

UNAPPROVED MINUTES

MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION Regular Meeting – August 13, 2025



I. ORGANIZATIONAL ITEMS

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

The meeting was called to order at 7:01 PM.

Those present were: Commissioners Cavin, Arah, Borer, Fraser, Gaye-Bai, Korosso, Udomah, Turner, and Wako; Council Liaison McGarvey; Planning Director Mogush; Senior Planner Cara Donovan, Senior Planner Erin McDermott, Associate Planner Matt Hayes-Regan, and Program Assistant Asma Jihad

Those arrived late: None

Those not present were: None

2. EXPLANATION BY CHAIR

3. APPROVAL OF AGENDA

MOTION WAKO, SECOND UDOMAH, TO APPROVE THE AUGUST 13, 2025 AGENDA.

MOTION CARRIED UNANIMOUSLY.

II. REQUIRED DUTIES

4. CONSENT AGENDA

MOTION TURNER, SECOND FRASER, TO APPROVE THE AUGUST 13, 2025 CONSENT AGENDA.

MOTION CARRIED UNANIMOUSLY.

5. PUBLIC HEARING

5.1 Planning Case #25-111 – West River Baptist Church – Site Plan

Associate Planner Hayes-Regan introduced the application from West River Baptist Church for a site plan review. He identified the subject property and provided information related to zoning, the currently approved site plan, and the proposed site plan. He identified the portion of the parking lot proposed to be removed and converted to green space. He reviewed key findings and recommended approval of the request as presented.

Commission Chair Cavin opened the public hearing.

Seeing no one approach the podium, Commission Chair Cavin closed the public hearing.

Commissioner Borer referenced the existing green space adjacent to the area proposed for conversion to green space and asked if the area would remain green space or whether this action would allow future development of that area.

Associate Planner Hayes-Regan commented that it does appear there are residential properties behind this property, and therefore, there would be an issue with public access. He stated that the applicant does not intend to subdivide the property.

Commission Chair Cavin referenced the proposed scope of work and asked if the existing curb and gutter would be removed as part of the project.

Scott Trafford, representing the applicant, identified the curb and gutter that would be removed as part of the project, as well as the new curb and gutter that would be installed.

Commission Chair Cavin asked if the parcel would be brought up to the level of the existing grading.

Mr. Trafford replied that is correct.

Commissioner Wako asked for the number of parking stalls that would be removed and how many would remain.

Mr. Trafford replied that there would be 87 parking stalls remaining after the 40 stalls are removed. He noted that the property owner assured them that they do not come close to filling the lot during their services and will still have sufficient parking.

MOTION BORER, SECOND TURNER, TO RECOMMEND APPROVAL OF A RESOLUTION APPROVING A SITE PLAN REVIEW FOR A PARKING LOT MODIFICATION AT 8801 WEST RIVER ROAD.

MOTION CARRIED UNANIMOUSLY.

Planning Director Mogush stated the public hearing item is scheduled to be reviewed at the City Council meeting on AUGUST 25, 2025.

5.2 Planning Case #25-112 – Esterra Care – Comprehensive Plan Amendment, Conditional Use Permit, Rezoning and Site Plan

Senior Planner McDermott introduced the application for a Comprehensive Plan Amendment, Conditional Use Permit, Rezoning, and Site Plan review from Esterra Care. She provided information on the subject property and noted that the request was previously approved in 2021, but those approvals have since expired. She presented information related to the Comprehensive Plan Amendment to rezone the property from low-density residential to medium-density residential. She noted that properties to the west have similar medium-density residential guiding. She stated that the rezoning requests to change the zoning to R4 and reviewed the adjacent property zoning. She presented details related to the proposed site plan, including the number of assisted living units, staffing, parking, building elevations, building materials, and landscaping. Staff recommend approval of the requests as presented.

Commission Chair Cavin opened the public hearing.

Marjorie Lindberg, 3017 80th Avenue N, commented on the wooden fence that has existed since the development of Kindercare and is being held up by her shrubs. She commented that she installed privacy fencing on the sides of her property and would like to see something similar built on the back side of her property, replacing the wooden fence. She commented that there are people who wander in the night, and that worries her. She asked for information on lighting and whether it would be downcast.

Commission Chair Cavin 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.

Senior Planner McDermott stated that fencing improvements are required, and that has been included as a condition. She stated that downlights are also required and have been included on the lighting plan.

Commission Chair Cavin referenced the requested rezoning from R1 to R4, noting that he recalls the project from 2021 and asked if there is an indication that the project will proceed this time.

Senior Planner McDermott stated that she cannot speak to the process in 2021, but recognized that there were uncertainties during that time due to what was occurring in the world. She noted that the funding has been secured by the applicant, and she would begin construction if the project is approved.

Commission Chair Cavin commented that there are also uncertainties in 2025 and asked when construction would begin.

Senior Planner McDermott commented that the financier has been involved throughout the process, and this layout was determined to be the most feasible for the project. Staff are confident that this will be developed.

Commission Chair Cavin asked if the Fire Department has reviewed and approved this design.

Senior Planner McDermott confirmed that Fire did not have any concerns.

Commission Chair Cavin commented that there would be 21 rooms, with 11 parking stalls for staff. He recognized that the residents would not have vehicles, but asked if that parking would be sufficient for visitors.

Senior Planner McDermott stated that the highest number of staff on site at any time would be ten, and there would be 11 stalls. She stated that the City does permit on-street parking. She noted that the times when visitors would be anticipated would not be the times when there would be the most staff. She noted that this use would have less traffic than the previous user, Kindercare. She stated that staff and traffic engineers did not have any concerns with the parking or traffic flow.

Commissioner Borer stated that typically, there is outdoor space fenced in for memory care residents and asked if that is included in the plan.

Senior Planner McDermott replied that there is outdoor amenity space, and although there would be fencing along the side and rear property lines, there is no indication that the entire site would be fenced.

Commissioner Borer stated that if there are to be memory care patients, she would suggest that it would be safer to ensure that residents are within a fenced area and do not wander. She commented that typically, there is a patio that is enclosed with fencing.

Commission Chair Cavin noted the memory care fence shown on the plan.

Commissioner Udomah appreciated the comments related to fencing and stated that he would want to ensure that this facility does not feel like a prison. He commented that the intent is to have their lives be as normal as possible, noting his experience in this area. He appreciated that there are low fences that still make the area feel normal.

Commissioner Gaye-Bai asked about the impact that the change in zoning would have on those living in this area.

Senior Planner McDermott stated that previously, the site was designated as commercial and zoned B3. She stated that the City Council changed the guiding to low-density residential after Kindercare burnt down, but before the previous Esterra Care approvals, noting that the zoning remained B3 at that time. She stated that last year, there was a zoning text amendment to bring the zoning into compliance with the Comprehensive Plan, and the property was rezoned to R1. She commented that the overall impact would be less than the previous use of Kindercare.

Planning Director Mogush stated that, as a result of a series of normal City actions over a number of years, the applicant was placed in a tough spot. He noted that when the first approvals were granted in 2021, the City was between the time when the Comprehensive Plan had been updated, but the zoning updates did not occur until 2024. He explained that the zoning in 2021 allowed this use. He noted that this site has a long history of being a commercial property, and therefore, he would not have recommended the downzoning that occurred. He stated that staff supports rectifying this situation for the property owner related to their property rights.

MOTION TURNER, SECOND WAKO, TO RECOMMEND APPROVAL OF A RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT REGARDING PROPERTY FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR A PROPERTY ADDRESSED 7964 XERXES AVENUE.

MOTION CARRIED UNANIMOUSLY.

MOTION TURNER, SECOND WAKO, TO RECOMMEND APPROVAL OF AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER 152 REZONING 0.75 ACRES FROM R1 DETACHED SINGLE-FAMILY ESTATE DISTRICT TO R4 MULTIPLE FAMILY RESIDENTIAL AT 7964 XERXES AVENUE NORTH.

MOTION CARRIED UNANIMOUSLY.

MOTION TURNER, SECOND WAKO, TO RECOMMEND APPROVAL OF A RESOLUTION APPROVING A SITE PLAN REVIEW FOR A 21-UNIT RESIDENTIAL CARE FACILITY AT 7964 XERXES AVENUE NORTH.

MOTION CARRIED UNANIMOUSLY.

MOTION TURNER, SECOND WAKO, TO RECOMMEND APPROVAL OF A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A 21-UNIT RESIDENTIAL CARE FACILITY AT 7964 XERXES AVENUE NORTH.

MOTION CARRIED UNANIMOUSLY.

5.3 Planning Case #25-113 – Commercial Vehicle Parking Text Amendment

Associate Planner Hayes-Regan presented a Zoning Text Amendment to the commercial vehicle parking requirements. He noted that the current language is inconsistent and provides challenges to enforcement. He reviewed the proposed changes included in the text amendment and recommended approval as presented.

Commission Chair Cavin opened the public hearing.

Seeing no one approach the podium, Commission Chair Cavin closed the public hearing.

Commission Chair Cavin asked the definition of parking. He asked if there would be no commercial vehicles allowed to park within residential areas.

Planning Director Mogush stated that a commercial vehicle would be allowed to load/unload or provide a service to a residential property.

Associate Planner Hayes-Regan confirmed that parking outside of those uses would be prohibited for commercial vehicles over 15,000 pounds.

Commission Chair Cavin asked if a time limit should be added, such as no more than two days.

Planning Director Mogush commented that the Commission could recommend a change to add additional language under the exception to clarify the length of time.

Associate Planner Hayes-Regan commented that this is coming forward because of issues with ambiguity related to how long vehicles can be at a property.

Commission Chair Cavin recognized enforcement issues with an auto-related use, which brought forward these changes, but wanted to ensure that loading and unloading, and exceptions would be allowed.

Commissioner Udomah referenced the exceptions as proposed. He stated that there was a situation that went on for eight months, which was recently resolved, with the reasoning that they were serving a property and agreed there should be a limit on how long that could occur. He asked how that situation could be addressed without limiting or overpermitting parking.

Planning Director Mogush clarified that the zoning code regulates parking on residential property, while another section manages parking on the street. He stated that staff have worked to make those two parts of the Code relatively consistent. He stated that in 2022, the Commission and Council approved extensive changes to the parking of commercial vehicles on residential and commercial property, which allowed people operating their own businesses to park their commercial vehicles on their own residential property. He stated that if a commercial vehicle is parked on the road for eight months, that is clearly a violation. He stated that this amendment would clarify instances on the margins. He stated that if there is a moving truck in the driveway that is clearly providing service to the home, that would be easy to identify. He agreed that it could be helpful to have some clearly defined period of time included on the exception table.

Commission Chair Cavin asked and received confirmation that this amendment would be related to parking on the driveway.

Commissioner Borer asked if service vans would fall into this category.

Associate Planner Hayes-Regan commented that if the van fell below 15,000 pounds, it would not be defined as a commercial vehicle.

Commissioner Arah used the scenario of someone being an over-the-road truck driver and did not believe this Code would allow someone to park their vehicle in a driveway or on the street.

Planning Director Mogush replied that both would be illegal, and this language would prevent someone from parking it on their property.

Commissioner Arah asked where someone would park their vehicle if they were going to be home for a week.

Planning Director Mogush stated that it was a big part of the discussion in 2022. He commented that they had heard comments from people who were over-the-road drivers as well as neighbors who did not want those vehicles parked on the street near their homes. He stated that the changes made it possible for homeowners to park their service vehicles in their driveways and also made it easier for owners of commercial properties to make certain areas of their property available to park their vehicles. He stated that it is now easier for someone to find a commercial area to park their vehicle while keeping those vehicles out of the residential areas.

Councilmember McGarvey asked where transit commercial vehicles are addressed. He noted that within a ten-block area of his home, there are at least three properties that have between six and ten transit vehicles parked on their property.

Planning Director Mogush commented that it would be possible that there would be a violation in that situation if the vehicles exceeded 15,000 pounds.

Councilmember McGarvey asked why the weight is used when the vehicles require commercial operator licensing. He invited staff to visit the area to determine if there are violations.

Associate Planner Hayes-Regan commented that this is a small excerpt of the section of the Code.

Commission Chair Cavin recognized the difference between the aesthetics desired for a neighborhood and the need to balance that with people trying to make a living. He stated that this would prevent people from making a living over aesthetic issues, recognizing that there are also impacts to property values.

Commissioner Wako commented that many people drive trucks regionally and asked if this would address where those semis can park.

Associate Planner Hayes-Regan replied that this language would make it clear that those vehicles should not be parked in residential areas. He commented that there are businesses that fill the gap and need to offer services for parking these vehicles outside of residential areas.

Commissioner Wako asked how the 15,000-pound threshold would be enforced.

Associate Planner Hayes-Regan provided additional details on the correction order process and how it is determined that a vehicle would meet this criterion. He stated that a property owner would be notified that they have a certain amount of time to resolve the issue, and if that were not done, additional notice would be issued, potentially with fines.

Commissioner Wako asked if these vehicles could be parked on religious institution property.

Associate Planner Hayes-Regan commented that a religious institution would operate under a Conditional Use Permit (CUP), which would address parking. He stated that religious institutions that were developed prior to the requirement for a CUP would fall under the parking requirements under the Code.

Commissioner Turner appreciated the details related to the code enforcement process and asked if the process includes providing information to the resident related to possible parking locations.

Associate Planner Hayes-Regan confirmed that staff would share that information with the resident.

MOTION UDOMAH, SECOND GAYE-BAI, TO RECOMMEND APPROVAL OF AN ORDINANCE AMENDING SECTIONS 152.901(F) AND 152.1008 OF THE BROOKLYN PARK CITY CODE PERTAINING TO PARKING OF COMMERCIAL VEHICLES.

MOTION CARRIED UNANIMOUSLY.

Associate Planner Hayes-Regan stated the public hearing item is scheduled to be reviewed at the City Council meetings on August 25, 2025, and September 8, 2025.

6. OTHER BUSINESS

6.1 Appointment of Planning Commission Representative on Brooklyn Park BioTech Innovation Steering Committee

Planning Director Mogush introduced the Brooklyn Park BioTech Innovation Steering Committee opportunity. He provided background information on the BioTech Innovation District. He

explained that the Steering Committee would take the step from planning to implementation. He stated that three Commissioners have expressed interest in the seat on the Steering Committee.

Commissioner Borer asked if there would be updates from the Steering Committee.

Planning Director Mogush confirmed that the appointee and staff would provide reports to the Commission.

Commissioner Udomah suggested that those interested provide input on why they would like to serve on the committee.

Commissioner Arah commented that he enjoys learning and would like to better understand BioTech. He stated that he has learned a lot as a member of the Commission and would like to continue that process.

Commissioner Borer commented that she worked for Allina leadership and in the medical field for the past 30 years. She noted that she also lives in close proximity to the area and is very interested in the opportunities that the space would bring in for jobs and different types of sciences. She stated that they have a lot of these innovation discussions at her work and would find it interesting to compare how healthcare is evolving to how biosciences are evolving.

Commission Chair Cavin stated that he has spent his entire adult life in development, developing new and large parcels in a variety of different ways. He stated that he has an innovative and strategic mindset to make things happen, and this opportunity excites him, where they will develop raw land into something meaningful for the community. He stated that he is also aware of how bad zoning can impact environmental issues, and he would like to ensure that the residents are protected from anything bad happening ten to 50 years from today. He stated that he does have the time available to meet during the day as well.

Commissioner Wako commented on his experience with Regions Hospital. He stated that, as exciting as the name sounds, there are a lot of things to consider related to the waste that is generated and the unintentional consequences. He wanted to ensure that there are protections in place for residents, the environment, and the water. He asked if an appointee and alternate could be appointed.

Planning Director Mogush commented that if the Commission would like to appoint an alternate, they could recommend that, and he could bring that as a suggestion, as he did not think that had been considered as of yet.

Commissioner Udomah commented that the committee is intended to help bring more of that industry to the area and, in doing so, would help create jobs and protect the values and the overall area. He stated that the Planning Commission representative would need to bring knowledge of zoning to add value to the discussion.

Planning Director Mogush confirmed that would be the role of the Planning Commission representative. He stated that they want to ensure they are bridging from planning to implementation and bringing back information to share with the Commission to keep the full group informed throughout the process.

MOTION BORER, SECOND GAYE-BAI, TO APPOINT COMMISSION CHAIR CAVIN AS A DELEGATE AND BORER AS AN ALTERNATE TO REPRESENT THE PLANNING COMMISSION ON THE BROOKLYN PARK BIOTECH INNOVATION STEERING COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

III. DISCUSSION ITEMS

None.

IV. VERBAL REPORTS AND ANNOUNCEMENTS

7. Old Business

None.

8. Councilmember Liaison Comments

Council Liaison McGarvey provided an update on recent City Council actions related to items of interest to the Planning Commission.

Commission Chair Cavin asked about the status of the carwash project that the Commission previously recommended for approval.

Planning Director Mogush replied that the City Council also approved those plans, but was unsure of the planned dates for construction.

9. Planning Commissioner Comments

Commissioner Udomah asked for an update on the TH 169 and Brooklyn Boulevard area and the plans for reconstruction of the bridge.

Planning Director Mogush replied that he can follow up on the current construction project, as he does not have that information. He stated that both Brooklyn Park and Maple Grove are interested in addressing the bridge and that area, but was unsure of the plans to assemble funding. He stated that he would gather information and provide an update at a future meeting.

Commission Chair Cavin stated that he had been approached by a few members of the community asking why the Pledge of Allegiance is recited at the meetings. He stated that the question had been posed as to whether the Commission could consider suspending the Pledge until there is measured improvement at the federal level. He stated that it is his understanding that it would be the decision of the Commission as to whether the Pledge is recited.

Planning Director Mogush replied that could be changed with an amendment to the bylaws if that were desired.

Commissioner Udomah stated that he does not agree, as the Pledge of Allegiance is not focused on one entity and is greater than one entity. He commented that discourse flows like a tide, and in the future, others may become dissatisfied. He stated that the Commission should not flow

with the tide. He stated that if the change were made, they would be giving in to their worst fears. He stated that as an immigrant, he sees the Pledge as a utopian belief, and it would be a pity if they expunged that as part of the discourse.

Commissioner Borer agreed with Commissioner Udomah. She agreed that the words one nation indivisible are more important now than ever.

Commissioner Arah commented that the Pledge of Allegiance and the National Anthem mean a lot. He stated that no matter what happens in Washington, they need to believe they have a country that accepts everyone for who they are.

Commissioner Wako asked for additional information on traffic control at an intersection.

Planning Director Mogush commented that he could bring that question to the engineering department to provide an answer related to the safety of that intersection and potential planned improvements.

10. Staff Liaison Comments

Planning Director Mogush provided an update on items of interest to the Commission and noted the upcoming worksession on August 27th.

V. ADJOURNMENT

Commission Chair Cavin adjourned the meeting at 8:53 PM.

Respectfully submitted,

Paul Mogush
Planning Director