
July 10, 2024
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North
Brooklyn Park, MN 55443

PLANNING COMMISSION REGULAR MEETING – AGENDA #11

For reasonable accommodations or alternative formats, please provide a 72-hour notice by calling 763-424-8000 or emailing chris.xiong@brooklynpark.org. Si usted necesita esta información en español, llame al 763-424-8000 y solicite un intérprete. Yog xav tau kev pab, hu 763-493-8059.

Commissioners: Chair Liam Cavin, Vice Chair Kathy Fraser, General Officer Teshite Wako, Christopher Udomah, Philip Gaye-Bai, Maggie Borer, Shereese Turner, Abdo Korosso, and Chukwunedu Arah.
City Councilmember Liaison Tony McGarvey.
Staff Liaison Paul Mogush, Erin McDermott and Matt Hayes-Regan.

Members of the public can monitor the meeting by watching it on CCX Media Channel 16 or by livestreaming it at https://nwsgcc-brooklynpark.granicus.com/ViewPublisher.php?view_id=5.

Anyone who wants to address the Planning Commission during the Public Comment period may do so in person or by calling **763-493-8057** or emailing planning@brooklynpark.org by 4:00 p.m. on the meeting day. You will be asked to provide your name, address, email, and phone number. You will then be registered to speak during the Public Comment period or on the agenda item and will be provided with the call-in number to address the Planning Commission.

I. ORGANIZATIONAL BUSINESS

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
- 2. EXPLANATION BY CHAIR**

Please be advised that the public hearings are recorded and televised live on cable television and web-streamed over the internet at brooklynpark.org. The audio system will not pick up comments from the seating area. If you want to be heard and made a part of the public record, please go to the podium or, if participating remotely, turn on your camera; speak into the microphone, stating your full name and address. Please sign the public hearing logbook on the table near the entrance to the Council Chambers if you are attending in person to ensure accuracy of name and address in the public record. Please note that the agenda for tonight's meeting indicates that the Commission Chair has the prerogative to invoke a time limit for speakers during any public hearing in the interest of maintaining focus and the effective use of time. Thank you in advance for your cooperation.

The Planning Commission consists of 11 resident-volunteer members, two of which are young adult members, appointed by the City Council to advise the City Council on planning and land use issues. The Commission discusses and evaluates development proposals based on zoning regulations and comprehensive plan policies. The Planning Commission vote is a recommendation that is forwarded to the City Council for official and final action.

- 3. APPROVAL OF AGENDA**

II. REQUIRED DUTIES

- 4. CONSENT AGENDA**

- 4.1 Approval of Minutes June 12, 2024 Regular Meeting**

5. PUBLIC HEARING

5.1 Planning Case #24-111 | Galeske Addition | 8909 Irving Ave N | Preliminary/Final Plat Application

The property owner of 8909 Irving Avenue is requesting to subdivide this property into two residential lots for the construction of a new residential structure in an existing residential neighborhood. This property is located on the northwest corner of 89th and Irving Avenues.

6. OTHER BUSINESS

6.1 4120 85th Avenue (City of Brooklyn Park Staff)

The Brooklyn Park Economic Development Authority (EDA) has a signed purchase agreement for the property located at 4120 85th Avenue. Pursuant to Minnesota Statute 462.356 Subp. 2. the planning agency of the city must review the proposed acquisition and report to the governing body the finding on the compliance of the property with the adopted comprehensive plan.

The 2040 Comprehensive Plan has designated the future land use of the subject property as Live/Work with a Development/ Redevelopment Area overlay. The property is currently underdeveloped, and the existing structures on the property are a single-family residence, as well as a commercial structure. Through the acquisition of this property, the EDA is advancing the goals of the Comprehensive Plan.

There is no plan for development on this site at this time.

III. DISCUSSION ITEMS

IV. VERBAL REPORTS AND ANNOUNCEMENTS

7. COUNCILMEMBER LIASON COMMENTS

8. PLANNING COMMISSION COMMENTS

9. STAFF LIASON COMMENTS

V. ADJOURNMENT

UNAPPROVED MINUTES

MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION Regular Meeting – June 12, 2024



1. CALL TO ORDER

The meeting was called to order at 7:10 PM.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Cavin, Arah, Fraser, Gaye-Bai, Turner and Wako; Planning Director Mogush; Associate Planner McDermott, Planning Assistant Hayes-Regan, and Recreation and Parks Director Brad Tollberg.

Those arrived late: None.

Those excused were: Commissioners Korosso and Udomah, and Council Liaison McGarvey.

Those not present were: Commissioner Borer.

3. EXPLANATION BY CHAIR

4. APPROVAL OF AGENDA

MOTION FRASER, SECOND WAKO TO APPROVE THE JUNE 12, 2024 AGENDA.

MOTION CARRIED UNANIMOUSLY.

5. CONSENT AGENDA

A. Minutes – May 8, 2024

MOTION WAKO, SECOND TURNER TO APPROVE THE JUNE 12, 2024 CONSENT AGENDA.

MOTION CARRIED UNANIMOUSLY.

6. PUBLIC HEARING

A. Planning Case #24-109 (Brooklyn Park Teen and Youth Center) – 7100 Zane Avenue N – Site Plan Review

Commission Chair Cavin noted that he will be recusing himself from this discussion and vote because of a potential conflict of interest.

Associate Planner McDermott introduced a request for a 24,530-square-foot addition to the existing Zanewood Recreation Center. They identified the subject property, noting that the site is unique in that the building sits on two parcels that are separately owned and zoned. They stated that under a previous consideration, the site was determined that it would be considered under the PI zoning district. They reviewed the adjacent uses and zoning, proposed architectural rendering, and proposed reconfiguration of the site. They provided details on proposed rain gardens for the site noting that there would also be an outdoor art garden. They provided the site

rendering which provides for the site configuration and proposed greenspace. They highlighted the different amenities that would be offered within the building. They stated that staff recommends approval as proposed.

Acting Commission Chair Fraser invited parks staff to provide input.

Recreation and Parks Director Tollberg commented that he is excited that this project is moving towards the final stages as the project has been in the works for the past few years. He highlighted all the staff members and design partners that have helped to get to this point. He commented that the site will serve as a much-needed hub for youth programming and family services. He stated that the existing building will be K-5 space, while the programming space within the new building will be focused on teens aged through 24. He stated that there is also a teen tech center, through partnership with Best Buy, which will provide a unique opportunity for young people to explore and imagine new things. He provided additional details on other programming opportunities that this site will provide.

Ashley Adamma Ochiagha Meeks, Design by Melo, commented that as someone who grew up in Brooklyn Park, it has been great to work on this project. She explained the assessment and review that they completed to design the space in a way that provides unique opportunities.

Acting Commission Chair Fraser opened the public hearing.

Cindy Hill commented that she has been active in this project from the beginning and her nonprofit, Minnesota Chill Foundation, has been involved as well. She explained that they engaged the youth in the community to determine their wants for the space. She stated that her foundation put in the Chill Tech space at the current Zanewood location. She stated that space continues to be a limitation, but commended staff for the offerings they are able to provide within that space. She stated that she has reached out to many people in the community to determine what could be provided to assist with this project, as this is something that is needed for the community.

Collette Hemple, 9277 Trinity Gardens, commented that she greatly appreciates the location for the teen center as families in that area live in overcrowded apartments in an overcrowded area. She stated that the City has failed to provide a safe location for the teens to be. She stated that she supports this project and asked that the Commission encourage the City Council to seek funding wherever it could be available including a referendum question on the ballot this fall.

Melvin Sambola, 5900 Century Boulevard, asked when this would become effective and open.

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

Acting Commission Chair Fraser commented that she is very excited to see this come to fruition as this is something she has supported through long-range planning and as a parent whose children have used the community center.

Commissioner Turner commented that she was excited to see this moving forward, noting that she also has children that have participated in activities at the community center. She commented

that this is exactly what the city needs right now and is something the community should be proud of. She expressed thanks to everyone who has been a part of this project.

Commissioner Gaye-Bai asked if this is a City project or whether this is a partnership project.

Associate Planner McDermott replied that this is a City project, although Best Buy is funding the tech program.

Commissioner Gaye-Bai commented that this project is much overdue and will provide a positive experience for youth.

Commissioner Wako echoed the same thoughts as his colleagues in that this is long overdue. He also thanked everyone that provided input tonight and those that have worked on this project for so long.

Associate Planner McDermott commented that the recommendation from this group will go to the City Council on June 24th with anticipated groundbreaking this fall and grand opening next summer.

Recreation and Parks Director Tollberg provided details on the communication methods that the City would continue to use related to the project. He estimated six to nine months for construction, with groundbreaking this fall. He stated that staff would do everything they can to continue to notify the public and neighbors of the plans. He stated that staff intends to have the existing space open while construction is underway and once construction is completed, programming would shift to the new location to allow refurbishment of the existing space.

MOTION TURNER, SECOND GAYE-BAI TO RECOMMEND APPROVAL OF A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A TWO-STORY YOUTH CENTER AT 7100 ZANE AVENUE NORTH.

MOTION CARRIED UNANIMOUSLY.

Commission Chair Cavin rejoined the Commission.

7. OTHER BUSINESS

No comments.

8. DISCUSSION ITEMS

No comments.

9. INFORMATION ITEMS

A. Council Comments

No comments.

B. Commission comments

No comments.

C. Staff Comments

Planning Director Mogush provided an update on recent City Council action on planning-related cases. He stated that the Small Business Center sign has been permitted and will be installed soon, if it has not been already. He stated that on August 5th they will hold the annual joint Council and Commissions meeting. He introduced the staff members present that may assist should he need to take a family medical leave.

10. ADJOURNMENT

Commission Chair Cavin adjourned the meeting at 7:47 PM.

Respectfully submitted,

Paul Mogush
Planning Director

City of Brooklyn Park Planning Commission Staff Report

Agenda Item:	5.1	Meeting Date:	July 10, 2024
Agenda Section:	Public Hearing	Originating Department:	Community Development
Resolution:	X	Prepared By:	Erin McDermott, Associate Planner
Ordinance:	N/A		
Attachments:	3	Presented By:	Erin McDermott, Associate Planner
Item:	Graleske Addition – Plat #24-111 for the subdivision of property into two single family lots at 8909 Irving Avenue.		

Proposed Action:

MOTION _____, SECOND _____, TO RECOMMEND A RESOLUTION APPROVING PRELIMINARY PLAT FOR "GRALESKE ADDITION" SUBDIVIDING 8909 IRVING AVENUE NORTH INTO TWO SINGLE FAMILY LOTS.

Overview:

The property owner of 8909 Irving Avenue is requesting to subdivide this property into two residential lots for the construction of a new residential structure in an existing residential neighborhood. This property is located on the northwest corner of 89th and Irving Avenues.

Previous Approvals:

This lot is unplatted, and has a metes and bounds description. The existing residential structure was constructed in 1948.

Current Conditions:

The subject property is 0.68 acres. There is an existing house on the north portion of the property, which will be located on proposed Lot 1. There is open space on the southern portion of the property at the corner of 89th Avenue and Irving Avenue, which would become proposed Lot 2.

Future Land Use Plan	Low Density Residential
Current Zoning	R2 - Detached Single Family Estate
Proposed Zoning	R2 - Detached Single Family Estate
Neighborhood	River View
Site Area	0.68 acres
Conforms to:	
Land Use Plan	Yes
Zoning Code	Yes
Notification	41 Public Hearing Notices mailed Posted in the Sun Post Neighborhood email sent to Lakeland Park neighborhood
Timeline (MN §15.99)	
60-day	August 4, 2024
120-day	October 3, 2024

Lots and Density:

The property is zoned R2 – Detached Single-Family Estate. The proposed plat meets all zoning requirements established for the R2 zoning district (152.221.01) as well as all setback requirements as shown by the setback lines marked on the proposed preliminary plat.

The Comprehensive Plan guides this area for low density residential uses (up to 3 units per acre). The subject property is 0.68 acres, with proposed Lot 1 at 0.34 acres and Lot 2 at 0.34 acres for an average density of 0.34 acres per lot, which exceeds the requirement of 0.33 acres.

Access:

This site is adjacent to 89th and Irving Avenues. The proposed plat indicates the access to the existing residence will remain on Irving Avenue, and the developer of the newly created lot will determine at the time of construction which street will be the front of the residence.

Utilities:

Utilities are available to this site, as an additional connection was installed at the time of reconstruction of 89th Avenue.

Storm Water Management:

Storm water management will be through storm sewer and swales installed in the rear yards. The storm sewer will be located within the same drainage and utility easement as the sanitary sewer line noted previously.

Pedestrian Connections:

There are no existing sidewalks in this neighborhood. City Code 152.131 outlines required locations for sidewalks, including traffic volumes exceeding 1,000 trips per day, a roadway connecting a neighborhood to a commercial area, park, school, religious institution or other community-oriented facility, along any street in a business district, or a multi-family, office, commercial or industrial use that is expected to generate pedestrian traffic. While this property is adjacent to a park, in context of the neighborhood it would not make sense to require a partial sidewalk on only two properties in an area unlikely to be redeveloped, leaving a partial sidewalk indefinitely.

Park Dedication:

Land dedication in this instance would not conform to Chapter 7: Parks and Trails of the 2040 Comprehensive Plan, and as such a fee in lieu is requested with this plat. The proposed plat creates two single family lots from one existing lot. The fee in lieu established for residential properties is \$4,600 per newly created lot, for a total of \$4,600 due for this subdivision. The money collected is deposited into the Open Space Land Acquisition and Development (OSLAD) fund which is only used for purchase of new parkland and the development of the parks. It cannot be used for programming, maintenance, or administration costs by state law. The nearest neighborhood park is Lakeland Park, located northeast of the property.

Final Plat:

The final plat and title commitment will be reviewed by the City Attorney's office in the future as the normal course of review. All necessary revisions to the plat as required by this review must be made prior to the request for Council action on the final plat.

Staff Recommendation:

Staff recommends approval of the preliminary plat.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the plat as presented.
2. Approve the plat with modifications.
3. Deny the plat based on certain findings.

Attachments:

- 5.1A DRAFT RESOLUTION
- 5.1B LOCATION MAP
- 5.1C PLANS

RESOLUTION #2024-____

RESOLUTION APPROVING A PRELIMINARY PLAT FOR
“GRALESKE ADDITION”
SUBDIVIDING 8909 IRVING AVENUE NORTH INTO TWO SINGLE FAMILY LOTS

Planning Commission File #24-111

WHEREAS, the plat of “Graleske Addition” has been submitted in the manner required for platting of land under the Brooklyn Park Zoning and Subdivision Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder on properties currently legally described as:

EAST 167 5/10 FEET OF WEST 1/2 OF SOUTHEASTERN 1/4 OF
NORTHEASTERN 1/4 LYING SOUTH OF THE NORTHERN 1056 FEET THEREOF
EXCEPT ROADS, HENNEPIN COUNTY, MINNESOTA

WHEREAS, said plat is consistent with the Comprehensive Plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152.

WHEREAS, the granting of this plat will not be detrimental to the public welfare nor injurious to the other property in the neighborhood, and

WHEREAS, the granting of this plat will not have an adverse effect upon traffic and traffic safety or pedestrians and pedestrian safety, and

WHEREAS, the proposed subdivision meets the minimum requirements of the Low Density Residential designation of the Comprehensive Plan,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request #24-111 “Graleske Addition” shall be approved subject to the following conditions:

1.0 DRAWINGS

1.01 Preliminary plans on file in the City Clerk’s office dated 06-06-2024 for two lots upon compliance with the following requirements:

2.00 BONDS, ESCROWS AND DIRECT PAYMENTS

2.01 Payment of any special assessments on the property.

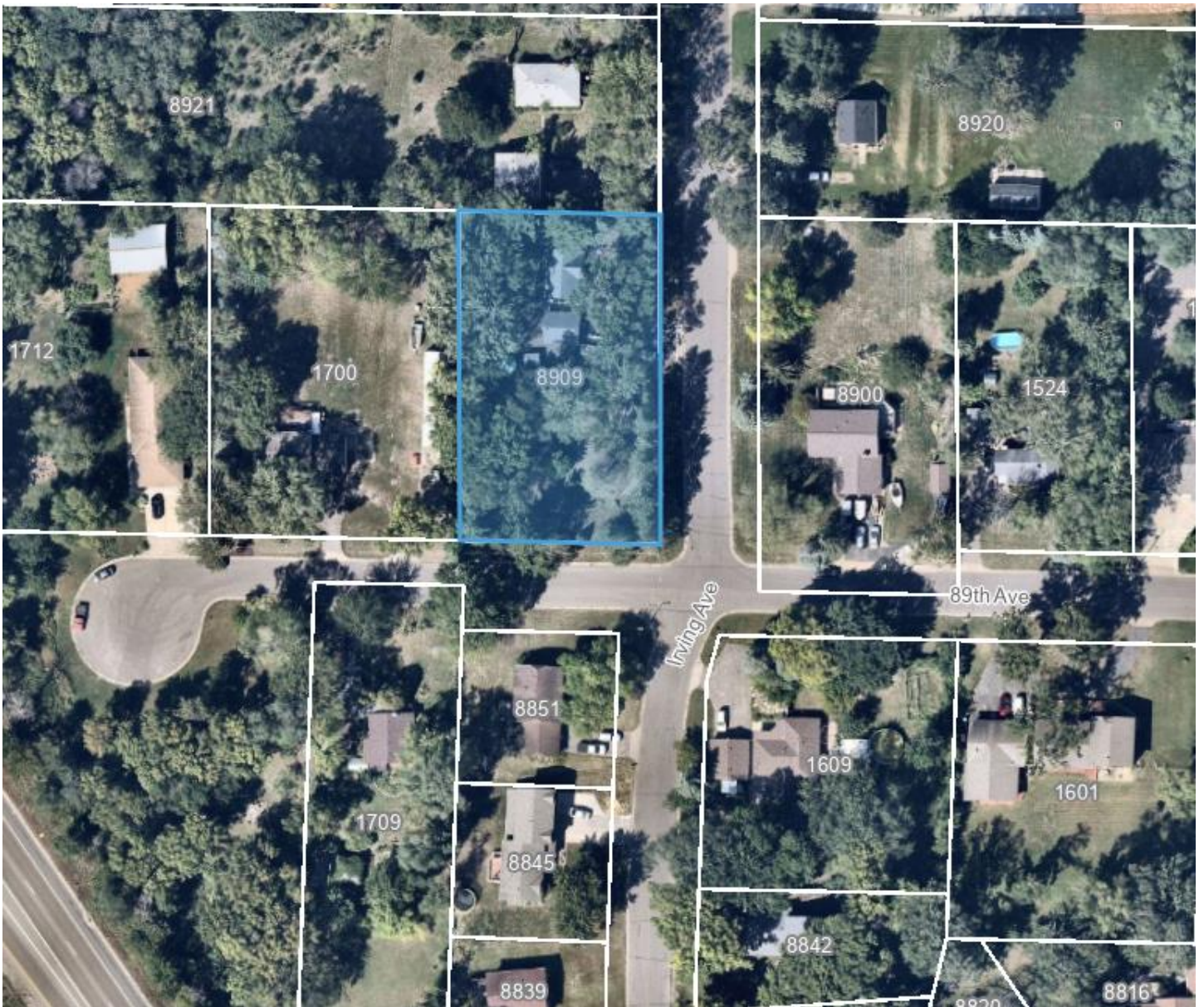
2.02 Payment of park dedication in the amount of \$4,600 for new construction shall be paid prior to recording the final plat.

3.00 REQUIRED DOCUMENTS

- 3.01 Approval of Title by the City Attorney and all conditions therein.
- 3.02 A final plat showing the correct square footage for each lot area must be submitted prior to recording of the final plat.

4.00 GENERAL CONDITIONS

- 4.01 Issues regarding the title overlap must be resolved prior to final plat approval.



Preliminary and Final Plat
Case #24-111 – Galeske Addition
Area of Request (August 2023 Air Photo)
8909 Irving Ave

Brooklyn Park 



PRELIMINARY PLAT

GRALESKE ADDITION

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That Thomas Graleske and Deb Kellcher, husband and wife, owners of the following described property:

The East 167.5 feet of the West 1/2 of the Southeast 1/4, of the Northeast 1/4, lying south of the north 1056 feet thereof, Section 14, Township 119, Range 21, according to the United States Government survey thereof and situated in Hennepin County, Minnesota.

Have caused the same to be surveyed and platted as GRALESKE ADDITION and do hereby dedicate to the public for public use the public ways and easements for drainage and utility purposes as created by this plat.

In witness whereof said Thomas Graleske and Deb Kellcher, husband and wife, have hereunto set their hands this _____ day of _____, 2024.

Thomas Graleske _____ Deb Kellcher _____

STATE OF MINNESOTA, COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 2024, by Thomas Graleske and Deb Kellcher:

Notary Public: _____ County, Minnesota (Signature) _____ (Notary Printed Name) _____ My Commission Expires: _____

SURVEYORS CERTIFICATE

I Daniel L. Schmidt do certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined by Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2024.

Daniel L. Schmidt, Licensed Land Surveyor
Minnesota License No. 26147

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 2024, by Daniel L. Schmidt:

Notary Public: Hennepin County, Minnesota (Signature) _____ (Notary Printed Name) _____ My Commission Expires: _____

CITY COUNCIL, CITY OF BROOKLYN PARK, MINNESOTA

This plat of GRALESKE ADDITION was approved and accepted by the City Council of the City of Brooklyn Park, Minnesota at a regular meeting thereof held this _____ day of _____, 2024, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Brooklyn Park, Minnesota

By: _____ Mayor By: _____ Clerk

COUNTY AUDITOR

Hennepin County, Minnesota

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 2024.

Daniel Rogan, County Auditor By: _____ Deputy

SURVEY DIVISION

Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 2024.

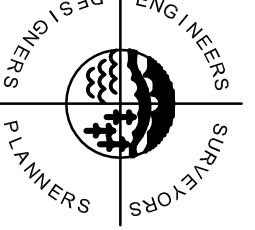
Chris F. Mavis, County Surveyor By: _____

COUNTY RECORDER

Hennepin County, Minnesota

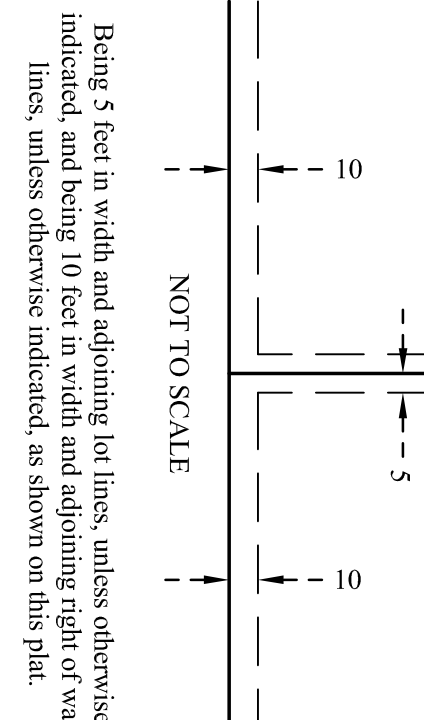
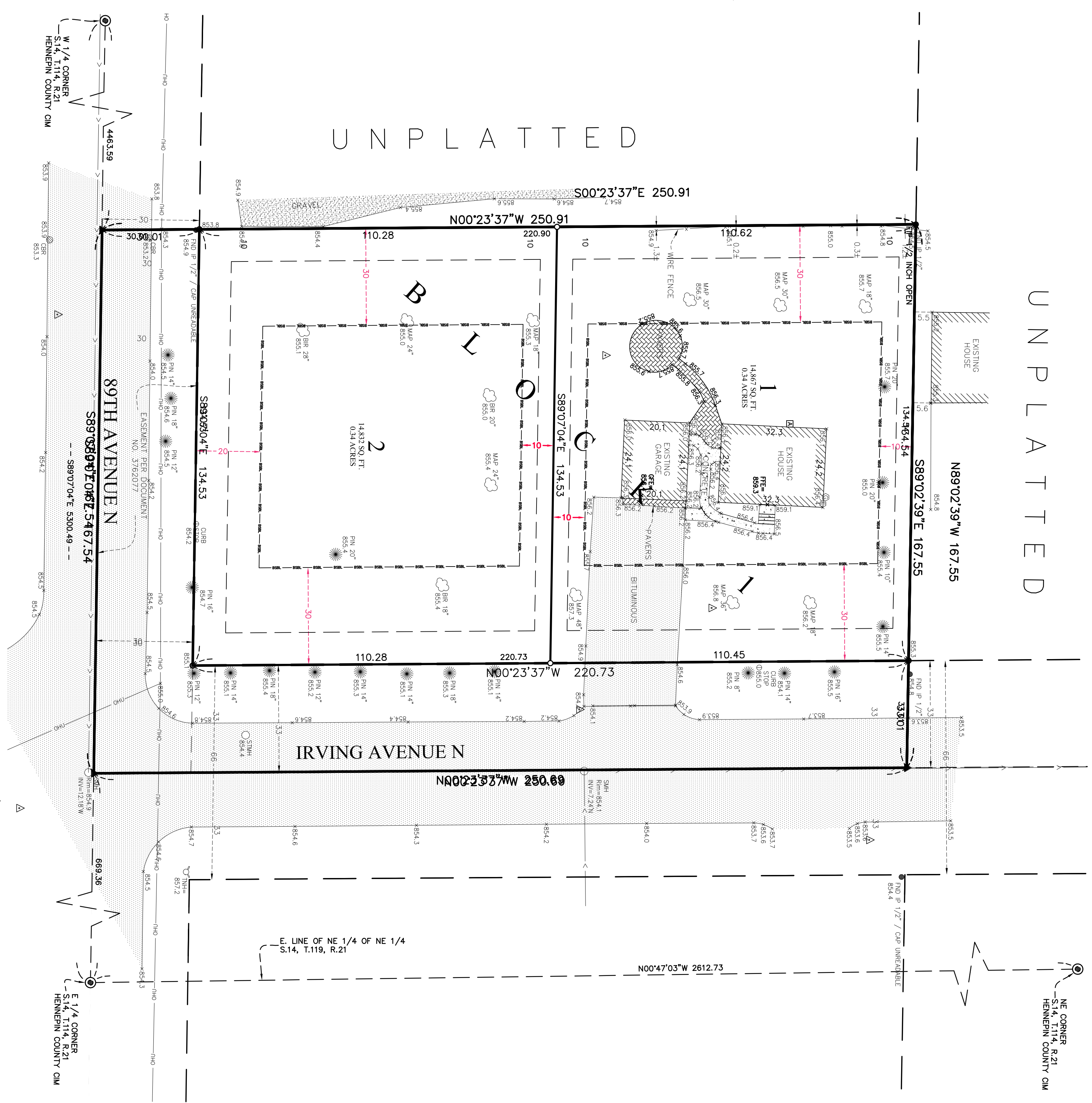
I hereby certify that the within plat of GRALESKE ADDITION was recorded in this office this _____ day of _____, 2024, at _____ o'clock _____ M.

Amber Bourgie, County Recorder By: _____ Deputy



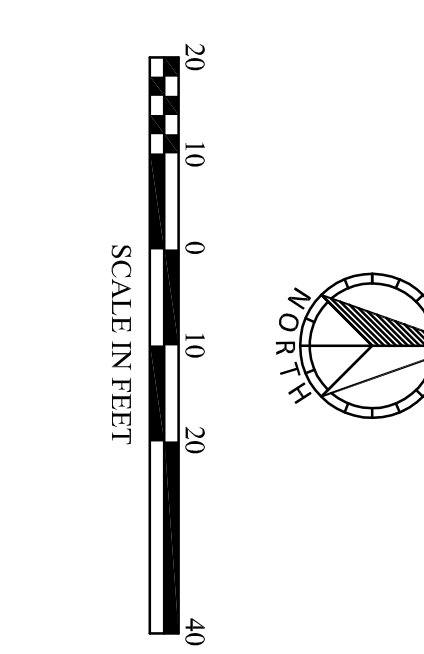
SATHRE-BERGQUIST, INC.

UNPLATTED



- Denotes a 1/2 inch by 1/4 inch iron pipe monument set and marked by License No. 26147.
- Denotes a found 1/2 inch iron pipe monument marked by License No. 26147, unless shown otherwise.
- ▲ Denotes a found PK Nail marked by License No. 26147
- ⊙ Denotes a Found Cast-Iron Monument

The basis for the bearing system is the south line of the Southeast Quarter of the Northeast Quarter of Section 14, Township 119, Range 21, which is assumed to bear South 89 degrees 07 minutes 04 seconds East.



City of Brooklyn Park Planning Commission Staff Report

Agenda Item:	6.1	Meeting Date:	July 10, 2024
Agenda Section:	Other Business	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Erin McDermott, Associate Planner
Ordinance:	N/A		
Attachments:	3	Presented By:	Erin McDermott, Associate Planner
60-Day Deadline:	N/A	120-Day Deadline:	N/A
Item:	4120 85th Avenue (City of Brooklyn Park Staff) – Statutory Compliance with 462.356 Subd. 2 for the acquisition of property by the City.		

Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE REPORT OF COMPLIANCE FOR SUBJECT PROPERTY 4120 85th AVENUE, AFFIRMING COMPLIANCE OF THE ACQUISITION OF THE PROPERTY WITH THE BROOKLYN PARK 2040 COMPREHENSIVE PLAN.

Staff Recommendation:

Staff recommends approval of the report of compliance as provided in Attachment A.

Overview:

The Brooklyn Park Economic Development Authority (EDA) has a signed purchase agreement for the property located at 4120 85th Avenue. Pursuant to Minnesota Statute 462.356 Subp. 2. the planning agency of the city must review the proposed acquisition and report to the governing body the finding on the compliance of the property with the adopted comprehensive plan.

The 2040 Comprehensive Plan has designated the future land use of the subject property as Live/Work with a Development/ Redevelopment Area overlay. The property is currently underdeveloped, and the existing structures on the property are a single-family residence, as well as a commercial structure. Through the acquisition of this property, the EDA is advancing the goals of the Comprehensive Plan.

There is no plan for development on this site at this time.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the report of compliance as drafted.
2. Approve the report of compliance with modifications.
3. Deny the report of compliance based on certain findings.

Attachments:

- A REPORT OF COMPLIANCE
- B LOCATION MAP
- C MINN. STAT. 462.356

REPORT OF COMPLIANCE FOR SUBJECT PROPERTY 4120 85th AVENUE, AFFIRMING COMPLIANCE OF THE ACQUISITION OF THE PROPERTY WITH THE BROOKLYN PARK 2040 COMPREHENSIVE PLAN.

WHEREAS, The Brooklyn Park Economic Development Authority has signed a purchase agreement for property legally described as:

The West 324.97 feet of the East 979.94 feet of the South 290 feet of the Southeast Quarter of the Southwest Quarter, Section 15, Township 119, Range 21;

And

The North 332.24 feet of the South 622.24 feet lying West of the East 654.97 feet of the Southeast Quarter of the Southwest Quarter in Section 15, Township 119, Range 21;
Subject to easements, restrictions and covenants of record.

WHEREAS, the 2040 Comprehensive Plan designates the described property with the Live/ Work Future Land Use with a Development/ Redevelopment Future Land Use overlay; and

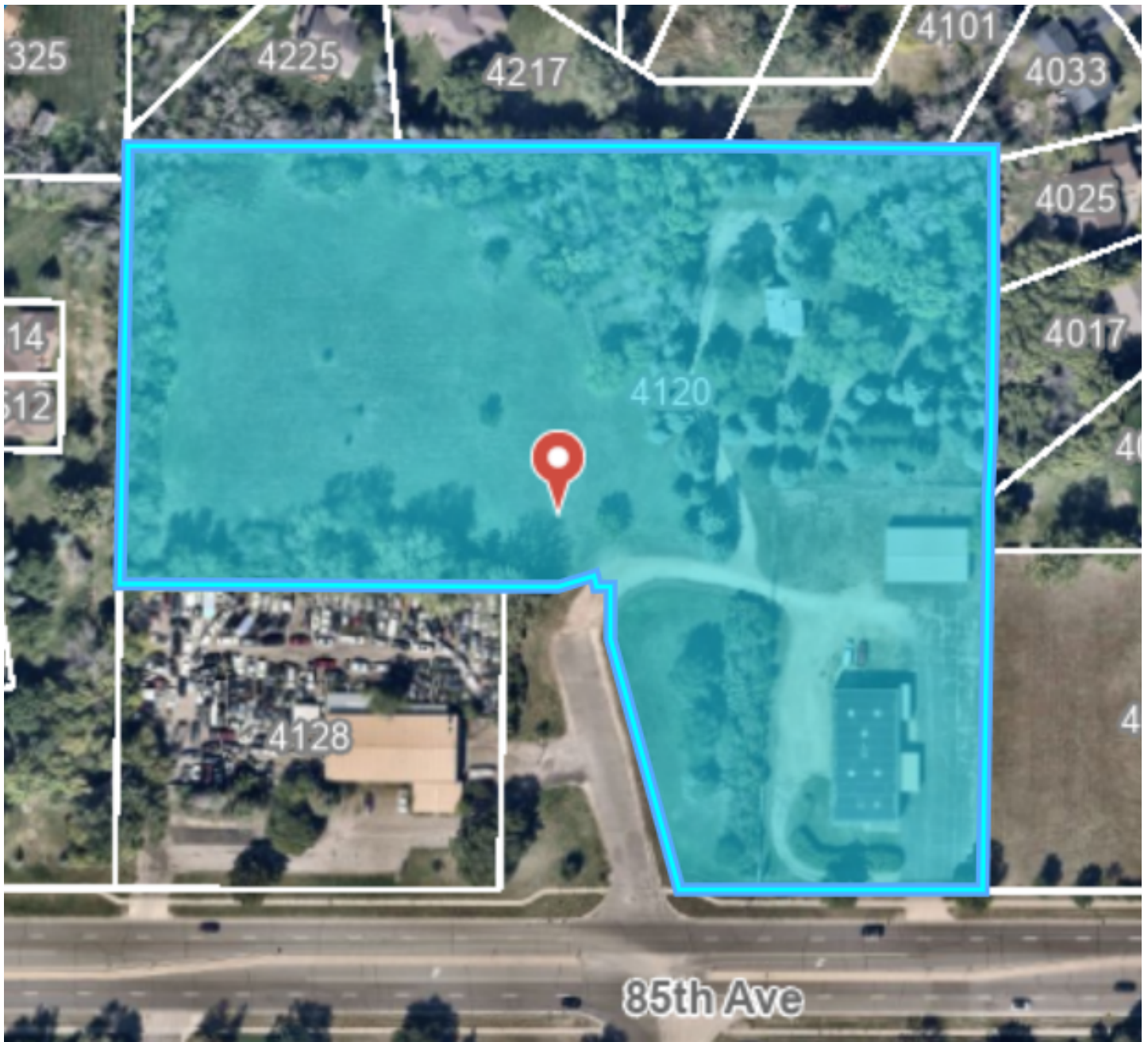
WHEREAS, the described property is presently zoned PCDD – Planned Community Development District; and

WHEREAS, the City is currently in the process of rezoning the described property as LW – Live Work; and

WHEREAS, the described property is currently under developed with a single family residence, and a commercial structure; and

WHEREAS, the acquisition of this property by the Brooklyn Park Economic Development Authority is advancing the goals of the Comprehensive Plan ; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Brooklyn Park that the acquisition of the property addressed 4120 85th Avenue is compliant with the Brooklyn Park 2040 Comprehensive Plan in accordance with Minnesota Statute 462.356 Subd. 2.



8120 85th Ave

Brooklyn Park 



462.356 PROCEDURE TO EFFECT PLAN: GENERALLY.

Subdivision 1. **Recommendations for plan execution.** Upon the recommendation by the planning agency of the comprehensive municipal plan or sections thereof, the planning agency shall study and propose to the governing body reasonable and practicable means for putting the plan or section of the plan into effect. Subject to the limitations of the following sections, such means include, but are not limited to, zoning regulations, regulations for the subdivision of land, an official map, a program for coordination of the normal public improvements and services of the municipality, urban renewal and a capital improvements program.

Subd. 2. **Compliance with plan.** After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan. Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

History: 1965 c 670 s 6