

REGULAR CITY COUNCIL MEETING – AGENDA #9

If you need these materials in an alternative format or need reasonable accommodations for a City Council meeting, please provide the City with 72-hours' notice by calling 763-424-8000 or emailing Josie Shardlow at josie.shardlow@brooklynpark.org.
Para asistencia, 763-424-8000; Yog xav tau kev pab, 763-424-8000.

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 6:00 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 residents. 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 residents 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 New Employee Introductions

3B.2 Human Rights Commission Annual Report and 2024 Work Plan

A. WORK PLAN

3B.3 Mayor's Proclamation to Recognize and Honor the Month of March 2024 as Women's History Month in the City of Brooklyn Park

A. PROCLAMATION

3B.4 Arts and Engagement Update, Re-Beautification Survey, and 2023 Photo Contest Winners Presentation

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 Development Bond and Escrow Reductions/Releases Bid Award Crack Sealing Streets

4.2 Accept Bids and Award the Contract for the 2024 MSA Crack Seal Project to Allied Blacktop Company

A. RESOLUTION

B. BID TAB

C. MAP OF STREETS

- 4.3 Real Property Conveyance to the Minnesota Department of Transportation and the Brooklyn Park Economic Development Authority for the Highway 169/101st Avenue Interchange
 - A. ORDINANCE 2024-1299
 - B. SUMMARY ORDINANCE
- 4.4 Approve Amendments to the Capital Improvement Project Budget to Include CIP4053
 - A. RESOLUTION
- 4.5 Accept Petition for Easement Vacation at Lot 3, Block 1, Edinburgh Centre Third Addition and Set Public Hearing
 - A. RESOLUTION
 - B. PROPOSED EASEMENT VACATION AREA

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

None.

6. LAND USE ACTIONS

None.

7. GENERAL ACTION ITEMS

- 7.1 Commission Appointments

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

None.

IV. VERBAL REPORTS AND ANNOUNCEMENTS

9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS

V. WORK SESSION – Recess to Room A203

- 10.1 Zoning Code Update/Timeline
 - A. LAND USE AMENDMENTS TIMELINE
 - B. LAND USE SECTION TITLES
- 10.2 Northwest Area Planning Scope
 - A. POWERPOINT PRESENTATION
- 10.3 BLRT Update
 - A. EXCERPTS FROM MARCH 4, 2024 TECHNICAL PROJECT ADVISORY COMMITTEE MEETING
 - B. METRO BLUE LINE EXTENSION PROJECT OUTREACH AND ENGAGEMENT BROOKLYN PARK - 2023

VI. 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:	March 11, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Department Directors/Managers
Item:	Introduction of New Employees		

City Manager's Proposed Action:

Introduction of the City of Brooklyn Park's new employees.

Overview:

<u>Employee</u>	<u>Start Date</u>	<u>Title</u>
Community Development		
Christopher George	February 6, 2024	Environmental Health Apprentice, Community Development
Finance		
Mike Kaehler	December 18, 2023	Technology Services Specialist, IT
Kevin Dinh	January 22, 2024	ERP Systems Administrator, IT

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:	3B.2	Meeting Date:	March 11, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Marcellus Davis Racial Equity Diversity, Inclusion Manager (REDI)
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Andre Perez Maikkula Commissioner
Item:	Human Rights Commission Annual Report and 2024 Work Plan		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO ACCEPT THE HUMAN RIGHTS COMMISSION 2024 WORK PLAN.

Overview:

Human Rights Commission Commissioner, Andre Perez-Maikkula, will present the 2023 Human Rights Commission Annual Report and the 2024 Work Plan.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A WORK PLAN

Workplan | Insert Name of Commission Here

Mar. 2024 - Feb. 2025

Time frame	Project or Task(s)	BP2025	Purpose (see next page for info)	Outcome (fill in after completed)
February-April	Enhancing Marketing and Awareness	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
February-December	Strengthening and Learning Development Opportunities	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
February-December	Accountability and Community Response	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
February-December	Collaboration and Partnerships w/ City Government/Council	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	

1: United Community 2: Beautiful Places 3. Thriving Economy 4. Healthy & Safe People 5. Increased Equity 6. Effective & Engaging Gov't

Workplan Projects: What's the purpose?

Commissions can either initiate a project themselves OR be asked by the Council or City Manager to do one of the following:

Report/Comment

- Commission studies a specific issue or topic and **reports its findings or comments to the Council**, either in writing or in a Council meeting.
- Commission does not vote.
- No direct action is taken.

Example: Charter Commissioner provided a memo on the topic of Council Members being employed by the City part-time, at the Council's request.

Recommend

- Commission reviews a specific policy issue and **makes a formal recommendation** to City Council on what action to take.
- A recommendation requires a majority of the Commissioners' support.
- Individual member comments are not included.

Examples: Planning Commission recommends approval on land use actions; RPAC made a recommendation on amplified sound policy.

Act

- Commission **initiates or takes on a project**, approved by Council through their workplan.

Example: HRC partnered with a community organization on an event; City Manager requests that HRC coordinate the "All Are Welcome" sign contest.

Brooklyn Park 2025 Community Goals

**Working together to make Brooklyn Park a thriving community
inspiring pride where opportunities exist for all.**

We asked and you answered! Our community wants to accomplish these goals by the year 2025:

Unified Community

A united and welcoming community, strengthened by our diversity.

- We have connected neighbors who understand and celebrate our unique cultures.
- Brooklyn Park is unified with a strong positive identity and image.
- Our community's activities, events and services are inclusive, multi-cultural, and accessible.
- We have places and spaces for diverse communities to gather.
- Residents of every age contribute to our community.

Beautiful Places

Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination.

- Modern transportation options (drive, ride, walk, bike) connect people to education, jobs, and recreation.
- Quality recreation and park amenities inspire activity for all ages and interests.
- Our rich diversity is showcased through our vibrant music, art, food, entertainment, and cultural scene.
- Attractive key corridors, corners, and city centers create destinations that meet community needs.
- Neighborhoods are well-maintained with quality housing for all ages and incomes integrated throughout the community.

Thriving Economy

A balanced economic environment that empowers businesses and people to thrive.

- People of all ages and backgrounds enjoy financial stability.
- Residents and visitors support an abundance of retail stores, restaurants, and entertainment venues.
- Our business environment inspires private investment and job growth.
- Business and organizations of all types, sizes and specialties start, stay and grow here.
- We are a leader in environmental sustainability, benefiting our economy and community.

Healthy and Safe People

People of all ages have what they need to feel healthy and safe.

- Neighborhoods are empowered and supported by strengthened positive relationships with police.
- Youth are engaged in positive and quality experiences.
- Aging adults have services and amenities to thrive and age in place.
- Everyone has access to quality healthy food options.
- People have access to quality medical and emergency care.

Increased Equity

Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper.

- Each resident has access to the training and support needed to get and keep a living wage job.
- Each student graduates high school with a pathway to college or career.
- Aging neighborhoods and commercial centers are revitalized through continuous investment.
- The community provides necessary supports and services for community members to overcome life challenges such as hunger, mental illness, and homelessness.

Effective, Engaging Government

Effective and engaging government recognized as a leader.

- The City provides quality services at a reasonable cost.
- Elected officials, commissions, and City staff reflect the diversity of the community and are culturally competent.
- City information is clear, accessible, and delivered in ways that meet the community's needs.
- City laws are understandable, equitably enforced, and relevant to the community.
- The City is well-managed and recognized as a great place to work.

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.3	Meeting Date:	February 26, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Dr. Marcellus Davis, REDI Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Mayor Hollies Winston
Item:	Mayor's Proclamation to Recognize and Honor the Month of March 2024 as Women's History Month in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall recognize and proclaim the Month of March, 2024 as a "Women's History Month" by one of the following:

1. "I, Hollies Winston, Mayor of the city of Brooklyn Park, Minnesota do hereby recognize and proclaim the month of March 2024, to be a "Women's History Month" in the city of Brooklyn Park.

OR

2. By reading the proclamation.

Overview:

Women's History Month had its origins as a national celebration in 1981 when Congress passed Public Law 97-28 which authorized and requested the President to proclaim the week beginning March 7, 1982, as "Women's History Week." Throughout the next five years, Congress continued to pass joint resolutions designating a week in March as "Women's History Week." In 1987 after being petitioned by the National Women's History Project, Congress passed Public Law 100-9 which designated the month of March 1987 as "Women's History Month." Between 1988 and 1994, Congress passed additional resolutions requesting and authorizing the President to proclaim March of each year as Women's History Month. Since 1995, presidents have issued a series of annual proclamations designating the month of March as "Women's History Month." These proclamations celebrate the contributions women have made to the United States and recognize the specific achievements women have made over the course of American history in a variety of fields.

Following a conversation with the City Council at the April 2023 Work Session where a discussion took place on what holidays and events the city should recognize a decision was made to recognize Women's History Month going forward.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.3A PROCLAMATION

PROCLAMATION
TO RECOGNIZE AND HONOR
WOMEN’S HISTORY MONTH
MARCH 2024

WHEREAS, women have played and continue to play critical economic, cultural, and social roles in our country, our state, and our community by constituting a significant portion of the labor force working inside and outside the home. Women throughout history have also played a unique role by providing a majority of the volunteer labor force of our country; and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching; and

WHEREAS, the theme for 2024 is ***“Women Who Advocate for Equity, Diversity and Inclusion.”*** This theme honors women in every community who have devoted their lives and talents to producing art, pursuing truth, and reflecting the human condition decade after decade. From the earliest storytellers through pioneering journalists, their experiences have been captured by a wide variety of artists and teachers. These include authors, songwriters, scholars, playwrights, performers, and grandmothers; and

WHEREAS, the City of Brooklyn Park is proud to honor the history and contributions of women in our community and throughout our state and our Nation and proud to put forth the goal of gender equity and work to ensure representation and opportunity for all of its women and girls.

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor Hollies Winston, and members of the City Council of the city of Brooklyn Park do recognize and hereby proclaim March 2024 as:

“WOMEN’S HISTORY MONTH”

BE IT FURTHER RESOLVED, the Mayor is requested to issue a proclamation each March, calling upon the people of the city of Brooklyn Park to observe March as “Women’s History Month” with appropriate programs, ceremonies, and activities.



5200 85th Avenue North
Brooklyn Park, MN 55443

Hollies Winston, Mayor

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.4	Meeting Date:	March 11, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Recreation and Parks
Resolution:	N/A	Prepared By:	Tashawna Williams, Arts and Engagement Specialist
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Tashawna Williams
Item:	Arts and Engagement Update, Re-Beautification Survey, and 2023 Photo Contest Winners Presentation		

City Manager's Proposed Action:

Arts and Engagement Update, Re-Beautification Survey, and 2023 Photo Contest Winners Presentation by the Recreation and Parks Department.

Overview:

The Recreation and Parks Department released the Brooklyn Park Citywide Re-Beautification Survey in November of 2022 to gain feedback from residents about Arts and Wellness opportunities as a guide to the direction and interested activities of the work.

This survey gained authentic and meaningful insight from community, youth, and adults. Staff will present the results from Brooklyn Park Citywide Re-Beautification Survey.

One action taken from this survey was a City-Wide Photo Contest. Staff will present the winners of the Photo Contest for 2023 to the City Council and the community.

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:	4.1	Meeting Date:	March 11, 2024
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Matt Hayes-Regan, Planning Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Paul Mogush, Planning Director
Item:	Development Bond and Escrow Reductions/Releases		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO FULLY RELEASE THE WESTERN SURETY COMPANY BOND #30127231 (\$1,825,900.00), TO FULLY RELEASE THE WESTERN SURETY COMPANY BOND #30112019 (\$1,044,000.00), TO FULLY REALEASE THE WESTERN SURETY COMPANY BOND #30127230 (\$1,362,400.00) FOR SUBSTANTIAL COMPLETION OF THE "610 COMMERCE CENTER 5TH" PROJECT #21-113.

Overview:

City Code requires performance bonds and developer's escrows be established as part of the development process. As projects progress, staff works with developers on the release of financial securities. For many large projects the City requires performance bonding as well as escrows be filed with the City. The performance bonds are established at the time of site plan review. The City staff feels it is appropriate to release either the full or a portion of the performance bonds and developer's escrows at this time.

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:	4.2	Meeting Date:	March 11, 2024
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Mark Becker, Street/Fleet Manager
Ordinance:	N/A		
Attachments:	3	Presented By:	Dan Ruiz, Director of Operations and Maintenance
Item:	Accept Bids and Award the Contract for the 2024 MSA Crack Seal Project to Allied Blacktop Company		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ TO ACCEPT BIDS AND AWARD THE CONTRACT FOR THE 2024 MSA CRACK SEAL PROJECT TO ALLIED BLACKTOP COMPANY.

Overview:

The proposed MSA crack sealing project is a continuation of the street maintenance and rehabilitation program, which began in 1993 to preserve/increase street life. The street studies by IMS, Braun-Intertec and staff and research by APWA, MnDOT, MN Local Road Research Board, counties and other cities have shown a benefit if crack sealing is performed when streets are in relatively good condition.

The crack sealing of the MSA streets is necessary to extend the useful life of existing streets in good condition in Street/Utilities Maintenance Districts. The streets recommended for crack sealing were selected by condition study, review of other related infrastructure items and other relevant input. Approximately 6.5 miles of Municipal State Aid (MSA) streets in the city are listed in the project.

The 2024 MSA Crack Seal Project O&M-SM-24-02 was advertised on February 16th, 2024, in the Quest CDN #8963069 bid site. Four (4) bids were received. The lowest responsible bid meeting specifications is from Allied Blacktop Company in the amount of \$99,620.00. The project preliminary estimated cost was \$100,000.00.

Primary Issues/Alternatives to Consider:

- Should the Council award the bid as recommended?
This project is necessary to meet the goal and to provide continuous infrastructure preservation and improvement and is recommended for contract award.

Budgetary/Fiscal Issues:

The project recommended bid cost of \$99,620.00 is within the preliminary estimate of \$100,000 and is included in the 2024-2028 Capital Improvement Plan. Expenditures for the street portion of this project will initially come out of the Construction Fund, but the Construction fund will be reimbursed at the end of the year by franchise fee revenue.

Attachments:

- 4.2A RESOLUTION
- 4.2B BID TAB
- 4.2C MAP OF PROJECT

RESOLUTION #2024

RESOLUTION TO ACCEPT BIDS AND AWARD THE CONTRACT
FOR THE 2024 MSA CRACK SEAL PROJECT TO ALLIED BLACKTOP COMPANY

WHEREAS, the 2024 MSA Crack Seal Project was advertised in the Quest CDN #8963069 bid site on February 16th, 2024, and

WHEREAS, on March 1st, 2024, four (4) bids were received; and

WHEREAS, the lowest responsible bid meeting specifications is from Allied Blacktop Company in the amount of \$99,620.00; and

WHEREAS, the construction project, CIP #4001, is budgeted to be funded by the 2024 Construction Fund expenditure budget and reimbursed by franchise fee revenue at the end of the year for a total preliminary estimated cost of \$100,000.00; and

WHEREAS, the MSA Crack Seal Program is necessary to preserve/increase the useful life of existing streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to award the bid for the 2024 MSA Crack Seal Project to Allied Blacktop Company in the amount of \$99,620.00.

2024 Crack Sealing of MSA Streets

Quest Number: 8963069

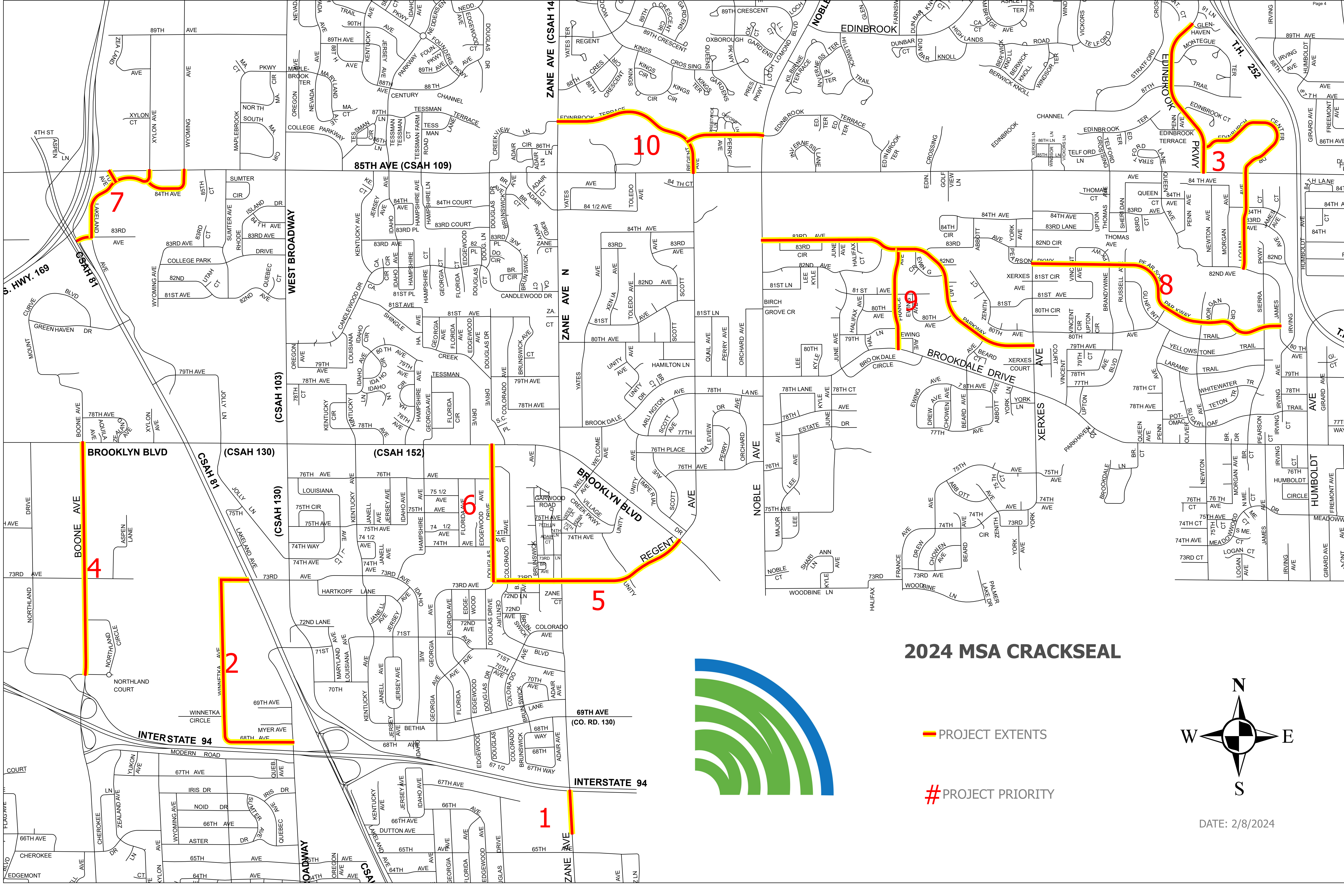
Owner Number: CIP4001-24a

Closing Date: Fri, 03/01/2024 11:00 AM CST

Posting Type: Construction Project

Owner Name:	Brooklyn Park MN, City of
Owner Contact:	Mr. Mark Becker
Owner Phone:	763-493-8009
Solicitor Name:	Brooklyn Park MN, City of
Contact:	Mr. Mark Becker
Email:	mark.becker@brooklynpark.org
Phone:	763-493-8009
Award Date:	
Comments:	
Award Status:	Pending
Letting Bid Tabulation:	View on vBid

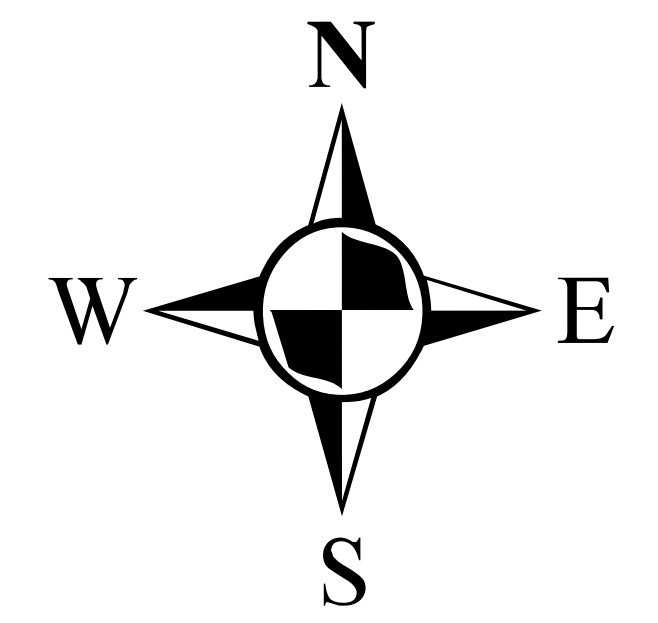
Company	Contact	Phone	E-mail	Amount	Awarded	Comment
Allied Blacktop Company	Matt Dolecki	763 425-0575	m.dolecki@alliedblacktopmn.com	\$ 99,620.00		
MP ASPHALT MAINTENANCE	Matt Leaf	763-402-3526	matt@mpasphalt.net	\$ 100,320.00		
Northwest Asphalt & Maintenance	Jared Peterick	218-681-7581	jared@nwamaintenance.com	\$ 136,780.00		
Asphalt Surface Technologies Corp.	Dale Strandberg	320-363-8500	astechquotes@gmail.com	\$ 195,400.00		



2024 MSA CRACKSEAL

PROJECT EXTENTS

PROJECT PRIORITY



DATE: 2/8/2024

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	March 11, 2024
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	N/A	Prepared By:	Jeff Holstein, Transportation Engineer
Ordinance:	SUMMARY ORDINANCE		
Attachments:	2	Presented By:	Jesse Struve, City Engineer
Item:	Real Property Conveyance to the Minnesota Department of Transportation and the Brooklyn Park Economic Development Authority for the Highway 169/101 st Avenue Interchange		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE SUMMARY OF ORDINANCE #2024-_____ DETERMINING THAT IT CLEARLY INFORMS THE PUBLIC OF THE INTENT AND EFFECT OF THE ORDINANCE.

Overview:

The City constructed a new interchange at the junction of Highway 169 and 101st Avenue North and reconstructed 101st Avenue North from Jefferson Highway to Xylon Avenue in 2020. The City acquired all the necessary property for this project. This included both total and partial acquisitions from fourteen parcels.

Highway 169 is owned, operated and maintained by the Minnesota Department of Transportation (MNDOT). The city executed Cooperative Construction Agreement #1034529 (approved by City Council on 12/10/19) with MNDOT to specify responsibilities prior to construction and ownership and maintenance responsibilities after construction. The city does not have the resources to maintain the interchange, so the interchange portion of the project will be owned by MNDOT and some of the city acquisition is required to be dedicated to MNDOT to allow for their maintenance of the interchange. This includes portions of Parcels 4,5,6,8,10 and 12 and all of parcels 7,9 and 11. This right of way dedication to MNDOT has yet to occur.

The project acquisition for Parcels 4 and 10 was limited and allowed for modified access and use or future development. The acquisition for Parcels 5,6 and 8 resulted in the loss of the residential units and storage units on the properties and/or inaccessible residual property in the post project conditions. This prompted the previous owners of Parcels 5,6 and 8 to sell their entire properties to the city. The city subsequently sold the residual portions of Parcels 5, 6 and 8 to the Brooklyn Park Economic Development Authority (EDA) for possible future assemblage and development. The legal transfer of ownership of the residual portions of Parcels 5,6 and 8 from the city to the EDA has yet to occur.

The legal conveyance of property to MNDOT and the EDA requires the subdivision of Parcels 4,5,6 and 8. Parcel 4 is included because MNDOT and the city recently agreed the city should retain a small portion of Parcel 4 acquired for the project. The subdivision of Parcel 8 has already occurred. Thus, the City Attorney prepared a resolution for the official subdivision of Parcels 4,5 and 6 to allow the conveyances to occur. This resolution was approved by the City Council at the first reading of this item on February 12, 2024.

The City determined the most cost effective method to convey properties to MNDOT and the EDA is by standard quit claim deed. The City Attorney prepared quit claim deeds to legally convey the necessary properties to MNDOT and the EDA. The conveyances are for a public purpose and deemed in the best interest of the city and the public.

By City Charter (Section 14.06), an ordinance is required for the sale or conveyance of City-owned real property.

Budgetary/Fiscal Issues:

MNDOT will not be paying the City for the portions of Parcels 4,5,6,8,10 and 12 and all of Parcels 7,9 and 11 in accordance with Agreement No. 1034529. However, the city applied for and was awarded \$22.5 million in grants for the project, \$15.5 million of which was state funding. These funds, coupled with other pending assessments to benefitting area properties, paid for the vast majority of the project.

Alternatives to consider:

1. Approve the second reading of the conveyance ordinance as recommended.
2. Deny the conveyances and accept ownership and maintenance of the interchange and reimburse the EDA for funds paid for residual portions of Parcels 5,6 and 8, including interest.

Note: The ordinance was unanimously approved by the council at the February 26, 2024, Council meeting. The RFCA did not include a summary ordinance, which is used when there are more than two pages of the ordinance to be published in the official newspaper.

Attachments:

- 4.3A ORDINANCE 2024-1299
- 4.3B SUMMARY ORDINANCE

ORDINANCE #2024-1299

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED REAL PROPERTY
TO THE MINNESOTA DEPARTMENT OF TRANSPORTATION AND THE BROOKLYN PARK
ECONOMIC DEVELOPMENT AUTHORITY

The City of Brooklyn Park Does Ordain:

The City of Brooklyn Park owns the fee title to certain property located within the City of Brooklyn Park, Hennepin County, Minnesota, all as legally described as set forth on the attached Exhibit A and depicted on the attached Exhibit B (the “MnDOT Whole Parcels”).

The City of Brooklyn Park owns fee title to certain property located within the City of Brooklyn Park, Hennepin County, Minnesota, which is to be subdivided, and, following such subdivision, will be legally described as set forth on the attached Exhibit C and depicted in blue on the attached Exhibit D (the “MnDOT Remainder Parcels”).

The City desires to convey the MnDOT Whole Parcels and the MnDOT Remainder Parcels to the State of Minnesota - Department of Transportation (“MnDOT”) for the purpose of MnDOT’s construction of an interchange at Highway 169 and 101st Avenue North (the “Interchange Project”), which is all in accordance with the prior Cooperative Construction Agreement #1034529 executed by and between the City and MnDOT.

The City does not contemplate a future use for for the remainder of the subdivided properties not conveyed to MnDOT, legally described on the attached Exhibit E and depicted in pink on the attached Exhibit F (the “EDA Remainder Parcels”), nor for a parcel previously subdivided as part of the Interchange Project, legally described on the attached Exhibit G and depicted in pink on the attached Exhibit H (the “EDA Whole Parcel”).

The City therefore desires to, as part of its transaction with MnDOT, to simultaneously convey the EDA Remainder Parcels and the EDA Whole Parcel to the Brooklyn Park Economic Development Authority (the “EDA”) for future development.

The Mayor and City Manager are authorized and directed to convey the MnDOT Whole Parcels and the MnDOT Remainder Parcels to MnDOT.

The Mayor and City Manager are authorized and directed to convey the EDA Remainder Parcels and the EDA Whole Parcel to the EDA.

City staff and consultants are authorized and directed to take all necessary and convenient steps to accomplish the intent of this Ordinance.

All actions shall be pursuant to Section 14.06 of the City Charter. The City Council finds that the conveyance of the MnDOT Whole Parcels, the MnDOT Remainder Parcels, the EDA Remainder Parcels, and the EDA Whole Parcel have no relationship or impact on the City’s comprehensive plan and therefore there is no need for the City’s Planning Commission to review and comment on the proposed conveyances.

ATTEST:

HOLLIES WINSTON, MAYOR

DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney
Passed on First Reading: 02/12/2024
Passed on Second Reading: 02/26/2024
Published in Official Newspaper: 03/07/24

EXHIBIT A**Legal Descriptions of the MnDOT Whole Parcels to be conveyed by the City to MnDOT**Parcel 7

The West 144 feet of the South 300 feet of West Half of the East Half of the Southeast Quarter of the Southwest Quarter in Section 6, Township 119, Range 21, Hennepin County, Minnesota.

Torrens Certificate No. 1501964

AND

Parcel 8

That part of the following described property:

Par 1: The West half of the East half of the Southeast Quarter of the Southwest Quarter, Section 6, Township 119, Range 21, excepting road, and except the North 340 feet thereof, and except the West 144 feet of the South 300 feet of said West half of the East half of the Southeast Quarter of the Southwest Quarter; and except the South 300 feet of the East 132 feet of said West half of the East half of the Southeast Quarter of the Southwest Quarter as measured along the East and South lines thereof; and

Par 2: The West 9.0 feet of the following described tract: Commencing at the Southeast corner of the West half of the East half of the Southeast Quarter of the Southwest Quarter in Section 6, Township 119, Range 21; thence North 300 feet along the East line of said West half of the East half of the Southeast Quarter of the Southwest Quarter; thence West 132 feet parallel with South line of said tract; thence South 300 feet parallel with East line of said tract; thence East 132 feet along the South line of said tract to point of beginning, except road;

Lying southeasterly of the following described line:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 58 minutes 16 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Southwest Quarter, 654.62 feet to the west line of the West Half of the East Half of said Southeast Quarter of the Southwest Quarter; thence North 01 degrees 02 minutes 26 seconds East, along said west line 432.21 feet to the beginning of the line to be described; thence northeasterly, 31.22 feet along a non-tangential curve concave to the southeast, having a radius of 384.00 feet, a central angle of 04 degrees 39 minutes 31 seconds, and a chord bearing North 40 degrees 36 minutes 44 seconds East; thence North 42 degrees 56 minutes 29 seconds East, tangent to last described curve, 236.72 feet; thence northeasterly, 286.39 feet along a tangential curve concave to the northwest, having a radius of 764.83 feet and a central angle of 21 degrees 27 minutes 17 seconds to the westerly right of way line of United States Trunk Highway 169 and there terminating.

Certificate of Title No. 1501964

AND

Parcel 9

That part of the following described tract lying East of the West 9.0 feet thereof:

Commencing at the Southeast corner of the West Half of the East Half of the Southeast Quarter of the Southwest Quarter in Section 6, Township 119, Range 21, thence North 300 feet along the East line of said West Half of the East Half of the Southeast Quarter of the Southwest Quarter, thence West 132 feet parallel with South line of said tract, thence South 300 ft parallel with East line of said tract, thence East 132 feet along the South line of said tract to point of beginning, excepting road, except that part lying Southeasterly of the following described line:

Beginning at a point on a line run parallel with and distant 33 feet North of the South line of said Section 6, distant 100 feet Westerly of its intersection with a line run parallel with and distant 184 feet Westerly of Line A, described below; thence Run Northeasterly to a point on said 184 foot parallel line, distant 100 feet Northerly of said intersection and there terminating Line A. Beginning at a point in the South line of said Section 6, distant 2542.9 feet East of the Southwest corner thereof; thence run Northerly at an angle of 88 degrees 52 minutes 30 seconds with said South section line (measured from East to North) for 200 feet and there terminating.

PID No. 06-119-21-34-0002

AND

Parcel 10

That part of the North 150.00 feet of the West one-half of the Northwest Quarter of the Northeast Quarter of Section 7, Township 119, Range 21, which lies easterly of a line run parallel with and distant 100 feet easterly of the following described line:

Beginning at a point on the North line of said Section 7, distant 75.02 feet West of the North Quarter corner thereof; thence run Southerly at an angle of 88 degrees 52 minutes 30 seconds with said North section line (when measured from west to south) for 218.91 feet; thence deflect to the left on a 00 degree 45 minutes 00 second curve (delta angle 12 degrees 48 minutes 35 seconds) for 1707.96 feet and there terminating:

Except a triangular tract adjoining and Easterly of the above described strip and Northwesterly of the following described line:

Beginning at a point on the Easterly boundary of the above described strip, distant 100 feet Southerly of its intersection with a line run parallel with and distant 33 feet South of the North line of said Section 7; thence run Northeasterly to a point on said 33 foot parallel line, distant 100 feet Easterly of said intersection; thence continue to the North line of said Section 7.

And also except that part thereof which lies southerly of the southerly right-of-way line of the public road running along the North line of said Section 7 and Northerly of Line 1 described below:

Line 1. Beginning at a point on the North line of said Section 7, distant 794.98 feet East of the North Quarter corner thereof; thence run Southerly at right angles to said North section line for 33 feet; thence run Westerly to a point distant 50 feet Southerly (measured at right angles) of a point on said North section line, distant 424.98 feet East of the North Quarter corner thereof; thence run Westerly to a point distant 60 feet Southerly (measured at right angles) of a point on said North section line, distant 124.98 feet East of the North Quarter corner thereof; thence run Westerly parallel with said North section line to its intersection with the West line of the first tract described above and there terminating;

Subject to a limitation of the right of access from part of the above described premises to Trunk Highway No. 52, as acquired by the State in Deed Doc No. 866815.

Certificate of Title No. 1503588

AND

Parcel 11

The East 130 feet of that part of the West Quarter of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21 lying South of a line 139 feet North of and drawn parallel with the South line of said West Quarter except road, Hennepin County, Minnesota.

Certificate of Title No. 1044651

PID No. 06-119-21-43-0002

AND

Parcel 12

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:

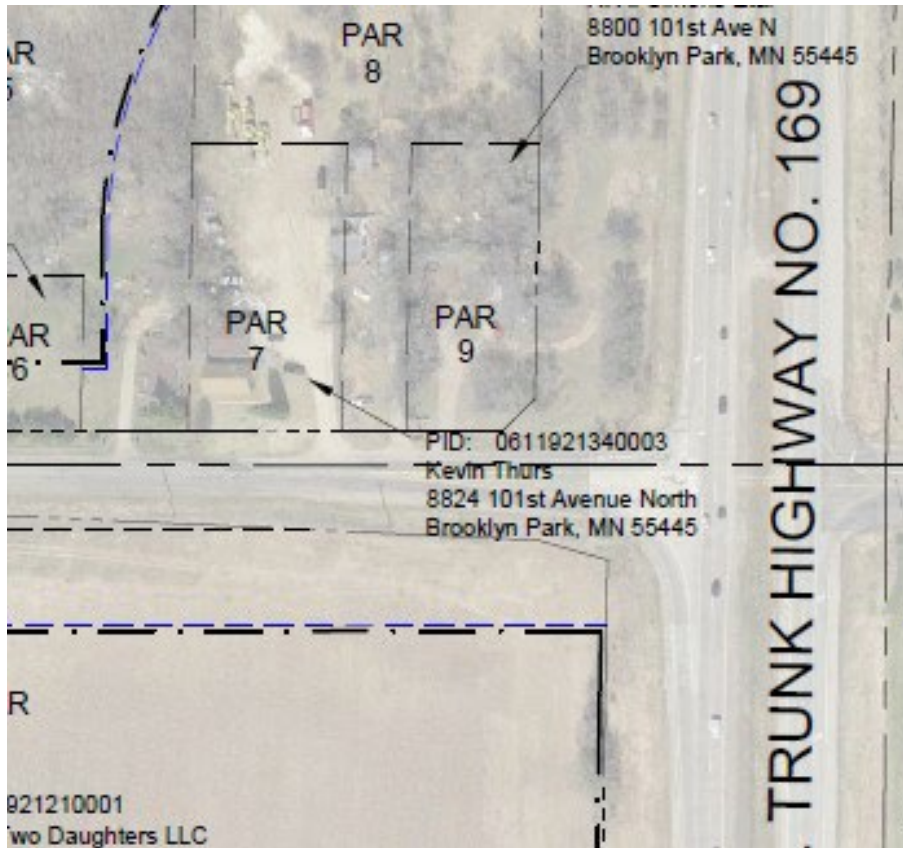
Commencing at the southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 6; thence South 89 degrees 56 minutes 01 seconds East, assumed bearing, along the south line of said Southwest Quarter 328.55 feet to the west line of the East Three-Quarters of said Southwest Quarter 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.

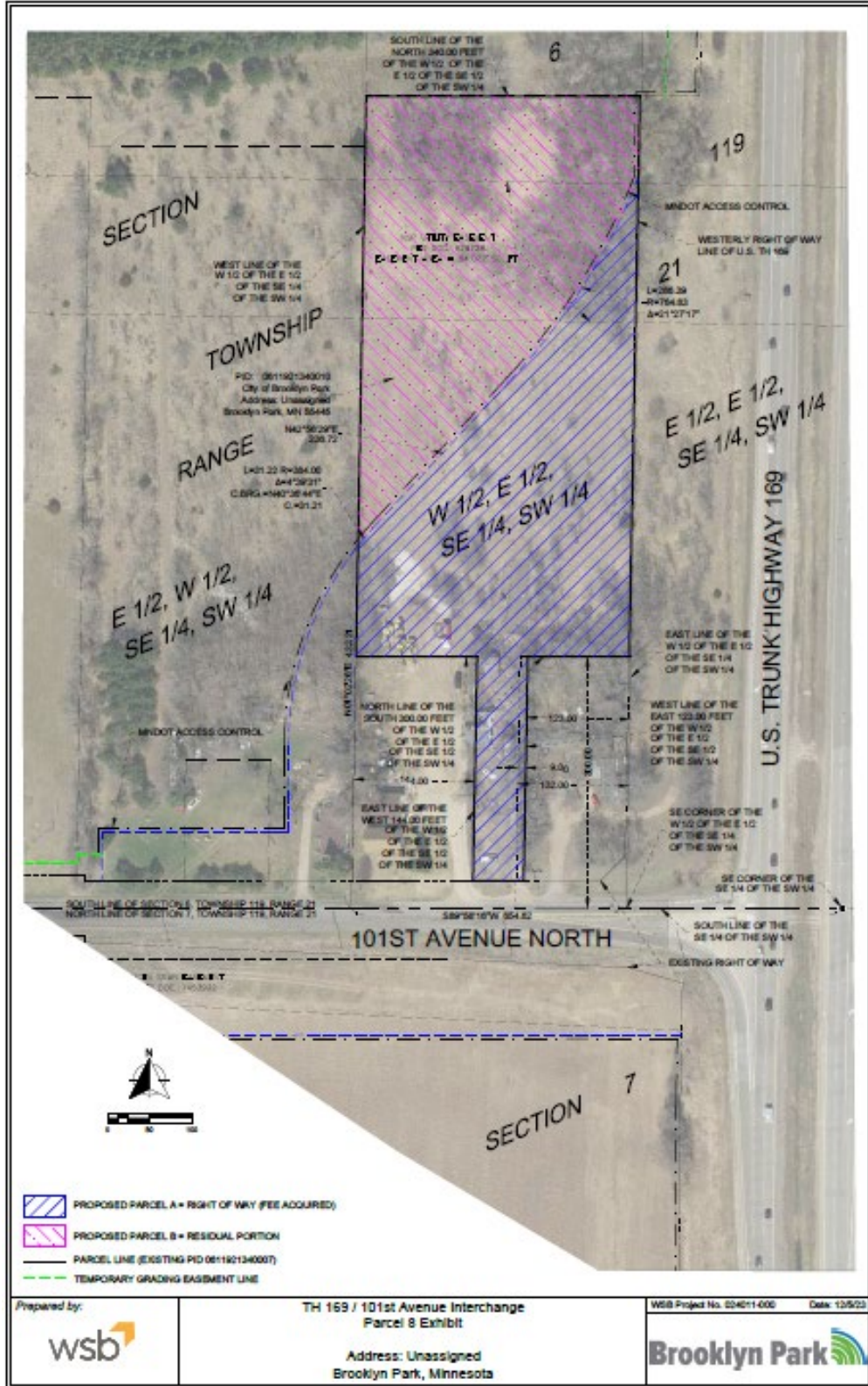
PID No. 06-119-21-43-0008

EXHIBIT B
Depictions of the MnDOT Whole Parcels to be conveyed by the City to MnDOT

Parcel 7



Parcel 8 [to MnDOT in blue]



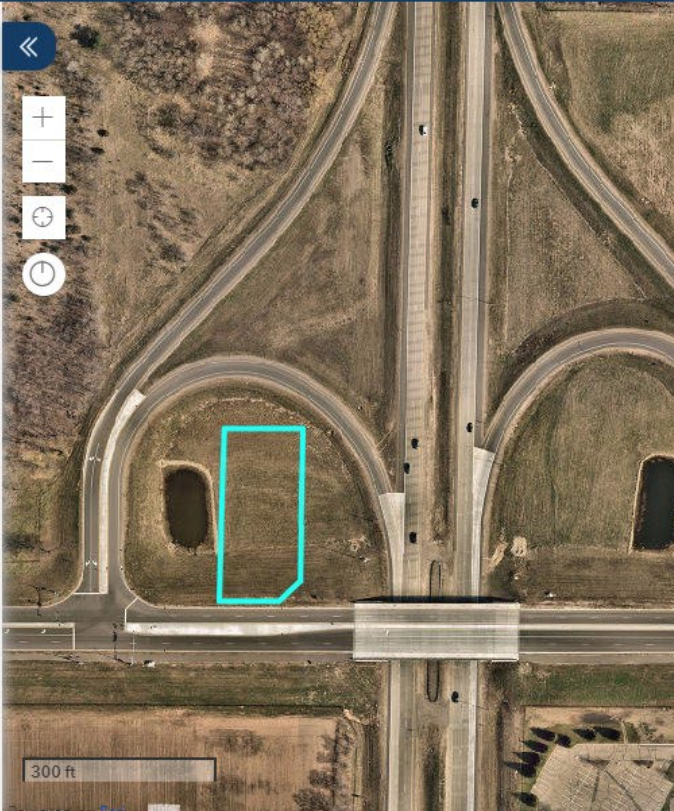
Parcel 9

Search by Address or PID search help

0611921340002

Results **Property Links**

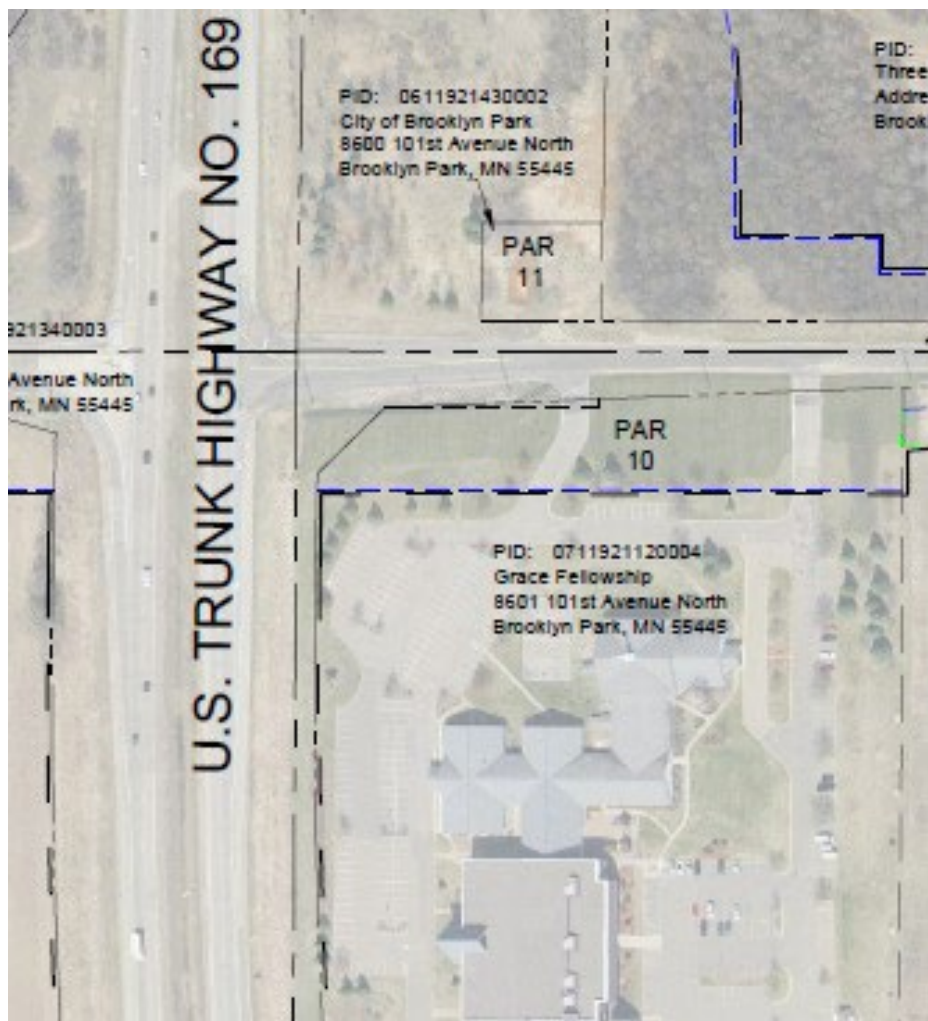
PID	0611921340002
Address	8800 101st Ave N, Brooklyn Park, MN 55445
Owner/Taxpayer	
Owner	City Of Brooklyn Park
Taxpayer	CITY OF BROOKLYN PARK 5200 85TH AVE N BROOKLYN PARK MN 55443
Tax Parcel	
Parcel Area	0.74 acres 32,331 sq ft
Torrens/Abstract	Torrens
Addition	Unplatted 06 119 21
Lot	



The image shows an aerial satellite view of a road interchange. A cyan rectangle highlights a specific parcel area located between two curved ramps of the interchange. The surrounding area includes a road, some vegetation, and a small pond. A scale bar at the bottom left of the image indicates 300 feet.

Parcel 10

#2024-1299



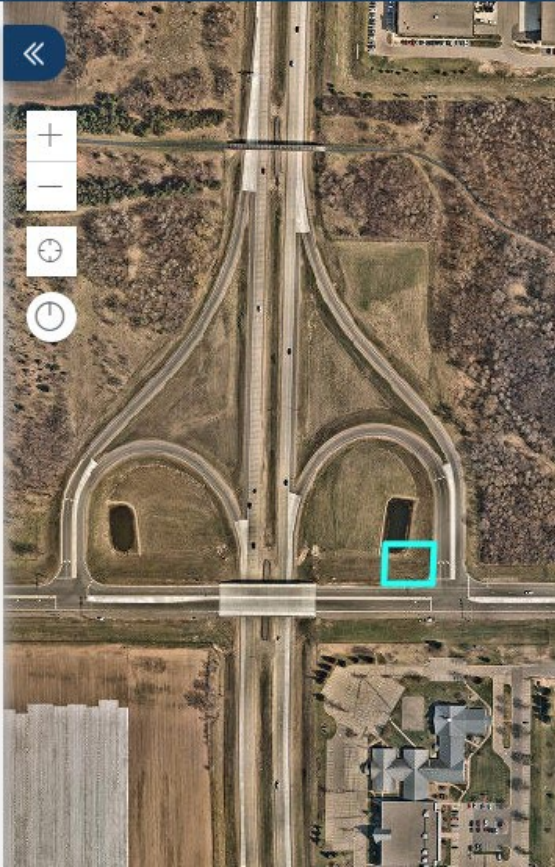
Parcel 11

Property Map

Search by Address or PID search help

Results **Property Links** Print Share Close

PID	0611921430002
Address	8600 101st Ave N, Brooklyn Park, MN 55445
Owner/Taxpayer	
Owner	City Of Brooklyn Park
Taxpayer	CITY OF BROOKLYN PARK ATTN ACCOUNTS PAYABLE 5200 85TH AVE N BROOKLYN PARK MN 55443
Tax Parcel	
Parcel Area	0.32 acres 13,782 sq ft
Torrens/Abstract	Torrens



Parcel 12

GIS Property Map

Search by Address or PID search help

Results **Property Links** Print Share Close

PID	0611921430008
Address	8500 101st Ave N, Brooklyn Park, MN 55445
Owner/Taxpayer	
Owner	City Of Brooklyn Park
Taxpayer	CITY OF BROOKLYN PARK 5200 85TH AVE N BROOKLYN PARK MN 55443
Tax Parcel	
Parcel Area	2.29 acres 99,668 sq ft
Torrens/Abstract	Both
Addition	Unplatted 06 119 21
Lot	

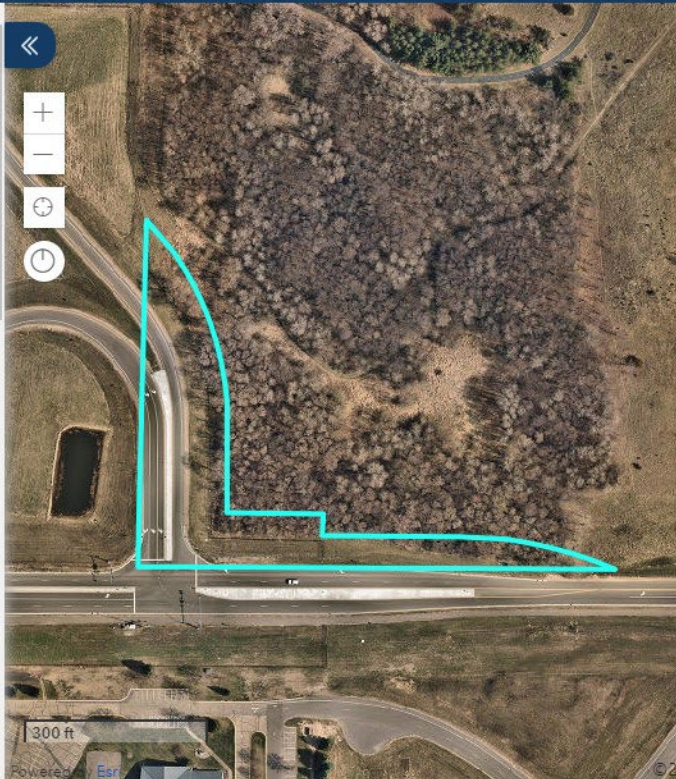


Exhibit C
Legal Descriptions of the MnDOT Remainder Parcels to be Conveyed by the City to MnDOT Following Subdivision

Parcel 4

All that part of the following described property:

The Northeast Quarter of the Northwest Quarter of Section 7, Township 119, Range 21, Hennepin County, Minnesota, except that part thereof described as follows:

All that part of the following described tract: The East Quarter of the Northeast Quarter of the Northwest Quarter of Section 7, Township 119, Range 21 West; which lies easterly of a line run parallel with and distant 184 feet westerly of the following described line:

Beginning at a point on the north line of said section 7, distant 75.02 feet west of the north Quarter corner thereof; thence run southerly at an angle of 88 degrees 52 minutes 30 seconds with said north section line (when measured from west to south) for 218.91 feet; thence deflect to the left on a 0 degree 45 minute curve (Delta angle 12 degrees 48 minutes 35 seconds) for 1,707.96 feet and there terminating.

EXCEPT

That part of Tract A described below:

Tract A. That part of the Northeast Quarter of the Northwest Quarter of Section 7, Township 119 North, Range 21 West, Hennepin County, Minnesota, which lies westerly of the westerly right of way line of Trunk Highway No. 169 as now located and established, and southerly of the southerly right of way line of the public road running along the north line of said Section 7; which lies northerly of Line 1 described below:

Line 1. From a point on Line 2 described below, distant 92.50 feet southerly of its point of beginning, run westerly at right angles to said Line 2 for 184 feet to the point of beginning of Line 1 to be described; thence run northwesterly to a point distant 70 feet southerly (measured at right angles) of a point on the north line of said Section 7, distant 325.02 feet westerly of the north quarter corner thereof; thence run westerly to a point distant 40 feet southerly (measured at right angles) of a point on the north line of said Section 7, distant 975.02 feet west of the north quarter corner thereof; thence run northerly to a point on the north line of said Section 7, distant 975.02 feet west of the north quarter corner thereof and there terminating;

Line 2. Beginning at a point on the north line of said Section 7, distant 75.02 feet west of the north quarter corner thereof; thence run southerly at an angle of 88 degrees 52 minutes 30 seconds from said north section line (measured from west to south) for 200 feet and there terminating.

Lying northerly and easterly of the following described line:

Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence South 00 degrees 17 minutes 06 seconds West, assumed bearing, along the east line of said Northeast Quarter of the Northwest Quarter, 150.00 feet; thence South 89 degrees 58 minutes 16 seconds West, 261.32 feet to the westerly right of way line of United States Trunk Highway 169 and the point of beginning of the line to be described; thence continuing South 89 degrees 58 minutes 16 seconds West, 687.96 feet; thence North 00 degrees 03 minutes 07 seconds West, 92.57 feet; thence North 85 degrees 11 minutes 24 seconds West, 112.29 feet; thence South 89 degrees 56 minutes 53 seconds West, 247.51 feet to the west line of said Northeast Quarter of the Northwest Quarter and said line there terminating.

All that part of the above described property which lies northerly and easterly of the following described line:

Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence South 00 degrees 17 minutes 06 seconds West, assumed bearing, along the east line of said Northeast Quarter of the Northwest Quarter, 150.00 feet; thence South 89 degrees 58 minutes 16 seconds West, 261.32 feet to the westerly right of way line of United States Trunk Highway 169 and the point of beginning of the line to be described; thence continuing South 89 degrees 58 minutes 16 seconds West, 687.96 feet; thence North 00 degrees 03 minutes 07 seconds West, 108.98 feet to the south right of way line of 101st Avenue North and said line there terminating.

Abstract Property

AND

Parcel 5

All that part of the following described property:

The East Half of the West Half of the Southeast Quarter of the Southwest Quarter except the South 178 feet of the West 100 feet of the East 200 feet thereof, and except the North 400 feet thereof, Section 6, Township 119, Range 21, Hennepin County, Minnesota.

Lying easterly, southerly, and southeasterly of the following described line:

Commencing at the southeast corner of Southeast Quarter of the Southwest Quarter; thence South 89 degrees 58 minutes 16 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Southwest Quarter, 951.92 feet; thence North 01 degrees 00 minutes 27 seconds East, 33.01 feet to the northerly right of way line of 101st Avenue North and the beginning of the line to be described; thence North 01 degrees 00 minutes 27 seconds East, 58.01 feet; thence North 89 degrees 58 minutes 16 seconds East, 221.07 feet; thence North 00 degrees 03 minutes 07 seconds West, 102.93 feet; thence northerly, 256.92 feet along a tangential curve concave to the east, having a radius of 384.00 feet

and a central angle of 38 degrees 20 minutes 05 seconds to the east line of the said East Half of the West Half of the Southeast Quarter of the Southwest Quarter and there terminating.

PID No. 06-119-21-34-0006
Certificate of Title No. 1492659

AND

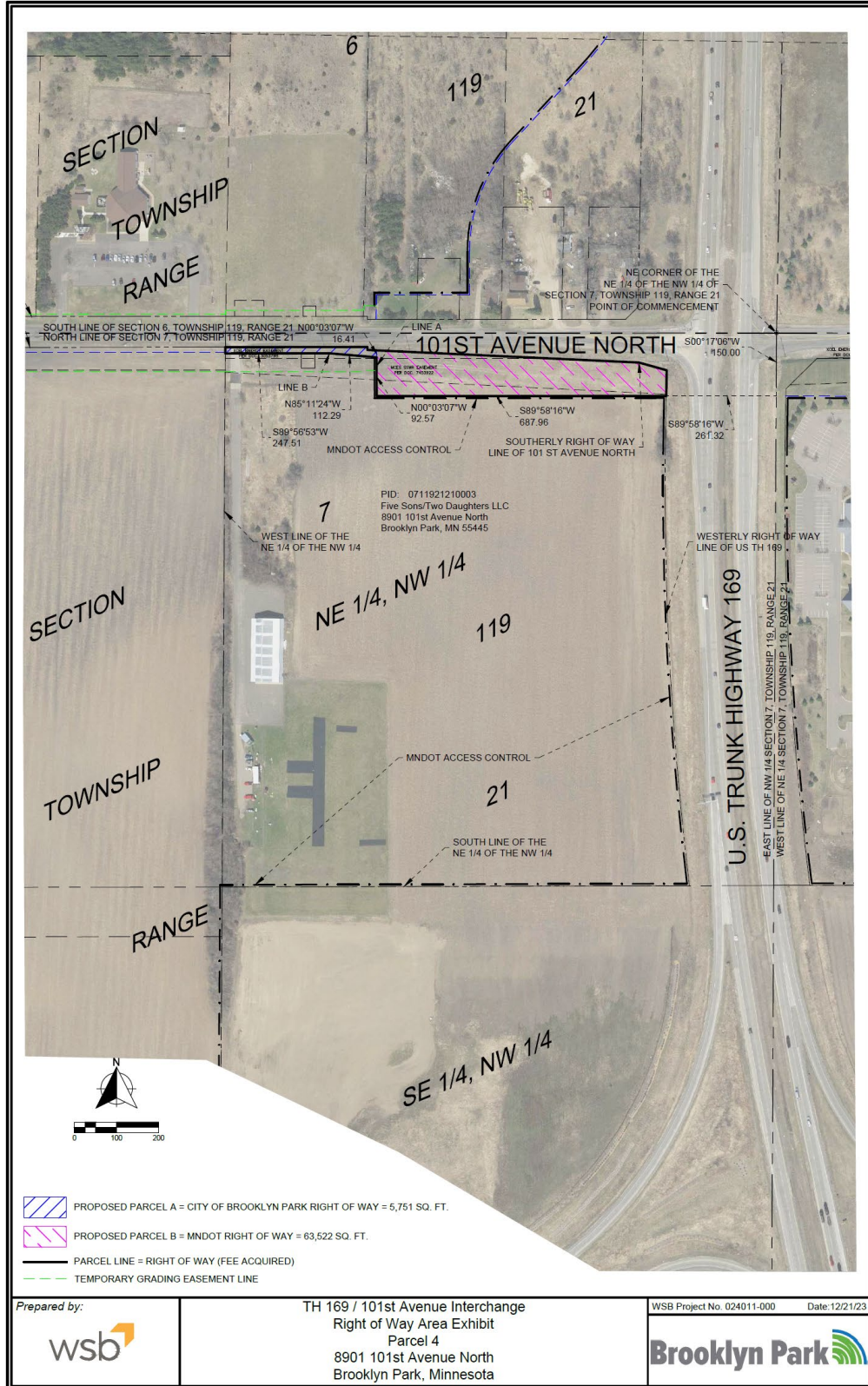
Parcel 6

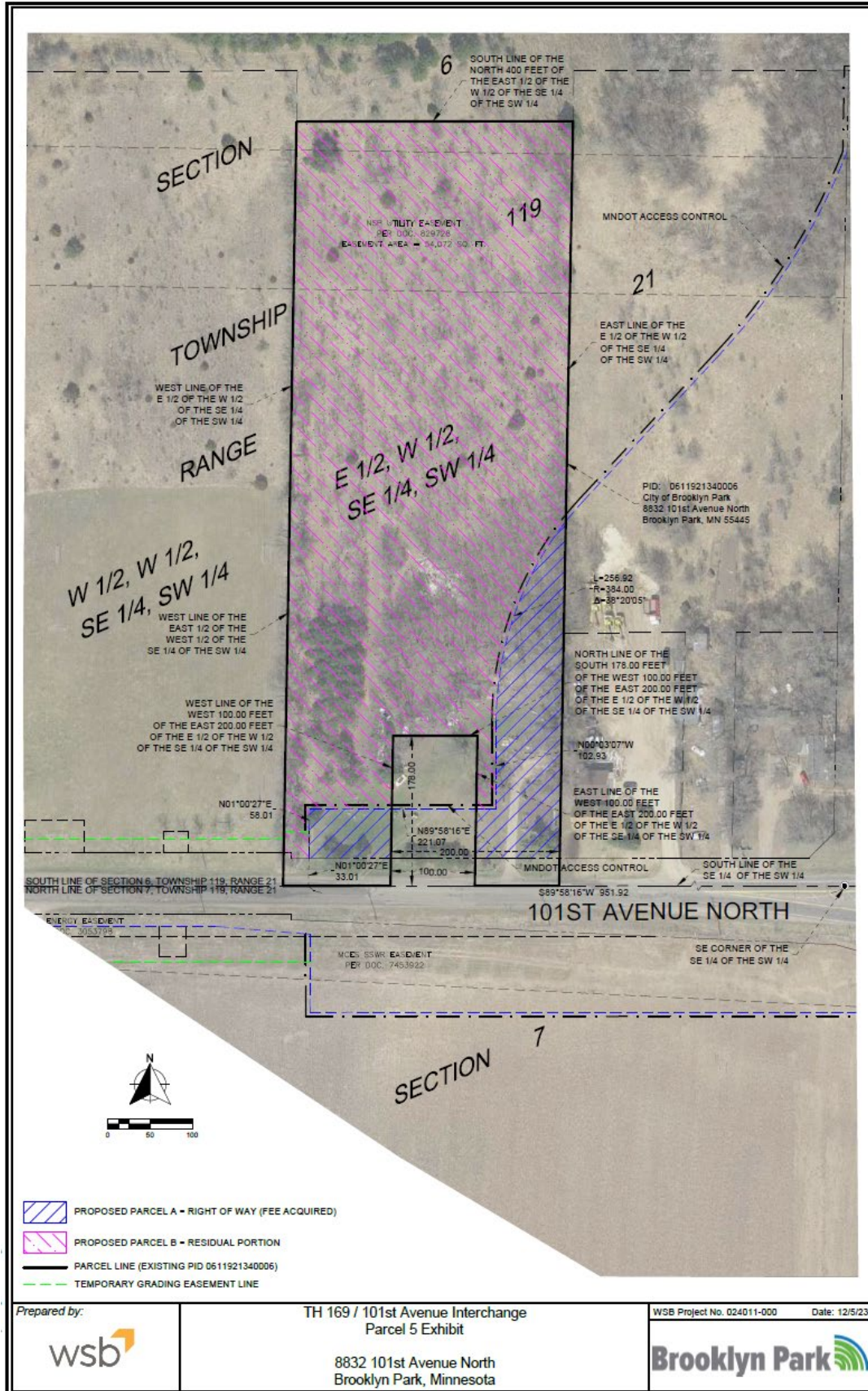
The North 58.00 feet of the South 91.00 feet of the following described property:

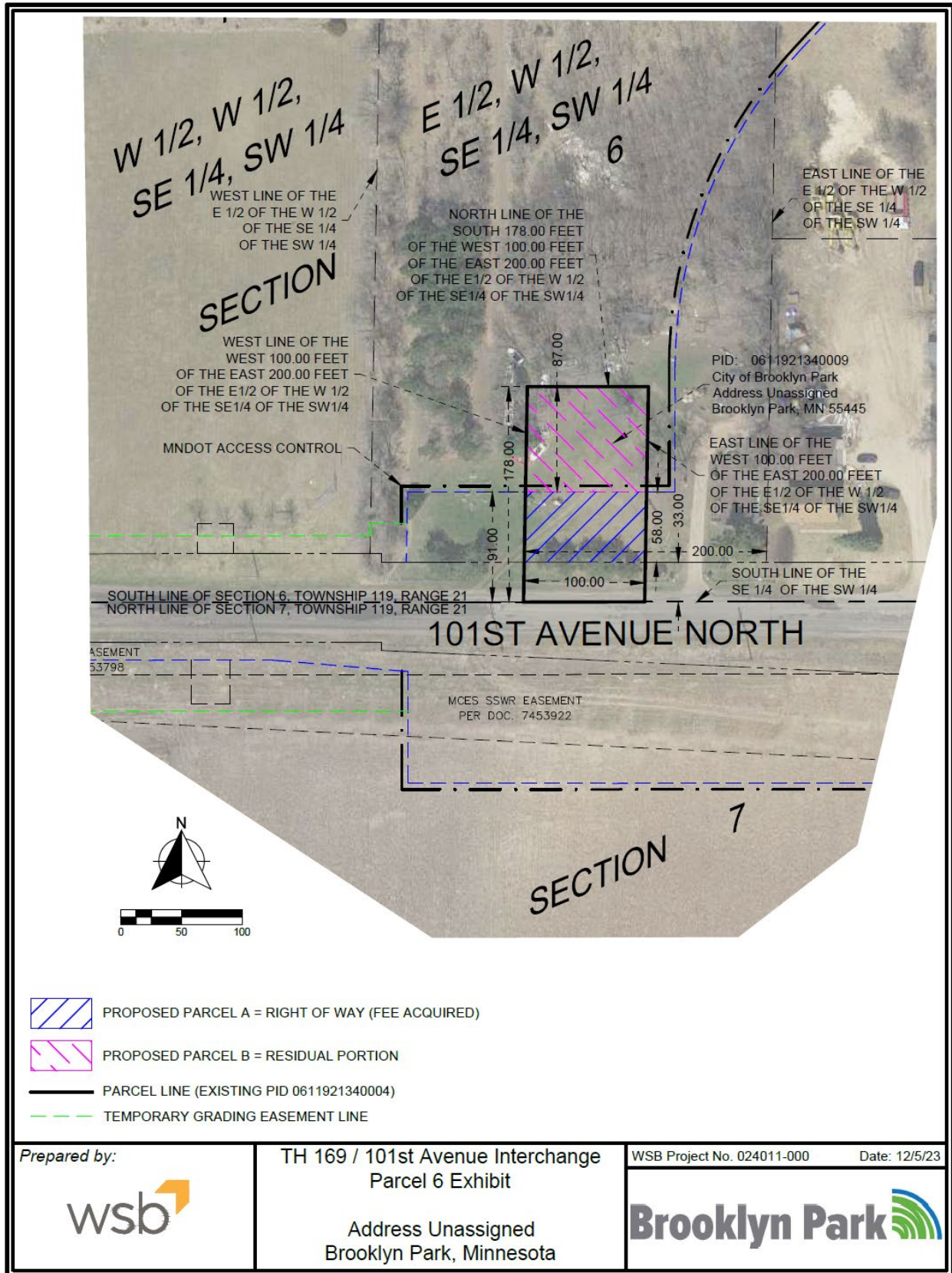
The South 178.00 feet of the West 100.00 feet of the East 200.00 feet of the East Half of the West Half of the Southeast Quarter of the Southwest Quarter of Section 6, Township 119, Range 21.

Certificate of Title No. 1501964

EXHIBIT D
Depictions of the MnDOT Remainder Parcels to be Conveyed by the City to MnDOT
Following Subdivision







Prepared by:



TH 169 / 101st Avenue Interchange
Parcel 6 Exhibit

Address Unassigned
Brooklyn Park, Minnesota

WSB Project No. 024011-000

Date: 12/5/23



EXHIBIT E
Legal Descriptions of the EDA Remainder Parcels to be Conveyed by the City to the EDA
Following Subdivision

Parcel 5

All that part of the following described property:

The East Half of the West Half of the Southeast Quarter of the Southwest Quarter except the South 178 feet of the West 100 feet of the East 200 feet thereof, and except the North 400 feet thereof, Section 6, Township 119, Range 21, Hennepin County, Minnesota.

EXCEPT that part lying easterly, southerly, and southeasterly of the following described line:

Commencing at the southeast corner of Southeast Quarter of the Southwest Quarter; thence South 89 degrees 58 minutes 16 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Southwest Quarter, 951.92 feet; thence North 01 degrees 00 minutes 27 seconds East, 33.01 feet to the northerly right of way line of 101st Avenue North and the beginning of the line to be described; thence North 01 degrees 00 minutes 27 seconds East, 58.01 feet; thence North 89 degrees 58 minutes 16 seconds East, 221.07 feet; thence North 00 degrees 03 minutes 07 seconds West, 102.93 feet; thence northerly, 256.92 feet along a tangential curve concave to the east, having a radius of 384.00 feet and a central angle of 38 degrees 20 minutes 05 seconds to the east line of the said East Half of the West Half of the Southeast Quarter of the Southwest Quarter and there terminating.

PID No. 06-119-21-34-0006
Certificate of Title No. 1492659

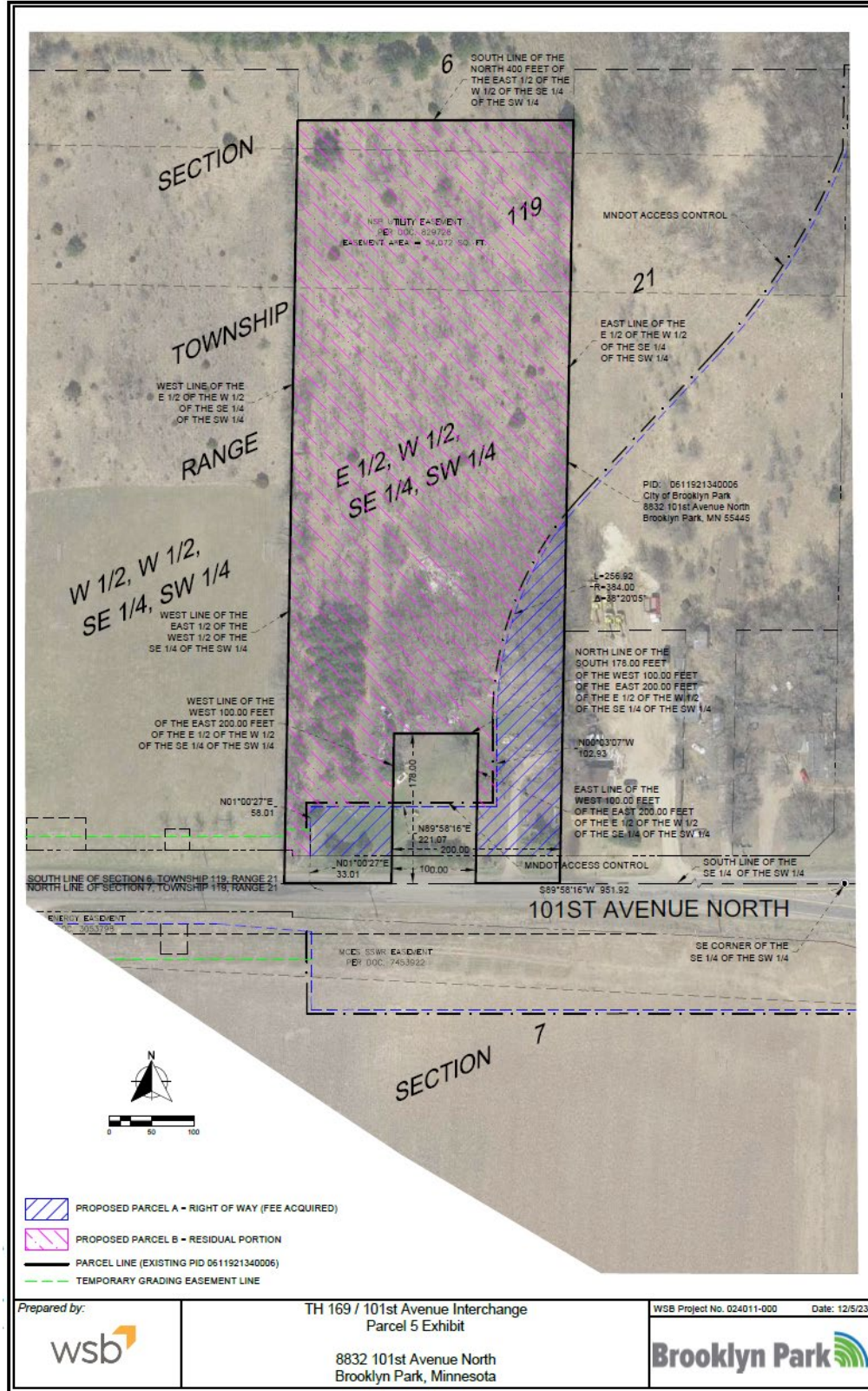
AND

Parcel 6

The South 178.00 feet of the West 100.00 feet of the East 200.00 feet of the East Half of the West Half of the Southeast Quarter of the Southwest Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota, except the north 58.00 feet of the South 91.00 feet thereof; and except the South 33.00 feet thereof.

PID No. 06-119-21-34-0009
Certificate of Title No. 1502114

EXHIBIT F
Depictions of the EDA Remainder Parcels to be Conveyed by the City to the EDA
Following Subdivision



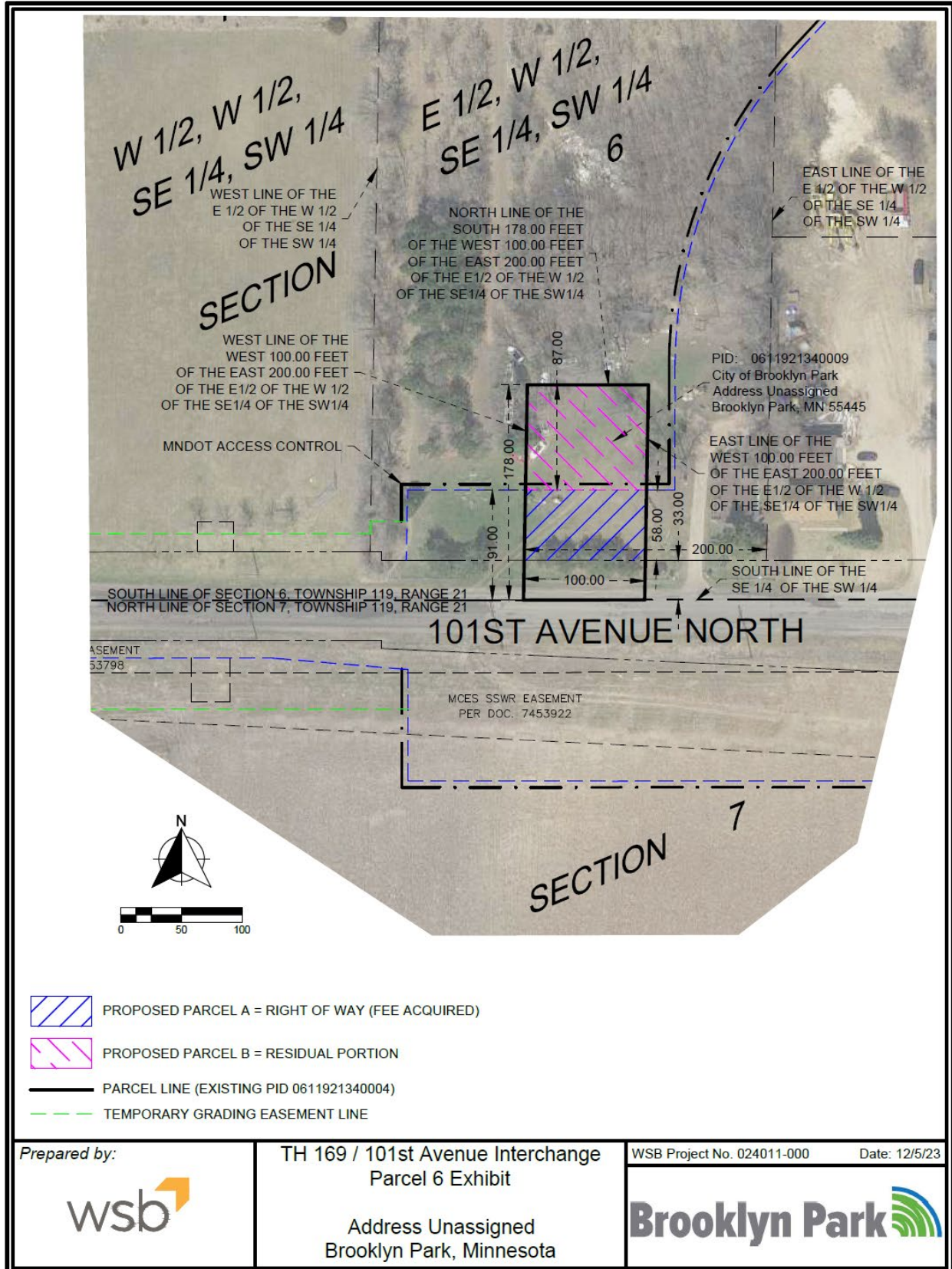


EXHIBIT G**Legal Description of the EDA Whole Parcel to be conveyed by the City to the EDA**Parcel 8

Par 1: The West half of the East half of the Southeast Quarter of the Southwest Quarter, Section 6, Township 119, Range 21, excepting road, and except the North 340 feet thereof, and except the West 144 feet of the South 300 feet of said West half of the East half of the Southeast Quarter of the Southwest Quarter; and except the South 300 feet of the East 132 feet of said West half of the East half of the Southeast Quarter of the Southwest Quarter as measured along the East and South lines thereof; and

Par 2: The West 9.0 feet of the following described tract:

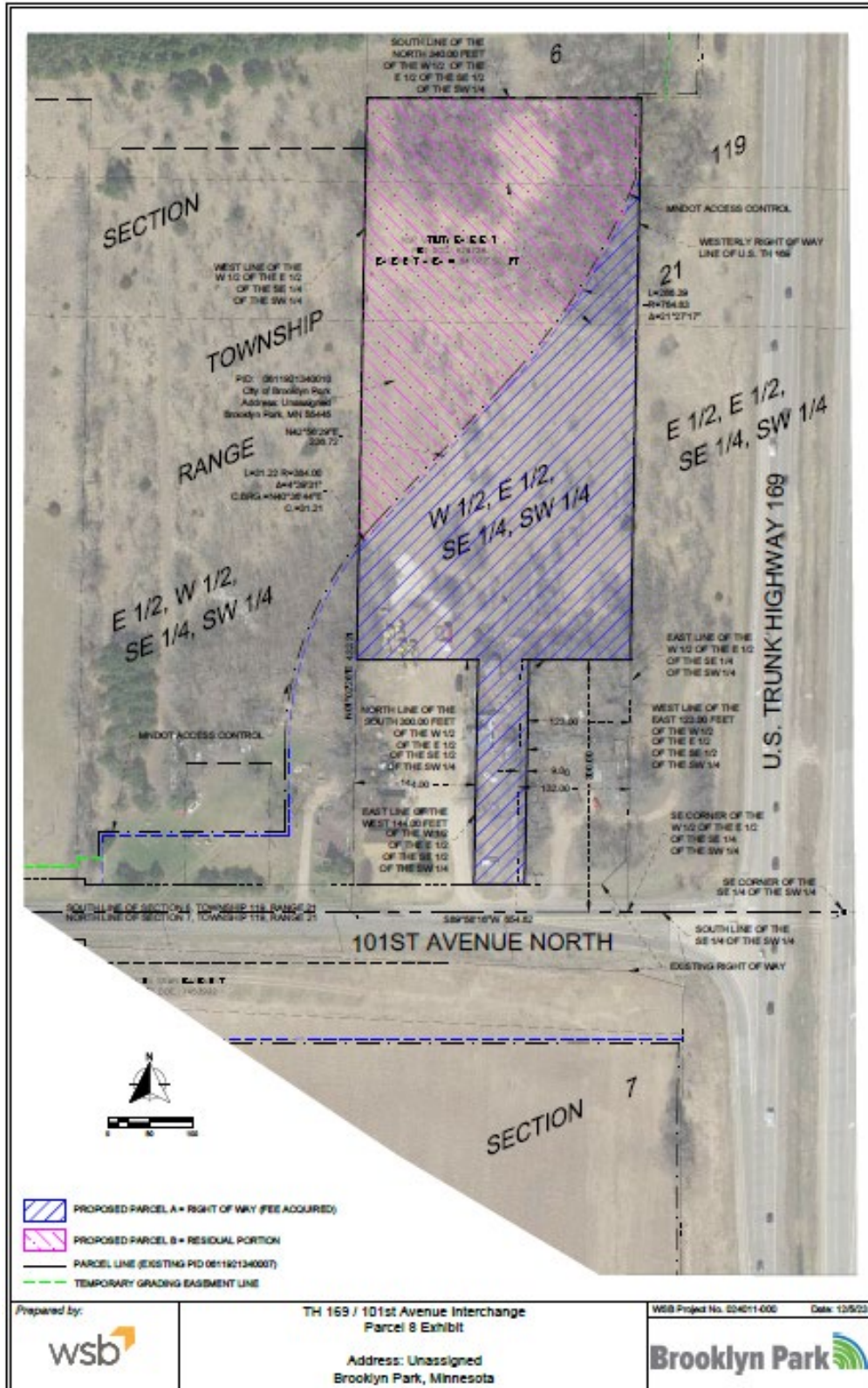
Commencing at the Southeast corner of the West half of the East half of the Southeast Quarter of the Southwest Quarter in Section 6, Township 119, Range 21; thence North 300 feet along the East line of said West half of the East half of the Southeast Quarter of the Southwest Quarter; thence West 132 feet parallel with South line of said tract; thence South 300 feet parallel with East line of said tract; thence East 132 feet along the South line of said tract to point of beginning, except road; and

EXCEPT that part of Par 1 and Par 2, described above, lying southeasterly of the following described line: Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 58 minutes 16 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Southwest Quarter, 654.62 feet to the west line of the West Half of the East Half of said Southeast Quarter of the Southwest Quarter; thence North 01 degrees 02 minutes 26 seconds East, along said west line 432.21 feet to the beginning of the line to be described; thence northeasterly, 31.22 feet along a non-tangential curve concave to the southeast, having a radius of 384.00 feet, a central angle of 04 degrees 39 minutes 31 seconds, and a chord bearing North 40 degrees 36 minutes 44 seconds East; thence North 42 degrees 56 minutes 29 seconds East, tangent to last described curve, 236.72 feet; thence northeasterly, 286.39 feet along a tangential curve concave to the northwest, having a radius of 764.83 feet and a central angle of 21 degrees 27 minutes 17 seconds to the westerly right of way line of United States Trunk Highway 169 and there terminating.

Subject to a limitation on access to 101st Avenue North, Document No. T5652656

Torrens Certificate Number 1502114

EXHIBIT H
Depiction of the EDA Whole Parcel to be conveyed by the City to the EDA



The City Council has determined that pursuant to its City Charter, Ordinance #2024-1299 should be published in summary form.

SUMMARY OF ORDINANCE #2024-1299

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED REAL PROPERTY TO THE MINNESOTA DEPARTMENT OF TRANSPORTATION AND THE BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY.

The City of Brooklyn Park does ordain:

Ordinance #2024-1299, approves the conveyance of real property to the Minnesota Department of Transportation and the Brooklyn Park Economic Development Authority according to City Charter Section 14.06.

This summary of Ordinance #2024-1299 has been approved by the City Council on March 11, 2024. A printed copy of the full text of the ordinance and a map are available for public inspection in the office of the city clerk.

ATTEST:

HOLLIES WINSTON, MAYOR

DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney
Passed on First Reading:
Passed on Second Reading:
Summary Published in Official Newspaper:

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	March 11, 2024
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Malcolm Hicks, Business Development Coordinator
Ordinance:	N/A		
Attachments:	2	Presented By:	Malcolm Hicks
Item:	Approve Amendments to the Capital Improvement Project Budget to Include CIP4053		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ TO APPROVE AMENDMENTS TO THE CAPITAL IMPROVEMENT PROJECT BUDGET TO INCLUDE CIP4053.

Overview:

Capital Improvement Plan (CIP)

Staff looks to amend the Capital Improvement Project budget to include CIP4053, the painting and restoration the guardrail median along the Shingle Creek and Zane Ave corridor. This project was originally budgeted for completion in 2023 for \$180,000. Approximately \$56,000 was spent in 2023 on bollard improvements and the remainder was missed in the carry forward process. The guardrail median project is expected to be completed by the end of spring. No new funds are being requested.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The amendment to the CIP can be accommodated in the 2024 Capital Improvement Fund.

Attachments:

4.4A RESOLUTION

RESOLUTION #2024-

RESOLUTION TO APPROVE AMENDMENTS TO THE CAPITAL IMPROVEMENT PROJECT BUDGET TO INCLUDE CIP4053

WHEREAS, the Capital Improvement Plan (CIP) is a flexible plan for project and equipment procurement; and

WHEREAS, some CIP projects are not completed in one calendar year and funds need to be carried forward to the following year for project completion; and

WHEREAS, volatility in supply chains, and other factors such as weather have delayed projects and equipment orders; and

WHEREAS, it is necessary to amend the CIP to properly fund the completion of the project

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve amendments to the Capital Improvement Plan as outlined below.

Changes to the GENERAL LEDGER Budget					
Financing Changes					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
Heritage Infrastructure	Transfers In	transfer from Heritage Infrastructure	\$ 9,300,000.00	\$ 124,000.00	\$ 9,424,000.00
					\$ -
		Total	\$ 9,300,000.00	\$ 124,000.00	\$ 9,424,000.00
Spending Changes					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
Heritage Infrastructure	Transfers Outs	Transfer to the Construction Fund	\$ 275,000.00	\$ 124,000.00	\$ 399,000.00
Construction Fund	Capital Outlay	CIP4053 - Street Scope Rehabilitation	\$ 19,780,000.00	\$ 124,000.00	\$ 19,904,000.00
					\$ -
		Total	\$ 20,055,000.00	\$ 248,000.00	\$ 20,303,000.00
Changes to the PROJECT Budget					
Financing Changes					
Project Number	Funding Source	Description	Current Budget	Changes	Amended Budget
CIP4053	H.I. - Heritage Infrastructure	Painting and restoration of guardrail median along Shingle Creek and Zane Ave corridor	\$ -	\$ 124,000.00	\$ 124,000.00
					\$ -
		Total	\$ -	\$ 124,000.00	\$ 124,000.00
Spending Changes					
Project Number	Expense Category	Description	Current Budget	Changes	Amended Budget
CIP4053	Construction/Maintenance	Painting and restoration of guardrail median along Shingle Creek and Zane Ave corridor	\$ -	\$ 124,000.00	\$ 124,000.00
					\$ -
		Total	\$ -	\$ 124,000.00	\$ 124,000.00

City of Brooklyn Park Request for Council Action

Agenda Item:	4.5	Meeting Date:	March 11, 2024
Agenda Section:	Consent	Originating Department:	Operations & Maintenance – Engineering Services Division
Resolution:	X	Prepared By:	Jesse Struve, P.E. City Engineer
Ordinance:	N/A		
Attachments:	3	Presented By:	Jesse Struve, P.E. City Engineer
Item:	Accept Petition for Easement Vacation at Lot 3, Block 1, Edinburgh Centre Third Addition and Set Public Hearing		

City Manager's Proposed Actions:

MOTION _____, SECOND _____, TO RECEIVE AND PLACE ON FILE THE PETITION FOR VACATING ALL THAT PART OF THE DRAINAGE AND UTILITY EASEMENTS ON LOTS 3, EDINBURGH CENTRE THIRD ADDITION (EXCEPTING THE SOUTHEASTERLY 10 FEET THEREOF), ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ ORDERING A PUBLIC HEARING FOR THE VACATING ALL THAT PART OF THE DRAINAGE AND UTILITY EASEMENTS ON LOTS 3, EDINBURGH CENTRE THIRD ADDITION (EXCEPTING THE SOUTHEASTERLY 10 FEET THEREOF), ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

Overview:

Jenna Gardner is requesting the vacation all that part of the drainage and utility easements on vacating all that part of the drainage and utility easement as shown on Lot 3, Block 1, Edinburgh Centre Third Addition (excepting the southeasterly 10 feet thereof), According to the Recorded Plat Thereof, Hennepin County, Minnesota. The property does not have a designated address but has a PID number of 1411921440034 and is located on Edinburgh Centre Drive.

A vacation hearing is scheduled to be held on April 8, 2024 for the Council's review of the proposed vacation of drainage and utility easements. Prior to the hearing staff will notify the utility companies of the petitioner's request, so they can provide input on the proposed vacation.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.5A RESOLUTION
- 4.5B PROPOSED EASEMENT VACATION AREA

RESOLUTION #2024-

RESOLUTION ORDERING HEARING FOR VACATING ALL THAT PART OF THE DRAINAGE AND UTILITY EASEMENTS ON LOTS 3, EDINBURGH CENTRE THIRD ADDITION (EXCEPTING THE SOUTHEASTERLY 10 FEET THEREOF), ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that a public hearing be held on the 8th day of April, 2024 at 6:00 p.m. in the Council Chambers at City Hall located at 5200 85th Avenue North to consider the vacation of the following drainage and utility easements:

Parcel Description

Lot 3, Block1, Edingburgh Centre Third Addition (excepting the southeasterly 10 feet thereof)

Easement Vacation Description

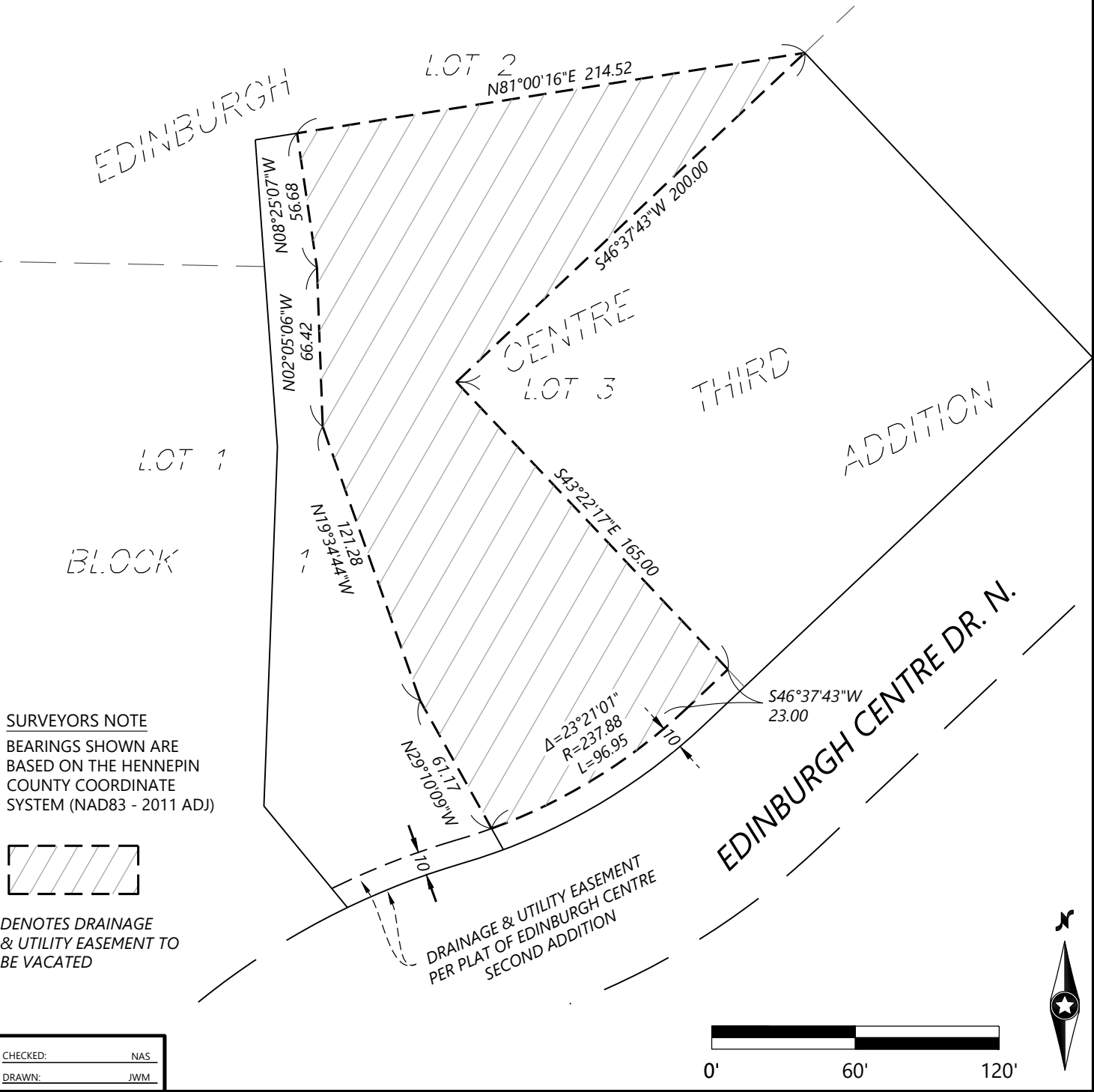
To vacating all that part of the drainage and utility easement as shown on Lot 3, Block 1, Edinburgh Centre Third Addition (excepting the southeasterly 10 feet thereof), According to the Recorded Plat Thereof, Hennepin County, Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk be directed to file the proper legal notice of such hearing in the manner required by law.

EASEMENT VACATION DESCRIPTION

ALL THAT PART OF THE DRAINAGE AND UTILITY EASEMENT AS SHOWN ON LOT 3, BLOCK 1, EDINBURGH CENTRE THIRD ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

EXCEPT THE SOUTHEASTERLY 10 FEET THEREOF.



SURVEYORS NOTE
 BEARINGS SHOWN ARE
 BASED ON THE HENNEPIN
 COUNTY COORDINATE
 SYSTEM (NAD83 - 2011 ADJ)



DENOTES DRAINAGE
 & UTILITY EASEMENT TO
 BE VACATED

CHECKED: NAS
 DRAWN: JWM

EDINBURGH CENTRE

BROOKLYN PARK, MN

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.

EASEMENT
 VACATION
 EXHIBIT

SHEET NUMBER:

1
 OF
 1

DATE: 02/06/2024

PROJECT NUMBER: 0041626.02

N:\0041626.02\DWG\SURVEY\0041626.02V-ESF01-VACA.DWG

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	March 11, 2024
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Mayor Hollies Winston
Item:	Appointments to Commissions		

City Manager's Proposed Action:

Appoint commissioners to serve on the Budget Advisory Commission, Community Long-range Improvement Commission, Human Rights Commission, Planning Commission, and the Recreation and Parks Advisory Commission.

BUDGET ADVISORY COMMISSION (BAC) Three appointments (1 City At-large; 1 Central; 1 West)

City At-large (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or Replacing Nahashon Mobisa)

Central District (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Teshite Wako)

West District (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or replacing Terri Merrill)

COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION (CLIC) Six appointments (3 City At-large [2 full term, 1 balance of a term]; 1 Central; 1 East; 1 West)

(Per Section 9.04 of our City Charter, the Mayor appoints to this Commission with the approval of the City Council.)

City At-large (Three appointments)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Etta Gbeizon-Borner)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Beauty Ojo)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2025. (Replacing Amy Nop)

Central District (One appointments)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or Replacing Mary Hoogheem)

East District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or Replacing Cindy Johnson)

West District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or replacing Edna McKenzie)

HUMAN RIGHTS COMMISSION (HRC) Three appointments (1 City At-large, 1 Central; 1 West)

City At-large (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____, TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Kevin Xiong)

Central District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____, TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Minn Wang)

West District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____, TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing John Mark Hostetler)

PLANNING COMMISSION Three appointments (1 City At-large; 1 Central; 1 West).

City At-large (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or replacing Liam Cavin)

Central District (One appointments)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING CENTRAL DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing John Kiekow)

West District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Jerry Yu)

RECREATION AND PARKS ADVISORY COMMISSION (RPAC) Five appointments (2 City At-large; 1 Central; 1 East; 1 Youth Liaison [one-year term])

City At-large (Two appointments)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Tawah Crawford)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Replacing Mike Nolen)

East District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or replacing Miriam Osammor)

West District (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2024 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2027. (Reappointing or replacing Mercy Matthews)

YOUTH LIAISON – City At-large (Ages 14-17 – One-year terms) (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION AS A YOUTH LIAISON REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2024 FOR A ONE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Reappointing Aria Reickard)

Overview:

On February 26, 2024, the City Council interviewed applicants to fill commission openings. Unless noted, terms are three-years, expiring April 1, 2027.

If there are any openings left unfilled after the appointments are made at tonight's Council meeting, City staff will re-advertise to fill the positions that are still vacant.

There are no applicants for the Emerging Leader seats open on BAC, HRC, Planning, and RPAC. There is also one open seat for the RPAC Youth Liaison program. These seats will be re-advertised.

Primary Issues/Alternatives to Consider:

Selection and appointment of commissioners.

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Council Work Session

Meeting Date:	March 11, 2024	Originating Department:	Planning
Agenda Item:	10.1	Prepared By:	Matt Hayes-Regan, Planning Program Assistant
Agenda Section:	Work Session	Presented By:	Paul Mogush, Planning Director
Item:	Land Usage – Code Update		

Summary:

The City's development pattern and land use policies have changed since the last major zoning update in 2000. Updates to the ordinance are needed to reflect the desired vision for the City. State law requires that all official controls be updated within nine months of the Comprehensive Plan's adoption. Code changes are necessary for compliance with the Comprehensive Plan and to make administering of the ordinance easier.

The scope, timeline, and next steps will be discussed. Additionally, the Planning Commission will use their Regular Meetings to hold public hearings and make recommendations for each of the steps detailed in the timeline. Council will receive the Planning Commission's recommendations via a Request for Council Action with the proposed text amendments included as attachments.

Attachments:

10.1A Land Use Amendments Timeline

10.1B Land Use Section Titles

Land Use Amendments - Timeline



January 24
Mississippi River Corridor Critical Area (MRCCA)
Crystal Airport Joint Zoning Board (JAZB)

February 28
150 Signs
151 Subdivision
153 Stormwater
152 Article 1 - Administration
Section 1 Intent and Purpose
Section 2 Administration and Enforcement
Section 3 Applications and Procedures
152 Article 2 - Zoning Districts
Section 1 Establishment of Zoning Districts
Section 2 Residential Districts
Section 3 Nonresidential Districts
Section 4 Mixed Use Districts
Section 5 Overlay Districts

March 27
152 Article 3 Standards
Section 1 Land Use Performance Standards

April 24
152 Article 3 Standards
Section 2 Development Standards

June 24
All Items

TITLE XV: LAND USAGE

CHAPTER 150: SIGNS

General Provisions

- 150.01 Short title
- 150.02 Purpose and intent
- 150.03 Definitions
- 150.04 General provisions applicable to all zoning districts
- 150.05 Prohibited signs
- 150.06 Temporary signs
- 150.07 Non-conforming signs
- 150.08 Variances
- 150.09 Sign application
- 150.10 Bond and license
- 150.11 Construction standards
- 150.12 Permit and fee exemptions
- 150.13 Enforcement
- 150.14 Violations
- 150.15 Right of appeal

District Regulations

- 150.25 R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4 and R-4A Residential Districts and areas guided for low- and medium-density residential in the Planned Community Development District and Planned Unit Development District
- 150.26 R-5, R-6 and R-7 Multiple Residential Districts and area guided for high-density residential in the Planned Community Development District and Planned Unit Development District
- 150.27 B-1 Office Park District
- 150.28 B-2 Neighborhood Retail Business District, B-3 General Business District, and B-4 Vehicle Sales and Showroom District
- 150.29 BP Business Park and I General Industrial Districts
- 150.30 PCDD Planned Community Development District and PUD Planned Unit Development District
- 150.31 PI Public Institutional District
- 150.32 Highway Overlay

10.2B - LAND USAGE SECTION TITLES

CHAPTER 151: SUBDIVISIONS

General Provisions

- 151.001 Purpose
- 151.002 Definitions
- 151.003 Procedural requirements
- 151.004 Pre-application procedural requirements
- 151.005 Procedure, preliminary plat, fees and deposit
- 151.006 Procedure; final plat
- 151.007 Procedures for time extensions
- 151.008 Conditional use permit special zoning procedures
- 151.009 Registered land surveys
- 151.010 Conveyance by metes and bounds
- 151.011 Structures abutting public streets
- 151.012 Resubdividing combined parcels
- 151.013 Building permits
- 151.014 Subdivision and zoning fees

Preliminary Plat

- 151.025 Preliminary plat requirements
- 151.026 Supplementary information required
- 151.027 Qualifications governing approval of a preliminary plat

Final Plat

- 151.040 Final plat requirements
- 151.041 Name and location
- 151.042 Scale and point
- 151.043 Map
- 151.044 Surveyor's certificate
- 151.045 Signature of owners and dedication
- 151.046 Recording form

Design Standards

- 151.055 General requirements
- 151.056 Streets
- 151.057 Alleys
- 151.058 Easements
- 151.059 Blocks
- 151.060 Lots
- 151.061 Public sites and open space and park land dedication

Road Naming and House Numbering

- 151.070 Road designations
- 151.071 House numbering system

Required Improvements

- 151.085 Purpose
- 151.086 Listed and described
- 151.087 Payment for installation
- 151.088 Entryway signs; dedication and maintenance
- 151.089 Agreement providing for proper installation of improvements
- 151.090 Financial guarantee
- 151.091 Construction plans
- 151.092 Improvements completed prior to the approval of final plat

Variances

- 151.100 Variances generally
- 151.101 Fees
- 151.102 Variance for certain homesteads

10.2B - LAND USAGE SECTION TITLES

CHAPTER 152: ZONING CODE

ADMINISTRATION

General Provisions

- 152.001 Title
- 152.002 Purpose
- 152.003 Relationship to the Comprehensive Plan
- 152.004 Zoning map
- 152.005 Application
- 152.006 Interpretation
- 152.007 Authority
- 152.008 Definitions

Administration and Enforcement

- 152.020 Purpose
- 152.021 City Manager
- 152.022 Enforcement and penalties
- 152.023 Development contracts, financial guarantees, and cash escrows

Applications and Procedures

- 152.030 Purpose
- 152.031 General procedures
- 152.032 Administrative permits
- 152.033 Site plan review
- 152.034 Variance
- 152.035 Conditional Use Permit
- 152.036 Zoning ordinance text and map amendments
- 152.037 Zoning overlays
- 152.038 Applications for development in Planned Community Development District
- 152.039 Required information for applications

Non-Conformities

- 152.050 Purpose
- 152.051 Creation of non-conformities by public action
- 152.052 Non-conforming land use
- 152.053 Non-conforming lot of record
- 152.054 Non-conforming structures
- 152.055 Non-conforming site improvements

GENERAL PERFORMANCE STANDARDS

Private Structures and Uses On or In Easements and Public Rights-of-Way

- 152.070 Easements
- 152.071 Public rights-of-way

Relocating Structures

- 152.080 Purpose
- 152.081 Site plan review required
- 152.082 Requirements for relocating structures

Tower Performance Standards

- 152.090 Purpose
- 152.091 Existing antennas and towers
- 152.092 General requirements
- 152.093 Towers and antennas in residential areas
- 152.094 Additional submittal requirements
- 152.095 Evaluation and monitoring
- 152.096 Variances

Lighting

- 152.110 Purpose
- 152.111 Performance standards
- 152.112 Glare
- 152.113 Compliance
- 152.114 Exception

Pedestrian Circulation (Sidewalks)

- 152.130 Purpose
- 152.131 Required locations
- 152.132 Cross circulation requirements

Off-Street Parking, Drive Aisle Standards, Garage and Driveway Regulations

- 152.140 Purpose
- 152.141 Applicability
- 152.142 Required quantity
- 152.143 Garages required
- 152.144 Driveways
- 152.145 Off-street parking area design requirements
- 152.146 Transportation demand management
- 152.147 Off-street loading docks and staging areas

Additional Parking Standards

- 152.148 Accessory commercial vehicle parking in nonresidential districts

10.2B - LAND USAGE SECTION TITLES

Enclosures

- 152.150 Trash and waste enclosures

Requirements for Licensed Daycare Facilities

- 152.160 Purpose
- 152.161 License required
- 152.162 Compliance
- 152.163 Regulations for residential daycares
- 152.164 Regulations for non-residential daycares

Performance Standards for Religious Institutions and Public and Private Schools

- 152.180 Purpose
- 152.181 Religious institutions
- 152.182 Public and private schools

Sustainability Provisions

- 152.184 Community garden standards
- 152.185 Alternative energy systems
- 152.186 Wind energy conversion systems (WECS) standards
- 152.187 Solar energy standards
- 152.188 Ground source heat pump system standards

Drainage and Ponding

- 152.190 Purpose
- 152.191 Drainage
- 152.192 Ponds

Interim Uses

- 152.193 Purpose
- 152.194 Procedure
- 152.195 General requirements
- 152.196 Termination

Mixed Income Housing

- 152.197 Purpose
- 152.198 Applicability

RESIDENTIAL PERFORMANCE STANDARDS

Establishment of Residential Districts

- 152.200 Purpose
- 152.201 R-1 Urban Reserve District
- 152.202 R-2 Detached Single-Family Estate District
- 152.203 R-2A Detached Single-Family Residential District
- 152.204 R-2B Detached Single-Family Residential District

- 152.205 R-3 Detached Single-Family Residential District
- 152.206 R-3A Detached Single-Family Residential District
- 152.207 R-4 Detached Single- and Attached Two-Family Residential District
- 152.208 R-4A Townhouse District
- 152.209 R-5 Multiple Family Residential District
- 152.210 R-6 Multiple Family Residential District
- 152.211 R-7 Multiple Family Residential District
- 152.212 R-4B Detached Single Family District

Required Lot Area and Dimensional Requirements for Residential Districts

- 152.220 Purpose
- 152.221 Standards
- 152.222 Setbacks
- 152.223 Clear view triangles
- 152.224 Compliance with Floodplain Overlay and Critical Area Overlay
- 152.225 Maximum height
- 152.226 Lowest floor elevation

Permitted, Conditional, and Temporary Uses in Residential Districts

- 152.240 Purpose
- 152.241 Proposed developments subject to Site Plan Review requirements
- 152.242 Permitted and conditional uses
- 152.243 Additional regulations for permitted uses
- 152.244 Conditional uses
- 152.245 Temporary uses

Residential Accessory Uses and Structures

- 152.260 Purpose
- 152.261 Accessory uses
- 152.262 Additional standards for accessory uses
- 152.263 Accessory structures
- 152.264 Temporary family health care dwellings

Residential Landscaping Standards

- 152.270 Purpose
- 152.271 Landscape plan required
- 152.272 Installation of landscape materials
- 152.273 Minimum required open space
- 152.274 Minimum tree and shrub quantities
- 152.275 Screening

10.2B - LAND USAGE SECTION TITLES

152.276 Non-residential uses in residential zoning districts

Residential Architectural Standards

152.290 Purpose
152.291 General requirements
152.292 Use specific requirements
152.293 Maintenance
152.294 Minimum design and site requirements for medium and high density residential districts

BUSINESS DISTRICT PERFORMANCE STANDARDS

Establishment of Business Districts

152.300 Purpose
152.301 B-1 Office Park District
152.302 B-2 Neighborhood Retail Business District
152.303 B-3 General Business District
152.304 B-4 Vehicle Sales and Showroom District
152.305 BP Business Park District
152.306 I General Industrial District

Required Lot Area and Dimensional Requirements for Business Districts

152.320 Purpose
152.321 Standards
152.322 Setbacks
152.323 Clear view triangles
152.324 Bulk restrictions
152.325 Height limitations

Permitted, Conditional, and Temporary Uses in Business Districts

152.340 Purpose
152.341 Proposed developments subject to site plan review requirements
152.342 Permitted and conditional uses
152.343 Additional regulations for permitted uses
152.344 Additional regulations for conditional uses
152.345 Temporary uses and events

Business District Accessory Uses and Structures

152.360 Purpose
152.361 Accessory uses
152.362 Additional standards for accessory uses
152.363 Accessory structures

Landscaping and Screening Standards for Business Districts

152.370 Purpose
152.371 Landscape plan required
152.372 Installation of landscape materials
152.373 Landscaping standards
152.374 Landscaping guidelines
152.375 Screening
152.376 Crime prevention through environmental design
152.377 (Reserved)
152.378 Irrigation system required
152.379 Conformance with approved plan

Architectural Standards in Business Districts

152.390 Purpose
152.391 General requirements
152.392 Specific requirements
152.393 Exterior surface finishes

Planned Community Development District (PCDD)

152.410 Purpose
152.411 Establishment
152.412 Site plan review
152.413 Application components
152.414 Procedures
152.415 Uses
152.416 Open space
152.417 Performance standards

Public Institution District (PI)

152.430 Purpose
152.431 Establishment
152.432 Site Plan Review
152.433 Permitted uses
152.434 Conditional uses
152.435 Performance standards
152.436 Accessory uses

Conservancy District (CD)

152.450 Purpose
152.451 Establishment
152.452 Interpretation of district boundaries
152.453 Permitted uses
152.454 Conditional uses

10.2B - LAND USAGE SECTION TITLES

Town Center Zoning District

- 152.460 Purpose
- 152.461 Permitted uses
- 152.462 Conditional uses
- 152.463 Design standards
- 152.464 Submittal requirements and review procedures
- 152.465 Modification or amendments
- 152.466 General requirements
- 152.467 Revocation of development plans

Planned Unit Development Zone District (PUD)

- 152.470 Purpose
- 152.471 Establishment
- 152.472 Submittal requirements
- 152.473 Procedures
- 152.474 Expiration of approval
- 152.475 Development Plan standards

Village Zoning District

- 152.480 Purpose
- 152.481 Uses
- 152.482 Performance Standards
- 152.483 Submittal requirements
- 152.484 Modification of amendments
- 152.485 General requirements
- 152.486 Revocation of development plans

SPECIAL ZONING OVERLAYS

Special Overlay Districts

- 152.490 Purpose
- 152.491 Flood Hazard Overlay
- 152.492 Mississippi River Critical Area Overlay (CA)
- 152.493 Highway Overlay (H)
- 152.494 Planned Development (PD) Overlay

Flood Hazard Area Overlay

- 152.510 Purpose
- 152.511 General provisions
- 152.512 Amendments and administration
- 152.513 Floodway, Flood Fringe, and general flood plain performance standards and uses
- 152.514 Standards for all flood plain districts
- 152.515 Procedures for submission of technical data for boundary determination
- 152.516 Procedures for submission of technical data for all development within a flood hazard overlay

- 152.517 Subdivision review criteria
- 152.518 Conditions for a variance to the Flood Hazard Overlay performance standards
- 152.519 Approval of Site Plan Review, Conditional Use Permits and/or grading permits
- 152.520 Non-conformities
- 152.521 Record of first floor elevation
- 152.522 Enforcement and penalties

Mississippi River Critical Area

- 152.530 Mississippi River corridor development standards

Highway Overlay

- 152.540 Purpose
- 152.541 Applicability
- 152.542 Submittal requirements and review procedures
- 152.543 Term of approval
- 152.544 Site performance standards
- 152.545 Building performance standards
- 152.546 Other requirements
- 152.547 Allowable uses

Planned Development (PD) Overlay

- 152.560 Purpose
- 152.561 Uses
- 152.562 Submittal requirements
- 152.563 Procedures
- 152.564 General requirements
- 152.565 Modifications or amendments
- 152.566 Revocation of the Development Plan

Additional Provisions

- 152.570 Noise pollution control

Transit Oriented Development (TOD) Zoning

- 152.601 Purpose
- 152.602 TOD Districts
- 152.603 Uses
- 152.604 Building and Site Standards
- 152.605 Development Standards
- 152.606 TOD-C Transit Oriented Development Center District
- 152.607 TOD-C.T Transit Oriented Development Center Transition District
- 152.608 TOD-E Transit Oriented Employment District

10.2B - LAND USAGE SECTION TITLES

- 152.609 TOD-E.T Transit Oriented Employment
Transition District
- 152.610 TOD-G Transit Oriented Greenfield District -
High, Medium and Low Intensities and
Greenfield Neighborhood Structure and
Public Realm Standards

CHAPTER 153: STORMWATER MANAGEMENT

- 153.01 Title
- 153.02 Purpose
- 153.03 Scope
- 153.04 Severability
- 153.05 Incorporation by reference
- 153.06 Definitions
- 153.07 Stormwater management plan
- 153.08 Erosion control plan
- 153.99 Penalty

City of Brooklyn Park Council Work Session

Meeting Date:	March 11, 2024	Originating Department:	Planning
Agenda Item:	10.2	Prepared By:	Paul Mogush, Planning Director
Agenda Section:	Work Session	Presented By:	Paul Mogush, Planning Director
Item:	Northwest Area Planning Scope		

Summary:

Staff are preparing to release a Request for Proposals (RFP) for consulting services to conduct a small area planning process for the northwest corner of the city. This work was originally intended to start in 2023 but was delayed in order to complete the 610 Corridor Development Study in response to the development moratorium. At the March 11 work session, staff will walk through a proposed draft scope of work for the planning process, including options for community engagement and timeline. The goal is to release the RFP in the second quarter of 2024 and begin the planning process in late spring or early summer.

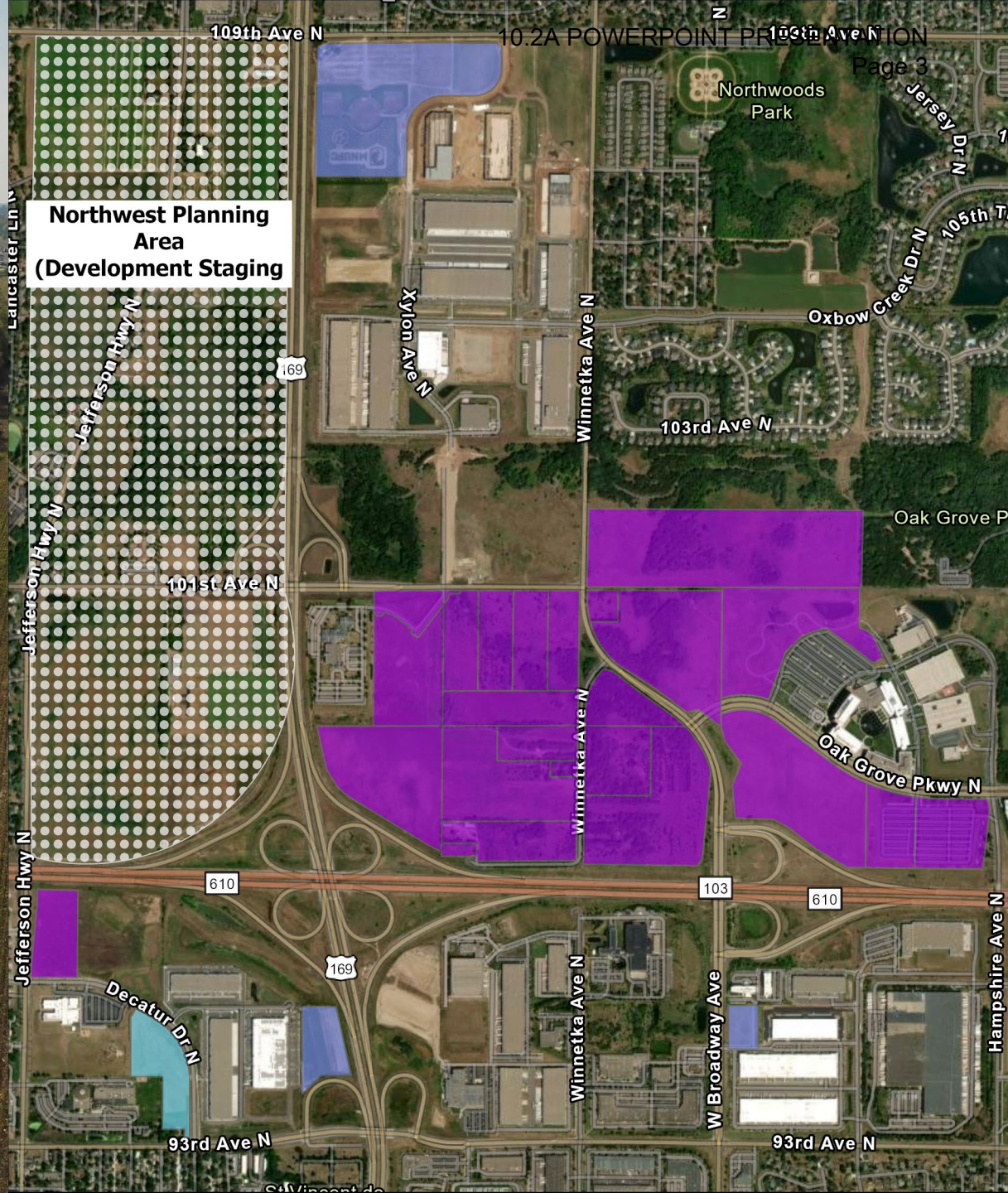
Attachments:

10.2A POWERPOINT PRESENTATION

Northwest Area Small Area Plan

City Council Work Session

March 11, 2024



Northwest Planning Area
(Development Staging)

Why Plan?

The City needs...

- A strategy for **extending water** to the area.
- A plan for **sanitary sewer** locations in conjunction with street grid and development parcels.
- A **district stormwater plan**, which will allow the area to be developed to its full potential.
- A basic framework for the **street system** in order to be prepared for individual development proposals that will come forward.
- A **land use plan** that balances the need for housing, employment, and retail uses, and an **urban design plan** that ensures efficient use of land consistent with council goals.
- To be prepared for success in developing a **Biotech Innovation District** – What does this look like?
- To identify **parks and open space** opportunities.
- To lay out a strategy for making it all happen (an **implementation strategy** and **phasing plan**).

Scope

- Goals
- Land Use and Urban Design Plan
- Transportation Plan
- Open Space Plan
- Utility Plan
- Development and Infrastructure Phasing Plan
- Development Implementation Strategy

Engagement Option 1

- Goals
- Land Use and Urban Design Plan
- Transportation Plan
- Open Space Plan
- Utility Plan
- Development and Infrastructure Phasing Plan
- Development Implementation Strategy

Approximate timeline: June 2024 through June 2025 (**One year**)

Engagement Option 2

- Goals
- Land Use and Urban Design Plan
- Transportation Plan
- Open Space Plan
- Utility Plan
- Development and Infrastructure Phasing Plan
- Development Implementation Strategy

Approximate timeline: June 2024 through March 2025 (**9 months**)

Engagement Option 3

- Goals (Council decides)
- Land Use and Urban Design Plan
- Transportation Plan
- Open Space Plan
- Utility Plan
- Development and Infrastructure Phasing Plan
- Development Implementation Strategy

Approximate timeline: June 2024 through January 2025 (**7 months**)

Next Steps

- Late March: Issue RFP
 - Council review?
- Early May: Convene selection committee
 - City Staff
 - One Council Member (?)
 - One Planning Commission member (?)
- Late May: Council action to select consultant
- Mid June: Work begins

City of Brooklyn Park Council Work Session

Meeting Date:	March 11, 2024	Originating Department:	Community Development
Agenda Item:	10.3	Prepared By:	Kim Berggren, Director of Community Development
Agenda Section:	Work Session	Presented By:	Kim Berggren, Director of Community Development and Paul Mogush, Planning Director
Item:	BLRT Update		

Summary:

The METRO Blue Line Light Rail Transit (LRT) Extension project has been under consideration for decades and is currently on track to open for service in 2030. The project will extend the existing Blue Line from Target Field Station northwest to Brooklyn Park and connect communities along the way. Brooklyn Park is preparing for five stations as part of this almost \$3 billion transportation investment.

The purpose of this work session is to provide information to the City Council about the plans and discuss any concerns or questions. The City Council will be asked to provide municipal consent for this project later this year.

BLRT Project Information:

Brooklyn Park's website – provides information about Brooklyn Park's beyond the rails planning <https://www.brooklynpark.org/city-projects/light-rail-transit/>

Brooklyn Park's **Station Area Plans** (2016) – provides a vision for the station areas to reinforce and strengthen the unique characteristics of each of the neighborhoods around the five planned stations in Brooklyn Park

www.brooklynpark.org/wp-content/uploads/2019/12/160816_FINAL-Station-Area-Plan-Lo-Res-reduced-size.pdf

Brooklyn Park's **West Broadway Streetscape Framework Manual** (2017)

<https://www.brooklynpark.org/wp-content/uploads/2019/12/171027-West-Broadway-Streetscape-Framework-Manual.pdf>

Brooklyn Park's **Transit Oriented Development (TOD) Zoning Ordinance**

https://codelibrary.amlegal.com/codes/brooklynpark/latest/brooklynpark_mn/0-0-0-38653

Blue Line Extension website

<https://yourblueline.org/>

Anti-Displacement report

<https://yourblueline.org/anti-displacement>

Hennepin County's website – **Bottineau Community Works**

<https://www.hennepin.us/residents/transportation/bottineau-community-works>

Met Council's **project website**

<https://metro council.org/Transportation/Projects/Light-Rail-Projects/METRO-Blue-Line-Extension.aspx>

Press release with **Ridership and Cost Data** (Feb 28, 2024) <https://metro council.org/News-Events/Transportation/Newsletters/Blue-Line-Extension-ridership-and-cost-Feb-2024.aspx>

Attachments:

- 10.3A EXCERPTS FROM MARCH 4, 2024 TECHNICAL PROJECT ADVISORY COMMITTEE MEETING
- 10.3B METRO BLUE LINE EXTENSION PROJECT OUTREACH AND ENGAGEMENT BROOKLYN PARK -
2023

10.3B Excerpts from March 4, 2024 Technical Project Advisory Committee meeting presentation



- 13.4 miles & 12 new stations
- Connecting Minneapolis, Robbinsdale, Crystal, Brooklyn Park and surrounding communities to fast, frequent, all-day service across the METRO system
- Single seat ride to existing Blue Line stops downtown, MSP Airport and Mall of America
- Focus on building community prosperity through anti-displacement strategies before, during, and after construction






Next steps

- Updated post-COVID ridership and initial cost information: March 2024
- Supplemental Draft Environmental Impact Statement: Spring 2024
- Municipal Consent process to confirm final route: Summer 2024
- Updated 60% cost estimate: Fall 2024
- Final Design: 2024-2025
- Construction starts: 2026-2027
- Anticipated opening: 2030

Who we are serving



WITHIN 1/2 MILE OF THE BLE ALIGNMENT

- 54.5% BIPOC population

- 13.9% 0-car households

- 15.9% Population in poverty

- 86.7% Commute to work

- 5.0% Use public transit to commute

- 13.3% Work from home

*Source: Census.gov

**METRO Blue Line Extension Project
Outreach and Engagement
Brooklyn Park - 2023**

2/6/2023 6:00 PM at Brooklyn Park City Hall, 5200 85th Avenue North, Brooklyn Park, MN 55443

- Update to City Council
- Share Project Information/Feedback
- Elected officials: 15
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

2/15/2023 11:00 AM at 7411 85th Avenue North, Brooklyn Park, MN 55445

- Resource Fair Share Project
- Information/Feedback Students: 25
- Staff: Joanna Ocasio-Maisonet and Nkongo Cigolo

5/24/2023 8:00 AM at Brooklyn Park City Hall, 5200 85th Ave. N. Brooklyn Park, MN 55443

- Blue Line Extension Update for BP Businesses
- Share Project Information/Feedback
- Elected officials, business owners in area: 20
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

6/28/2023 6 PM at Brooklyn Park Library 8500 West Broadway Ave. Brooklyn Park, MN 55445

- Brooklyn Park Open House
- Share Project Information/Feedback Community members: 7
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

7/7/2023 5:00 PM at 7100 Zane Ave Noth, Brooklyn Park, MN 55429

- Brooklyn Park Splash Pad Event
- Share Project Information/Feedback Community members: 150
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

7/26/2023 2:00 PM at Noth Hennepin Community College, 7411 85th Avenue North, Brooklyn Park, MN 55445

- Brooklyn Park Farmers Market
- Share Project Information/Feedback Community Members: 10
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

8/28/2023 9:00 AM at 8794 North Maplebrook, Brooklyn Park, MN 55445

- Door Knocking/Residential
- Share Project Information/Feedback Community members: 20
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

8/29/2023 9:00 AM at Brooklyn Park Door Knocking/Residential

- Share Project Information/Feedback Community members 20
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

8/31/2023 2:00 PM at 9450 Winnetka Ave. N. Brooklyn Park, MN 55445

- Takeda Pharmaceuticals

- Share Project Information/Feedback Business Representative: 6
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

9/7/2023 10:00 AM at Brooklyn Park Door Knocking/Residential

- Share Project Information/Feedback Residents: 20
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

9/20/2023 2:00 PM at 7411 85th Ave. N. Brooklyn Park, MN 55445

- Brooklyn Park Farmer's Market
- Share Project Information/Feedback Community members: 5
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

9/21/2023 10:00 AM at 7635 Jolly Lane, Brooklyn Park, MN

- Business Canvassing Share Project Information and Conduct Survey
- Business representatives: 10
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

9/27/2023 12:00 PM at Brooklyn Park

- Business Canvassing Share Project Information and Conduct Survey
- Business representatives: 10
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

10/5/2023 10:00 AM at 8459 West Broadway, Brooklyn Park

- Business Canvassing Share Project Information and Conduct Survey
- Business representative: 10
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

10/28/2023 2:00 PM at 7100 Zane Ave. N. Brooklyn Park, MN 55429

- Spooktacular Event, Zanewood Recreation Center
- Share Project Information/Feedback Community members: 1,000
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

11/26/2023 1:00 PM at Brooklyn Park Library

- Cultivate Arts - Robot Mobile Disco
- Share Project Information/Feedback Community: 15
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo

11/29/2023 11:30 a.m. at NHCC - Brooklyn Park

- Cultivate Arts - Resource Tabling
- Share Project Information/Feedback Community: 25
- Staffs: Joanna Ocasio-Maisonet and Nkongo Cigolo