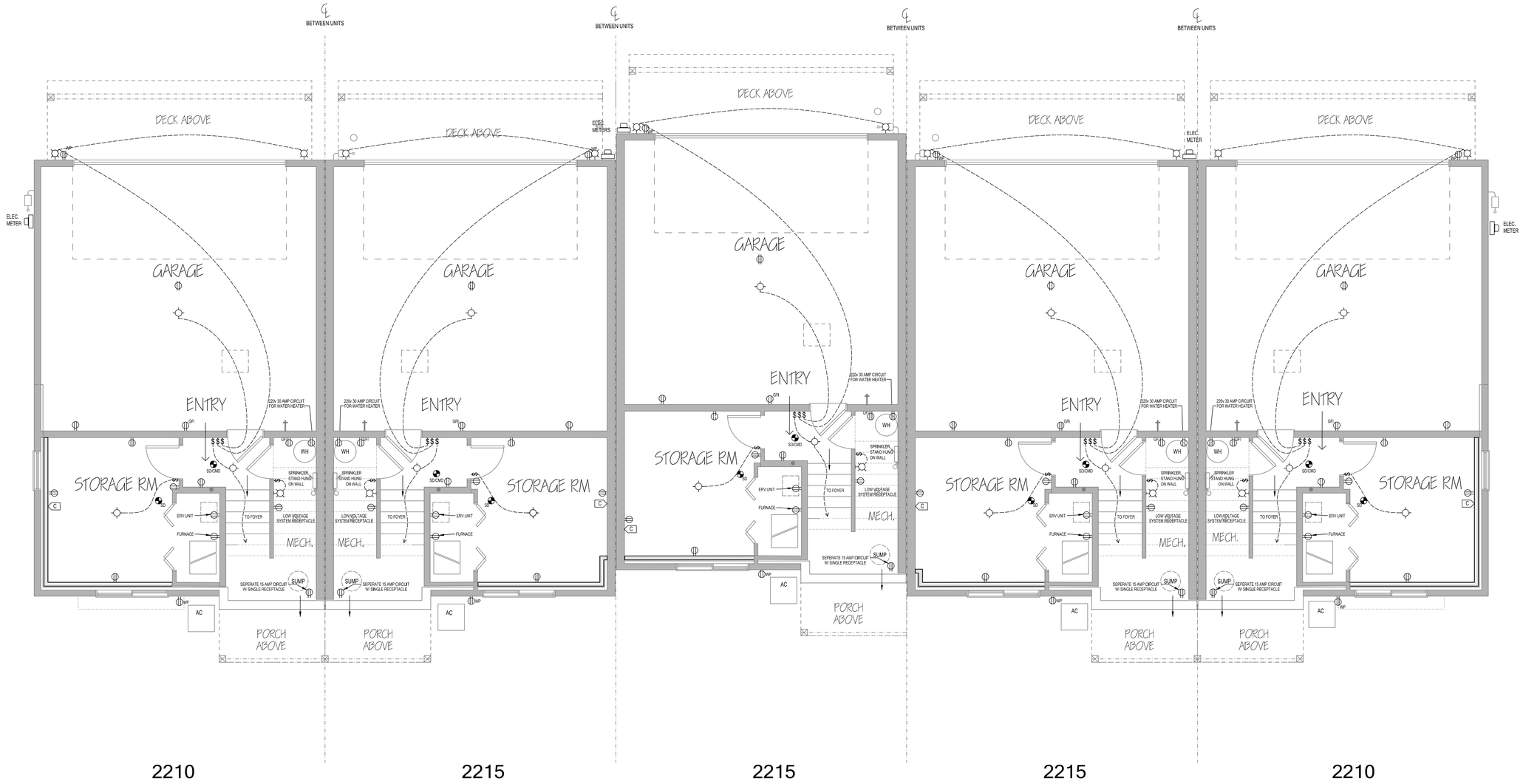
2200 SERIES ROW HOMES
2200 REVISED: 6-20-16-AW
REVISED: 7-29-16-CCC
PC598: 10-25-18-MG
REVISED: 11-26-18-LL

5.0 / X



LOWER LEVEL
ELECTRICAL PLAN
1/4"=1'-0"

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2200 SERIES ROW HOMES	6.0
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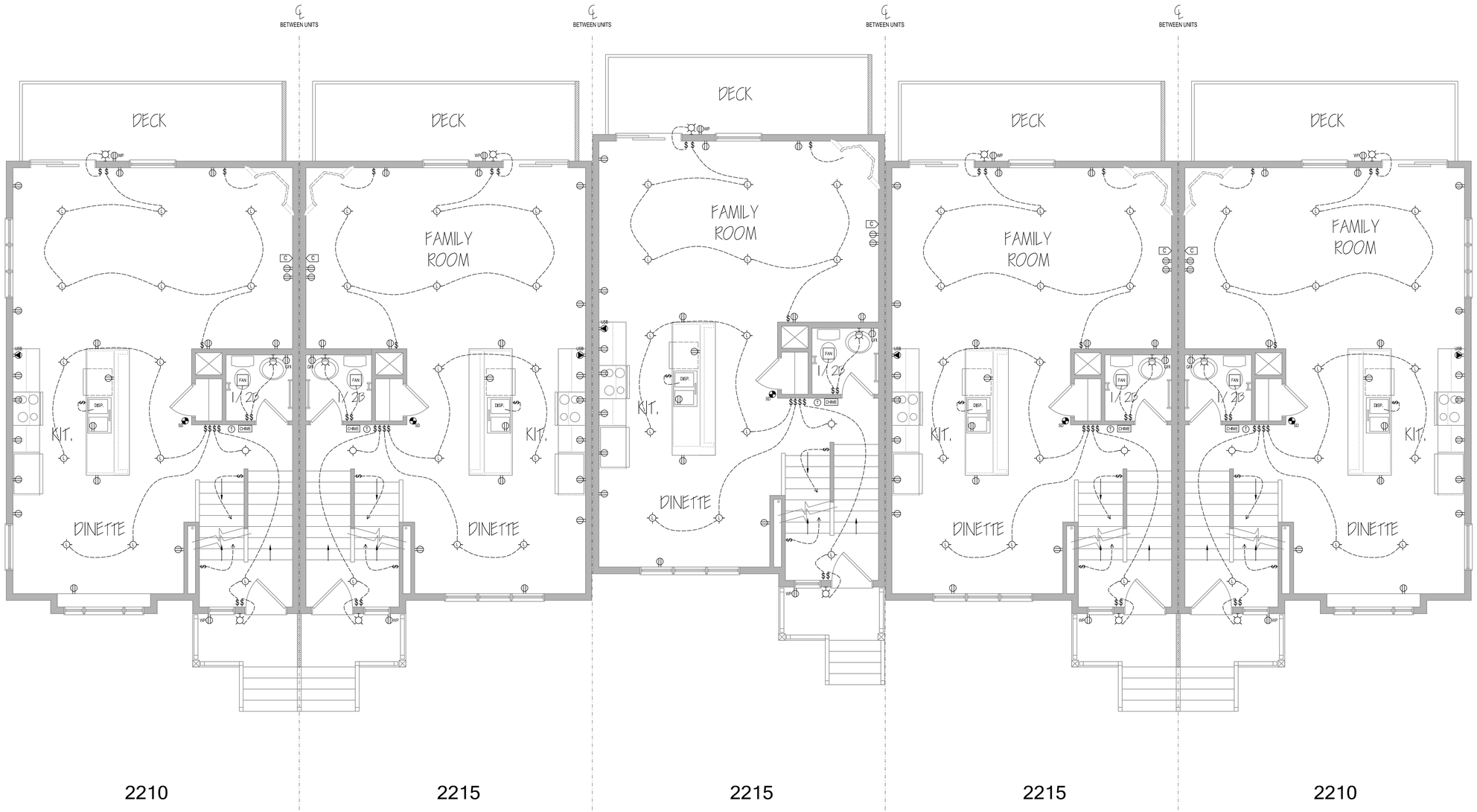
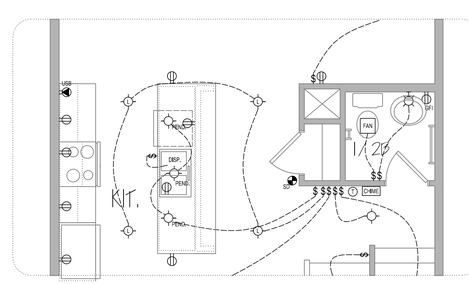
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X



MAIN LEVEL ELEC PLAN
1/4"=1'-0"



-OPTIONAL-
KITCHEN PENDANT LIGHTING
1/4"=1'-0"

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2200 SERIES ROW HOMES	7.0
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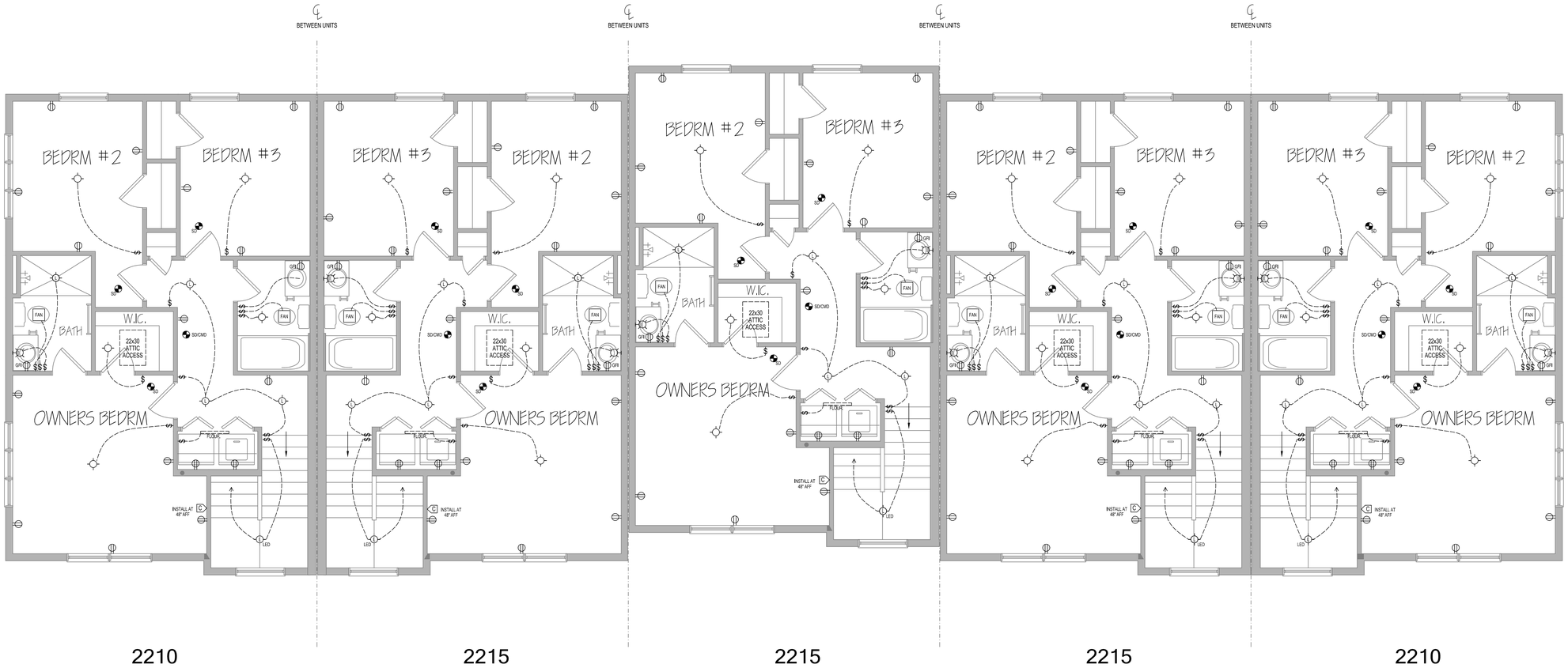
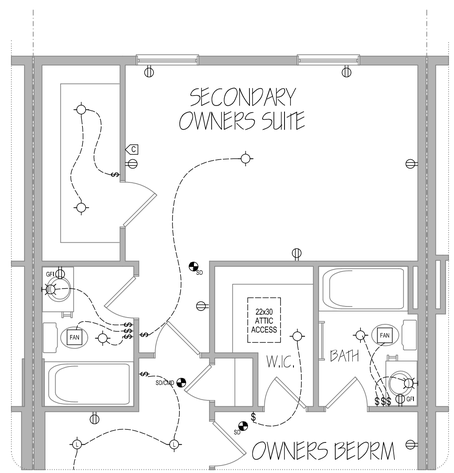
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X



UPPER LEVEL ELEC PLAN
1/4"=1'-0"



- OPTIONAL-
SECONDARY OWNERS SUITE
1/4"=1'-0"

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2200 SERIES ROW HOMES	8.0
2200 REVISED: 6-20-16-AW	
REVISED: 7-29-16-CCC	
PC598: 10-25-18-MG	
REVISED: 11-26-18-LL	X

City of Brooklyn Park
Request for Council Action

Agenda Item:	6.2	**Meeting Date:**	January 28, 2019
Agenda Section:	Land Use Actions	**Originating Department:**	Community Development
Resolution:	N/A		
Ordinance:	FIRST READING	**Prepared By:**	Todd A. Larson, Senior Planner
Attachments:	5	**Presented By:**	Cindy Sherman, Planning Director
Item:	City of Brooklyn Park – Rezoning #18-112 to Rezone Eight Business Parcels from Business Park (BP) to General Business District (B3) at 8500, 8501, 8504, 8508, 8509, 8511, and 8517 Xylon Avenue N.; and 8501-8509 Wyoming Avenue N.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 152 REZONING 12.45 ACRES FROM BUSINESS PARK (BP) TO GENERAL BUSINESS DISTRICT (B3) NORTH OF 85TH AVENUE BETWEEN WYOMING AVENUE AND HIGHWAY 169.

Planning Commission Recommendation:

At its meeting on January 9, 2019, the Planning Commission unanimously (8-0) recommended approval of the rezoning.

Overview:

In the summer of 2018, the City Council reviewed the exiting uses within the Business Park (BP) as a part of the Transit Oriented Development (TOD) Zoning Code adoption process. As a part of that review, it was determined that self-storage facilities were not a desirable use in the TOD areas or along Highway 610 due to the lack of jobs typically found at that business type. So, when the TOD Zoning was adopted, a companion ordinance was passed removing self-storage facilities from the BP district.

In that process, the Council heard from Public Storage who operated the sole self-storage business zoned BP at 8517 Xylon Avenue North. Though the business could continue to operate as a legal non-conforming use, the property owner expressed interest in redeveloping the site to add a climate-controlled building someday. The Council provided direction to work with the businesses on a solution that worked for everyone.

It was determined that the businesses just north of 85th Avenue could be rezoned to General Business District (B3), the same district as the Fleet Farm property to the south, since their uses would all be legal in that district, including self-storage. The nature of these businesses is more customer-focused and active as service, retail, restaurant, or auto uses.

The outdoor sales yard at Town and Country Fence will now be a legal use, although some of the performance standards will continue to remain legal non-conforming such as the total area of storage and the location in the front yard. (Under BP zoning, the outdoor storage was not an allowed use since the lot size is too small).

The proposed 2040 Comprehensive Plan identifies this area as Business Park. The land use will need to be modified as we finalize the Plan following rezoning of the site.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the rezoning as recommended by the Planning Commission.
2. Deny the rezoning keeping the existing BP zoning in place.

Attachments:

6.2A ORDINANCE
6.2B LOCATION MAPS
6.2C ZONING CODE USE TABLE
6.2D PLANNING COMMISSION MINUTES
6.2E LETTER FROM PUBLIC STORAGE

ORDINANCE #2019-

ORDINANCE AMENDING CHAPTER 152 REZONING 12.45 ACRES
FROM BUSINESS PARK (BP) TO GENERAL BUSINESS DISTRICT (B3)
NORTH OF 85TH AVENUE BETWEEN WYOMING AVENUE AND HIGHWAY 169

WHEREAS, the City modified the uses in the Business Park (BP) zoning district in 2018; and

WHEREAS, the zoning change created a legal non-conforming use, which the owner asked to be rectified; and

WHEREAS, the use and surrounding properties meet the requirements of the General Business District (B3); and

WHEREAS, the property to the south of these businesses is zoned General Business District (B3), a district described in City Code as a district "intended to provide centralized areas for businesses that have a community or regional customer base in that they generally draw customers from farther away than the adjacent neighborhoods."

NOW, THEREFORE, THE CITY OF BROOKLYN PARK DOES ORDAIN:

Section 152 of the Zoning code is amended to rezone the following properties from Business Park District (BP) to General Business District (B3):

8501-8509 Wyoming Ave. N.
Lot 7, Block 1, Boblyn 2nd Addition, Hennepin County, Minnesota;

8500 Xylon Ave. N.
Lot 1, Block 1, Boblyn 3rd Addition, Hennepin County, Minnesota;

8501 Xylon Ave. N.
The east 297.07 feet of Lot 1, Block 1, Xylon addition, Hennepin County, Minnesota;

8504 Xylon Ave. N.
Lot 2, Block 1, Boblyn 3rd Addition, Hennepin County, Minnesota;

8508 Xylon Ave. N.
Lot 5, Block 1, Boblyn Addition, Hennepin County, Minnesota;

8509 Xylon Ave. N.
That part of Lot 1, Block 1, Xylon Addition, lying west of the east 297.07 feet thereof, Hennepin County, Minnesota;

8511 Xylon Ave. N.
That part of Lot 2, Block 1, Xylon Addition lying easterly and northerly of a line described as commencing at the northeast corner thereof then on an assumed bearing of south 88 degrees 52 minutes 31 seconds west along north line thereof 234.6 feet to actual point of beginning of line to be described then south 01 degree 01 minute 38 seconds east 339.47 feet then north 88 degrees 49 minutes 25 seconds east 22.21 feet then south 01 degree 01 minute 38 seconds east 30 feet to the south line of lot 2 and there terminating, Hennepin county, Minnesota; and

8517 Xylon Ave. N.

That part of Lot 2, Block 1, Xylon Addition, lying westerly and southerly of a line described as commencing at the northeast corner thereof then on an assumed bearing of south 88 degrees 52 minutes 31 seconds west along north line thereof 234.6 feet to actual point of beginning of line to be described then south 01 degree 01 minute 38 seconds east 339.47 feet then north 88 degrees 49 minutes 25 seconds east 22.21 feet then south 01 degree 01 minute 38 seconds east 30 feet to the south line of Lot 2 and there terminating, Hennepin County, Minnesota.

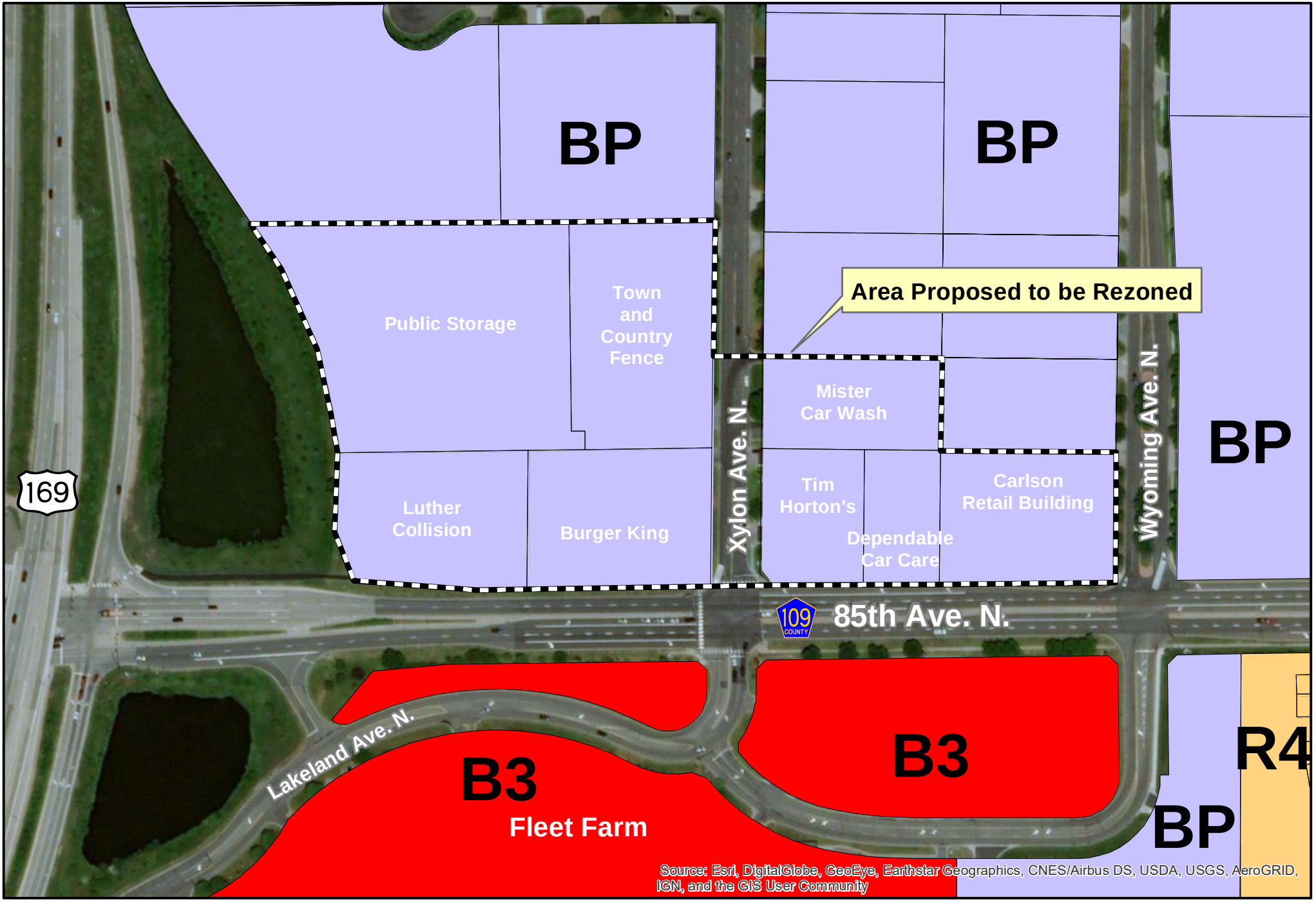
The zoning map of the City on file with the City Clerk and referred to in Section 152 of the City Code is hereby amended in accordance with the provisions of this ordinance.

Zoning Code Amendment #18-112
85th & Xylon Ave. Area - Potential Rezoning from BP to B3

Brooklyn Park
Community Development

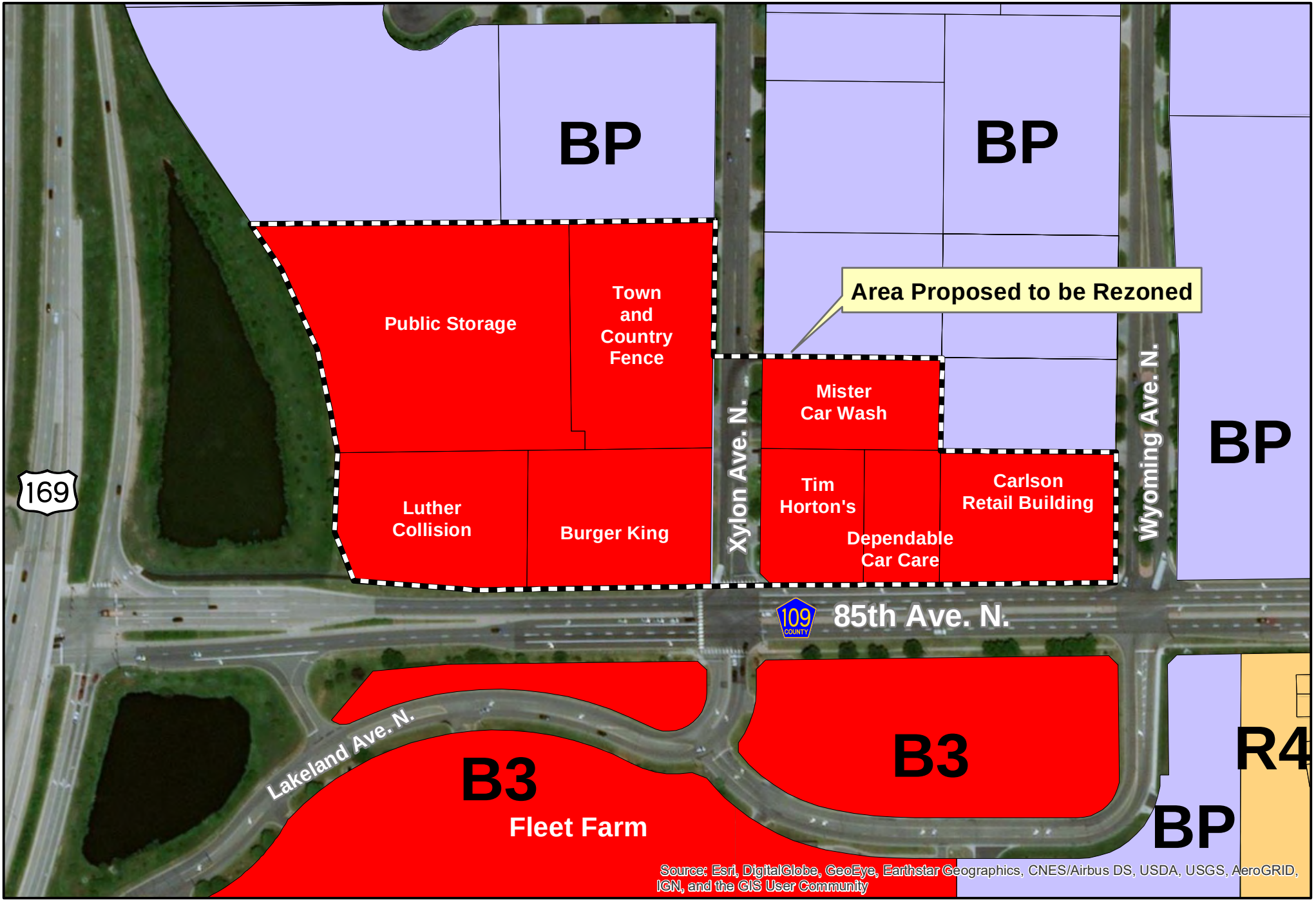
Zoning Code Amendment #18-112 EXISTING ZONING
85th & Xylon Ave. Area - Potential Rezoning from BP to B3

Brooklyn Park
Community Development



Zoning Code Amendment #18-112 PROPOSED ZONING
85th & Xylon Ave. Area - Potential Rezoning from BP to B3

Brooklyn Park
Community Development



Principal Use **P = Permitted Use, C = Conditional Use, NP = Use Not Permitted**	**B-3**	**BP**
Assembly, banquet, convention halls, or conference centers	C	NP
Automobile rental containing more than six cars on site	C	NP
Body art in compliance with M.S. Chapter 146B and Chapter 123 of this code	P	NP
Bus or truck storage or service shops, including fuel stations	NP	NP
Business, trade, or non-academic colleges operated for profit	P	P
Care centers, convalescent homes, hospitals, veterinary clinics, and assisted living facilities	C	NP
Clubs	C	NP
Commercial indoor recreational facilities under 2,450 square feet	P	P
Commercial indoor recreational facilities over 2,450 square feet	C	C
Commercial kennels in accordance with § 92.15	P	P
Commercial outdoor recreational facilities	C	NP
Concrete or asphalt mixing plants, concrete block fabrication, or builders' or contractors' yards, brick yards, and accessory sale of dirt, sand, gravel, rock, concrete blocks, bricks, etc.	NP	NP
Daycare facilities, licensed	P	P
Distribution center	NP	P
Fabrication or assembly of heavy equipment or vehicles	NP	NP
Funeral homes	P	NP
Helicopter pad/landing site	NP	C
Hotels and motels	C	C
Manufacturing, assembly, processing, fabricating, brewing, distilling, and accessory sale of the product produced on site, except those uses further restricted in this ordinance.	NP	P
Multiple principal structures on a single lot	C	C
Multiple family dwelling and cluster housing in compliance with § 152.344	C	NP
Offices, banks or clinics	P	P
Public and quasi-public facilities	C	NP
Public schools, including charter schools in compliance with § 152.182	NP	NP
Religious institutions, in compliance with §§ 152.180 through 152.182	P	NP
Restaurants, brewpub	C	C
Restaurants, Class I, in compliance with § 152.033	P	P
Restaurants, Class II	C	C
All structures for retail or service businesses with 25,000 square feet or less, excluding those mentioned elsewhere in this section	P	C
All structures for retail or service businesses with between 25,000 and 50,000 square feet, excluding those mentioned elsewhere in this section	P	NP
All structures for retail or service businesses with 50,000 square feet or more, excluding those mentioned elsewhere in this section	C	NP
Auto oriented repair services	C	C

Principal Use **P = Permitted Use, C = Conditional Use, NP = Use Not Permitted**	**B-3**	**BP**
Carwashes	C	C
Currency exchanges and pawnshops in compliance with § 152.344	C	NP
Fuel stations	C	C
Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales	NP	NP
Indoor sales of automobiles, trucks and recreational vehicles and the like in compliance with § 152.344	NP	C
Sexually oriented businesses in compliance with § 152.343	P	NP
Showrooms and sales of automobiles, trucks and recreational vehicles and equipment and the like in compliance with § 152.344	NP	NP
Wholesale, broker and auction dealer of automobiles, trucks and recreational vehicles and the like in compliance with § 152.343	P	P
Self-service storage facility	C	NP
Social clubs	C	NP
Stone, marble or granite grinding and cutting	NP	NP
Theaters, excluding drive-ins	C	NP
Transient sales, in compliance with § 152.344	C	NP
Truck or motor freight terminal	NP	NP
Vehicle impound yards	NP	NP
Warehousing	NP	P

UNAPPROVED MINUTES

MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting - January 9, 2019

1. CALL TO ORDER

The meeting was called to order at 7:00 PM.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Herbers, Husain, Kiekow, Kisch, Mersereau, Mohamed, Morton-Spears, Vosberg; Senior City Planner Larson; Planning Director Sherman; Council Member Liaison West-Hafner. Those not present were: Commissioners Hanson.

7. PUBLIC HEARING

B. City of Brooklyn Park – Rezoning #18-112 to rezone eight business parcels from Business Park (BP) to General Business District (B3) at 8500, 8501, 8504, 8508, 8509, 8511 and 8517 Xylon Ave N.; and 8501-8509 Wyoming Ave N.

Senior Planner Larson introduced the rezoning proposal brought forward by the City of Brooklyn Park, stating that over the past few years the City has been preparing for the Bottineau Blue Line Light Rail Extension. He explained that part of the planning for the project is to look at the other two lines currently in the twin cities area, and it is understood that developers like building around these station areas meaning the City can expect development pressure in those areas. City Staff went through a long process working with neighbors, property owners, and businesses on a vision for the future for the station areas. The following step, which occurred last year, was creating zoning ordinances that are the tools to implement the visions. Part of the zoning process was to look at what the City had in place in the existing zoning, and then make necessary adjustments. One of the things that came out of this process was that the Business Park zoning district wants to be an employment-based area. Mini-storage or self-storage the only thing in the Business Park use list that didn't seem to be compatible, at least around the 93rd Avenue station. The fix was to remove self-storage as a permitted use, and then areas immediately adjacent to the station had other Transit Oriented Development Districts established. The City did receive a letter from Public Storage currently on Xylon Ave N saying they would prefer to reserve the right to redevelop their site by adding climate-controlled storage like what was approved at the Lakeland Ave site. He stated that City Council was sympathetic to the request to be able to redevelop the site, and one of the easiest solutions is to rezone the businesses just north of 85th Avenue to the B3 District as they are more retail and community focused businesses that don't meet the intent of the Business Park district designation. He explained that Fleet Farm across the street is already zoned B3, so this would just be extending the designation to the businesses directly north of 85th Avenue. He provided that in addition to Public Storage, the businesses that would be impacted include: a couple of auto repair facilities, a couple of restaurants, a car wash, Town and Country Fence and a multi-tenant retail/office/service building. He explained that under the proposed rezoning all the current uses would be legal conforming. He noted that Town and Country Fence has a large outdoor storage sales area on the northside of their property which is currently a legal non-conforming use under the Business Park designation, rezoning the site to B3 will make that use legal conforming as well, however some of the site improvements aren't quite up to Code, but it is a step in the right direction. He stated that this proposal is meant to not only satisfy the needs of Public Storage, but also help Town and Country Fence become legal-conforming again, without any effect or change on the other surrounding properties. Staff is recommending approval.

Commissioner Vice-Chair Kisch opened the public hearing.

Clint Carlson, 202 Peninsula Road in Medicine Lake, 55441. He stated that his family owns the Carlson Retail Building which is included in the proposed rezoning. He explained he wants to say thank you as he feels his property has been incorrectly zoned for many years. He believed the zoning was B3 prior to his family's purchase of the building but was rezoned to Business Park in the 1990s when there was absentee ownership. He explained the building was built for mostly retail use with some office space. He stated he feels very good about the proposed rezoning, and that things have worked themselves out. He said he feels this rezoning is more appropriate and will allow them to be better off in the long run as they had some minor struggles with the Business Park designation in terms of getting the appropriate levels of rent and keeping tenants in the spaces. He thanked Senior Planner Larson and the City for including them in this process.

Seeing no one approach the podium, Commissioner Vice-Chair Kisch closed the public hearing.

Commissioner Vosberg asked for clarification why breweries would not be allowed in this location with the rezoning considering this area is envisioned to support retail and restaurants.

Senior Planner Larson answered that not permitting breweries with the rezoning would be one example of a step down, but none of the current buildings are designed for any sort of manufacturing. He explained that most of the buildings are single occupant except for the Carlson Retail Building. He stated that the micro brew pub restaurant would still be an option, but a straight industrial style brewery with a taproom for accessory sales would not be allowed. He said he would be willing to work with any of the businessowners to find a solution should a brewery arise, but otherwise manufacturing is not an allowed use in B3.

Commissioner Vosberg asked for clarification that should the prospect of a brewery arise; City Staff would reconsider.

Senior Planner Larson stated this was correct, if someone came in with a brewery proposal, City Staff would take a look, and possibly come forward with a code amendment to tweak the brewery language. He explained right now there is only one such brewery in town, and when this code language was added it was an emerging industry that City Staff is still learning.

Commissioner Vosberg asked if everyone was aware that the rezoning would open the opportunity to allow sexually-oriented businesses in compliance with § 152.343.

Senior Planner Larson explained that § 152.343 does discuss distances, such as it can't be any closer than 500 feet to a residential area. He stated the Carlson Retail Building is about 260 feet away from the nearby R4 district which would make his building ineligible for a sexually-oriented business.

Commissioner Vosberg stated she is not concerned with the one specific building, but the whole area that would be rezoned. She provided the example of Town and Country Fence deciding to do something completely different, and now that site would be available for a sexually-oriented business.

Senior Planner Larson that B3 is the largest retail service district spread all over Brooklyn Park, granted some was recently rezoned to the Transit Oriented Development districts. He said in speaking with the businesses he hasn't heard anything to indicate an interest in moving out and selling their property. He stated there is a possibility, but he doesn't see it as likely.

Commissioner Vosberg stated she wants to make sure the Planning Commission is aware of what they would potentially be allowing in the area. She described the area as currently low key, but by switching to B3 the potential uses of the area will change.

Commissioner Mohamed thanked staff for the direction stating that the B3 district seems appropriate for the area. He thanked Mr. Carlson for managing the Carlson Retail Building and believes this action will help Mr. Carlson's business flourish.

Commissioner Kiekow asked for verification that the non-permitted use of bus or truck storage or service shops, including fuel stations, applies to only heavy trucks.

Senior Planner Larson confirmed that this type of use would not be permitted in B3 or BP. He clarified that Dependable Car Care can't work on busses under any scenario, so this doesn't impact that business.

Commissioner Kiekow asked for clarification that a service shop is referring to heavy duty equipment, not for general vehicles.

Senior Planner Larson confirmed that other types of vehicle repair shops are discussed elsewhere and are allowed.

Planning Director Sherman clarified that this proposal doesn't request any changes to the types of allowed uses in the zoning districts, that the chart provided to the Commission was simply to show how the rezoning would impact the allowed uses in the area.

Commissioner Vice-Chair Kisch stated that self-storage would still be a Conditional Use Permit if the area is zoned to B-3. He asked if the Planning Commission and City Council would still get a chance to review a proposal for a larger climate-controlled structure where Public Storage is currently.

Senior Planner Larson said that is correct as that would be an amendment to the existing Conditional Use Permit which requires a public hearing.

Commissioner Vice-Chair Kisch asked if it would be possible to have a future work session for reviewing the zoning language concerns around breweries, manufacturing and sexually-oriented businesses brought up by Commissioner Vosberg. He stated that the rezoning does make sense in the broader pattern of the area, so he does feel the change is appropriate.

MOTION KISCH, SECOND MOHAMED TO RECOMMEND APPROVAL OF REZONING 12.45 ACRES NORTH OF 85TH AVENUE NORTH BETWEEN WYOMING AVENUE AND HIGHWAY 169 FROM BUSINESS PARK (BP) TO GENERAL BUSINESS DISTRICT (B3).

MOTION CARRIED UNANIMOUSLY.

Galloway
Planning. Architecture. Engineering.

November 2, 2018

City of Brooklyn Park
Todd Larson – Senior Planner
Community Development Department
5200 85th Street N.
Brooklyn Park, MN 55443

Re: Request to Rezone
Public Storage #25547
8517 Xylon Avenue N.
Brooklyn Park, MN

Dear Todd,

As discussed over the last several months, please accept this letter as a formal request from Public Storage to the City of Brooklyn Park to rezone the existing Public Storage property at 8517 Xylon Avenue N., Brooklyn Park, Minnesota from BP (Business Park) District to B3 General Business District. It is our understanding that the City of Brooklyn Park is currently considering removing self-storage as an allowed use within the BP District. While it is our understanding the existing Public Storage could continue to operate as a legal non-confirming use within the existing BP District, future redevelopment or even expansion of the property as self-storage would not be allowed.

In order to maintain the continued long-term viability of this property, Public Storage needs the ability to redevelop or possibly expand the current facility to meet customer demands, market trends, or address competitive changes in the market. The current redevelopment of the Public Storage located at 8124 Lakeland Avenue N. recently approved by City Council on May 29, is a perfect example of changing customer needs and market trends currently underway in the Minneapolis – St Paul metro area as well as most other major metropolitan areas across the United States. While a need for outdoor or drive-up storage is still in demand, the competitive market is trending towards more indoor climate-controlled storage like that being proposed at the Lakeland Avenue property. While redevelopment at the Xylon Avenue site is not currently under consideration, Public Storage needs to protect their future ability to redevelop or possibly expand the property as the competitive self-storage market changes. Remaining within the BP zone district as a legal non-conforming use would limit the ability of Public Storage to modify the property to meet unforeseen competitive changes in the market and remain a viable business within the City of Brooklyn Park.

City of Brooklyn Park
Public Storage – Request to Rezone
November 2, 2018

Public Storage owns and operates over 2,500 properties worldwide and is one of the largest publicly traded Real Estate Investment Trusts (REIT). Public Storage is a long-term property owner/operator and has owned and operated two different self-storage facilities in Brooklyn Park for over 14 years. Self-storage is a convenience-oriented service product typically serving customers within a three-mile radius of the facility and therefore the majority of the existing customers are likely residents of the City of Brooklyn Park. It is the desire of Public Storage to remain a contributing and viable business within the City of Brooklyn Park.

As outlined above, please accept this letter as a formal request from Public Storage to the City of Brooklyn Park to rezone the existing Public Storage property at 8517 Xylon Avenue N., Brooklyn Park, Minnesota from BP (Business Park) District to B3 General Business District. It is our understanding that given the current circumstances, this action can be taken by City Council based on this request and that a formal application or subsequent payment of fees by Public Storage would not be required.

Thank you in advance for your consideration of our request. Please review and let us know if you have any questions or require additional information. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

GALLOWAY & COMPANY, INC.

Zell O. Cantrell, CDP
Site Development Project Manager,
Senior Associate
ZellCantrell@GallowayUS.com

Cc: Dan Matula, Public Storage via email
Jarrod Yates, Public Storage via email

City of Brooklyn Park
Request for Council Action

Agenda Item:	6.3	**Meeting Date:**	January 28, 2019
Agenda Section:	Land Use Actions	**Originating Department:**	Community Development
Resolution:	N/A		
Ordinance:	FIRST READING	**Prepared By:**	Cindy Sherman, Planning Director
Attachments:	1	**Presented By:**	Cindy Sherman
Item:	City of Brooklyn Park – FIRST READING of an Ordinance to rezone specific properties to Transit Orientated Development at Five Station Areas		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE REZONING SPECIFIC PROPERTIES TO TRANSIT ORIENTATED DEVELOPMENT AT FIVE STATION AREAS

Overview:

On June 25, 2018 and July 9, 2018, the City Council considered the first and second reading of Ordinance #2018-1231 to change the zoning code to add several Transit Orientated Development (TOD) zoning districts to the city code. The districts relate to the five station areas of the METRO Light Rail Transit (LRT) Blue Line.

The maps depicting the areas of the City that were being rezoned to one of the TOD zoning districts were included in the staff reports provided to the City Council for the June 25th and July 9th meetings. In addition, the mailed and published public hearing notifications advised the affected property owners that the City Council would be considering rezoning their property to one of the new TOD districts. The text of the adopted ordinance, however, did not include a reference to the specific parcels affected by the new code language.

This action is to specifically implement the various TOD districts on the parcels as originally mapped.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the Ordinance as presented.
2. Approve the Ordinance with modifications.

Attachment:

6.3A ORDINANCE

ORDINANCE #2019-

ORDINANCE REZONING CERTAIN PROPERTY AROUND TRANSIT STATION AREAS LOCATED AT: 1.) 63RD AVENUE AND BOTTINEAU BOULEVARD, 2.) BROOKLYN BOULEVARD AND WEST BROADWAY, 3.) 85TH AVENUE AND WEST BROADWAY, 4.) 93RD AVENUE AND WEST BROADWAY, AND 5.) OAK GROVE AND WEST BROADWAY TO TRANSIT ORIENTED DEVELOPMENT DISTRICTS

WHEREAS, the City of Brooklyn Park adopted Ordinance #2018-1231 on July 9, 2018 establishing Transit Oriented Development (TOD) zoning as codified in section §152.601 *et seq* of City Code; and

WHEREAS, in adopting Ordinance #2018-1231, the City Council understood that it would simultaneously be rezoning the properties identified in the maps that accompanied the Ordinance; and

WHEREAS, the owners of the properties that were proposed to be rezoned to one of the TOD zoning districts were properly noticed of the City's proposed amendments; and

WHEREAS, the maps identifying the properties subject to the TOD rezoning were inadvertently not expressly incorporated into Ordinance #2018-1231; and

WHEREAS, after the adoption of Ordinance #2018-1231, the City's official zoning map was changed to reflect the new zoning on the affected properties; and

WHEREAS, the City Council now desires to memorialize the changes to the City's official zoning map reflecting the TOD zoning changes to the affected properties as identified on the attached Exhibits 1-6; and

WHEREAS, nothing in this Ordinance is intended to supersede the Planned Development (PD) Overlay regulations adopted by Ordinances #2014-1178, #2014-1179, and #2016-1210 and the regulations contained in those ordinances continue to apply to any of the parcels affected by this Ordinance.

NOW, THEREFORE, THE CITY OF BROOKLYN PARK ORDAINS that the land within the 63rd Avenue and Bottineau Boulevard Transit Station Area that is depicted on Exhibit 1 with the "TOD-C.T" designation is rezoned to Transit Oriented Development Center Transition District ("TOD-C.T").

BE IT FURTHER ORDAINED that the land within the 63rd Avenue and Bottineau Boulevard Transit Station Area that is depicted on Exhibit 1 with the "TOD-C" designation is rezoned to Transit Oriented Development Center District ("TOD-C").

BE IT FURTHER ORDAINED that the land within the Brooklyn Boulevard and West Broadway Transit Station Area that is depicted on Exhibit 2 with the "TOD-CT" designation is rezoned to Transit Oriented Development Center Transition District ("TOD-CT").

BE IT FURTHER ORDAINED that the land within the Brooklyn Boulevard and West Broadway Transit Station Area that is depicted on Exhibit 2 with the "TOD-C" designation is rezoned to Transit Oriented Development Center District ("TOD-C").

BE IT FURTHER ORDAINED that the land within the 85th Avenue and West Broadway Transit Station Area that is depicted on Exhibit 3 with the "TOD-C" designation is rezoned to Transit Oriented Development Center District ("TOD-C").

BE IT FURTHER ORDAINED that the land within the 93rd Avenue and West Broadway Transit Station Area that is depicted on Exhibit 4 with the "TOD-E.T" designation is rezoned to Transit Oriented Development Employment Transition District ("TOD-E.T").

BE IT FURTHER ORDAINED that the land within the 93rd Avenue and West Broadway Transit Station Area that is depicted on Exhibit 4 with the "TOD-E" designation is rezoned to Transit Oriented Employment District ("TOD-E").

BE IT FURTHER ORDAINED that the land within the Oak Grove Parkway and West Broadway Transit Station Area that is depicted on Exhibit 5 with the "TOD-G" designation is rezoned to Transit Oriented Greenfield District ("TOD-G").

BE IT FURTHER ORDAINED that Exhibit 6 to this Ordinance reflects the new TOD zoning classifications by P.I.D. numbers for the affected parcels.

_____
JEFFREY JONEAL LUNDE, MAYOR

ATTEST:

_____
DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney
Passed on First Reading:
Passed on Second Reading:
Published in Official Newspaper:

City of Brooklyn Park- 63rd Ave. Station

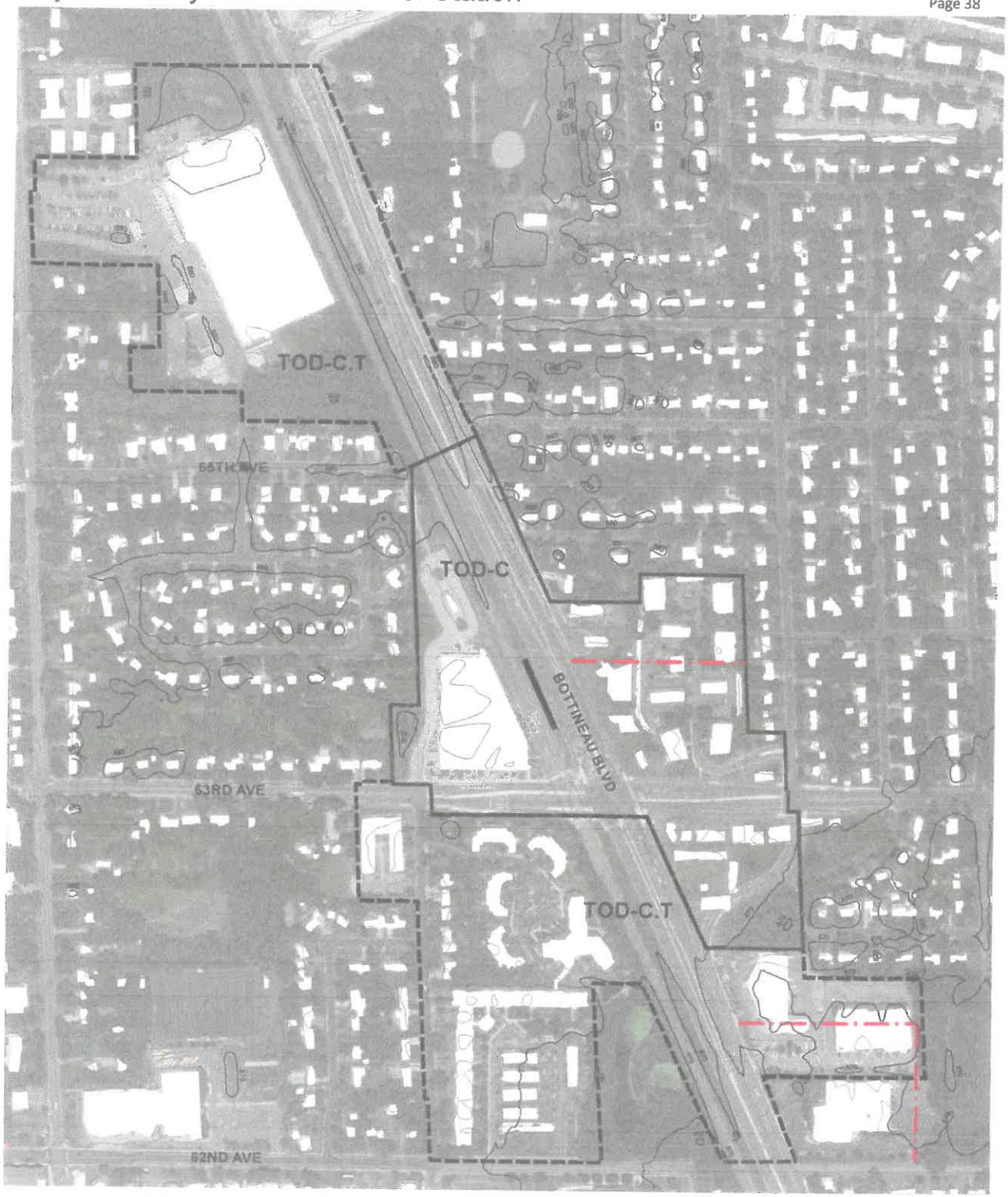


EXHIBIT
1

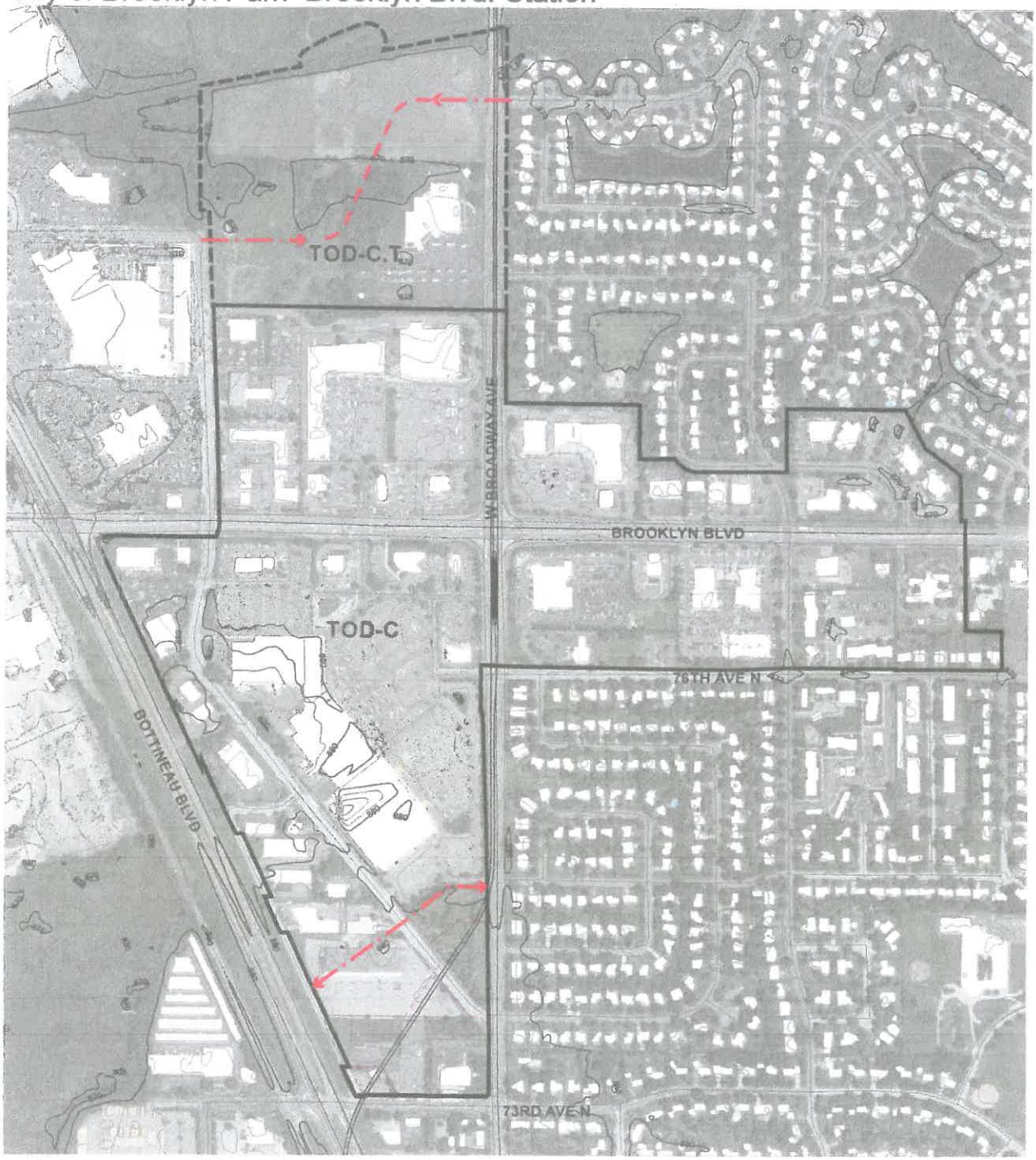
Legend

- Station
- Proposed Street Centerline (subject to potential future redevelopment)
- TOD-C
- TOD-C.T

N

0 150 300 600

City of Brooklyn Park- Brooklyn Blvd. Station



EXHIBIT

2

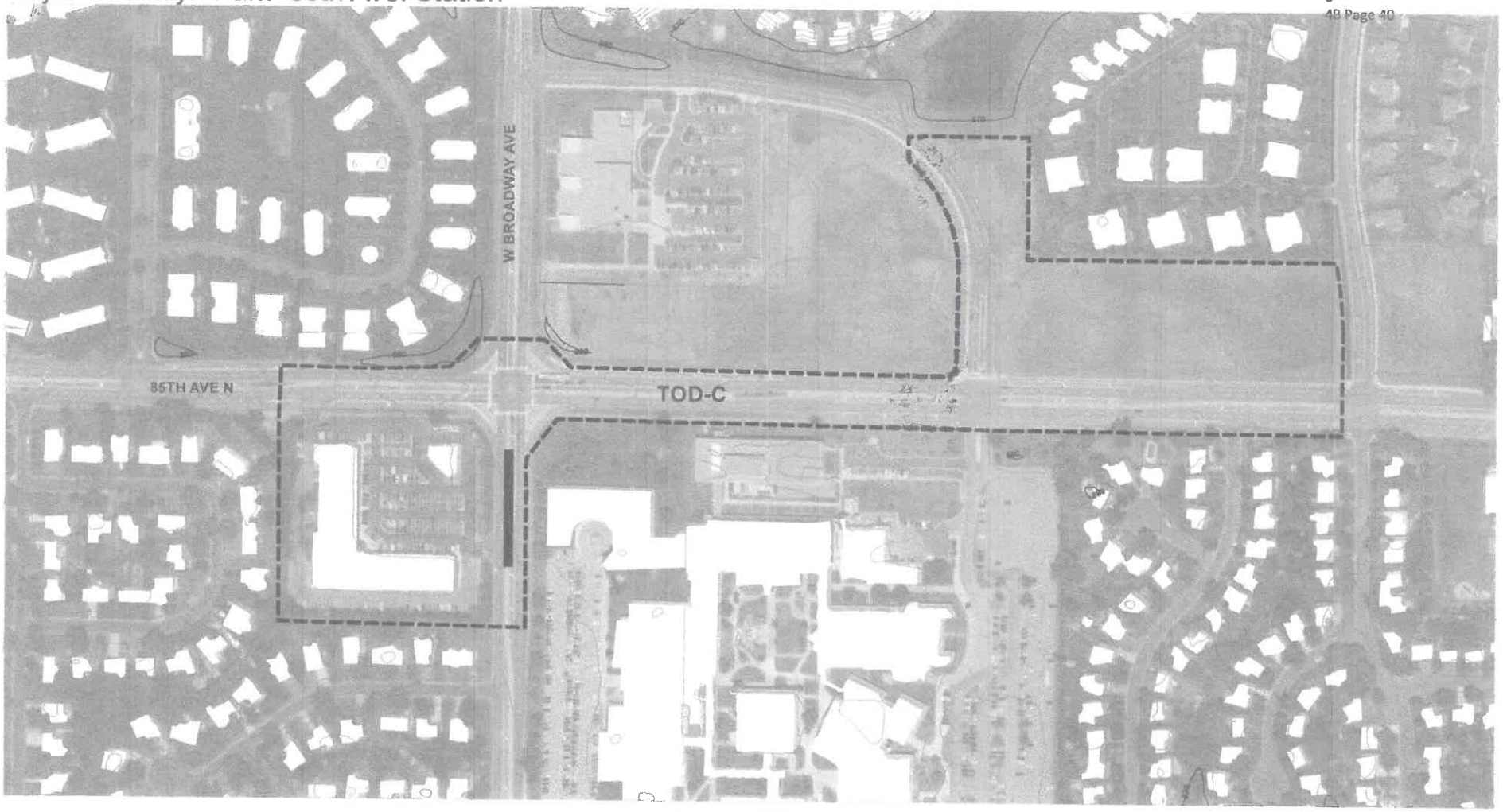
Legend

- Station
- Proposed Street Centerline (subject to potential future redevelopment)
- TOD-C
- TOD-C.T

N

0 200 400 800

City of Brooklyn Park- 85th Ave. Station



Legend

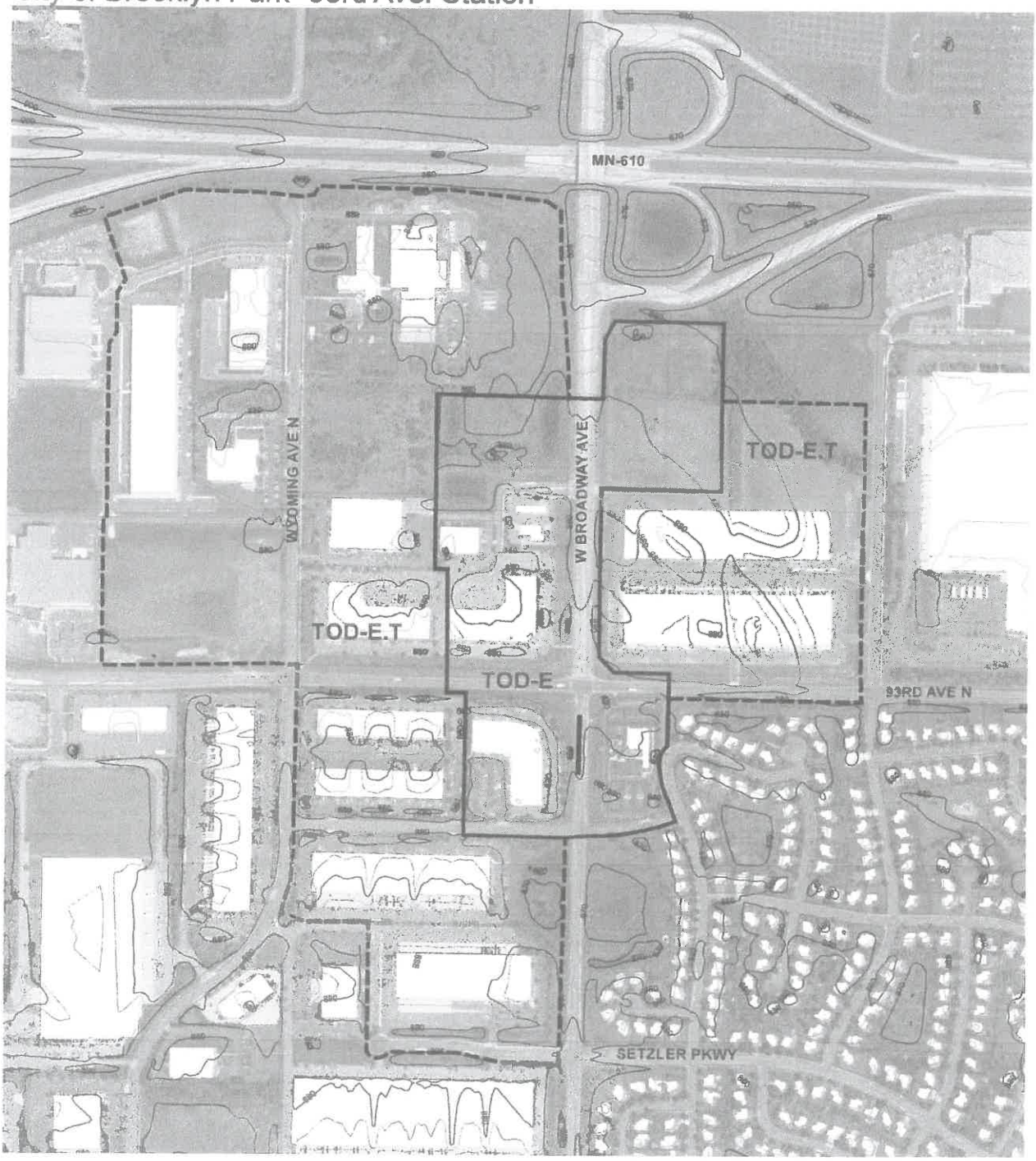
- Station
- Proposed Street Centerline
- TOD-C

N

0 100 200 400

EXHIBIT 3

City of Brooklyn Park- 93rd Ave. Station



EXHIBIT

4

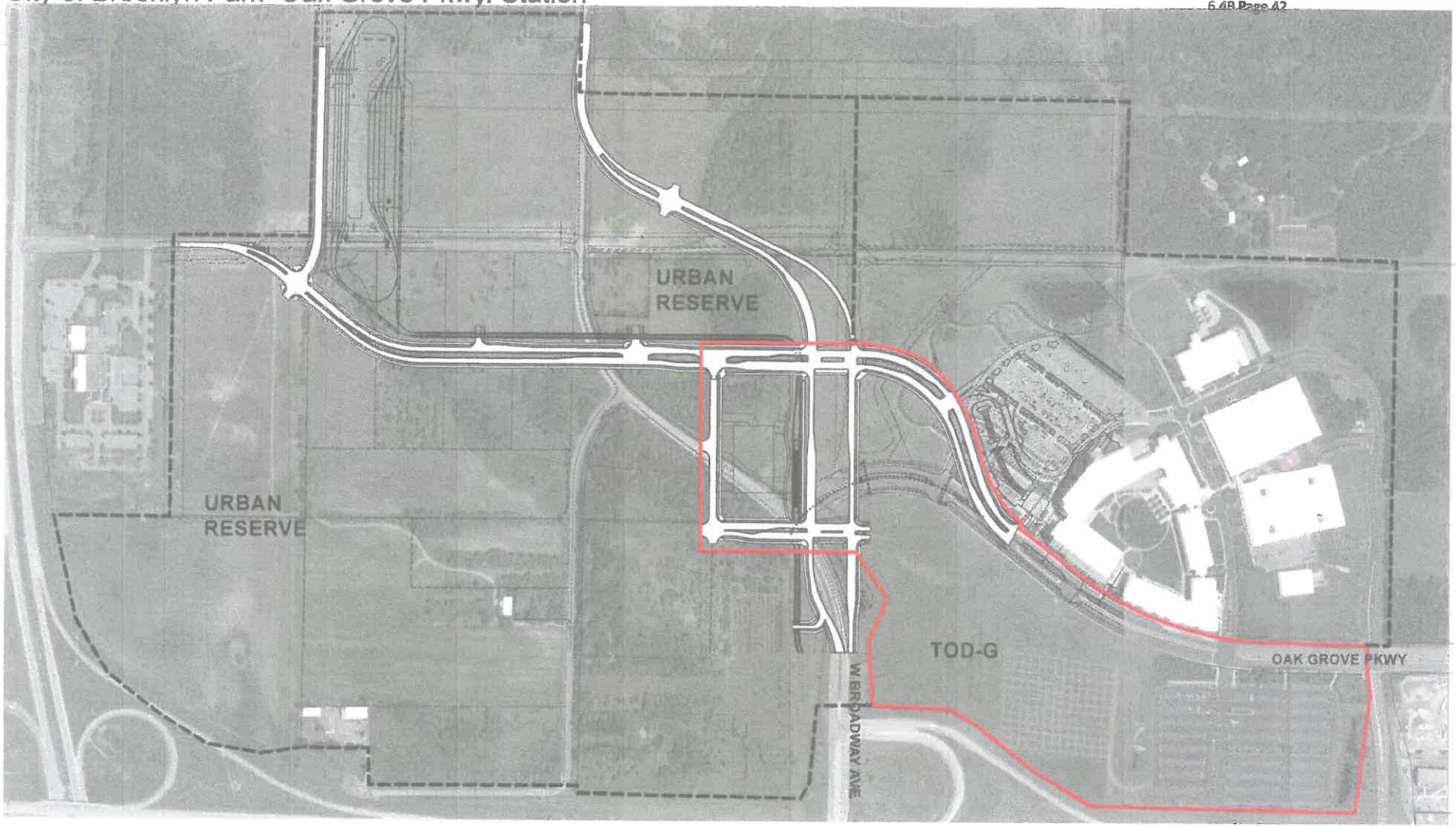
Legend

- Station
- Proposed Street Centerline
- TOD-E
- TOD-E.T

N

0 200 400 800

City of Brooklyn Park- Oak Grove Pkwy. Station



Legend

- Station
- TOD-G
- Urban Reserve

N

0 200 400 800

EXHIBIT 5

tabbies

P.I.D. Parcel List

From R3 to TOD-C.T
3211921430018
3211921430019
3211921430020
3211921430021

From R4 to TOD-C
2911921120039
2911921120044
2911921120047
2911921120049
2911921120054
2911921120055
2911921120056
2911921120057
2911921120058
2911921120059

From R5 to TOD-C
2911921210105

From R5 to TOD-C.T
2011921320012
3211921340022

From R6 to TOD-C
3211921420054

From R6 to TOD-C.T
3211921430015

From R7 to TOD-C.T
3211921430030

From B1 to TOD-C
2011921430092
2011921430093
2011921430094
2011921430095
2011921430096
2011921430099
2011921430100
2011921430101
2011921430102
2011921430103
2911921120004
2911921120005
2911921120006
2911921210106

EXHIBIT
6

From B1 to TOD-E
1711921210081

From B2 to TOD-C
2011921220096
2011921330003
2011921330004
2011921330005
2011921330006
2011921340075
2011921340076
2011921340077
2011921340078
2011921340079
2011921340080
2911921210007

From B2 to TOD-C.T
2011921320013

From B3 to TOD-C
2011921330007
2011921330011
2011921330012
2911921220010
2911921220011
2911921220012
2911921220020
2911921220021
2911921220022
2911921220023
2911921220024
2911921220025
2911921220026
2911921220028
2911921220029
2911921230001
2911921230002
2911921230003
2911921230004
2911921230005
2911921230006
2911921230007
2911921230008
2911921230009
2911921230010
2911921230017
2911921230018
3011921110007

EXHIBIT
6

3011921110009
3211921420002
3211921420003
3211921420006
3211921420007
3211921420053
3211921430001
3211921430002
3211921430003
3211921430007
3211921430025
3211921430026
3211921430027
3211921430028

From B3 to TOD-C.T
3211921430029
3211921440077

From B4 to TOD-C
2911921210096
2911921210108
2911921210109
2911921210110

From BP to TOD-C.T
3211921240021
3211921240024

From BP to TOD-E
1711921220010

From BP to TOD-E.T
1711921220008
1711921220012
1711921230006
1911921220009

From BP/HO to TOD-E
0811921330012
0811921330014
0811921330020
0811921330021
0811921330023
0811921330024

From BP/HO to TOD-E.T
0711921440008
0811921330019
0811921330025

EXHIBIT
6

From BP/PD to TOD-E.T
0811921340007
0811921340010

From BP/PD to TOD-E
0811921310011
0811921310012
0811921340009

From BP/PD to TOD-E.T
0711921410008
0711921410009
0711921410010

From PI to TOD-C
1711921430071
2911921230019
3211921310001
3211921420012

From PI to TOD-C.T
2011921320010

From PUD to TOD-G
0811921130003
0811921130004
0811921240004

Split Parcels

From R1/HO to TOD-G and R1/HO
0811921220002

From R6 to R6 and TOD-C
2911921120007

From BP/HO to TOD-E and TOD-E.T
0811921320004
0811921330018

From BP/PD to TOD-E and TOD-E.T
0811921340011

EXHIBIT
6

City of Brooklyn Park
Request for Council Action

Agenda Item:	7.1	**Meeting Date:**	January 28, 2019
Agenda Section:	General Action Items	**Originating Department:**	Administration
Resolution:	N/A		
Ordinance:	N/A	**Prepared By:**	Jay Stroebel, City Manager
Attachments:	N/A	**Presented By:**	Jeffrey Lunde, Mayor
Item:	Approve Travel by Mayor Lunde to Oakland, California, February 18-20, 2019		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE TRAVEL BY MAYOR JEFFREY LUNDE TO OAKLAND, CA ON FEBRUARY 18 THROUGH FEBRUARY 20, 2019 FOR MBK RISING! INAUGURAL NATIONAL CONVENING AS AN INITIATIVE OF THE OBAMA FOUNDATION.

Overview:

Mayor Lunde has been invited by the My Brother's Keeper Alliance Team to join them in partnership with MBK Rising! at Oakland, California February 18-20, 2019 for the MBK Rising! Inaugural national convening as an initiative of the Obama Foundation.

The Overnight Travel Policy states:

The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of travel.

Primary Issues/Alternatives to Consider:

This expenditure is expected to be covered under existing 2019 budgeted resources in the Mayor and Council travel expense line.

Budgetary/Fiscal Issues:

Airfare and at least two night's lodging would be required. Expenses are expected to range between $2,000 and $2,500.

Attachments: N/A

City of Brooklyn Park
Request for Council Action

Agenda Item:	7.2	**Meeting Date:**	January 28, 2019
Agenda Section:	General Action Items	**Originating Department:**	Administration
Resolution:	N/A		
Ordinance:	N/A	**Prepared By:**	Jay Stroebel, City Manager
Attachments:	1	**Presented By:**	Jay Stroebel
Item:	2019 Legislative Priorities and Positions		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO ADOPT THE CITY OF BROOKLYN PARK'S 2019 LEGISLATIVE PRIORITIES AND POSITIONS.

Overview:

The City of Brooklyn Park has a significant interest in the outcomes of the 2019 Minnesota Legislature. Decisions made by the Legislature may affect the financial condition and livability of the City. Our State elected officials representing Brooklyn Park are essential partners in addressing issues of concern in our community.

The City also has an interest in activities at the other levels of government—federal, regional and county—and will continue to monitor those issues of interest and, where appropriate, lobby on behalf of issues affecting our community.

The legislative items expressed in the City's 2019 Legislative Priorities and Positions document will help guide staff and elected officials in determining which issues warrant the expenditure of time and effort to support or pursue. The report this year includes items presented to the Economic Development Authority on January 22, 2019.

Primary Issues/Alternatives to Consider:

- Does the City Council agree with the platform of legislative priorities?
- Are there additional items to consider?

Budgetary/Fiscal Issues:

The legislative priorities do not have a budgetary or fiscal impact, except to the extent that the commitment of staff time becomes a financial obligation. The budgetary impacts of our intergovernmental and lobbying efforts are addressed during the budget process when determining whether membership in the various associations continues to meet the City's needs and objectives.

Attachments:

7.2A 2019 LEGISLATIVE PRIORITIES AND POSITIONS

2019 Legislative Priorities and Positions

Brooklyn Park

Unique. United. Undiscovered.

2019 Legislative Priorities and Positions

City of Brooklyn Park

Overview

Brooklyn Park works together with its partners to support proposals for new legislation in Minnesota designed to strengthen the community. The following list of legislative priorities and positions, along with the initiatives presented to the Brooklyn Park Economic Development Authority (EDA), constitute Brooklyn Park's legislative agenda for the 2019 legislative session.

*** Signifies specific areas of focus*

I. Transportation Infrastructure

Investments in transportation infrastructure can often result in multiple benefits to a community, a more efficient and safer multi-modal transportation system and a stimulus for economic growth. In addition to state funding to support the municipal state aid road network, two specific projects that have the potential to be impacted by legislative actions include improvements to highway 252 and the Blue Line Light Rail.

- **Trunk Highway 252****

  Background
  Highway 252 provides a vital high speed / high volume link between Minneapolis and the northern suburban areas. The congestion and safety issues experienced at the six at-grade signalized intersections along the four mile corridor rank among the worst in the state under both categories. The City of Brooklyn Park is currently working with the City of Brooklyn Center, MnDOT and Hennepin County to determine the optimal option for upgrading highway 252 to a freeway.

  Position
  In the 2018 Legislative Session, funding was granted for conversion of highway 252 to a freeway with construction expected to start in 2022. While the majority of the funding is in place for the project, the local communities along the line may have some shared financial responsibility for the costs to improve the interchanges and any local roads that would be impacted by the project. The City supports expanded access to federal,

state, regional and county grant dollars that would alleviate local taxpayer burden for these costs.

- **Blue Line Light Rail Transit****

  Background
  The Blue Line Light Rail Transit (BLRT) Extension Project will extend the existing light rail line from Target Field in Minneapolis through five communities (Minneapolis, Golden Valley, Robbinsdale, Crystal and Brooklyn Park) to Oak Grove Parkway, locating five stations in Brooklyn Park. Bringing LRT to the northwest suburbs will improve mobility and access to jobs and will ensure the northwest portion of the region remains competitive.

  Position
  The City of Brooklyn Park supports policies, laws, and funding (federal, state, regional and local) to finalize planning and move to the construction and operation phases of the BLRT extension project.

- **Increase municipal state aid (MSA) to cities****

  Background
  The City has 55 miles of MSA streets. Many of these streets have degraded prematurely and are only lasting 15-20 years instead of 30 years before needing overlays (resurfacing). Over the next five years, we have funding needs of over $21 million on our MSA streets, but we are only scheduled to receive about half of our needs or approximately $12 million.

  Position
  The City believes MSA funding should be increased 100% (doubled) to help cities address street repair needs and premature street degradation on MSA streets and local streets. This would require a change of MSA eligibility funding to include reimbursement for local streets.

- **Allow Hennepin County to Access Motor Vehicle Lease Sales Tax Revenues**

  Background
  Minnesota's general sales tax applies to long-term motor vehicle leases – the motor vehicle lease sales tax (MVLST). Hennepin County residents contribute substantially to the MVLST but the county is excluded by state law from receiving funding from this transportation source. This decision was tied to previous legislation that established the Counties Transportation Improvement Board (CTIB). CTIB was dissolved in 2017. If included, Hennepin County would receive $10.7 million annually for roads,

bridges, and pedestrian and bikeway projects.

Position
The City supports Hennepin County's efforts to change the state law and allow communities within Hennepin County to access the $10.7 million in funding.

- **Small Cell Legislation**

II. Sustainable Government Funding

The City of Brooklyn Park's financial position is greatly influenced by actions taken at the state legislature. Historically, legislative changes to various funding formulas, aids, and imposition of statutory limits have impacted the City's ability to predict state sources of income and created unexpected community-level budget challenges.

- **Levy Limits**

Background
Brooklyn Park advocates maintaining reliable, sustainable funding for desired city services and having the ability to control city levies at the local level. Enacting levy limits would remove this control from the City Council and may lead cities to adopt higher than desired tax levies in the short-term to maintain future levy capacity.

Position
Brooklyn Park supports a position that control of local levies remain at the local level.

- **Local Government Aid (LGA)**

Background
Cities apply LGA in their finance structure for various purposes and rely on the receipt of these funds for those purposes. In the past, Local Government Aid has been used by the state legislature as a budget balancing measure by reducing or eliminating this funding in times of economic stress, causing funding shortfalls to local governments. In order to be effective, cities need to have reliable sources of funding.

Position
Brooklyn Park supports a position that state aids to local governments must remain a reliable and sustainable funding source now and into the future.

- **Fiscal Disparities**

  Background
  Due to infrastructure development (airports, highways, light rail, etc.) and other economic stimuli, certain parts of the Metropolitan Area are at a greater advantage for economic development and tax base growth. The Fiscal Disparities program was designed to distribute a portion of this growth to cities that don't have the same economic advantages. This distribution of value serves to mitigate the property tax disadvantage to those communities.

  Position
  Brooklyn Park supports the Fiscal Disparities program and would support changes to stabilize the benefits of the program to metropolitan cities.

- **Sales Tax Exemption**

  Background
  The process for using the sales tax exemption on construction materials is complicated, burdensome and risky to contractors and cities. Because of this, we are not aware of any city that has decided to use this exemption.

  Position
  Brooklyn Park supports the simplification of the current sales tax exemption for construction materials. An estimated savings of $150,000 to $200,000 annually for construction projects would be realized by the city if the sales tax exemption process was simplified.

- **Deputy Registrar Revenue and Services****

  Background
  The City of Brooklyn Park operates a deputy registrars office for the convenience of Brooklyn Park residents and car dealers in our community. Changes to the state's MNLARS program in recent years has negatively impacted the employee and customer experience for deputy registrar offices around the state. In addition, state changes to the services deputy registrar offices can provide and the revenue share that the local offices receive have negatively affected the revenues coming to local offices.

  Position
  Brooklyn Park supports legislation and technology and program improvements that enhance the customer and employee experience using MNLARS and increase revenues going to deputy registrar offices.

III. Youth (Out-of-school time)

Background
High-quality afterschool and summer learning programs provide hands-on learning experiences that narrow the opportunity and achievement gaps, build critical 21st century skills, and support working families by ensuring their children are safe and engaged in learning outside of school. Minnesota needs to ensure a bright future for our young people and our state by investing in afterschool programs to expand access for all young people. Minnesota currently has no state public funding accessible to the broad range of afterschool programs.

Position
Establish new state resources to provide competitive afterschool program grants. These funds would prioritize programs primarily serving youth below 185 percent of the federal poverty line (youth eligible for free and reduced price lunch).

IV. Emerald Ash Borer (EAB)

Background
EAB was discovered in Brooklyn Park in August 2017 and is expected to spread through the city as well as all of Minnesota over the next few years. There are more than 4,000 city owned ash trees and thousands more on private property. Removing and replanting these trees would cost more than $4,000,000. Chemical treatment of ash trees is an option but is expensive ($200 per tree every two years) and a long-term commitment. Untreated trees will die.

Position
The EAB epidemic is a state wide problem and a threat to the forest system in Minnesota. The City requests the state legislature to provide funding for cities to address the removal and replanting of trees to maintain a healthy and diverse forest system.

V. Other areas of support

- Mississippi Gateway Regional Park (formerly Coon Rapids Dam Park) – Three Rivers Park District and the City of Brooklyn Park have partnered in an ambitious effort to transform this park into an amenity-rich local and regional destination. While dollars will not be sought to redevelop the Coon Rapids Dam Regional Park in this Legislative session, we will work with Three Rivers Park District to inform key legislators of this project.

- Center for Innovation and The Arts @ Brooklyn Park – The City, along with North Hennepin Community College, and other partners have designed a signature arts and innovation center that would serve as a local and regional asset for people of every age in Brooklyn Park and the northwest metro. This project is being considered as part of Minnesota State College and Universities bonding process. No dollars will be sought in this legislative session, but we will be updating local legislators of this project.

- Poverty – Brooklyn Park and a growing number of other suburbs have an expanding share of the metropolitan area's residents living in poverty. Historically, state recognition and resources to address poverty have been focused on Minneapolis and St. Paul. Recognition and resources to combat poverty should be focused on all concentrated areas of poverty, not just in the urban core.

- Policy Partners – Brooklyn Park's partner organizations have advanced several additional legislative proposals that would enhance the livability, economic vitality, and financial condition of the city. While not identified as the city's top priorities, Brooklyn Park may support these initiatives as well.

Partners

- Metro Cities
- League of Minnesota Cities
- North Metro Mayors Association

Brooklyn Park Economic Development Authority

Overview

Brooklyn Park works together with its partners to support proposals for new legislation in Minnesota designed to strengthen the community. Several of the 2019 legislative policies identified by these partners are budget neutral and offer innovative ideas that would help position Brooklyn Park for success in the future.

The Brooklyn Park Economic Development Authority (EDA) supports many of the legislative policies of its partner organizations, including policies that help the City manage through difficult times and improve livability in the community. For 2019, the Brooklyn Park EDA is focusing on economic development funding, neighborhood stability, multi-modal transportation investments, workforce development, support for manufacturing, affordable housing, and support of others in the legislative process.

I. Economic Development Funding

Stable and secure funding sources for economic development are critical to the community's long-term success. The State should support economic development funding and continue to enhance local development tools.

Position

- *Continue competitive funding for the Minnesota Investment Fund and the Job Creation Fund*
- *Brooklyn Park opposes any changes that would further restrict the use of Tax Increment Financing (TIF) to accomplish the community's development/redevelopment objectives.*
- *Brooklyn Park supports changes to the TIF statute that treat energy efficient and/or alternate energy technologies, sustainable site design and other "green" development alternatives as qualified development costs.*
- *Brooklyn Park supports changes to the TIF statute allows redevelopment districts to be created to redevelop "functionally obsolete" buildings.*
- *Brooklyn Park supports the League of Mn Cities effort to clarify the method for calculating available TIF pooling.*
- ***Brooklyn Park supports the extension, clarification, and broadening of the Opportunity Zone program to further encourage and incentivize investment in these areas.***

II. Neighborhood Stability

Aging housing and infrastructure in areas with declining private investment strains local government resources and threatens to destabilize neighborhoods. The State of Minnesota needs to continue to take actions that provide the tools necessary to manage areas of disinvestment. While this problem requires additional resources, the State can take policy actions to alleviate some of the local impacts without stressing the State's budget.

Position

The EDA supports neighborhood stabilization initiatives including:

- ***Increase flexibility of Tax Increment Financing (TIF) pooling for specialized uses, such as housing rehabilitation.***
- *Eliminate regulatory language that creates barriers to using the funds to reinvest in areas of disinvestment.*
- *Secure state and federal resources and provide financing tools for cities to help pay for costs associated with neighborhood reinvestment.*

III. Improved multi-modal transportation access and mobility

Capturing the full economic development potential of new development and redevelopment in Brooklyn Park requires improved transportation investments in the region. Strategic investments include the planned 1) METRO Blue Line Extension Light Rail Transit (LRT) project, 2) interchange at Highway 169 and 101st Avenue, and 3) improvements to Highway 252.

Position

- *Increase funding and maximum grant award amount for the Transportation Economic Development (TED) Program or similar programs to support strategic infrastructure investments that promote economic development.*
- ***Provide State resources to complete the local requirements to leverage the federal funding for the METRO Blue Line Extension LRT (BLRT) project, which will bring five LRT stations to Brooklyn Park.***
- *Increase the allocation of transit funds for BLRT operations and enhanced east-west bus connections and suburban circulator routes for better transit mobility.*
- *Increase funding for regional and local trail connections, especially in aging neighborhoods that lack connectivity, to improve pedestrian and bike connections within and across communities.*
- *Eliminate the exemption that prevents Hennepin and Ramsey counties from receiving their portion of the sales tax on leased vehicles through the county state aid formula.*

IV. Support Manufacturing

Brooklyn Park promotes the growth of the manufacturing sector within the community and throughout the state. This sector provides an excellent opportunity for future economic growth and employment and should continue to be supported.

Brooklyn Park supports programs that provide incentives for business to expand and continue to contribute toward increasing economic competitiveness for the state.

Position

- *Continue and expand investment tax credits and other tax incentives for investing in the life science, medical device, and precision manufacturing industries.*
- *Create venture capital funding pools for emerging companies.*
- *Modify Tax Increment Financing (TIF) pooling uses to support manufacturing investments in communities with high poverty*

V. Workforce Development

Access to a skilled and trained workforce is critical to economic growth and access to family-supporting employment is critical to a stable community.

Brooklyn Park supports activities and programs that strengthen links between employment opportunities in the community and job-seekers.

Position

- ***Increase workforce training funding options for local solutions including state funding for youth and adult workforce development programs.***
- *Continue funding for the Job Skills Partnership, youth employment programs and other workforce training programs administered by the state that lead to jobs that provide a living wage and benefits, and help address racial disparity gaps in employment.*
- *Establish innovative workforce programs and partnerships that foster workforce readiness; including state funding for youth and adult programs, the Minnesota State University System, and Department of Employment and Economic Development Workforce Centers and its programs.*
- *Create a payroll tax credit for job training programs that invest in employees.*

VI. Affordable and Fair Housing

Position

- *The Met Council's affordable housing allocation formula should be further adjusted to better reflect the balance and breadth of existing subsidized and naturally occurring affordable housing.*
- *The State of Minnesota and the Metropolitan Council should affirmatively further fair housing by taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.*
- *Minnesota Housing should continue to offer Low-Income Tax Credits with Housing Revenue Bond awards without additional restrictions.*

VII. Other

Brooklyn Park's partner organizations have advanced several additional legislative proposals that would enhance the livability, economic vitality, and financial condition of the city. While not identified as the city's top priorities, the Brooklyn Park Economic Development Authority may support these initiatives as well.

2019 Policy Partners

- Metro Cities
- League of Minnesota Cities
- Economic Development Association of Minnesota
- Urban Land Institute Minnesota
- Minnesota Housing Partnership
- National Association of Housing and Redevelopment Officials
- Minnesota Chapter of the American Planning Association
- Twin West Chamber of Commerce
- North Metro Mayors

City of Brooklyn Park
Request for Council Action

Agenda Item:	7.3	**Meeting Date:**	January 28, 2019
Agenda Section:	General Action Items	**Prepared By:**	Daniela Lorenz, Business Development Coordinator
Resolution:	X		
Attachments:	2	**Presented By:**	Daniela Lorenz
Item:	Consider Approving Submittal of an Application to the Minnesota Department of Employment and Economic Development under the Job Creation Fund (JCF) Program		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING SUBMITTAL OF AN APPLICATION TO THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT UNDER THE JOB CREATION FUND (JCF) PROGRAM.

Overview:

MGK (Business), represented by the commercial real estate company CBRE, requested support to submit an application to the Minnesota Department of Employment and Economic Development (DEED) for funding through the Job Creation Fund (JCF) program. The resolution being considered authorizes the submittal of the JCF application being prepared by the business to DEED for review and approval. The proposed JCF funds will assist in the creation of approximately 58 new positions over a period of five years following relocation from Golden Valley to Brooklyn Park. The job types include research and development, lab techs, chemists, product content, field specialists, marketing, quality, and other office and administration roles. The average annual salary for an employee is project to be about $73,000 plus benefits. The proposed resolution authorizes support for the MGK's application to the JCF program.

JCF provides job creation awards of up to $500,000 and capital investment rebates of up to $500,000 to assist with the creation or retention of high paying jobs and to support business expansion efforts. The qualifying JCF project will include the purchase and renovation of the Brooklyn Park facility located at 7385 Aspen Ln N, as well as minor site improvements, new interior construction, and investment in new machinery and equipment.

MGK develops and markets a number of insect control products with a focus on limiting the environmental impact of using its products. MGK provides a variety of services from product development to finished packaging. The company is proposing to move into the an existing 147,000 square-foot facility located at 7325 Aspen Ln N, formerly Cima Labs. The acquisition of this building will support MGK's current operations and manufacturing capabilities to accommodate growth and meet customer demands.

Primary Issues/Alternatives to Consider:

- **How will the funds be used?**

MGK estimates it will take about $13.75 million in investment to acquire the facility and up-fit the building. They are requesting a JCF award of $425,000 from the State of Minnesota. The funds will be used by MGK to support the tenant improvements and purchase of equipment in the Brooklyn Park facility.

- **How many jobs will be created?**

MGK anticipates the creation of approximately 58 new positions in the first five years of operation. The Business commits to establishing 52 new jobs within three years of beginning operations at its new facility. These jobs are in addition to 150 employees currently in Golden Valley, which all will be relocated to Brooklyn Park as part of the project. The City of Golden Valley has been contacted and will issue a no objection letter to the use of JCF in Brooklyn Park. MGK estimates the average salary for an employee at its company will be about $73,000 plus benefits annually or around $35/hour.

- **What is the next step?**

The next step is to submit the completed application to DEED, who will review the application and notify the City Council and the Business of approval or denial. If approved, DEED will formally designate the business as a Job Creation Fund business and determine a job creation award and/or capital investment rebate amount.

Budgetary/Fiscal Issues:

Funds for the award are distributed directly to the business from DEED.

Attachments:

7.3A RESOLUTION
7.3B JCF SUPPORT REQUEST LETTER

RESOLUTION #2019-

RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELPOPMENT UNDER THE JOB CREATION FUND (JCF) PROGRAM

WHEREAS, the City of Brooklyn Park, Minnesota (the "City"), desires to assist MGK, an insect control product development company which is proposing to acquire an existing 147,000 square foot a facility in the City; and

WHEREAS, the City of Brooklyn Park understands that MGK, through and with the support of the City, intends to submit to the Minnesota Department of Employment and Economic Development an application for an award and/or rebate from the Job Creation Fund Program; and

WHEREAS, the City of Brooklyn Park held a city council meeting on January 28, 2019 to consider this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Brooklyn Park, Minnesota, that, after due consideration, the Mayor of the City of Brooklyn Park, Minnesota, hereby adopts the following findings of fact related to the project proposed by MGK and its application for an award and/or rebate from the Job Creation Fund Program and express their approval.

The City Council hereby finds and adopts the reasons and facts supporting the following findings of fact for the approval of the Job Creation Fund Program application:

1. Finding that the project is in the public interest because it will encourage the growth of commerce and industry, prevent the movement of current or future operations to locations outside Minnesota, result in increased employment in Minnesota, and preserve or enhance the state and local tax base
2. Finding that the proposed project, in the opinion of the City Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.
3. Finding that the proposed project conforms to the general plan for the development or redevelopment of the City as a whole.
4. Finding that the proposed project will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment or development of the project by private enterprise.

COMMERCIAL REAL ESTATE SERVICES

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www.cbre.com

January 15, 2019

Daniela and Breanne,

Thank you for your consideration on Project Drive. Per our discussion, please find details on the proposed project and request for support from the City of Brooklyn Park outlined below.

Project Drive represents a potential acquisition of an existing 147,000-square foot facility to support the expansion of the company's current operations and manufacturing capabilities to accommodate growth and meet customer demands. The overall project will create approximately 58 net new positions over 5 years and requires an approximate $13.75 million investment to acquire an existing facility, up-fit the building for office, lab and manufacturing standards and for furniture, fixtures, equipment and IT.

Capital Expenditure:

The client's estimated total capital expenditure is outlined below:

- **Building Cost:** $5,000,000
- **Building Improvements:** $6,500,000
- **M&E / IT:** $2,250,000

The total estimated capital budget for the project site is approximately **$13,750,000**

The project is expected to create 58 net new positions over 5 years to support the facility and growth. The job types include research & development, lab, chemist, product content, field specialists, marketing, quality and other office/administrative roles with an average salary of $73,000 plus benefits. The projected total annual payroll at full ramp is $4.2 million.

HIRING SCHEDULE	2019	2020	2021	2022	2023	TOTAL
Chemist	0	0	1	0	1	2
Content	2	1	0	0	0	3
Customer Service	0	1	0	1	1	3
Engineer	0	0	1	0	0	1
Field Specialist	1	2	1	0	0	4
Marketing	3	0	2	0	1	6
Office/Admin	8	2	3	0	0	13
Plant Manager	0	1	0	0	0	1
Plant Supervisor	1	0	0	0	0	1
R&D	2	1	1	0	1	5
Sales	4	6	3	0	0	13
Quality / Maintenance	1	1	1	0	1	4
Electrician / Lab Tech	1	1	0	0	0	2
	23	16	13	1	5	58

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Economic & Fiscal Impact Model:

Economic Impact Summary
Project Drive - Brooklyn Park, Minnesota
10-Year Totals

	[1] Direct	[2] Indirect	[2] Induced	Total
Construction (One-time)				
Jobs	41	17	22	**80**
Average Salary	$57,000	$58,000	$49,000	
Total Payroll	$2,300,000	$1,000,000	$1,100,000	**$4,400,000**
Potential Retail Sales	$4,300,000	$300,000	$400,000	**$5,000,000**
Economic Activity (Output) [3]	$7,000,000	$3,000,000	$3,200,000	**$13,200,000**
On-Going Operations (10-year totals)				
Jobs	58	49	57	**164**
Average Salary	$74,000	$87,000	$50,000	
Total Payroll	$33,516,000	$33,300,000	$21,500,000	**$88,316,000**
Potential Retail Sales	$12,500,000	$9,500,000	$7,900,000	**$29,900,000**
Economic Activity (Output) [3]	$234,300,000	$98,100,000	$64,100,000	**$396,500,000**
Totals				
Total Payroll	$35,816,000	$34,300,000	$22,600,000	**$92,716,000**
Potential Retail Sales	$16,800,000	$9,800,000	$8,300,000	**$34,900,000**
Economic Activity (Output) [3]	$241,300,000	$101,100,000	$67,300,000	**$409,700,000**

1 Direct includes the construction activity itself and direct operations.

2 Indirect includes suppliers supporting the operation. Induced includes jobs created from the spending of wages of the direct & indirect employees on goods & services.

3 Economic activity includes the value of all good & services produced by the construction and on-going operations. Figures also include total construction cost and exclude purchases of equipment.

Source: CBRE Location Incentives

Fiscal Impact Summary
Project Drive - Brooklyn Park, Minnesota
Construction & On-Going Operations
10-Year Totals

	[1] Direct	[2] Indirect	[2] Induced	Total
State of Minnesota				
Sales taxes - retail	$1,142,000	$672,000	$565,000	**$2,379,000**
Property taxes	$775,000	$112,000	$103,000	**$990,000**
Personal income taxes	$2,472,000	$2,058,000	$1,199,000	**$5,729,000**
Corporate income taxes	$0	$0	$0	**$0**
Unemployment taxes	$660,000	$537,000	$621,000	**$1,818,000**
Total Tax Revenues	**$5,049,000**	**$3,379,000**	**$2,488,000**	**$10,916,000**
Hennepin County County				
Sales taxes - retail	$107,000	$62,000	$49,000	**$218,000**
Property taxes	$444,000	$71,000	$70,000	**$585,000**
Total Tax Revenues	**$551,000**	**$133,000**	**$119,000**	**$803,000**
Brooklyn Park				
Sales taxes - retail	$0	$0	$0	**$0**
Personal & corporate income taxe	$0	$0	$0	**$0**
Property taxes	$534,000	$86,000	$79,000	**$699,000**
Total Tax Revenues	**$534,000**	**$86,000**	**$79,000**	**$699,000**
School District				
Sales taxes - retail	$0	$0	$0	**$0**
Property taxes	$544,000	$79,000	$80,000	**$703,000**
Total Tax Revenues	**$544,000**	**$79,000**	**$80,000**	**$703,000**
TOTAL TAX REVENUES	**$6,678,000**	**$3,677,000**	**$2,766,000**	**$13,121,000**

1 Direct includes the construction activity itself and direct operations.

2 Indirect includes suppliers supporting the operation. Induced includes jobs created from the spending of wages of the direct & indirect employees on goods & services.

Source: CBRE Location Incentives

- *The economic impact of Project Drive shall generate a considerable return to the City of Brooklyn Park over the next ten years. The Client intends to own the proposed facility, thus, making a considerable long-term commitment to the finalist market.*

<u>Economic Incentive Request for Consideration:</u>

- **Job Creation Fund:**
  We request a resolution in support from the City of Brooklyn Park at the January 28th City Council meeting to apply for DEED's Job Creation Fund award in the amount of $425,000

Thank you again for your consideration and review. Please do not hesitate to reach out with any questions.

Sincerely,

Chris Schastok
Vice President
CBRE

Rachel Gradner
Associate
CBRE

City of Brooklyn Park
Request for Council Action

Agenda Item:	8.1	**Meeting Date:**	January 28, 2019
Agenda Section:	Discussion Items	**Originating Department:**	Operations and Maintenance
Resolution:	N/A	**Prepared By:**	Jeff Holstein, Transportation Engineer Jesse Struve, City Engineer Dan Ruiz, O&M Director Kim Berggren, Community Development Director
Ordinance:	N/A		
Attachments:	N/A	**Presented By:**	Dan Ruiz Kim Berggren
Item:	Comprehensive Transportation Update		

City Manager's Proposed Action:

Discuss major city, county and state transportation projects in Brooklyn Park.

Overview:

The goal of this discussion is to:

- Give an update on major transportation projects including Light Rail Transit (LRT) and West Broadway reconstruction, County Road 81 reconstruction, Highway 252 freeway conversion, Highway 169/101st Avenue interchange, 109th Avenue reconstruction.
- Give an update on planned local improvements including Sunny Lane neighborhood reconstruction, Municipal State Aid (MSA) mill/overlays, local street mill/overlays.
- Give an update on emerging transportation issues including 93rd Ave and Noble Avenue, flashing yellow arrows, trail connections and pedestrian safety.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A