

APPROVED MINUTES

MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION Regular Meeting – JULY 12, 2023



1. CALL TO ORDER

The meeting was called to order at 7:05 PM.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Borer, Fraser, Gaye-Bai, Kiekow, Reindorf, Turner, Udomah, Wako, and Yu; Planning Director Mogush; and Principal Planner Turnquest.

Those arrived late: None

Those not present were: Commissioner Cavin (with prior notice).

3. EXPLANATION BY CHAIR

4. APPROVAL OF AGENDA

MOTION BORER, SECOND UDOMAH TO APPROVE THE JULY 12, 2023 AGENDA.

MOTION CARRIED UNANIMOUSLY.

5. CONSENT AGENDA

A. Minutes – May 24, 2023

MOTION KIEKOW, SECOND UDOMAH TO APPROVE THE MAY 24, 2023 CONSENT AGENDA.

MOTION CARRIED UNANIMOUSLY.

6. PUBLIC HEARING

A. 610 West Building 5 – Preliminary plat, conditional use permit and site plan review #23-106 at 6501 96th Lane North for a 115-unit multifamily development.

Principal Planner Turnquest introduced the application for preliminary plat, conditional use permit and site plan for 610 West Building 5. She identified the proposed project location, which is currently developed with a surface parking lot. She reviewed the proposed zoning of the 3.7 acres and noted that this would be the fifth building within the overall residential development. She stated that within the zoning district there are no uses permitted by right and therefore a conditional use permit is required. She provided details on parking and transit. She stated that the project would meet the landscaping requirements, providing an overview, noting that additional screening is recommended along Highway 610. She stated that the building would propose four levels of housing above one underground parking level. She provided details on the proposed elevations and building materials. She stated that MnDOT provided comments which resulted in an additional condition related to noise mitigation. Staff recommends approval of the three actions with conditions from the staff report and as presented tonight.

Evan Doran (the applicant), introduced himself and stated that they have owned the 610 community for a number of years and have been active members of the community. He stated that they are excited to present this building and have recognized that their existing units are on the larger size and this building would provide some smaller units to the overall community which would provide an opportunity for lower rents as well. He stated that they would have 18 defined lower income units within this building as well. He stated that the exterior of the building would match the existing buildings and displayed a rendering. He noted that the outlot would house the pond and tot lot. He stated that this building would be .6 miles from the anticipated greenline station for transit.

Acting Commission Chair Fraser opened the public hearing.

Sharon Engels-Chupurida, 6729 99th Avenue North, commented that she understood that 610 West could not rent all of their apartments and have therefore opened it to Section 8 renters. She asked if the new building would be open to Section 8 renters.

Acting Commission Chair Fraser closed the public hearing but reminded the public that comments can be submitted via email to City Staff for consideration in the City Council agenda packet.

Commissioner Wako asked the developer to answer the question from the resident and provide details on the mix of units in the existing buildings.

Mr. Doran replied that the current community has 480 units which is a mix of one-, two- and three-bedroom units. He stated that the proposed building would have 115 units, 18 of which would be dedicated affordable units. He stated that the mix of units in this building would be 40 percent studio/alcoves, 38 percent one-bedroom, and the remainder to be two- and three-bedroom units. He commented that they are limited in the demographic information they receive because of fair housing practices. He stated that they do not accept Section 8 vouchers at 610 West and do not plan to do so as they are a pure market rate facility. He noted that this new building would be the first to have dedicated affordable units.

Commissioner Kiekow asked the cost range for the units.

Mr. Doran replied that the rents are yet to be determined but estimated from \$1,100 to \$2,900 per month.

Commissioner Kiekow referenced the statements about traffic noise and asked if that is from 610 to the apartment or the apartment to 610. He asked if MnDOT is considering a soundwall.

Principal Planner Turnquest replied that the noise would be from 610 to the apartment. She stated that MnDOT is not considering a soundwall and their drive is to say that there may be a conflict with residential use because of the traffic noise. She stated that there is sound mitigation that can occur through building materials.

Commissioner Kiekow asked if there is a standard that would need to be met.

Principal Planner Turnquest commented that there is a decibel standard that would need to be met.

Commissioner Kiekow asked the developer if he has concerns meeting that standard.

Mr. Doran replied that they regularly meet those standards and do not have any concerns meeting those. He stated that they commonly work with acoustical engineers in their design process to ensure they meet and/or exceed the requirements. He noted that they are incentivized to ensure residents are not disrupted by highway noise.

Commissioner Kiekow commented that it appears that access has been approved and parking requirements would be met.

Commissioner Turner asked if the affordability would be provided through the studio/alcove apartments rather than basing that affordability off a reduced AMI.

Mr. Doran replied that the building would have 18 units specifically dedicated to 60 percent AMI. He stated that the remaining units would also be more affordable in the context of the 610 West campus because of the lower number of bedrooms.

Commissioner Udomah asked the current occupancy rate in the existing buildings.

Mr. Doran replied that they are around 91 percent occupancy, but 95 percent leased. He commented that 95 percent is considered stabilized.

Commissioner Udomah asked why there is such exclusionary towards Section 8 voucher users, noting the resident comment received.

Mr. Doran replied that generally Section 8 is a voucher program where the State subsidizes rents. He commented that the rents in this campus are higher than what the maximum voucher would bear. He stated that typically a Section 8 voucher user would elect to find a rent within that voucher value.

Commissioner Udomah asked the resident for more details on their objection against Section 8 vouchers.

Ms.Engels-Chupurida replied that Section 8 vouchers are allowed within the 610 West apartments and asked if they would be used in the new building as well. She believed that would impact her property if things are not kept up.

Commissioner Gaye-Bai referenced the existing buildings in the campus and asked the motivation to add the additional building.

Mr. Doran replied that they are responding to the community market forces. He noted that they have people come in that are interested in living in the complex but cannot afford the rents for the units that are available, noting that many of their units are on the larger size. He stated that many of the two-bedroom units are around 1,400 square feet in size. He stated that the new project would focus on smaller unit types, noting that the two-bedroom unit in the new building would be around 1,100 square feet. He noted that this will expand their spectrum of units and rents that can be offered.

Commissioner Borer asked the difference between the alcove and studio units and whether there is a demand for those units.

Mr. Doran replied that studios are the smallest unit type, between 550 and 600 feet with no defined bedroom. He stated that they did not include that product type in this community as they did not believe it would be desired, but they were wrong. He noted that the studio units in their other buildings are very popular as it provides an opportunity for people to get into a community with amenities at a lower price. He stated that an alcove would be a step between a studio and one bedroom and provided additional explanation.

Commissioner Borer asked if there would be amenities in this building or whether they would be shared between the buildings.

Mr. Doran replied that there would be some smaller scale amenities in this building, mostly focused on outdoor space. He commented that this building would have access to the broader 610 West clubhouse amenities.

Commissioner Kiekow asked if there is data on police response to the existing buildings.

Mr. Doran replied that he did not have the data as it is hard to track unless the building makes the call. He commented that the management team has a good working relationship with the police department. He confirmed that they did not have a lot of police activity.

Commissioner Wako referenced the proximity to 610, noting that there would not be fencing. He asked if there is concern with safety for children and pets. He asked how many of the 18 AMI units are studios.

Mr. Doran replied that they will be working with the City and DOT to determine the appropriate measures for safety and sound. He noted that the playground and dog area that exist on the current campus are fully fenced. He stated that they are still working out the details for screening with this building. He stated that in regard to the AMI units there would be a full mixture of units, noting that it would mirror the unit mix of the greater community. He stated that the AMI units would be spread throughout the building as required by the zoning policy of the City.

Commissioner Wako asked if there would be a request for public or City financing.

Mr. Doran replied that they do not have plans to request financing from the City.

Commissioner Wako commented that he would strongly address fencing along the highway.

Mr. Doran replied that MnDOT does have a stretch of fencing on its own property.

Commissioner Wako asked the amount of greenspace on the private property between the parking and MnDOT property.

Mr. Doran replied that they do meet the City requirements for setback with roughly ten feet between the parking and property line. He was unsure of the measurement from the property line to the highway but noted that it is a fair distance.

Commissioner Borer asked if it would be possible for a vehicle driving erratically to travel from the highway to the apartments.

Joseph Bailey of Sambatech replied that would be challenging as there is a ditch along with the MnDOT fence and then another 50 feet of parking and landscaping that would need to be traveled through.

Commissioner Wako commented that he would like to see fencing to prevent things from reaching the property from the highway.

Mr. Doran commented that they would continue to work with City staff to ensure safety standards are addressed.

Acting Commission Chair Fraser asked if the applicant would plan for a bike rack.

Mr. Doran replied that the bike racks are mounted in the garages to provide bike storage in the building, along with exterior racks throughout the 610 community.

Acting Commission Chair Fraser asked if there would be underground parking.

Mr. Doran confirmed that there would be underground parking and how it would be accessed.

Acting Commission Chair Fraser commented that she believes the applicant did a great job with design to ensure that the building would match and flow with the existing buildings in the campus.

Commissioner Yu asked if the property taxes would be different for the new building based on the smaller unit sizes.

Mr. Doran explained how the property tax value is determined for the whole building and noted that is not specifically defined by the rents but rather the construction-based value of the building. He stated that 610 West as it stands today is one the highest generating taxpayers of the community as a whole.

Planning Director Mogush commented that property tax value is based on the value of the building.

Commissioner Yu asked the average rental charge for the existing buildings.

Mr. Doran estimated about \$1.90 per square foot, therefore 1,000 square feet would rent for \$1,900.

Commissioner Yu asked for more details on the rental rate for the smaller units.

Mr. Doran commented that the smaller the unit, the higher the square foot rate would be because those smaller units still need bathrooms, kitchens, etc. He stated that the smaller unit would still be paying lesser rent overall.

Commissioner Yu asked the type of clientele that rent within the buildings, whether they work nearby or work outside the community.

Mr. Doran replied that he is limited on the demographic information he can request from renters. He stated that they do gather some information and most of the residents are coming from the northern suburbs, many of them relocating from within Brooklyn Park. He noted that the majority of residents work offsite, meaning that they do not work from home. He stated that it is a demographic mix that is common to the community.

Commissioner Yu asked where the target customers would be for the new building.

Mr. Doran replied that because they are focusing on smaller units, most of the units will probably skew towards younger residents that have some experience in renting. He stated that many of their renters are choosing to rent an apartment as a lifestyle choice.

Commissioner Yu commented that he lives nearby and therefore was curious as to the people that live there.

Acting Commission Chair Fraser reopened the public hearing.

Ms.Engels-Chupurida referenced the statement that the tenants from this building would have access to the pool amenities and asked if the residents would have to pay extra to have that access.

Acting Commission Chair Fraser closed the public hearing.

Mr. Doran replied that the residents pay for access to amenities as part of their rent. He commented that there is not an extra charge for using the pool or other amenities.

Commissioner Wako commented that the 610 complex has been in operation for some time and asked if there have been any ongoing issues staff is aware of relating to police activity or maintenance.

Principal Planner Turnquest replied that staff has not received any complaints from residents. She noted that this request has been reviewed by the departments within City staff and no concerns were raised.

Commissioner Borer commented that there are issues with parking in the overall area, not within the 610 campus, and asked if there is concern that others outside this apartment community would be tempted to park in this large lot.

Mr. Doran replied that while that would be possible as they do not have a gate, there are legal restrictions around the ability of other users to park in this location. He noted that would be more of an operational issue.

MOTION KIEKOW, SECOND TURNER TO RECOMMEND APPROVAL OF A PRELIMINARY PLAT FOR "PARK PLACE PROMENADE 9TH ADDITION" AT 6501 96TH LANE NORTH FOR THE CREATION OF ONE LOT.

MOTION CARRIED UNANIMOUSLY.

MOTION UDOMAH, SECOND GAYE-BAI TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING A RESIDENTIAL USE WITHIN THE TOWN CENTER ZONING DISTRICT AT 6501 96TH LANE NORTH, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

MOTION CARRIED UNANIMOUSLY.

MOTION UDOMAH, SECOND TURNER TO RECOMMEND APPROVAL OF A SITE PLAN FOR A 115 UNIT MULTIFAMILY DWELLING, SUBJECT TO CONDITIONS IN THE UPDATED DRAFT RESOLUTION.

MOTION CARRIED UNANIMOUSLY.

7. OTHER BUSINESS

No comments.

8. DISCUSSION ITEMS

No comments.

9. INFORMATION ITEMS

A. Council Comments

None.

B. Commission comments

Commissioner Wako commented that applications should include a public safety assessment in order for the Commission to have that information.

Planning Director Mogush replied that they could continue that discussion in the next worksession.

Commissioner Borer asked who would be responsible for a soundwall.

Planning Director Mogush commented that if the highway existed before development, MnDOT would not be inclined to put up a soundwall and that mitigation would fall to the developer.

C. Staff Comments

Planning Director Mogush provided an update on recent Council actions related to recommendations from the Planning Commission. He noted an upcoming joint session between the City Council and Planning Commission. He noted that Devon Miller will be leaving the City at the end of the month to pursue a new opportunity with Hennepin County.

10. ADJOURNMENT

Acting Commission Chair Fraser adjourned the meeting at 8:15 P.M.

Respectfully submitted,

Paul Mogush
Planning Director