

**HOPKINS CITY COUNCIL
AGENDA
Tuesday, September 15, 2020
7:00 pm**

**THIS AGENDA IS SUBJECT TO CHANGE
UNTIL THE START OF THE CITY COUNCIL MEETING**

I. CALL TO ORDER

II. ADOPT AGENDA

III. PRESENTATIONS

1. LMC Excellence Award; Specken
2. Update from Commissioner Jan Callison; Mornson

IV. CONSENT AGENDA

1. Minutes of the September 1, 2020 City Council Regular Meeting Proceedings
2. Second Reading: Residential Fences; Lindahl
3. Second Reading: Electronic Signs; Lindahl
4. Resolution Approving CARES Act Economic Assistance for Stages Theatre Company; Bishop

V. PUBLIC HEARING

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Cooperative Agreement with the Watershed District; Elverum
2. 2021 Preliminary Budget and Tax Levy and Preliminary HRA/EDA Levy; Bishop

VIII. ANNOUNCEMENTS

- Next Regular City Council Meeting: Tuesday, October 6 at 7:00 p.m.

IX. ADJOURN

DUE TO THE COVID-19 HEALTH PANDEMIC, THE CITY COUNCIL'S REGULAR MEETING PLACE IS NOT AVAILABLE TO THE PUBLIC. MEMBERS OF THE PUBLIC WHO DESIRE TO MONITOR THE MEETING REMOTELY OR GIVE INPUT OR TESTIMONY DURING THE MEETING CAN FIND INSTRUCTIONS AT www.hopkinsmn.com/virtualmeetings OR BY CALLING CITY HALL AT 952-548-6302 (DURING NORMAL BUSINESS HOURS 8 AM TO 4:30 PM.)

Memorandum

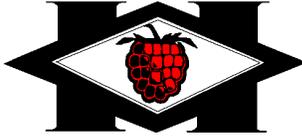


To: Honorable Mayor and City Council
CC: Mike Mornson City Manager
From: Chief Dale Specken,
Date: 9/10/2020
Re: LMC Excellence Award

On Tuesday Sept 15 the League of Minnesota Cities will be attending the meeting to present to the Fire Department the City of Excellence Award from the League of Minnesota Cities:

The League of Minnesota Cities recently selected five winning cities for 2020 City of Excellence honors. The awards recognize cities for outstanding programs or projects. Each winning city will receive a plaque, a check for \$1,000, and recognition in League publications and promotional activities throughout the coming year.

The Hopkins Fire Department was one of three cities in Minnesota that volunteered to deliver a newly developed fire safety education program established by the Center for National Prevention Initiatives at the Michigan Public Health Institute. The Sound Off Program provided a new style of fire education taught to second and third graders. It was delivered through the school system by both teachers and firefighters in the City, creating an encompassing communication network to get education and life safety devices into the homes of residents. The program included pre- and post-testing measurement, and program administrators were given a \$500 stipend, 200 smoke alarms, 100 carbon monoxide detectors, and educational materials. Each class that participated received three lesson plans and activities over a three-day period.



CITY OF HOPKINS

Administration

Memorandum

To: Honorable Mayor and Council Members
From: Mike Mornson, City Manager
Date: September 15, 2020
Subject: Update from Commissioner Jan Callison

Jan Callison, Hennepin County Commissioner for District 6, will be in attendance to provide updates to the City Council.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
SEPTEMBER 1, 2020**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, September 1, 2020 at 7:05 p.m. in the Council Chambers at City Hall, 1010 1st Street South.

Mayor Gadd called the meeting to order with Council Members Beck, Brausen, Halverson and Hunke attending. Others attending included City Manager Mornson, Assistant City Manager Lenz, City Clerk Domeier, Director of Planning and Economic Development Elverum, City Attorney Riggs, City Planner Lindahl and Finance Director Bishop.

Mayor Gadd provided information on the meeting format and other opening remarks.

ADOPT AGENDA

Motion by Beck. **Second** by Brausen.

Motion to Adopt Agenda.

Ayes: All.

Nays: None. Motion carried.

PRESENTATIONS

III.1. Development Presentation; Elverum

Director of Planning of Development Elverum provided a presentation that overviewed the City's role in development. Discussion was held about Hopkins history of various projects, investments and changes over the years.

CONSENT AGENDA

Mayor Gadd noted that the amendment to the City Council schedule was to change the City Council date from Monday, November 16 to Tuesday, November 17.

Motion by Brausen. **Second** by Halverson.

Motion to Approve the Consent Agenda.

1. Minutes of the August 18, 2020 City Council Regular Meeting Proceedings
2. Amendment to the 2020 City Council Meeting Schedule; Domeier
3. Ratify Checks Issued in August 2020; Bishop

Ayes. All.

Nays. None. Motion carried.

NEW BUSINESS

VII.1. First Reading: Zoning Code Text Amendment Related to Residential Fence Standards; Lindahl

City Planner Lindahl provided a summary of Council Report 2020-063 a zoning code text amendment related to residential fence standards.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
SEPTEMBER 1, 2020**

Council Member Hunke questioned non-conforming fences. Mr. Lindahl stated that because we are lessening the standards fences that exist today will not become non-conforming.

Motion by Hunke. **Second** by Beck.

Motion to adopt Resolution 2020-044, approving the first reading of Ordinance 2020-1158 amending the City Code related to residential fence standards.

Ayes: All.

Nays: None. Motion carried.

VII.2. First Reading: Zoning Code Text Amendment Related to Dynamic (Electronic) Signs; Lindahl

City Planner Lindahl provided a summary of Council Report 2020-062 a zoning code text amendment related to dynamic (electronic) signs standards.

Mayor Gadd questioned the brightness standards. Mr. Lindahl stated that staff used a model ordinance from LMC and there are no brightness standards. Discussion was held about the brightness of signs and duration of changes. Council Member Hunke questioned if residents have complained about the sign at Zion Church. Mr. Lindahl stated that to date there have not been complaints about the church's sign.

Further discussion was held about the minimum display time. Staff offered to research the process to change electronic sign messages and overnight standards before the second reading. Mr. Lindahl stated current revisions do not include electronic signs in the Downtown or Mainstreet.

Motion by Halverson. **Second** by Beck.

Motion to adopt Resolution 2020-043, approving the first reading of Ordinance 2020-1157 amending the City Code related to dynamic (electronic) signs and staff will investigate overnight standards.

Ayes: All.

Nays: None. Motion carried.

VII.3. Review of 2021 Preliminary Budget and Tax Levy and Preliminary HRA Levy; Bishop

Finance Director Bishop request input on the revisions made to the draft budget and tax levy that was presented on July 21, 2020. Mr. Bishop provided a summary of the 2021 Budget and Text Levy draft version. Discussion was held about local government aid and contingencies. Council Member Brausen discussed having a deeper discussion. Mayor Gadd was concerned about the contingency funds and future unknowns. Assistant City

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REGULAR MEETING PROCEEDINGS
SEPTEMBER 1, 2020**

Manager Lenz talked about the flexibility with the contingency fund while noting budget impacts to the 2022 levy.

Council Member Brausen talked about all of the events going on in the past year. He added that residents are hurting financially. Mayor Gadd shared a comment received by a resident talking about the property taxes for the City and the school district. He reminded residents that the City portion is 43% of the property taxes and the rest of property taxes is made up by the school and county.

Mayor Gadd talked about the Burnes Park debt service and supported the one year change to use park dedication funds. He had concerns about making this budgetary change permanent. Council Member Hunke concurred. Council Member Hunke stated he is comfortable with the preliminary tax levy but wants to continue discussions to reduce the amount before December.

Further discussion was held about the ERP, CIP, 2021 budget and ongoing budget, park dedication, the financial management plan and projected long term impacts from COVID-19 and any budgetary changes. The City Council agreed that they want to help residents now but not necessarily have larger financial impacts in the future because of delaying projects or funding now. Council Member Brausen added that he appreciates the constructive comments he receives from residents.

Council Member Beck suggested having the City and HRA levies be a similar amount. Council Member Brausen suggested holding work sessions to keep the budget conversations going until the final levy is proposed. City Manager Mornson stated that additional work sessions can be held beyond those scheduled in October and November before the November 30 budget hearing. Mr. Mornson also touched on the bigger discussion about park and street projects, salaries, union negotiations and equipment purchases that will all need to be discussed as part of the process.

The City Council supported Mr. Bishop's option two proposed for the HRA levy.

ANNOUNCEMENTS

Mayor Gadd stated there will not be a work session on September 8. The next regular City Council meeting will be on Tuesday, September 15 at 7 p.m.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
SEPTEMBER 1, 2020**

ADJOURNMENT

There being no further information to come before the City Council and upon a motion by Brausen, second by Beck, the meeting was unanimously adjourned at 9:30 p.m.

Respectfully Submitted,
Amy Domeier, City Clerk

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk



MEMO

To: Honorable Mayor and City Council

From: Jason Lindahl, City Planner

Date: September 15, 2020

Subject: Second reading of Ordinance 2020-1158 amending the City Code related to residential fence standards and authorizing its publication

Proposed Action

Move to adopt Resolution 2020-048 approving the second reading of Ordinance 2020-1158 amending the City Code related to residential fence standards and authorizing its publication.

Overview

This zoning code text amendment was initiated by staff to address challenges with administering one of the most common residential permit requests – residential fences. These issues most commonly result from the City’s fence height and opacity standards. The attached Ordinance 2020-1158 revises these standards and makes other “housekeeping” revisions to simplify and streamline Hopkins’ residential fence standards while maintaining the original spirit and intent of these regulations to guard against the potential for residential fences to create a more dense, closed-off and isolated community character.

The version of the ordinance before the City Council for the second reading is the same as approved during the first reading. The City Council adopted a motion to approve the first reading of this item on September 1, 2020. Prior to that action by the City Council, the Planning & Zoning Commission held a public hearing and recommended the City Council approve of this item on August 25, 2020. Should the City Council approve the second reading of this ordinance, it will make the following changes and take effect upon publication scheduled for September 24, 2020.

- Allow fences up to 6’ in height along side yard property lines up to the front of the principal building (house).
- Allow fences 4’ or less in height to be 100 percent opaque.
- Make other minor “housekeeping” revisions.

Attachments

- Resolution 2020-048
- Ordinance 2020-1158

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION 2020-048

**A RESOLUTION APPROVING THE SECOND READING OF ORDINANCE 2020-1158
AMENDING THE CITY CODE RELATED TO RESIDENTIAL FENCE STANDARDS AND
AUTHORIZING ITS PUBLICATION**

WHEREAS, the City of Hopkins initiated an application to amend the City Code related to residential fence standards; and

WHEREAS, the procedural history of the application is as follows:

1. That an application to amend the City Code related to residential fence standards was initiated by the City of Hopkins on July 24, 2020; and
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application on August 25, 2020 and all persons present were given an opportunity to be heard; and
3. That written comments and analysis of City staff were considered
4. That during the August 25, 2020 regular meeting of the Hopkins the Planning & Zoning Commission, it adopted a motion to recommend the City Council approve this item.
5. That the Hopkins City Council reviewed this item during their September 1, 2020 meeting and adopted a motion approving the first reading of this ordinance.

WHEREAS, Minnesota Statutes, Section 412.191, Subd. 4, allows publication by title and summary in the case of lengthy ordinances; and

WHEREAS, the City Council finds that the following summary would clearly inform the public of the intent and effect of the Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approves Resolution 2020-048 approving the second reading of Ordinance 2020-1158 amending the City Code related to residential fence standards based on the findings detailed in City Council Report 2020-063.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk shall cause the following summary of Ordinance 2020-1158 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

In summary, Ordinance 2020-1158 amends the City Code related to residential fences as follows:

- Allow fences up to 6' in height alongside yard property lines up to the front of the principal building (house).
- Allow fences 4' or less in height to be 100 percent opaque.

- Make other minor “housekeeping” revisions.

Adopted this 15th day of September 2020.

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2020-1158

**ORDINANCE AMENDING CITY CODE PART III, CHAPTER 102, SECTION 102-13
REGARDING RESIDENTIAL FENCES**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOPKINS
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Hopkins City Code, Part III, Chapter 102, Article I, Section 102-13 is hereby amended by adding the underlined language and deleting the ~~stricken~~ language as follows:

Sec. 102-13. - Fences.

- (a) *Permit required before work may commence.* No person may construct, or cause to be constructed or erected within the city, any fence without first making application for and securing a permit therefor from the zoning administrator.
- (b) *Location.* Boundary line fences shall be located entirely upon the private property of the person constructing or causing the construction of such fence ~~unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the division line of the respective properties.~~ The zoning administrator may require ~~the owner of the property upon which a fence now currently exists, or may require any applicant for a fence permit to cause to establish the boundary lines of his their property by a survey thereof to be made by any registered land surveyor.~~ any applicant for a fence permit or any property owner with an existing fence to establish the boundary lines of their property by means of a property survey produced by a registered land surveyor.
- (c) *Materials and Construction and maintenance.* A fence shall be constructed in a substantial, workmanlike manner ~~and~~ of substantial material widely accepted in the fencing industry and reasonably suitable for the purpose for which the fence is ~~proposed to be used~~ intended. No plywood boards, canvas, plastic sheeting, metal sheeting or similar materials shall be used for any fence construction. Link fences shall be constructed in a manner that no barbed ends shall be at the top. The side of any fence considered to be its "face" (i.e., the finished side having no structural supports) shall face the abutting property or street right of way. The finished side of all fences (i.e., the side of the fence without posts or visual structural support elements) must face outward, toward the abutting lot or right-of-way. Barbed wire fences are permitted only in Industrial Districts as provided by this code. Electric boundary fences are not permitted within the city.

Maintenance. The fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Link fences, wherever permitted, shall be constructed in such manner the barbed end is at the bottom of the fence and the knuckle end is at the top thereof.

- (d) *Nuisances.* Any fence which is, or has become dangerous to the public safety, health or welfare, is a public nuisance. The zoning administrator may commence proper proceedings for the abatement thereof.
- (e) *Barbed wire or electric fence.* ~~Barbed wire fences are permitted only in Industrial Districts as provided by this code. Electric boundary fences are not permitted within the city.~~ Easements: All fences located in recorded easements are done so at the sole risk of the property owner; and the cost of any removal, relocation, or placement of said structures caused by any activity permitted in said easements is the sole responsibility of the property owner.

Temporary Or Seasonal Fences: Temporary or seasonal fences (such as snow fences, erosion control fences, fences to protect newly seeded areas and the like) are allowed without a permit provided: a) no such fence may be left in place for more than six (6) months without written city approval; b) any such fence must be removed

within fifteen (15) days of the city providing written notice to the landowner that the city has determined the fence no longer serves its originally intended, temporary or seasonal purpose.

- (f) *Residential District fences.* All fences in Residential Districts shall be constructed in such manner that at least 25 percent of the plane between the ground and the top of the fence is open, and in calculating such percentage, distances of 50 feet may be averaged beginning at the permitted point opposite the principal building. All boundary line fences in Residential Districts shall be erected or maintained to measure no more than four feet in height except that:
- (1) Fences on any corner lot erected within 30 feet of the intersecting curb line are subject to section 102-12;
 - (2) Fences on side property lines shall not be more than six feet in height for the distance commencing from a point on such side property line located at the rear lot line and proceeding thence along such side property line to a point therein which would be intersected by the rear wall line of the then existing principal building on that lot on either side of such fence, which building line intersecting such fence line is closest to the rear lot line from which such fence commences provided that if such principal building is located more than 50 feet away from such fence line and is owned by someone other than the fence owner or erector, then such six foot side yard fence may be constructed to a point of such side yard which would be intersected by the rear wall of the principal building on the lot thus fenced;
 - (3) Fences along any rear property line, which is also the rear property line of an abutting lot shall not exceed six feet in height;
 - (4) Fences along a rear property line which line constitutes the side lot line of an abutting lot may not exceed six feet in height for a distance calculated as in subsection (f)(2) of this section and may not exceed four feet in height thereafter;
 - (5) Fences on side street lot lines shall not be more than six feet in height for the distance commencing from a point on such side street lot line located at the rear lot line and proceeding thence along such side lot line to a point thereon which is 40 feet distant from the front lot line, but in no case shall the fence extend forward of the front line of the house;
 - (6) Property line fences abutting R Districts shall conform to those conditions applying to the R Districts.
 - (7) Fences enclosing swimming pools must have a minimum height of four feet and shall not exceed six feet subject to the provisions of this section.
 - (8) The side of residentially zoned properties abutting a state or county road may have an opaque fence.
 - (9) The side of the fence facing the public right of way shall not contain the structure and/or support of the fence.
- (1) Height. The maximum allowed fence height depends on its location in relationship to the front of the existing principal structure (house) excluding porches or entry features. Fences located between the front of the principal structure and the front property line shall not exceed four (4) feet in height, subject to section 102-12 (Traffic Visibility). Fences located between the front of the principal structure and the rear property line shall not exceed six (6) feet in height. Fences enclosing swimming pools shall have a minimum height of four (4) feet.
- (2) Opacity. Fences up to four (4) feet in height may be 100 percent opaque. Fences greater than four (4) feet in height shall not exceed 75 percent opacity leaving at least 25 percent of the fence open. Any fence along the side of a residentially zoned property abutting a state or county road may be 100 percent opaque. The opacity of a fence shall be determined by calculating the average openness from the top to the bottom of the fence structure over a distance of 50 feet.
- (g) *Business District fences.* Property line fences in a B District shall not exceed six feet in height. The council may grant a conditional use permit for a fence up to eight feet in height, provided:
- (1) That applicant has an approved open sales lot;
 - (2) Open sales lot classified as a non-conforming use;
 - (3) Has a commercial or industrial operation which requires the storage of equipment outside the building;
 - (4) The premises or use may be dangerous to the public;
 - (5) The use is an attractive nuisance and the applicant can show that for security reasons a fence of six feet will not be adequate.
- (h) *Industrial District fences.* Property line fences in an I District shall not exceed eight feet in height except that:

- (1) Fences in Industrial Districts which are primarily erected as a security measure may have arms projecting into the applicant's property on which barbed wire can be fastened commencing at a point at least seven feet above the ground; and
- (2) A fence located in the front yard of premises in an Industrial District abutting a right-of-way containing 50 feet or more in width shall conform to setback requirements for buildings in said district. Said area consisting of the setback shall be landscaped in accordance with a plan approved by the city. Ornamental fences utilized for landscaping purposes are excluded from the provisions of this chapter.
- (i) *Special purpose fences.* Fences for special purposes and fences differing in construction, height or length may be permitted in any district in the city by the issuance of a conditional use permit and by the council upon proof and reasons submitted by the applicant and upon the signing by said bodies that such special purpose is necessary to protect, buffer or improve the premises for which such fence is intended. The special fence permit, if issued, may stipulate and provide for the height, location, construction and type of special fence thereby permitted.
- (j) *Institutional District fences.* In an Institutional District no boundary line fence shall be erected or maintained more than four feet in height except that, fences along any property line that abuts a parking lot may exceed four feet but shall not exceed six feet in height.

(Code 1986, § 520.13; Ord. No. 613; Ord. No. 87-601; Ord. No. 88-613; Ord. No. 95-777, 1-3-1996; Ord. No. 97-797, 4-15-1997; Ord. No. 2000-833; Ord. No. 13-1064)

SECTION 2. The effective date of this ordinance shall be the date of publication.

First Reading:	September 1, 2020
Second Reading:	September 15, 2020
Date of Publication:	September 24, 2020
Date Ordinance Takes Effect:	September 24, 2020

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



MEMO

To: Honorable Mayor and City Council
From: Jason Lindahl, City Planner
Date: September 15, 2020
Subject: Second reading of Ordinance 2020-1157 amending the City Code related to dynamic (electronic) signs and authorizing its publication

Proposed Action

Move to adopt Resolution 2020-047 approving the second reading of Ordinance 2020-1157 amending the City Code related to dynamic (electronic) signs and authorizing its publication.

Overview

This zoning code text amendment was initiated by staff to revise and enhance the City's zoning regulations for dynamic (electronic) signs. The version of the ordinance before the City Council for the second reading is essentially the same as approved during the first reading. The City Council adopted a motion to approve the first reading of this item on September 1, 2020. Prior to that action by the City Council, the Planning & Zoning Commission held a public hearing and recommended the City Council approve this item on August 25, 2020. Should the City Council approve the second reading of this ordinance, it will make the following changes and take effect upon publication scheduled for September 24, 2020.

- Allow electronic signs on public and institutional uses in residential zoning districts subject to approval of a conditional use permit.
- Decrease the minimum display time from 24 hours to 20 minutes.
- Add text size, mode, brightness and other operational standards.

When discussing this item during the first reading, the City Council asked staff to research if dynamic signs could be programmed so that their message would not change overnight (for example, between the hours of 10:00 PM to 7:00 AM). Staff contacted Dan Dahlen of Dahlen Sign Company who also provided other comments on the proposed dynamic sign changes on behalf of Gethsemane Church, which were included in the first reading staff report. Mr. Dahlen confirmed that dynamic sign could be programmed so that the message did not change overnight. It should be noted that the current ordinance does not include this standard. If the City Council wishes to include a standard like this, they must include in the motion direction to staff to make this change. Should the City Council decide to include a standard prohibiting dynamic signs from changing overnight, staff recommends this standard be targeted to those signs adjacent to a residential use or zoning district. Under such a standard, dynamic signs that are adjacent to commercial, business park or industrial uses or zoning district would be allowed to change their message overnight every 20 minutes.

Attachments

- Resolution 2020-047
- Ordinance 2020-1157

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION 2020-047

**A RESOLUTION APPROVING THE SECOND READING OF ORDINANCE 2020-1157
AMENDING THE CITY CODE RELATED TO DYNAMIC SIGN STANDARDS AND
AUTHORIZING ITS PUBLICATION**

WHEREAS, the City of Hopkins initiated an application to amend the City Code related to dynamic sign standards; and

WHEREAS, the procedural history of the application is as follows:

1. That an application to amend the City Code related to dynamic sign standards was initiated by the City of Hopkins on July 24, 2020; and
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application on August 25, 2020 and all persons present were given an opportunity to be heard; and
3. That written comments and analysis of City staff were considered
4. That during the August 25, 2020 regular meeting of the Hopkins the Planning & Zoning Commission, it adopted a motion to recommend the City Council approve this item.
5. That the Hopkins City Council reviewed this item during their September 1, 2020 meeting and adopted a motion approving the first reading of this ordinance.

WHEREAS, Minnesota Statutes, Section 412.191, Subd. 4, allows publication by title and summary in the case of lengthy ordinances; and

WHEREAS, the City Council finds that the following summary would clearly inform the public of the intent and effect of the Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approves Resolution 2020-047 approving the second reading of Ordinance 2020-1157 amending the City Code related to dynamic sign standards based on the findings detailed in City Council Report 2020-062.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk shall cause the following summary of Ordinance 2020-1157 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

In summary, Ordinance 2020-1157 amends the City Code related to dynamic sign standards as follows:

- Allow electronic signs on public and institutional uses in residential zoning district subject to approval of a conditional use permit.
- Decrease the minimum display time from 24 hours to 20 minutes.

- Add text size, mode, brightness and other operational standards.

Adopted this 15th day of September 2020.

Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2020-1157

**ORDINANCE AMENDING CITY CODE REGARDING DYNAMIC (ELECTRONIC)
SIGNS**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOPKINS
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Hopkins City Code, Part III, Chapter 102, Article XXI, Signs is hereby amended by adding as follows:

Sec. 102-729. – Dynamic Signs.

1. **District Limitations:** All dynamic signs shall comply with the zoning and road classification standards listed below and the performance standards detailed in this section. A conditional use permit shall be required for any dynamic signs located on a property adjacent to any residential use or district.
 - a. Business, Business Park or Institutional Districts. Dynamic signs may be located on properties within the B-3 - General Business, B-4 - Neighborhood Business, Business Park or Institutional zoning districts, provided the proposed dynamic sign will be located along a principal arterial or minor reliever road as designated in the comprehensive plan. Any such sign proposed to be so located and abutting and residential use or zoning district shall only be approved through issuance of a conditional use permit.
 - b. Residential Districts. Dynamic signs may be located on public and institutional uses within a residential zone, provided the proposed dynamic sign will be located along a principal arterial, minor reliever or major collector road as designated in the comprehensive plan. Any such sign shall only be approved through issuance of a conditional use permit.
2. **Location:** The sign must be located on the site of the use identified or advertised by the sign.
3. **Orientation:** Electronic signs must be positioned so as to limit their impact on adjacent residential uses. At a minimum, such signs shall be positioned perpendicular to the adjacent public right-of-way.
4. **Type of Sign:** Dynamic signs are limited to ground signs only as defined in this Article.
5. **Text Size and Legibility:** The following minimum text sizes shall apply to all dynamic signs. If a sign is located on a corner with streets that have differing speed limits, the minimum text size shall be based on the standard for the higher speed limit to ensure maximum legibility.

Minimum Text Sizes for Dynamic Signs	
Speed Limit of Adjacent Road	Minimum Text Size
25 to 34 MPH	7"
35 to 44 MPH	9"
45 to 54 MPH	12"
55 MPH or More	15"

6. **Mode:** Dynamic signs shall only be allowed to operate in a static mode. Animation, motion or video displays are prohibited. Any change from one static display to another must be instantaneous and shall not include any distracting effects, such as dissolving, spinning or fading. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
7. **Size and Number of Dynamic Display:** Dynamic signs shall not exceed the Maximum Sign Area of a Single Sign as detailed in Section 102-725 – Permitted Signs by District for the applicable zoning district in which the sign is placed. The dynamic portion of any sign shall not exceed eighty (80) percent of the total allowable area of the sign. The remaining twenty (20) percent of the allowable sign area cannot have dynamic capabilities even if it is not used. Each site can have only one dynamic sign and that sign can have only one dynamic display.
8. **Minimum Display Time:** The minimum display time shall be twenty (20) minutes. One exception to this standard would be for time, date and temperature signs which the federal court has acknowledged as a justifiable exception to limitations on variable message signs. The time, date and temperature information may change no faster than once every three (3) seconds, provided that the display of this information remains for at least twenty (20) minutes before changing to another display.
9. **Brightness:** Dynamic signs shall not exceed a maximum illumination of five thousand (5,000) nits during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn as measured from the sign's face at maximum brightness. All dynamic sign applications shall include certification from the sign's manufacturer that the sign has been preset to conform to the luminance levels noted above and these settings are protected from end users' manipulation by password protected software.
10. **Color:** Dynamic signs may use multiple colors within the display but the use of color shall not create distraction or a hazard to the public health, safety or welfare. No portion of the display may change in color or color intensity in any manner. Each line of text in any direction shall be uniform in color.

11. **Operation:** All dynamic signs shall be equipped with a means to immediately discontinue the display if it malfunctions. The owner of a dynamic sign must immediately cease operation of their sign when notified by the city that it fails to comply with the standards of this chapter. The dynamic sign shall remain inoperable until such time that the owner demonstrates to the city that the device is in satisfactory working condition and conforms to the standards of this chapter. Appeals of the city's direction regarding the operation of a dynamic sign shall follow the appeals process outlined in Chapter 102, Article III, Section 102-96, "Board of Appeals and Adjustments."

12. **Application to Existing Signs:** The dynamic sign standards shall apply to all existing and future dynamic signs, unless otherwise determined by the city that an existing sign qualifies as a nonconforming use under state statute or this code. Any existing dynamic sign that cannot meet the minimum text size as required by the speed limit must use the largest size possible for one line of copy to fit in the available display space.

SECTION 2. The effective date of this ordinance shall be the date of publication.

First Reading:	September 1, 2020
Second Reading:	September 15, 2020
Date of Publication:	September 24, 2020
Date Ordinance Takes Effect:	September 24, 2020

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



**RESOLUTION APPROVING ECONOMIC SUPPORT
TO STAGES THEATRE COMPANY**

Proposed Action.

Staff recommends that the Council approve the following motion: Motion to Approve Resolution 2020-047 Approving Economic Support to Stages Theatre Company.

Overview:

Due to the COVID-19 pandemic, Minnesota Governor Walz has issued needed executive orders that have impacted businesses and individuals. In recognition of these impacts staff is proposing a plan to provide economic support to Hopkins' businesses and residents. The City has also received \$1.485 million of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding. The CARES funding must be used for eligible expenditures, including providing economic support to businesses and individuals.

Stages Theatre Company provides live children's theatre at the Center for the Arts. Performing Art businesses have been hit particularly hard by revenue losses associated with COVID 19 and emergency shutdowns. Live theatre poses significant additional challenges for audience size and the performers making social distancing very challenging to impossible to provide in a cost effective manner.

Staff recommends authorizing the City Manager to create programs or enter into agreements for the following purpose:

1. The City will establish an Emergency Forgivable Loan Program directed to assist Stages Theatre Company. The City authorizes a total of up to \$30,000 to be used for the loan program.

Primary Issues to Consider:

- CARES Act
- Financial Impacts

Supporting Information:

- Resolution 2020-047

A handwritten signature in black ink, appearing to read 'Nick Bishop'.

Nick Bishop, Finance Director

CARES Act

The City has received a \$1.485 million distribution of CARES act funding. A broad range of uses are permissible, which include medical expenses, public health expenses, payroll expenses, compliance with public health measures and economic support. Any expenses in these categories that are considered necessary due to COVID-19, not included in the City's most recent budget and spent between March 1 and November 15 are eligible. Any unexpended funds will be transferred to Hennepin County Medical Center.

Financial Impacts

The resolution authorizes expenditures of \$30,000 for economic support to Stages Theatre Company purposes within Hopkins. Staff believes that all expenditures are eligible for reimbursement.

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2020-047

**RESOLUTION APPROVING ECONOMIC SUPPORT
TO STAGES THEATRE COMPANY**

WHEREAS, Novel Coronavirus Disease 2019, commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death, is spreading globally and has been identified by the World Health Organization (“WHO”) as a pandemic; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize any and all necessary resources to be used in support of the COVID-19 response; The Governor has subsequently issued 80 additional Executive Orders to combat the impacts of COVID-19 within the State of Minnesota, which have created a great deal of uncertainty and dramatically impacted local businesses and residents.

WHEREAS, on March 16, 2020, the City of Hopkins declared that the COVID-19 pandemic constitutes a local emergency within the City of Hopkins, effective March 16, 2020, with all the powers and responsibilities attending thereto as provided in Minn. Stat. Ch. 12, and as otherwise provided for in the City of Hopkins’ Charter, City Code and Emergency Operations Plan (EOP); and

WHEREAS, due to these needed actions and the pandemic, performing arts and live theatre has been greatly impacted by a significant loss of revenue and have caused Stages Theatre Company to experience financial and other hardships; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopkins, Minnesota, that:

1. The City will establish an Emergency Forgivable Loan Program directed to assist Stages Theatre Company. The City authorizes a total of up to \$30,000 to be used for the loan program.
2. The City Manager and staff are hereby authorized and directed to create such program and enter into agreements.

Adopted by the City Council of the City of Hopkins on this 15th day of September, 2020.

Jason Gadd, Mayor

ATTEST

Amy Domeier, City Clerk

**325 BLAKE ROAD COOPERATIVE AGREEMENT –
MINNEHAHA CREEK WATERSHED DISTRICT**

Proposed Action

Staff recommends adoption of the following motion: Move to approve Cooperative Agreement for the Coordinated Planning, Improvements and Development for 325 Blake Road between the Minnehaha Creek Watershed District and the City of Hopkins.

With this motion, the Cooperative Agreement will be executed.

Overview

The Minnehaha Creek Watershed District (MCWD) purchased the property at 325 Blake Road in 2011 for the purposes of using a portion (4-6 acres) of the site for stormwater management and treatment. The remainder of the site (11-13 acres) is anticipated to be sold to a private developer for a transit-supportive development.

A previous attempt to work with a developer on the redevelopment of the site was not successful. The MCWD and City of Hopkins are once again interested in selecting an experienced developer to move ahead with development of the site.

The Cooperative Agreement lays the foundation for this collaboration and attempts to articulate a vision for the site through the attached development vision. This vision was shared with the community, feedback was sought and the draft vision was amended. The final vision statement will be shared with prospective developers. Additional community engagement will continue to shape the development going forward.

Primary Issues to Consider

- What does the agreement and associated exhibits call for?
- What did we hear through community feedback on the vision document?

Supporting Information

- Cooperative Agreement for the Coordinated Planning, Improvements and Development for 325 Blake Road
- Draft Development Vision for 325 Blake Road (redlined)
- 325 Blake Road Development Decision Matrix
- Comments from the public

Kersten Elverum
Director of Planning & Development

Financial Impact: \$ <u>0</u> Budgeted: Y/N <u> </u> Source: _____
Related Documents (CIP, ERP, etc.): _____

Analysis of the Issues

- **What does the agreement and associated exhibits call for?**

The agreement establishes the guiding principles for development that are also reflected in the vision document. It identifies the development site, a commitment to coordinated decision-making and communication and key principles of community engagement. It also establishes a process for developer selection that gives elected officials from both organizations the ability to have a voice. The Agreement describes a process of a pre-development and final development agreement that will outline the responsibilities of the three parties: City of Hopkins, MCWD and the selected developer.

The Agreement also identifies key development parameters, addresses park dedication fees, and the sale of the property. Finally, it details general terms around dispute resolution, remedies and other legal considerations.

- **What did we hear through community feedback on the vision document?**

The draft development vision was shared with the community via the City's website and requests for comments were solicited through social media, mailing lists and other City communications. As of the date of this report, 33 comments were received by individuals and groups. Attached to this report is a summary of those comments, as well as several letters. City staff reviewed the comments and incorporated some suggestions into the development vision document including:

- Pedestrian experience along Blake Road
- Equity
- Gentrification concerns
- Honor, preserve and integrate the neighborhood diversity
- Neighborhood-serving retail
- Owner-occupied housing

These suggestions are consistent with previous City Council direction and the Comprehensive Plan. Other comments are acknowledged and appreciated but were not incorporated into the final document. Those comments are summarized below with a response from staff.

Affordable Housing percentages

The draft development vision expressed a desire for 10-15% of the units to be affordable. Comments were received from several individuals and organizations, suggesting the affordable housing requirements should be increased to 20%, and some asking for 30% affordable. The comments also detailed percentages for different area median income (AMI) levels (10% at 30% AMI, 5% at 50% AMI and 5% at 60% AMI).

There were also comments received that felt the targeted percentages of affordable units are too high if raised above 10-15% affordable. Some advocated for no affordable housing, only luxury.

Staff comments: Determining the desired level of affordability is done on a site by site, project by project basis in Hopkins, driven by the context of the site, the development type and the overall financial impact on the City. Staff attempts to balance the site potential, market conditions, surrounding demographics and community need and the cost to the City. It also reflects the private market's ability to finance construction and ongoing operations of the development.

In Hopkins' housing market today, it is very likely that affordability will come at a cost and create a gap (or larger gap) in the project's proforma. That is because rents in our market typically only cover the cost of construction. Currently, the market rate rents in a development in Hopkins cannot absorb the below market rents of affordable units. Therefore, the project no longer cash flows, and as a result, public subsidy is needed.

There is also a desire to diversify the housing choice in a neighborhood as not to concentrate poverty and a desire to keep some flexibility in the affordability requirements so that a full range of options are possible. Being overly prescriptive on percent of units at varying area median income will limit financing options.

Owner-occupied vs rental

Staff comments: The vision document was revised to lift-up the desire for owner-occupied housing, but stopped short of requiring that housing type due to market realities. There are very few developers who are willing to build condominiums, most often due to warranty requirements in State law that bring risk. Townhomes pose less risk but have higher land costs and will drive down overall density, and not achieve transit-supportive goals. The desire is to not eliminate experienced, qualified developers with a compelling vision for the site because they build rental housing.

Park space with no or limited, less-dense development

Staff comments: The expansion of Cottageville Park was undertaken in order to provide more green space, activity space and access to Minnehaha Creek for the community to enjoy, including the anticipated future residents of 325 Blake. The long-term vision was to use that investment in the natural environment to catalyze development in this area, maximizing tax base and supporting the LRT investment in our community.

While additional park space is always desirable, it isn't within the City's financial capacity to maintain the entire site as park space with no taxable development. Additionally, the site's proximity to the Blake Road LRT Station makes it a key property for bringing mixed use development that supports the region's investment in light rail.

It should be noted that the community engagement process will solicit input on the form and use of the open space that will be retained by the MCWD. Although the site is not being developed as a park, there still will be open space, trails, and water access for the public to enjoy.

More retail, less retail, affordable retail

Staff comments: These are extremely challenging times to facilitate the construction of new retail. Covid-19 has significantly changed retail that was struggling even before the pandemic. The City remains open to hear what the market can build. Staff will verbally share the strong desire for affordable retail opportunities with prospective developers using examples such as open air market space, business incubators and rent subsidies.

Expedite Tax-paying development on a site that is currently tax-exempt

Staff comments: The City of Hopkins does not own the site and cannot force the sale to a developer or require that something is built. Staff will do what is in our ability to make sure that development is not stalled or delayed due to City actions.

Participation in Developer Selection

It was recommended that members from the community be involved in developer selection.

Staff comments: The owner of the property, MCWD, and the City of Hopkins will have representation on the subcommittee that will review and recommend finalists for consideration. The finalists will be interviewed by both the MCWD Board of Managers and the Hopkins City Council in a joint meeting that will be open to the public. Community members will have the ability to contact the elected officials with their recommendation on developer selection. This fits within the role of elected officials who are charged with making the best decisions for the entire City.

Environmental Justice

Environmental justice is fair treatment and meaningful involvement of all people with respect to development, implementation, and enforcement of environmental laws, regulations, and policies.

Staff comments: The project represents an environmental investment in a neighborhood with lower than average income and significant racial diversity. The project will not result in direct displacement of anyone as the site is vacant. Those living in or near the corridor will be provided opportunities to shape the development through a voiced commitment to early and meaningful community engagement.

A major project goal is to treat approximately 270 acres of storm water runoff before it enters Minnehaha Creek, restoring the creek and natural environment within the Blake corridor and downstream, providing environmental benefits to all.

Preference for Woman or Minority Owned Companies/Use of Equity Tool

The suggestion was made to give preference to woman and minority owned companies, and to use an equity tool such as the Equitable Development Scorecard or the Racial Equity Tool promoted by GARE when evaluating development proposals.

Staff comments: The City currently does not have policies that would guide the use of either of these requirements. The recommendation would be to ask potential developers about their commitment to woman and minority owned businesses during the selection process and to review the development concepts through a lens of who benefits from the development and who does not.

Limited TIF or no TIF

Comments were received that the use of tax increment financing (TIF) should be limited to affordable housing. Other commenters advised against using TIF at all.

Staff comments: The City of Hopkins has not committed TIF to the development but has indicated that it can be considered. The City of Hopkins takes a comprehensive, long-range view of development. If a concept is developed that meets City goals but needs assistance to be realized, the City may be willing to forgo short-term tax increases for long-term benefit. As always with the use of TIF, the developer will be required to show that the development would not be able to move forward without public assistance.

Affordable 3-4 bedroom units for families & affordable 55+ condominiums

Staff comments: The need for affordable housing for specific household sizes or ages has been voiced over the past few years. Housing designed for other specific populations has also been discussed. The Comprehensive Plan includes the goal to "Maintain neighborhoods with a choice of quality housing options, including those meeting the needs of a variety of household types and life stages."

The vision statement, as drafted, does call out housing for a mix of income levels and household sizes but allows for the proposing developers to identify their target market within the direction of 10-15% affordable. The City Council can elect to be more specific in the vision document if it is desired.

Parking for LRT and Regional Trail

Staff comments: Parking for the LRT will be available at the Blake Road LRT station, just south of the platform, on property acquired by the Met Council. Parking for the

Regional Trail is available at the Depot Coffeehouse. The City is interested in additional parking for Cottageville Park and/or amenities such as a canoe/kayak launch if it can be incorporated into the development without compromising on site design or cost.

Open air food market, Space for mental and physical wellness & Small, outdoor performance area

Staff comments: These specific recommendations will be shared through discussions with potential developers and the MCWD, as they may be amenities that could also be realized in unplanned space at Cottageville Park or on land the MCWD retains.

Policy recommendations

The following policies were recommended by an organization, Hopkins Community Housing Team:

- Inclusionary housing policy to require affordable housing units with any new development
- Advance Notice of Sale
- Just Cause Notice
- Non-Discrimination of Section 8 Voucher holders
- Security deposit limits
- Tenant screening guidelines
- Opportunity to purchase policy

Staff comments: Many of these policies have been discussed with the City Council and we regularly meet with surrounding cities to understand the pros and cons, legal position and administrative considerations of these various policies. In 2019, we adopted a tenant protection ordinance that provides renters with transition time related to rent increases, rescreening, or non-renewal of leases due to apartment building sales. But many of these policies are complicated. They may be better addressed on a state-wide basis, often require significant staff time and can expose the City to risk of being legally challenged.

One comment stated that neighboring communities have 30% affordable inclusionary housing policies. The following is a chart of suburban Metro cities that have adopted inclusionary zoning and their respective requirements:

Inclusionary Housing Policies for Multi-Family Developments*

City	Circumstances	Requirements	Affordability Period
Brooklyn Park	Developments with 10 or more units that: <ul style="list-style-type: none"> • Require a Comp Plan Amendment or a Zoning Code or Map Amendment • Receive approval through a Planned Unit Development (PUD) • Receive financial Assistance from the City • Are located in Transit Oriented Development (TOD) Areas 	Three options to choose from: <ol style="list-style-type: none"> 1. At least 5% of total units affordable at 30% AMI 2. At least 10% of total units affordable at 50% AMI 3. At least 15% of total units affordable at 60% AMI 	20 years
Bloomington	Developments with 20 units or more (multi-family or townhouses)	At least 9% of units affordable at or below 60% AMI	20 years
Edina	Developments with 20 or more units that: <ul style="list-style-type: none"> • Require a Comp Plan Amendment • Require rezoning to a Planned Unit Development (PUD) • Receive financial Assistance from the City • Are developed on property purchased from the City 	10% residential units at 50% affordable rental rates or 20% residential units at 60% affordable rental rates	20 years
Golden Valley	Market rate residential rental developments that add or create 10 or more units and receive approvals under a Conditional Use Permit, Zoning Map Amendment, Comprehensive Plan Map Amendment, or Planned Unit Development, or receive Financial Assistance from the City	At least 10% of units affordable at 50% AMI or 15% of units at 60% AMI	20 years
Minnetonka	10 or more new units	If no zone change or comp plan amendment, and no City assistance: at least 5% of units at 50% AMI If zone change or comp plan amendment, but no City assistance: 10% of units at 50% AMI and minimum of 5% of units at 60% AMI Projects with City assistance: 20% of units at 50% AMI or 40% of units at 60% AMI	30 years
Richfield	Construction of at least 5 new units which receive Financial Assistance from HRA, EDA or City	At least 20% of rental housing units must be made affordable at 60% AMI	10 years
St. Louis Park	Market rate residential developments of 10 units or more that receive financial assistance from the City.	City decides which affordability level: <ol style="list-style-type: none"> 1. At least 5% of total units affordable at 30% AMI 2. At least 10% of total units affordable at 50% AMI 3. At least 20% of total units affordable at 60% AMI 	25 years

*Please note that basic information from these policies are reflected in this table. Each city's policy has other conditions and nuances that are not shown here. Bloomington and Edina allow a developer to make a payment in lieu of including affordable housing. Some other cities allow waivers or exceptions at the discretion of the City Council, Housing and Redevelopment Authority or Economic Development Authority.

Alternatives:

The City Council has the following options for this item:

- Approve the Agreement as proposed
- Modify the Agreement prior to approval.
- Elect not to enter into the Agreement. That would likely result the property not being made available for development at this time.

COOPERATIVE AGREEMENT

for the

Coordinated Planning, Improvements and Development for 325 Blake Road

DRAFT August 18, 2020

This Agreement is made by and between the Minnehaha Creek Watershed District, a watershed district with purposes and powers as set forth at Minnesota Statutes Chapters 103B and 103D (“MCWD”), and the City of Hopkins, a statutory city and political subdivision of the State of Minnesota (“City”) (together, the “Parties”).

Recitals

- A. MCWD acquired 325 Blake Road, a parcel in the City which was home to a large cold storage warehouse, in 2011 as a key element in the restoration of the Minnehaha Creek Greenway. MCWD acquired the Site in a spirit of collaboration with the City in light of its potential to integrate a restored Minnehaha Creek and become a transit-oriented, mixed-use development near a future station of the Southwest Light Rail Transit line.
- B. MCWD and the City share a vision of the Site as a catalytic opportunity for public and private investment.
- C. MCWD and the City share a commitment to guiding principles for the restoration and redevelopment of 325 Blake Road (“Site”):
 - 1. Creative design approach: Recognizing that the size and location of this property make it a unique development opportunity within a fully urbanized area, pursue a creative approach to design that is thoughtful of the environment, the social relationships between residents and the larger community, and brings something vibrant and new.
 - 2. Transit Oriented Development: Embrace elements of Transit Oriented Development (TOD) based on its proximity to the Blake Road LRT Station, the adjacent Green Line Extension, and connections to trail systems. Consider recreational and commercial amenities within the vicinity of the Site. TOD densities, parking ratios and shared parking within the Site are encouraged, as well as other transit-supportive uses such as jobs and neighborhood-serving retail.
 - 3. Water focused approach: Feature Minnehaha Creek, the Minnehaha Creek Greenway, and storm water management elements as central to the identity and orientation of the Site.
 - 4. Sustainability: Incorporate sustainable development components, such as construction materials and techniques, water and energy efficiency, renewable energy, waste management, and sustainability education elements.

5. Open design: Provide open design that establishes inviting views of Minnehaha Creek and allows for public access into the Site so that Minnehaha Creek becomes a community amenity. The design should permit easy access to and throughout the Site by pedestrians and bicyclists, while maintaining safety for all residents and users of the property.
 6. Connections: Enhance physical and visual connections along and across Blake Road and to the Minnehaha Creek Greenway, Cedar Lake LRT Regional Trail, Blake Road LRT Station and Cottageville Park. Buildings should have minimal setbacks from Blake Road and an active first floor to enhance the pedestrian experience. The southwest corner of the Site is a key location due to its proximity to the Blake Road LRT Station, and development should embrace the prominence of this portion of the Site when looking at design and land use.
 7. Inclusion. The site is located in a very economically and culturally diverse neighborhood with a significant number of naturally-occurring affordable housing units. It is a goal to embrace that diversity and develop the site in a way that is equitable, seeks to honor and preserve the existing community and does not aim to gentrify the neighborhood.
 8. Housing mix: Consider a variety of housing types, including ownership and rental for people at a mix of income levels and household sizes. All efforts should be made to mix the affordable units with the market rate units. If financial barriers prevent that, Site design should encourage interaction between buildings via shared common areas and amenity spaces throughout the Site. Because a majority of Hopkins housing units today are rental, the City is very interested in homeownership opportunities, especially for low and moderate income households.
- D. MCWD and the City wish to coordinate their policies, planning, and development process in order to maximize project success in achieving these mutual goals, and hereby enter into this Agreement to coordinate this work, and to commit their board of managers and council members to involvement in this process to completion with frequent open communication.

1. Subject Property

MCWD currently owns the 17-acre parcel at the Site and plans to retain a minimum of four acres to treat polluted stormwater that flows into the creek from approximately 270 acres of surrounding area and to restore more than 1,000 feet of creek frontage. The remaining 13 acres will be sold to transform the rest of the Site into a transit-oriented neighborhood. MCWD will be willing to explore other configurations that may result in it retaining up to six acres for its public purposes. With its ongoing ownership in a significant portion of the Site, MCWD will be actively involved in the design of the future development in order to assure that MCWD's public purposes for its portion of the Site will be served.

2. Commitments to Coordination

MCWD and the City commit their council members, managers and respective staffs to open and frequent communication in order to assure the success of this process to complete a project that serves their shared goals and the guiding principles. MCWD and the City commit to the following structure to promote sound coordination:

- a. Liaisons
 - i. The City will appoint two council members and MCWD will appoint two managers to serve as project Liaisons. The Liaisons will meet on an established schedule, approximately every six weeks.
 - ii. The Liaisons will make recommendations to the City Council and Board of Managers at key milestones for the project as established by a development decision matrix (Matrix, attached to and a part of this Agreement as Exhibit A) and schedule prepared by the Staff Coordination Team and approved by the Liaisons.
- b. City Council, Board of Managers
 - i. The City Council and Board of Managers will consider recommendations from the Liaisons and determine their concurrence at the major milestones identified in the Matrix.
- c. Staff Coordination Team
 - i. The Staff Coordination Team will be composed of MCWD's planning – project planning manager, a planner – project manager, and appropriate staff and consultants, and the City's development director, community development coordinator, and appropriate staff and consultants. Developer representatives will serve on the Staff Coordination Team once a developer team is selected.
 - ii. The Staff Coordination Team will meet weekly on an established schedule, as needed.

3. Community Engagement

The Parties agree to establish a Community Engagement Plan to provide for continued community engagement in this project. The Parties agree that implementation of this Community Engagement Plan will seek continued understanding of and engagement with the project among residents, businesses and agencies with local and regional interest in the project to provide feedback that informs the development. The Community Engagement Plan will be guided by these key principles:

- a. reflect the watershed and community wide impact of the Site;
- b. be early and meaningful;
- c. represent different stakeholder groups with an interest in the Site; and
- d. utilize remote access tools to protect health and allow broader participation during the COVID-19 pandemic.

The Staff Coordination Team will prepare a draft framework for the Community Engagement Plan to be reviewed by the Staff Coordination Team and the Liaisons and approved by the City Manager and the Board of Managers no later than the completion of the Developer Selection process described in Section

5, and a complete Community Engagement Plan for their review and approval as soon as reasonably feasible thereafter.

4. Communications

The Parties agree to establish a Communications Plan in order to assure orderly and transparent communications between the Parties, agency partners, community stakeholders, and the general public about the development process at the Site. The Staff Coordination Team will prepare a draft framework for the Communications Plan to be reviewed by the Staff Coordination Team and the Liaisons and approved by the City Manager and the Board of Managers no later than the completion of the Developer Selection process described in Section 5, and a complete Communications Plan for their review and approval as soon as reasonably feasible thereafter.

5. Developer Selection

The developer selection process will include the following elements:

- a. Attached to and a part of this Agreement as Exhibit B is the Vision Document to express the Parties' vision for a successful development at the Site and to guide developers in generating proposals.
- b. Financial Framework Dynamic Evaluation
 - i. MCWD and its consultants will prepare a dynamic evaluation of the financial framework for the project. This evaluation will be based on explicit assumptions and/or alternative assumptions so that the Parties may align their understanding of the key financial elements of the project, including such items as land sale price, tax increment financing, and other development parameters. It will also allow developers to prepare proposals in response to clear financial expectations and parameters.
 - ii. This Financial Framework Dynamic Evaluation will be reviewed by the Staff Coordination Team and presented to the Liaisons, and Board of Managers.
- c. Feasibility Milestone
 - i. The completed Financial Framework Dynamic Evaluation will serve as the basis for the Feasibility Milestone, wherein the Parties will determine to move forward with the developer selection process as described below. The Staff Coordination Team will present a recommendation to the Liaisons, who will in turn present a recommendation to the City Manager and Board of Managers concerning whether to proceed to invite developers to make proposals. Upon a favorable determination by the Board of Managers and the City Manager, the Staff Coordination Team will initiate the developer selection process as described below.
- d. Invitations to Selected Developers

- i. The Staff Coordination Team will prepare, and the MCWD will post an open invitation to developers to submit a brief letter of interest in pursuing development of the Site.
 - ii. In addition to the open invitation for letters of interest, the Staff Coordination Team will prepare a list of qualified and experienced developers with a demonstrated record of successful projects indicating an ability to meet the Parties' development objectives. The Staff Coordination Team will contact the developers on this list and invite them to submit letters of interest. The Staff Coordination Team will review the letters of interest received and prepare a list of developers to be invited to continue with the developer selection process as set forth below.
 - iii. The Liaisons will review this list for recommendation to the City Manager and Board of Managers. The list will be reviewed and confirmed with or without modifications by the City Manager and Board of Managers.
 - iv. The Staff Coordination Team will invite the developers on this approved list to meet with the Staff Coordination Team to review the Site, Vision, and development parameters.
 - v. Following these meetings, the Staff Coordination Team will issue an invitation to these developers to prepare and submit proposals.
- e. Developer Submissions
 - i. The Staff Coordination Team will review the developers' initial submissions/proposals to generate comments or requests for clarifications. These comments and/or requests will be provided to the developers to allow them to prepare refined, final proposals. These final proposals will be reviewed by the Review Committee as provided below.
- f. Review Committee
 - i. The Review Committee will have five members: the four Liaison members, plus one additional MCWD manager.
 - ii. The Review Committee will hold interviews to consider the developers' final submissions/proposals, with the assistance and participation of the Staff Coordination Team.
 - iii. Following the interviews, the Review Committee will work to build consensus on a finalist list of the best development partner to achieve the Vision, vote on a recommended finalist list of developers, and refer that recommendation to the City Council and MCWD Board of Managers.
- g. Upon the Review Committee's determination of a finalist list of developers, the Staff Coordination Team will facilitate tours for the City Council and Board of Managers of those developers' representative projects.
- h. Following the tours, the MCWD Board of Managers and the City Council will hold a joint meeting for the purpose of conducting interviews of the finalist developers and

discussing these interviews. Thereafter the Board of Managers and the City Council will vote to select a developer. If the Board of Managers and City Council do not concur in the recommendation, the matter will be referred back to the Review Committee for further consideration.

6. Development Agreement Process

- a. Preliminary Development Agreement
 - i. The City, MCWD and selected developer will negotiate a preliminary development agreement to assure the developer of the terms and conditions of exclusive rights to negotiate a final development agreement for the Site.
 - ii. This preliminary development agreement will define a process to define the partnership, roles, and process to develop and refine concepts for the Site, and to provide for further investigation and refinement of a final development plan.
 - iii. The Staff Coordination Team will prepare the preliminary development agreement for review by the Liaisons and their recommendation for approval with or without modification to the MCWD Board of Managers and the City Council.

- b. Final Development Agreement
 - i. Upon the completion of a proposed final development plan, the Staff Coordination Team will present the plan to the Liaisons for their review and recommendation for approval with or without modification to the MCWD Board of Managers and the City Council.
 - ii. Upon approval by the MCWD Board of Managers and the City Council of the final development plan, the City and developer will proceed to negotiate and execute a final development agreement.

7. Development Parameters

The Parties commit to an open and transparent decision-making process for key development parameters to be discussed and determined, and therefore agree to the following process to address the development parameters identified in this Section and described in more detail in Exhibit C to this Agreement. In cases where the City has responsibility to make decisions for a development parameter, the City agrees to consult MCWD for its input through the Staff Coordination team and Liaisons. In cases where MCWD has responsibility to make decisions for a development parameter, MCWD agrees to consult the City for its input through the Staff Coordination team and Liaisons.

- a. Access
- b. Road Infrastructure
- c. Utilities
- d. Stormwater and Open Space
- e. Land Use
- f. Density
- g. Parking
- h. Sustainability

- i. Housing Affordability
- j. Tax Increment Finance
- k. Third Party Grants

8. Land use approvals

- a. The Parties anticipate that the development of the Site will require City Site Plan Review, Zoning District Change to Mixed Use, Planned Unit Development, and Subdivision Approval. The City agrees to keep MCWD informed about these approval processes, and to consult MCWD for its input through the Staff Coordination team and Liaisons.
- b. MCWD agrees to obtain all necessary land use approvals for the stormwater facility.

9. Open Space, Park Dedication [application of Sec. 100-33 of City Code]

- a. The MCWD agrees to work with the selected developer to set aside and dedicate a minimum of 13% of the Site to the general public as park dedication, open space, trails and wetlands.
- b. The City shall apply its park dedication requirement set forth in the City of Hopkins City Code and applicable Minnesota statutes to any development proposal for the Site, including the City's discretion to waive or reduce the requirement.
- c. The City acknowledges that the Financial Framework Dynamic Evaluation described in Section 5 will include analysis of the park dedication fee and the considerations set forth in this Section in order to assist the Feasibility Milestone analysis.

10. Sale of property

MCWD will negotiate a purchase agreement with the selected developer on terms compatible with the final development plan. MCWD agrees to keep the City informed about this negotiation and to consult the City for its input through the Staff Coordination Team and Liaisons.

11. General Terms

- a. Dispute Resolution
 - i. The MCWD and the City commit through this Agreement to frequent and open communication and collaborative efforts to deliver a successful project that meets the goals of the Vision and the guiding principles set forth at the beginning of this Agreement. The Parties commit their representatives on the Staff Coordination Team, Liaisons, and City Council and Board of Managers to work to resolve any issues, concerns or disputes as soon as possible.
 - ii. In the event that the Staff Coordination Team has an issue, concern or dispute that it cannot resolve, either the City or MCWD representatives may request that the matter be addressed by the Liaisons. The Liaisons shall meet and work to resolve the matter within ten calendar days of the date of the request.
 - iii. If the Liaisons are unable to resolve the matter within ten calendar days of the date of the request, the Liaisons shall notify the City Council and MCWD Board

of Managers of the matter and efforts to resolve it. The City Council and MCWD Board of Managers shall convene a joint meeting within thirty calendar days of the notification from the Liaisons in order to resolve the matter.

- iv. If the joint meeting of the City Council and MCWD Board of Managers fails to resolve the matter, all further work on the project shall conclude, and either party may pursue any further remedies as provided in this Agreement.

b. Remedies

Notwithstanding anything to the contrary in this Agreement, each party is responsible for its own acts and omissions, and the results thereof, to the extent authorized by law and will not be responsible for the acts and omissions of the other party or the results thereof. Minnesota Statutes chapter 466 and other applicable law govern liability of the City and the District. Nothing in this Agreement constitutes a waiver or limitation of any immunity or limitation on liability to which the City or District is entitled under Minnesota Statutes Chapter 466 or otherwise. This Agreement creates no right in any third party; waives no immunity, defense or liability limit with respect to any third party or the other party to this Agreement; and creates no relationship of third-party beneficiary, principal and agent, partnership, or joint venture as between the City and District. Only contractual remedies are available for the failure of a party to fulfill the terms of this Agreement.

c. Indemnification

The MCWD, and any and all officers, employees, subcontractors, agents, or any other person engaged by the MCWD in the performance of work or services pursuant to this Agreement, shall indemnify, defend, and hold harmless the City and its officials, employees, contractors and agents from any loss, claim, liability, and expense (including reasonable attorneys' fees and expenses of litigation) arising from, or based in the whole, or in any part, on any negligent act or omission by the MCWD, its officers, employees, subcontractors, agents, or any other person engaged by the MCWD in the performance of work or services pursuant to this Agreement. The City, and any and all officers, employees, subcontractors, agents, or any other person engaged by the City in the performance of work or services pursuant to this Agreement, shall indemnify, defend, and hold harmless the MCWD and its officials, employees, contractors and agents from any loss, claim, liability, and expense (including reasonable attorneys' fees and expenses of litigation) arising from, or based in the whole, or in any part, on any negligent act or omission by the City, its officers, employees, subcontractors, agents, or any other person engaged by the City in the performance of work or services pursuant to this Agreement. In no event shall either party be liable to the other party for consequential, incidental, indirect, special, or punitive damages.

d. Force Majeure

Neither party shall be liable to the other party for any loss or damage resulting from a delay or failure to perform the work or services under this Agreement due to unforeseeable acts or events outside the defaulting party's reasonable control, providing the defaulting party gives notice to the other party as soon as possible, including acts of God or nature, acts of terrorism, war, fire, flood, epidemic, acts of civil or military authority, and natural disasters.

e. Notifications and contacts

Each notification required by this Agreement must be made to the project representative. The project representatives of the parties are:

Michael Hayman, Project Planning Manager
Minnehaha Creek Watershed District
15320 Minnetonka Boulevard
Minnetonka, MNN 55345
952-471-0590
mhayman@minnehahacreek.org

Kersten Elverum, Director of Development and Planning
City of Hopkins
1010 1st Street South
Hopkins, MN 55343
952-548-6340
kilverum@hopkinsmn.com

Contact information will be kept current. Either contact may be changed by a party by written notification to the other party.

f. Amendments

An amendment to this Agreement must be in writing and will not be effective until it has been approved and executed by the Parties. A party to this Agreement may not assign or transfer any right or obligation hereunder without an assignment agreement executed by the Parties and the assignee.

g. Term, Termination

Notwithstanding any other provision in this Agreement to the contrary, this Agreement may be terminated as follows: (1) the parties, by mutual written agreement, may terminate this Agreement at any time; (2) the parties may terminate this Agreement in the event of a breach of the Agreement by the other party, upon providing 30 days' written notice to the party.

h. Entire Agreement and Modification

This Agreement shall constitute the entire agreement between the City and the MCWD. This Agreement supersedes any other written or oral agreements between the City and the MCWD. This Agreement can only be modified in writing signed by the City and the MCWD.

i. Counterparts

This Agreement may be executed in any number of counterparts, each of which shall be an original and shall constitute one and the same Agreement.

j. Third Party Rights

The City and the MCWD do not intend to confer on any third party any rights under this Agreement.

k. Compliance with Laws

The City and the MCWD shall exercise reasonable care to comply with applicable federal, state, and local laws, rules, ordinances, and regulations in effect as of the date of this Agreement.

- l. Compliance with the Minnesota Government Data Practices Act
Data provided, produced, or obtained under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. The parties shall immediately report to the other party any requests from third parties for information relating to this Agreement. The parties agree to promptly respond to inquiries from the other party concerning data requests.
- m. Audit
Each party must allow the other party, or its duly authorized agents, and the state auditor or legislative auditor reasonable access to the other party's books, records, documents, and accounting procedures and practices that are pertinent to this Agreement for a minimum of six years from the termination of this Agreement.
- n. Choice of Law and Venue
This Agreement shall be governed by and construed in accordance with the laws of Minnesota. Any disputes, controversies, or claims arising under this Agreement shall be heard in the state or federal courts of Minnesota and the parties waive any objections to jurisdiction.
- o. Non-Assignment
This Agreement may not be assigned by either party without the prior written consent of the other party.
- p. Non-Discrimination
The parties agree not to discriminate in executing the provisions under this Agreement on the basis of race, color, sex, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion.
- q. Survivability
The provisions of this Agreement concerning Indemnification, Compliance with Laws, Compliance with the Minnesota Government Data Practices Act, Audit, Choice of Law and Venue shall survive the expiration or termination of this Agreement.
- r. Severability
The provisions of this Agreement shall be severable. If any portion of this Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision shall not affect the remaining provisions of the Agreement.
- s. Waiver
Any waiver by either party of a breach of any provision of this Agreement shall not affect, in any respect, the validity of the remainder of this Agreement.

IN TESTIMONY WHEREOF the parties have executed this Agreement by their authorized officers.

MINNEHAHA CREEK WATERSHED DISTRICT

Date:

Sherry Davis White, President

Approved for Form and Execution:

MCWD Counsel

CITY of HOPKINS

Date:

Jason Gadd, Mayor

Date:

Michael Mornson, City Manager

EXHIBIT A
DEVELOPMENT MATRIX

EXHIBIT B
VISION FOR 325 BLAKE ROAD SITE

EXHIBIT C
DEVELOPMENT PARAMETERS

The Parties have identified the following list of development parameters which are relevant to the successful redevelopment of the Site. The Parties recognize that each developer and site may involve unique considerations and that the Parties will work together, primarily through the Staff Coordination Team and Liaisons, to address these parameters as described in Section 7 of the Agreement.

a. Access

- i. Access is defined as vehicular entry points to the Site. Trail access to the Site for pedestrians, cyclists, and other non-vehicular modes is addressed under Section d.
- ii. The primary access point for the Site shall extend from the existing signalized intersection of Blake Road and 2nd Street NE. An additional access point on Lake Street will be considered based on a demonstrated need identified through the conceptual design process and supported by a proposed development program and a traffic study, to be paid for by the Developer.
- iii. The City's Planning and Economic Development Department (Planning Department) will review the conceptual design, proposed development programming, and traffic study in making a recommendation to the City Council. MCWD staff will provide input, particularly where the access plan relates to the Minnehaha Creek Greenway and Cottageville Park. The traffic study will also be subject to review by Hennepin County due to their jurisdiction over Blake Road. Emergency services providers will be consulted as necessary to determine any emergency access requirements.
- iv. The final access plan will be approved by the City Council through the City's site plan review and approval process (Sec. 102-125 to 102-128 of City Code) or planned unit development (PUD) review and approval process (Sec. 102-673 to 102-680 of City Code).

b. Road Infrastructure

- i. Road infrastructure is defined as roads supporting vehicular access into and through the Site.
- ii. Prospective developers will be encouraged through the developer selection process to explore conceptual designs that minimize the need for road infrastructure. The necessity for road infrastructure will be determined based upon the conceptual design and proposed development program. The City's Planning Department will lead the review of the circulation plan, with input from MCWD staff, particularly where road infrastructure relates to the Minnehaha Creek Greenway or Cottageville Park. Access for service, delivery, and emergency vehicles will be considered.

- iii. All roadways internal to the Site shall be constructed by the Developer. If the roadways are designed to City of Hopkins public street specifications, constructed in dedicated public right-of-way, and meet a clear public purpose, the maintenance of the roads from curb to curb will be taken on by the City. Emergency services providers will be consulted as necessary to determine any emergency access requirements.
- iv. The final circulation plan will be approved by the City Council through the City's site plan or PUD review process.

c. Utilities

- i. Municipal utilities are defined as those utilities that are provided by the City, including domestic water and sanitary sewer services. Other utilities are defined as those utilities that are supplied by non-municipal providers, including electric, gas, and communications.
- ii. Municipal utilities have been stubbed in with the intent to serve the site. Any existing domestic water or sanitary sewer lines, connections, or access points internal to the Site will need to be removed at the Developer's expense if they will not serve a building or hydrant. Additional municipal utility connections will be considered during the conceptual design phase. Other utilities will be negotiated between the Developer and utility providers. MCWD and the Developer will jointly design and negotiate any utilities that are shared between the development and stormwater facilities or open space amenities.
- iii. The final utility plan will be approved by the City Council through the site plan or PUD review process.

d. Stormwater and Open Space

- i. Site-generated stormwater is defined as all stormwater generated on the acreage purchased by the Developer. Regional stormwater is defined as all stormwater that is piped to the Site to be treated by MCWD's stormwater facility, as well as stormwater generated on the acreage retained by MCWD. Open space is defined as the publicly accessible portions of the Site, whether owned by the District or Developer, that provide active or passive recreation, public gathering areas, or serve as non-vehicular transportation corridors.
- ii. MCWD and the City expect that any selected developer will work collaboratively with MCWD on a creative and integrated approach to stormwater management, with the potential to tie the development into the regional treatment system so that stormwater may serve as an amenity throughout the Site. An integrated stormwater treatment facility and associated open space and trail network would be designed jointly by MCWD and the Developer, with input from the City. Construction and maintenance responsibilities will be negotiated and memorialized based on the agreed upon design.
- iii. The Developer is responsible for meeting all applicable MCWD regulations, including MCWD's Stormwater Management Rule for site-generated stormwater, through either on-site treatment or an integrated approach in

cooperation with MCWD. MCWD is responsible for leading the design of the regional stormwater facility and associated open space and trail system. The MCWD Board of Managers will approve the final stormwater and open space plan.

- iv. Stormwater and open space will initially be considered at the commencement of the conceptual design phase. Any agreements pertaining to stormwater and open space will be finalized prior to sale of the property or will be included as conditions to the purchase agreement.

e. Land use

- i. The City anticipates that zoning for the Site will be changed to permit a variety and mix of land uses (see Sec. 8. Land use approvals). Permitted land uses will be guided by the City's 2040 Comprehensive Plan and informed by current market conditions and the Developer's conceptual design and proposed development program.
- ii. Prior to a change in zoning or approval of a planned unit development, the City and MCWD will set expectations with prospective developers for anticipated permitted uses through the developer selection process. Final land use approvals will follow the procedures in Sec. 8 of this cooperative agreement.
- iii. Land use approvals may occur after consensus is reached on a conceptual plan and a purchase agreement has been finalized. Final land use will be approved by the City Council based on zoning or PUD standards.

f. Density

- i. Density is defined as average residential density on the Site and is measured in units per acre of buildable land.
- ii. A range of expected density will be established by the City's Planning Department based on guidelines set forth by the Metropolitan Council, the City's 2040 Comprehensive Plan, and market expectations. This range will be communicated to prospective developers through the developer selection process.
- iii. Final density will be determined through the conceptual design process and approved by the City Council through the site plan or PUD review process.

g. Parking

- i. Parking is defined as vehicular parking for all anticipated uses of the Site, including residential, commercial, and access to the Minnehaha Greenway and Cottageville Park.
- ii. Expectations for parking of the Site will be established by the City's Planning Department based on Transit Oriented Development (TOD) best practices. These expectations will be communicated to prospective developers through the developer selection process.

- iii. Final parking ratios will be determined through the conceptual design process, supported by a parking and traffic study to be paid for by the Developer, and approved by the City Council through the site plan or PUD review process.
- h. Sustainability
- i. Sustainability is defined as all elements, whether structural or operational, that reduce the development's impact on the environment, exclusive of stormwater management which is addressed in Subsection d of this exhibit.
 - ii. Expectations for sustainability will be established by the City's Planning Department, with input from MCWD, based on the goals and policies of the City's comprehensive plan and regional best practices. These expectations will be communicated to prospective developers through the developer selection process.
 - iii. Final sustainability elements will be determined through the conceptual design process and approved by the City Council through the site plan or PUD review process.
- i. Housing affordability
- iv. Housing affordability is defined as the ratio of affordable to market-rate units, the level of affordability based on area median income or a similar metric, and the physical integration of affordable units into the broader development.
 - v. Expectations for housing affordability will be established by the City's Planning Department. These expectations will be communicated to prospective developers through the developer selection process.
 - vi. Final housing affordability will be approved by the City Council.
- j. Tax increment finance
- i. The City and MCWD anticipate that tax increment financing (TIF) may be a necessary tool to close any financial gap in a development that meets the needs of MCWD, the City, and the Developer.
 - ii. City staff will communicate the potential for the establishment of a TIF district to prospective developers through the developer selection process. City staff will make a recommendation on the establishment of a TIF district and the terms of the financing based on an analysis of the Developer's pro forma conducted by the City's municipal advisor.
 - iii. Establishment of the TIF district and financing terms will be approved by the City Council and Housing and Redevelopment Authority (HRA)
- k. Third-party grants
- i. The City and MCWD anticipate pursuing grants through Hennepin County and the Metropolitan Council, as well as other granting entities as needed and as timing permits.
 - ii. If desired grants have requirements that impact the development parameters for stormwater and open space, density, parking, sustainability, or housing

affordability, the City and MCWD will consider revising the detailed development parameters as necessary and communicate these revised expectations to the prospective or selected developer(s).

- iii. Based on the specific requirements and focus of the desired grant, the City and MCWD will determine the appropriate applicant. Regardless of the applicant, the City and MCWD will share all necessary information to ensure grant applications are thorough and completed in a timely fashion.

City of Hopkins and the Minnehaha Creek Watershed District

DEVELOPMENT VISION FOR 325 BLAKE ROAD

Purpose

This document memorializes the shared vision between the City of Hopkins (City) and the Minnehaha Creek Watershed District (MCWD) for the redevelopment of 325 Blake Road. It is intended to provide a shared understanding of the guiding principles for redevelopment, parameters of development, and approvals and financing by the City, MCWD, the community and potential development partners.

The MCWD and the City seek highly creative, water-focused development proposals for this unique redevelopment opportunity. Proposals should include sustainable development characteristics with the Minnehaha Creek as the central feature of the development and a special emphasis on multiple connections to amenities including the future Blake Road LRT Station. Inclusive community engagement will also be important to ensure this new neighborhood blends seamlessly into the broader Hopkins community.

Property Description

The 325 Blake Road site is owned by the MCWD and consists of a 16.84 acre parcel located at the southeast quadrant of the Blake Road North (CSAH 20) and Lake Street Northeast intersection; less than ¼-mile from both State Highway 7 to the north and Excelsior Boulevard (CSAH 3) to the south, and within 1 mile of Highway 169. The property is bounded by approximately 1100 feet of Minnehaha Creek, 1100 feet of Blake Road and 1200 feet of the Cedar Lake LRT Regional Trail and future METRO Green Line Extension.

Guiding principles for redevelopment

Creative design approach. Recognizing that the size and location of this property make it a unique development opportunity within a fully urbanized area, pursue a creative approach to design that is thoughtful of the environment, the social relationships between residents and the larger community, and brings something vibrant and new.

Transit Oriented Development. Embrace elements of Transit Oriented Development (TOD) based on its proximity to the Blake Road LRT Station, the adjacent Green Line Extension, and connections to trail systems. Consider recreational and commercial amenities within the vicinity of the Site. TOD densities, parking ratios and shared

parking within the Site are encouraged, as well as other transit-supportive uses such as jobs and neighborhood-serving retail.

Water-focused approach. Feature Minnehaha Creek, the Minnehaha Creek Greenway, and storm water management elements as central to the identity and orientation of the Site.

Sustainability. Incorporate sustainable development components, such as construction materials and techniques, water and energy efficiency, renewable energy, waste management, and educational elements.

Open design. Provide open design that establishes inviting views of Minnehaha Creek and allows for public access into the Site so that Minnehaha Creek becomes a community amenity. The design should permit easy access to and throughout the Site by pedestrians and bicyclists, while maintaining safety for all residents and users of the property.

Connections. Enhance physical and visual connections along and across Blake Road and to the Minnehaha Creek Greenway, Cedar Lake LRT Regional Trail, Blake Road LRT Station and Cottageville Park. Buildings should have minimal setbacks from Blake Road and an active first floor to enhance the pedestrian experience. The southwest corner of the Site is a key location due to its proximity to the Blake Road LRT Station, and development should embrace the prominence of this portion of the Site when looking at design and land use.

Inclusion. The site is located in a very economically and culturally diverse neighborhood with a significant number of naturally-occurring affordable housing units. It is the goal to embrace that diversity and develop the site in a way that is equitable, seeks to honor and preserve the existing community and does not aim to gentrify the neighborhood.

Housing mix. Consider a variety of housing types, including ownership and rental for people at a mix of income levels and household sizes. All efforts should be made to mix the affordable units with the market rate units. If financial barriers prevent that, site design should encourage interaction between buildings via shared common areas and amenity spaces throughout the Site. Because the majority of Hopkins housing units today are rental, the City is very interested in homeownership opportunities, especially for low and moderate income households.

Community Engagement. The City and MCWD are interested in engaging with the community early and in a way that is meaningful and helps to inform the site plan. It is the expectation that developing the engagement plan, with the development team (City, MCWD & Developer), will be a priority.

Development Parameters

Access

The primary access point for the Site shall extend from the existing signalized intersection of Blake Road and 2nd Street NE. Access from Lake Street will be dependent upon a traffic study to be paid for by the Developer. Any traffic study will be subject to review by both the City and Hennepin County, as Blake Road is under County jurisdiction.

Road Infrastructure

The City is interested in exploring concepts that have no or limited roads designed for cars but have strong pedestrian/bike connections through the Site. A precedent is Thornton Place, Seattle, WA.

If the Developer determines that access by automobiles is necessary to achieve the redevelopment goals, the roadways will be constructed by the Developer. If they are designed to City public street specifications, constructed in dedicated public right-of-way, and meet a clear public purpose, the maintenance of the roads from curb to curb will be taken on by the City.

Utilities

Utilities are stubbed in with the intent to serve the Site. Water service extends into the Site from the intersection of Blake Road and 2nd Street NE. To provide reliability and adequate flow, the water main must be looped through the Site and connect to the main in Lake Street NE right-of-way. There is a water service line into the Site that needed to remain active during the Blake Road construction and was reconnected. This line will need to be removed if it will no longer serve a building or hydrant.

A deep sanitary sewer manhole was placed in the northwest corner of the Site during the reconstruction of Blake Road with the intent to serve the Site. There are two other sanitary sewer services that were reconnected during adjacent reconstruction and will need to be removed if they will no longer serve a building.

The Developer will be required to pay for all on site utility connections and removal or relocation of any existing water lines or sanitary sewer services.

Storm Water

MCWD will design and construct a regional storm water management facility that treats storm water from approximately 270 acres surrounding the Site. This facility will clean and control the rate of storm water that would otherwise flow untreated directly into Minnehaha Creek. Open space amenities and a trail network connecting the Cedar Lake LRT Regional Trail and Cottageville Park will be interwoven with the storm water features. The Developer will remain responsible for meeting storm water regulations for the portion of the Site devoted to the future development. However, it is expected that the Developer and MCWD will work closely together to design an innovative, aesthetically pleasing, and integrated approach to management of all storm water, trail, and open space elements throughout the Site.

Land Use

The City is open to a range of development types on the Site if they are transit-supportive in nature. Included is housing, neighborhood-serving retail, and/or office uses.

Housing Density

The City and the Metropolitan Council's expectations for residential density on the Site is 75-150+ units per acre of buildable land.

Parking

TOD parking ratios and shared parking between uses are encouraged and expected. Parking that can be used by visitors to the Minnehaha Creek Greenway and Cottageville Park is desirable. Parking should be located underground and behind the buildings and not along Blake Road.

The City is open and flexible on parking requirements as long as the proposed development doesn't impact surrounding neighborhoods. The appropriate parking ratios will be determined through a parking and traffic study, paid for by the Developer. For planning purposes, the Developer should propose a parking ratio based on past experience and TOD best practices.

Sustainability

325 Blake Road is a very unique site, adjacent to both a future LRT station and bordered by Minnehaha Creek. It provides an opportunity to demonstrate environmentally-sensitive design as an example for other development to follow. The City and MCWD desire a development that utilizes sustainable design and materials, water and energy efficiency and education.

Housing Affordability

The City desires the Developer(s) to include 10-15% of the units as affordable and have them integrated with market rate units rather than as a standalone affordable development. If a mix of affordable and market rate units cannot be achieved, the site design should provide places for residents to come together and amenities that are shared between developments. If funding sources or Developer interest calls for a higher percentage of affordable units, the City is open to discussing that with the Developer.

Public Art

PLACES is an effort to bring public art to the Green Line Extension. The City believes there is an opportunity to use the PLACES initiative to inform both public art on the Site, as well as the overall development. The City is interested in working with artist(s), the community and the Developer to determine the long-term goals for public art, either through PLACES or independent of that process.

Approvals & Financing

Zoning

The Site is currently zoned Industrial but is guided in the 2040 Comprehensive Plan as Activity Center which calls for a moderate to high density mix of uses that support the public investment of transit.

The City acknowledges that existing zoning districts may not have the flexibility needed for development on a site that is so unique, including its irregular shape, the plans for regional storm water treatment, and the opportunity to achieve remarkable views and changes in grade. As a result, the City will consider using a Planned Unit Development (PUD) approach to better achieve the redevelopment goals.

Environmental Review

It is likely that the size and scope of this project will require environmental review under Minnesota Statute 4410 and City Code Part III, Chapter 100, Article II – Environmental Review Program. The City of Hopkins will serve as the Responsible Governmental Unit (RGU) for any environmental review. Any environmental review shall be paid for by the Developer.

Park Dedication Fee

The City is open to discussions about the fee as the development is shaped and the overall development plan is known.

Tax Increment Financing (TIF)

The City acknowledges that goals for the development may result in a financial gap in the project's pro forma. The City is willing to consider the establishment of a TIF district to make the project financially feasible and maximize the community benefits of the development.

Blight findings were documented for the cold storage facility that would allow for a TIF Redevelopment District to be established. However, because the building was demolished late 2018, a redevelopment district would need to be established by the end of 2021.

The City will rely on the Ehlers, the City's financial consultant, to advise on the appropriate level of public assistance based on a detailed TIF analysis of the Developer's pro forma for the proposed development.

Strategy for Partnerships with Other Agencies

The location of this site in proximity to LRT, combined with the innovative approach to storm water management, dedication to community engagement and goals of an integrated and inclusive community, make this redevelopment an excellent candidate for grant funds through the Metropolitan Council and Hennepin County.

Throughout the concept development stage, the development team will look for opportunities to maximize funds from other agencies through creative design, exemplifying TOD principles and innovative problem-solving.

325 Blake Road Development Decision Matrix

August 18, 2020

Undertaking	Staff MCWD	Staff City	Ehlers	Developer	Planning Commission	Joint Liaison Committee	MCWD Board	City Council / HRA
Community Engagement								
Develop community engagement framework	X	X					X	
Develop community engagement plan	X	X		X				
Review of community engagement plan						X	X	
Implement community engagement plan throughout the development process	X	X		X				
Communications								
Develop communication framework	X	X					X	
Develop communications plan	X	X		X				
Review of communications plan						X	X	
Implement communications plan throughout the development process	X	X		X				
Developer Selection								
Develop Vision Document	X	X						
Approval of Vision Document						X	X	X
Develop financial framework dynamic evaluation	X							
Review financial framework dynamic evaluation		X	X			X	X	
Develop feasibility milestone recommendation	X	X				X		
Final determination of feasibility milestone							X	
Prepare open invitation for developers to submit letters of interest	X	X	X					
Prepare list of developers to invite for letter of interest submittal	X	X	X					
Review responses to request for letters and develop recommendation list of invited developers	X	X	X					
Review developer invite list for advancement in the process						X	X	X
Meet with interested developers to overview site (roundtables)	X	X	X					
Issue invitation to developers to prepare and submit proposals	X	X	X					
Review of initial site plans for revisions/comments	X	X	X					
Review Committee reviews refined site plans and conducts interviews	X	X	X			X		
Review Committee finalist list developed and reviewed by joint Board / Council						X	X	X
Project site tours of final development teams	X	X					X	X
Final site plan review and developer selection - Joint Board / Council meeting	X	X					X	X
Preliminary Development Agreement (PDA) - Three Party Agreement								
Draft PDA		X						
Review of draft PDA and input	X	X	X	X				
Refine draft PDA		X						
Review of draft PDA	X	X		X		X		
Approval of PDA				X			X	X
Concept Development Process								
Prepare draft site plans and financial model (pro-forma)				X				
Weekly meeting with developer to refine plan and financials	X	X		X				
Progress meetings with developer to overview site plans	X	X	X	X		X		

Review of preliminary site plan	X	X		X		X		
Final consensus around development program and concept plans	X	X		X		X	X	X
Land Use Entitlement								
Concept plan review		X		X	X			X
Refine site plan based on community engagement and concept plan review	X	X		X		X		
Preparation of Environmental Assessment Worksheet (EAW) (as needed)	X	X		X				
Notification of need for EAW (as needed)		X			X			X
EAW action: negative declaration or need for Environmental Impact Statement (EIS) (as needed)		X			X			X
Land Use Approvals		X		X	X	X		X
Grants (assuming Met Council LCDA and Hennepin County TOD programs)								
Identify possible grant resources	X	X		X				
Prepare grant requests	X	X		X				
Approval of grant submittals (as required)							X	X
Sale of property								
Draft Letter of Intent (LOI)				X				
Review of LOI	X	X				X		
Approval of LOI	X						X	
Draft Purchase Agreement	X							
Approval of Purchase Agreement							X	
Public Assistance Agreement								
Draft term sheet		X						
Review of term sheet	X	X	X	X				X
Draft Agreement		X						
Review of Agreement		X	X	X				
Approval of Agreement				X				X

Notes:

1. The specific undertakings are listed to correspond as closely as possible to the cooperative agreement for Coordinated Planning, Improvements and Development for 325 Blake Road. The process is not linear, therefore the listing above is not necessarily sequential, with various undertakings often occurring concurrently.
2. Legal counsel for the Watershed District and City are incorporated under staff responsibilities for drafting of all related legal documents.
3. Watershed District and City staff will keep their respective board / council informed throughout the process regarding the undertakings listed above.

Comments Received on 325 Blake draft Development Vision (through September 9, 2020)

No.	Name	City of Residence	General Issues Raised	Comments
1	Kristy Nordeen	Hopkins	Ownership housing options	I just wanted to promote having home ownership as a priority for this development. I see that it is planned to have some rental and some ownership options. As someone who has lived in the Blake Road Corridor for 16 years, it is the owners who make this community work. I see the need for transient housing options, but renters do not make a neighborhood last. The investment into the community comes from those who remain, year after year. If Hopkins really wants to promote the "small town" feeling, they need to promote lasting residents. Please take this into consideration as you build on our beautiful neighborhood site.
2	Kristin Hanneman	Hopkins	Affordable senior housing-ownership/condos	I'd like to advocate for a 55+ ownership/condo community similar to Aquila Commons in SLP. Hopkins needs more 55+ housing so that empty-nesters (including myself someday) can stay in the community, but not have to be responsible for houses/yards etc. That could free up existing housing for people new to Hopkins to refresh. As an example, I tried to help my mom find such a 55+ place in Hopkins, within walking distance to stores, but found only 2 options: Citi—Gables (she made an unsuccessful bid over asking on The only avbl unit, but was outbid), and Gold Coast(?) the apartment building behind the library had a waiting list 18 people long! She ended up moving to St Anthony Park where she can walk to everything. Hopkins needs senior housing in walkable places. The Cold Storage site is ideal - close to shopping, nature, and transport. The additional car traffic to Blake would be more likely to be spread out, rather than rush hours, if residents are retired. Please study the Aquila Commons ownership model - people buy their units, but the appreciation is moderated so that they remain affordable When resold. Ownership+affordability = win/win for Hopkins residents.
3	Maureen Davis	Hopkins	Owner occupied condos, with a mix of affordable and luxury	In the development of the old cold storage site I would love to see only condos and not apartments for any residential spaces created. We have enough of a rental population and I feel we need more ownership. Also a mix of affordable and "luxury" units for purchase. We are looking at racism and poverty with a better lens, and one thing that that is really lacking is the ability for a person at a low income level to build up ownership equity. Constantly renting just depletes funds from low income residents without leaving them equity in their home. I know condos are harder to have built because of the 10 year liability the builders face. Seems this should be addressed on a state level to change those laws, otherwise all cities face the same problem of not being able to build affordable units for purchase.
4	Susan Owen	None given.	Mixed housing. Roads.	Housing and no roads? Seems delusional.... How do emergency services access the site quickly? Imagine a gurney rolling in from Blake in 20 below. Or firefighters and trucks? I like the idea of mixed income housing
5	Cathy Davis	Hopkins	YMCA, green space and recreational space	I have long wished for a new YMCA to be built near Hopkins...the Ridgedale Y is very crowded. Wouldn't this be a suitable location for a Y? I am extremely tired of the identical-looking condos and apartments developers are so fond of building. We need recreational space and green space and learning space. Thanks for inviting input.

No.	Name	City of Residence	General Issues Raised	Comments
6	Philip Noyed	Hopkins	Green space, no housing or mixed use, public art	<p>First of all, I am absolutely thrilled that the Cold Storage Site is going to be redeveloped by the City of Hopkins and the Minnehaha Creek Watershed District. While Hopkins has many small parks, there isn't one large park with a water feature where people can go to enjoy natural green space. I believe this is a once-in-a-generation opportunity that will be enjoyed by the next seven generations. 1) This space should first and foremost be a large, reforested, water-oriented green space public park such as Minnehaha Falls Park or Lake Harriet park: a large natural green space with public access to the water and a pavilion with a restaurant or restaurants that serve a variety of foods and drinks. 2) Housing (and/or mixed use office / retail space) should not be a part of this development plan. Green space should be maximized rather than segregated into different uses. There are plenty of other places to use for additional housing. During Covid, existing retailers at Knollwood Mall and Main Street are struggling and office space use is diminished. The opportunity to use this land for as large as possible expanse of nature in Hopkins should not be missed. 3) I agree that concepts should have no or limited roads designed for cars, but have strong pedestrian/bike connections throughout the Site. Any parking should be on the periphery of the property.4) I love that public Art is incorporated into the plan as iconic artwork will bring people to the park and symbolize the park. Perhaps, a sculpture garden could be a part of the plan. Also, a Japanese style garden would be a wonderful addition to this plan.</p>
7	James Warden	Hopkins	Bring property back on tax rolls. Speed should be priority. No TIF unless there is affordable housing.	<p>I'm writing to comment on 325 Blake Road in response to the city's request for public comment. I agree with the broad outlines that came out of earlier visioning projects, some of which I participated in, so I only want to raise two issues:</p> <p>Speed should be the priority. This parcel needs to be brought back on the tax rolls as soon as possible. MCWD bought the property in 2011. While I'm not sure whether any taxes were owed during the brief period tenants occupied the building under MCWD ownership, the parcel at the very least hasn't contributed for several years. MCWD's decision to call off the arrangement with the developer it previously selected came at the expense of Hopkins taxpayers. We're not in a position any longer to let the perfect be the enemy of the good, so the city should aggressively push the district to transfer this parcel to a taxpaying entity sooner rather than later. Unless the development includes an affordable housing component, the city should not promise tax increment financing or other subsidies. This is a prime location. A market rate development should be able to charge sufficient rents to recoup its costs. Save TIF for areas that will be harder to develop.</p>
8	Ladan Diriye	Hopkins	Affordable 1-4 bedroom units	<p>I want to give my opinion about the process to find a developer to build something new on 325 Blake road. I would like to get affordable housing like an apartments with 1-3 or 1-4 bedrooms, that's what we extremely need.</p>
9	Olaf Minge	Edina	Affordable housing, trail and LRT parking, canoe/kayak access to creek	<p>I received and read the Development Vision for 325 Blake Road.</p> <p>While I live in Edina (not Hopkins), my family frequently drives by the site on our way to retail / restaurants near and North of that location (Pizza Luce, Walgreens, Target, Chipotle, 5 Guys, etc.). And, we often bike on the trail (I bike-commuted to work for several years on that trail).</p> <p>Things that I read that I fully support: Emphasis on the creek amenities, Affordable housing, Attempt to minimize vehicle traffic on the site and to make pedestrian / bike friendly. Items I didn't specifically see: * Ability to put in a canoe/kayak at the creek (maybe that's already available via the new park); * Parking for access to the bike trail (pay parking is OK with me). We have occasionally parked at Pizza Luce when we bike the trail as a family. I feel guilty doing it as that is not the responsibility of Pizza Luce to provide parking. Biking from our house to the bike-trail can be treacherous since the portion of Blake road that crosses Mirror Lake and goes up the hill into Hopkins is too narrow with blind corners.* Parking for access to the light-rail. Perhaps this is planned for South of the light rail. I'd rather bike to the light-rail, but not really feasible in the winter months or when with family. Difficult to balance all the competing needs! Thanks for your efforts -</p>

No.	Name	City of Residence	General Issues Raised	Comments
10	Renee Kessler	Hopkins	Luxury/high end housing. Consistent design. Market for commercial/retail might be difficult. Concerns about parking, noise, maintenance of landscaping. No TIF.	I would like to comment on the Blake Road site. I like Concept 2 best in the attached document but have some comments for you to consider: 1. The Edina Centennial Lakes area was an extremely successful development and continues to bring joy to many who work and live inside and outside the area. The gardens and artscapes are exceptional and this too can be obtained with the Blake Road Project with the Creek as the show piece. I worry though about the cost to maintain gardens, landscapes, sidewalks and boardwalks since the City of Hopkins does not do a good job with the trees, boulevards and medians it owns at all. How and who will maintain these features and the cost to maintain should be well thought out and not overburden the residents that reside in this development. 2. In this economic climate, and given companies now are more accepting of "work from home" arrangements, I believe commercial and retail development in this area, although limited, will be hard sells. If the market supports this, you might consider limiting them further and add more townhomes facing Cottagewood Park and along the creek to give this area a greater sense of neighborhood rather than "mixed use development". 3. A benefit to the Edina Centennial Lakes commercial buildings is that they are all connected via indoor walkways between them. In this way, all employees/buildings share in supporting a cafeteria and other retail businesses, allowing the retail side to be more successful with this added accessibility. 4. Parking is always a problem with these developments, especially when limiting 1 spot per apartment/townhome. I would hate to see the area junked up with a bunch of on street parking or cars driving around and around looking for parking spaces. I am wondering if most apartment and commercial parking is best placed out of site and below ground? 5. The noise from the RR train and light rail crossing may compromise the desirability of this development and therefore, strong noise reducing buffers should be incorporated. 6. I am equally concerned about the noise to the Interlachen Park Neighborhood that will be increasing in this area with light rail passing through every 15 minutes and the traffic volume. I also would like to see stronger boundaries created to buffer this family friendly neighborhood from the hustle and bustle of Blake and Excelsior. 6. I am wondering if some of the holding ponds could be integrated within the neighborhood between the apartments and the townhomes. It seems like a lot of holding ponds on the creek side. 7. Hopkins has a shortage of luxury apartments and townhomes. It would be nice to see more high end development in Hopkins and maybe the natural setting of this property can support it. I like the simple modern wood and stucco look of Edina Flats. 8. I am really tired of the mixed use materials seen everywhere on new apartment and condo developments with balconies hanging on the building. I feel it cheapens the look of the development. Given this space, it would be nice to have a consistent design to the buildings developed in this area that compliments the creek's natural surrounding and brings a more cohesive look to the area. I strongly discourage TIF financing for this project and any other project going forward for Hopkins. Hopkins has a mere 4 square miles. It now has at least 3 properties owned by light rail/Met Council that are non-tax paying properties. It cannot afford to give TIF, as no doubt, the City will likely justify an increase its budget with more and more development and service needs. The tax-paying residents should not have to bear the burden of these new developments and dense populations that are using Hopkins resources. The new developments should contribute their fair share of taxes in our city.
11	Joel Rumsch	Hopkins	Open air food market. Space for mental and physical wellness. Small outdoor performance area.	Each time i drive by i dream of my time spent on Italy. Would love to see this space built out to support a sustainable 365 day a year food market with open air access. Similar to the mercado centrale in italy. Centralized fresh food sourced from local farmers. Fruits and veggies/Butcher/bakery/creamery/fish guys etc an anchor restaurant buy a local chef, businesses, buying the local ingredients and multiple smaller stalls with specialized ingredients or food (IE taco stall/wood fired pizza/cured foods/kombucha etc). Local restaurants would also see this as a place to purchase their products and support local businesses. Broader space for mental and physical wellness like yoga/music space/art space/theater and small outdoor performance area for local and secondary music performances. Gardening classes. Overall goal is to form a collective where businesses help each other and source from each other. It's the moto of Hopkins and why we moved here 5 years ago. It's what the newer generation desires and companies like Cargill and the older supervalu need to support to reinvent their brands. I imagine local schools who come to visit with these business owners and share and teach about these experiences with our children. Expanding what they are exposed to through food and art creating diversity and curiosity. There are local architects to support this and how to make it sustainable. And a community and surrounding communities to make it ours.

No.	Name	City of Residence	General Issues Raised	Comments								
12	Halimo Abdi	None given.	Affordable housing. Larger units for families. No displacement of area residents. Community members included in review of proposals and developer selection process.	I am writing with comments on the Vision Document because I care about ensuring that housing on Blake Road remains affordable to the residents of Hopkins. The Vision Document should include the following: The City of Hopkins is expecting that at least 20% of the housing units will be affordable. The City of Hopkins would like to see larger units for families included in the development. Housing should be inclusive and accessible to a mix of incomes with at least: 10% of housing units affordable to households earning 30% or less of Area Median Income (AMI); 5% of housing units affordable to households earning 50% or less of AMI; 5% of housing units affordable to households earning 60% or less of AMI. The City of Hopkins is expecting an equitable development that does not lead to gentrification and displacement of area residents, reflective of a policy that fosters stability. The City of Hopkins expects robust community engagement processes that meaningfully engage community members, especially those most impacted by housing inequities. The attention to Community Engagement in the Vision Document is appreciated. In support of this, community members should also be included in the review of proposals and in the developer selection process.								
13	Hani Muhamed	None given.			14	Tarrah Palm Exec. Director of Resource West	None given.	Affordable housing. Larger units for families. No displacement of area residents. Community members included in review of proposals and developer selection process.	Thank you for your work on the Vision Document for 325 Blake Road. I am writing with comments on the Vision Document because I care about ensuring that housing on Blake Road remains affordable to the residents of Hopkins. The Vision Document should include the following: The City of Hopkins is expecting that at least 20% of the housing units will be affordable. The City of Hopkins would like to see larger units for families included in the development. Housing should be inclusive and accessible to a mix of incomes with at least: 10% of housing units affordable to households earning 30% or less of Area Median Income (AMI); 5% of housing units affordable to households earning 50% or less of AMI; 5% of housing units affordable to households earning 60% or less of AMI. The City of Hopkins is expecting an equitable development that does not lead to gentrification and displacement of area residents, reflective of a policy that fosters stability. The City of Hopkins expects robust community engagement processes that meaningfully engage community members, especially those most impacted by housing inequities. The attention to Community Engagement in the Vision Document is appreciated. In support of this, community members should also be included in the review of proposals and in the developer selection process. Grateful for your work in this community.	15	Nimo Shire	None given.
14	Tarrah Palm Exec. Director of Resource West	None given.	Affordable housing. Larger units for families. No displacement of area residents. Community members included in review of proposals and developer selection process.	Thank you for your work on the Vision Document for 325 Blake Road. I am writing with comments on the Vision Document because I care about ensuring that housing on Blake Road remains affordable to the residents of Hopkins. The Vision Document should include the following: The City of Hopkins is expecting that at least 20% of the housing units will be affordable. The City of Hopkins would like to see larger units for families included in the development. Housing should be inclusive and accessible to a mix of incomes with at least: 10% of housing units affordable to households earning 30% or less of Area Median Income (AMI); 5% of housing units affordable to households earning 50% or less of AMI; 5% of housing units affordable to households earning 60% or less of AMI. The City of Hopkins is expecting an equitable development that does not lead to gentrification and displacement of area residents, reflective of a policy that fosters stability. The City of Hopkins expects robust community engagement processes that meaningfully engage community members, especially those most impacted by housing inequities. The attention to Community Engagement in the Vision Document is appreciated. In support of this, community members should also be included in the review of proposals and in the developer selection process. Grateful for your work in this community.								
15	Nimo Shire	None given.	Affordable housing	I would to give my opinion about the New project on Blake road, so I like an apartments for low income people that Is what a lot of families in need.								

No.	Name	City of Residence	General Issues Raised	Comments
16	Carl Peterson	Hopkins	Access, density, TIF/general financials	<p>I am writing with concerns about the proposed 325 Blake Road Development. I have three areas I'll express: 1) Access I am not comfortable with the addition of the proposed amount of housing given the location. We are still experiencing delays on Blake Road with the LRT construction, and I am not understanding the plan for access (other than a 'hope' of non-vehicular access, or limited vehicle access). That does not seem realistic (even with mention of a Washington State community example). This is one example--others? I feel this intersection will become a bottleneck to me and other residents. 2) Density We already have a high density compared to most, if not all, suburbs. I am in favor of additional housing, but at what point is it 'too much'. The parking goal (of 'non-vehicular') is not realistic these days, so I wish further understanding of how this will be addressed. I also see Blake Road as a major thoroughfare; how does adding up to 150 units impact the current traffic flow? Before approval I'd like to see a study on this aspect. 3) TIF and general financials I don't understand all financing aspects for this project, but I'm certain the end result is impact to me as a homeowner in Hopkins. Things happened with the Doran property relating to the LRT which resulted in the city paying unexpected costs for the 'promise' for the parking spots in return for the development. (I realize I have simplified what happened, but this is the best summary I have as I write this note). I want greater assurances of no impact to me, financially, should things go wrong with this development. The easy thing to point at is the proposed mix of market level housing along with the affordable housing. Will there 'really' be enough buyers of the full market housing in this proposal? I think not. I am not prepared to agree this as a good solution for housing for all parties.</p>
17	Ruqiyo Abdille	Hopkins	Affordable housing, no displacement of area residents	<p>I am writing on the Vision Document for 325 Blake Road. I would like housing on Blake Road remains affordable to the residents of Hopkins. The vision for 325 Blake Road should include the following: We are expecting affordable housing units. We are expecting an equitable development that does not lead to displacement of area residents.</p>
18	Fartun Abdi	Hopkins	Affordable housing. Larger units for families. No displacement of residents. Community included in review of proposals and developer	<p>I would like housing on Blake Road remains affordable to the residents of Hopkins. The vision for 325 Blake Road should include the following: The City of Hopkins is expecting that at least 20% of the housing units will be affordable. The City of Hopkins would like to see larger units for families included in the development. The City of Hopkins is expecting an equitable development that does not lead to gentrification and displacement of area residents. The attention to community engagement In the Vision document is appreciated. In support of this, community members should also be included in the review of proposals and in the developer selection process.</p>
19	Daniel Narr, Exec. Director ICA Foodshelf	None given.	Affordable housing	See attached.

No.	Name	City of Residence	General Issues Raised	Comments
20	Kara Denfeld	None given.	Green space/outdoor activity	I'm sure there are many great ideas submitted - I'd support more green space/outdoor activity options. Here are a few that come to mind: • Dedicated access point to Minnehaha (in/out for kayaks/canoes) • Broad park area with tables (how cool would that be with Luce across the street) - could be culture specific like the Bloomington Japanese Garden • Amphitheater space • Secret bridge to get to Cottageville park over the creek • A wall of plants/vines along Blake could be cool and reduce road noise (like the Walker in Mpls)
21	Matthew Miller	None given.	Experience along Blake Rd	Thank you for taking on this important role in engaging the community. I would like the plan to include a further description of how the site will integrate into the vision and experience of Blake Road; considering how the experience of walking on Blake Road will be changed by the development. I think it needs to clearly be stated that the design should incorporate a pedestrian experience walking on Blake Road. This would include commercial and other venues that are pedestrian-focused along Blake Road. I think the Zoning section needs to state that the city is willing to consider shortening setbacks to incorporate a pedestrian design. Hopkins can expand its small-town feel by replicating the setback length of Main Street to Blake Road, creating a desirable walking space on our city's Eastside. More clearly, I think the parking section should include a statement that Parking should not be along Blake Road in front of any built structure. That parking would need to be incorporated into the site lines to the creek, but still, create an interactive experience with built space along Blake Road.
22	Rich Rinker	None given.	Financial impact	I just finished reading the "DEVELOPMENT VISION FOR 325 BLAKE ROAD and my first thought is how many dollars in taxes have already been lost since the Cold Storage facility closed. Much of the wishful thinking in the plan involves costly developments which are not going to be covered by local government, the Watershed District, the affordable housing tenants or the public making use of the area, but rather by putting extra burden on the unaffordable tenants and, of course taxpayers through additional taxes and lost taxes (TIF). Has any lesson been learned by losing the original developer and not using people with financial acumen to develop this plan? It appears that the MCWD is a promoter of blight, not the great visionaries they think they are. In the meantime, the MCWD controls the flow of the creek for the needs of the elite on Lake Minnetonka and it is often either flooding or depleted. My advice is start over without the Utopians.
23	Ben Nordeen	Hopkins	Likes open design, water focus. Homeownership. Concern about >15% affordable.	I am a homeowner who has lived in the neighborhood adjacent to this site for over 16 years. On the whole I am excited to see this land become something "vibrant and new" as the documents say. I like the open design and the emphasis on the "water focused" natural beauty of the Minnehaha Creek. The city of Hopkins has a wonderful opportunity to do something special with this area of the town that hasn't had as much attention. With the Interlachen Park neighborhood and prestigious Blake School to the South, to the Minnehaha Creek to the North, the bike trails, and light rail coming soon, this is a highly desirable area. Many people would love to live in this area and buy a home or condo. I don't know how much home ownership is being considered, but as a longtime resident, it is overwhelmingly evident that the homeowners are the ones who invest and have a lasting impact on our great community. I see that the plan is to include 10-15% of the units as affordable and have them integrated in rather than as a standalone affordable development. I think this is a positive goal, although I am a little concerned how it opens the door for higher percentages of affordable units as it says, "the City is open to discussing that with the Developer." Please don't sell this area short - it has huge potential, and this is a wonderful opportunity to create something new, vibrant, and desirable for Hopkins and the west metro. Thanks for reading, and thanks for your work on this project.

No.	Name	City of Residence	General Issues Raised	Comments
24	Butch Johnson	Hopkins	Affordable housing	I want to state my support for 30% inclusionary affordable housing on the 325 Blake Road project. I read in the draft version of a request of 10 to 15% of affordable housing. It's my recollection is that when this project began 20% was used and now we have neighboring communities building projects with 30% inclusionary affordable housing. I also would remove the statement that says "If a mix of affordable and market rate units cannot be achieved, the site design should provide places for residents to come together and amenities that are shared between developments." Replace "cannot" with "must be achieved". It's time for Hopkins City to develop housing ordinances that would give direction to ongoing development. Our neighboring cities have passed ordinances to help them with ongoing development.
25	Patrick Beddor	Hopkins	Building heights. More retail rather than housing. More mid and upscale housing--less dense and low income housing.	There was an extraordinary amount of information provided. Here are a few thoughts: 1. Keep building lower, not exceeding 4 stories. Taller buildings take away from the tree line and overall sights. Especially so close to a creek. 2. More business and retail rather than housing. It'd be a great retail hub with the consumer oriented shops. 3. Less dense and low-income housing. Hopkins has enough of it already. More mid and upscale housing. 4. Hard to tell and read on the diagrams showing housing vs businesses. Keep all buildings further set-back from creek.
26	Eric Anondson	Hopkins	Neighborhood retail. Urban scale grocery store. Creek access. Density/parking reduction for Metro passes for residents.	I'm concerned the city is could be seeing the neighborhood commercial and retail in eastern Hopkins wither. With the large scale Blake Road Station apartments recently near proposal, if fully realized, looking like it eliminates a significant swath of potential retail for the station area. Add in the small strip that was already eliminated for the parking lot of the future LRT station. As a resident of eastern Hopkins, this is alarming and on the verge of making the LRT station area much less "transit oriented" than it currently it. An unfortunate irony. I hope that any development at 325 Blake Road accommodates some neighborhood retail now that so much existing retail and commercial is being clear cut. Honestly, despite the grocery options north of Highway 7, none of which are pedestrian or bike friendly, nor reliably transit friendly, from Blake Road I urge the city to consider pushing for an urban-scale grocery store, see Trader Joe's or Fresh Thyme in Excelsior and Grand for an example. I'm glad to see the extensive emphasis on non-car access through the site and around it. I would like to see multiple points to approach the waters of the creek. Maybe even a seasonal canoe rental operated by the watershed district. Maximum heights should not be mandated by the city here, except in that single story residences or commercial are not allowed. The city should grant a density allowance (and parking reduction) if the developer purchases Metro passes for residents. Thank your for taking my feedback, and I would love any opportunity guide what develops on 325 Blake Road.
27	Larry Hiscock	Hopkins	Equitable development. Affordable housing. Environmental justice.	See attached.

No.	Name	City of Residence	General Issues Raised	Comments
28	Larry Hiscock	Hopkins	Affordable housing. 3-4 BR units. Engagement	<p>Hassan Muhumed and myself hosted an Open House at Cottageville Park near 325 Blake Road the evening of September 6th, 2020. Roughly 15 people stopped by and reviewed maps, reviewed the 6-page vision document in English and Somali. The Somali translation was greatly appreciated.</p> <p>We heard the following themes from our conversation:</p> <ol style="list-style-type: none"> 1. Need for affordable housing: This was a constant refrain in the conversation. Several people suggested 30-50%. Also, they wanted section 8 to be accepted in the future redevelopment. 2. Larger unit size: There was also a desire for 3-4 bedrooms to accommodate larger families that are affordable. 3. Community engagement: Everyone we spoke to was very interested in the development, wanted to learn more, and also wanted to be included in future decisions. <p>Thank you.</p>
29	Ann Beuch, BRCC Coordinator	None given.	Consistency with LISC CDI Development Guidelines. Community engagement.	See attached.
30	Hopkins Community Housing Team	None given.	Affordable housing. Larger units for families. No displacement of area residents. Community members included in review of proposals and developer selection process.	See attached.
31	Harlan Limpert	Hopkins	Supportive of vision. No City subsidy.	I'm basically supportive of the direction the city and others are taking with regard to the Blake Road project. I'm not expecting a subsidy from the city will be required to make this happen. Thanks for seeking input.
32	Hirsi Abdi	Hopkins	4 bedroom townhomes	If i participate this opinion, my opinion, I would like to build four bedroom townhomes. Thanks.
33	Bisaro Hussein	Hopkins	Affordable housing, 4 bedroom townhomes	I am writing on the comments vision document of 325 Blake. Because I care about unsure housing on Blake Rd Remain affordable to the resident of Hopkins. I believe the vision document of 325 Blake Rd should include the flowing. I we hope to hear good new Because we love city of Hopkins is nice city. We recommend to build town homes like 4 bedrooms.

To: City of Hopkins Staff, Council Members, and Mayor
From: Hopkins Community Housing Team
Re: Input for the Vision Document for 325 Blake Road

We are writing with comments on the Vision Document for 325 Blake Road.

The Blake Road neighborhood has provided a more affordable place to live for many Hopkins residents but is at risk because much of the housing in the neighborhood is market-rate with no guarantee that rental prices will remain at more affordable levels into the future. We are concerned that the current draft vision for 325 Blake Road does not reflect a vision supportive of the economic diversity important to Hopkins and will increase the rate of gentrification. As the Southwest LRT opens and new market-rate buildings arrive in the neighborhood, nearby properties will face increasing pressure. Unless a concerted effort is made to preserve existing affordable housing and to ensure affordable housing is included within new developments, it will not be possible to make up for all that is at risk of being lost.

Blake Road is now facing not only the new development at 325 Blake Road, but also the development proposed on Excelsior and Blake, and a third project on Second Street NE at the [site of McCoy's](#). With these projects on the horizon, it is critical that the Vision Document for 325 Blake Road reflect the vision for the neighborhood and for housing in Hopkins that has been shared by community members many times over the past few years.

Since forming in 2017, our housing team has connected with close to 200 community members through listening sessions, surveys, community meetings, and a housing forum. We know from these conversations that top concerns consistently include increased rents, fear of displacement, a desire for more affordable housing, a need for units with more bedrooms, wanting to feel included in the city, among others.

In response to these concerns, we request that the Vision Document for 325 Blake Road include the following:

- The City of Hopkins is expecting that at least 20% of the housing units will be affordable.
- The City of Hopkins would like to see larger units for families included in the development.
- Housing should be inclusive and accessible to a mix of incomes with at least:
 - 10% of housing units affordable to households earning 30% or less of Area Median Income (AMI)
 - 5% of housing units affordable to households earning 50% or less of AMI
 - 5% of housing units affordable to households earning 60% or less of AMI
- The City of Hopkins is expecting an equitable development that does not lead to gentrification and displacement of area residents, reflective of a policy that fosters stability.
- The City of Hopkins expects robust community engagement processes that meaningfully engage community members, especially those most impacted by housing inequities.
- We request that the review committee for developers' submissions include a representative from the Hopkins Community Housing Team and renters living near the development site.

We appreciate the attention given to Community Engagement in the Vision Document. As the document calls for early and meaningful engagement of the community to help inform the site plan, the Hopkins Community Housing Team requests to be included in the review of proposals, in the developer selection process, and in developing the community engagement plan for 325 Blake Road.

With the opening of the Southwest LRT line, we know that concerns around increasing rents, displacement, and a lack of access to new developments due to high rents are not limited to the Blake Road neighborhood, but impact the City as whole. In addition to previous engagement work on Blake Road, the City of Hopkins recently completed a process to update the Comprehensive Plan. Through all of these efforts, the desire to preserve and produce affordable housing for Hopkins families has been clear, as is the need for cohesive city-wide policies related to housing. Housing policies the City of Hopkins can and should implement include: advance notice of sale, inclusionary zoning, and tenant protection policies such as just cause notice, non-discrimination against Section 8 voucher holders, security deposit limits, tenant screening guidelines, and an opportunity to purchase policy.

While the need for policies such as these has been evident, it is all the more so now as we face the COVID-19 pandemic. As an example of the level of concerns we now face, ICA Food Shelf has seen a 168%-600% increase in requests for housing assistance in June-August compared to the same time period in 2019.

As expressed in community conversations and in documents such as the Blake Road Station Area Development Guidelines and the Hopkins 2040 Comprehensive Plan, the desire for development projects that support an inclusive, connected, healthy, and equitable community is clear. We ask you to encourage a vision for 325 Blake Road and to implement city-wide policies that acknowledge and respond to these important community concerns.

Sincerely,
The Hopkins Community Housing Team



Dear Jan, Hopkins City Staff, and Hopkins City Council,

On behalf of ICA Food Shelf, I am writing this letter to give voice to the Vision Document for 325 Blake Road. ICA plays a critical role in the community of Hopkins by providing essential programs that contribute to the economic stability that is vital to the health and well-being of individuals and families. As a community partner for nearly 50 years, ICA Food Shelf is part of the fabric that provide the voice of people we serve.

As a member of the Hopkins Housing Team and Blake Road Corridor Collaborative (BRCC), ICA Food Shelf shares in the concern that affordable housing must be at the forefront of plans for all new development in Hopkins. In regard to 325 Blake Road, we ask you to be bold in your goals around housing affordability, that at least 20% of housing units be affordable and that housing creates a sense of inclusivity with larger units for families as well. Boldness to support affordable housing is more crucial now than ever: ICA has seen financial assistance, which supports families with their housing costs, rise for four straight months; 600% in June compared to June 2019; 500% compared to July 2019, and up 168% compared August 2019 respectively. It is obvious the critical role ICA plays is paramount to building a strong cohesive community that is inclusive and diverse.

ICA Food Shelf also recognizes the importance of community engagement, and appreciates that the Vision Document highlights the importance of early and meaningful engagement. The BRCC has supported and provided crucial opportunities for partner organizations and community members to connect and ICA looks forward to continuing working together with the community as projects in the neighborhood move forward. As each step in the planning process impacts the outcomes of the project, we encourage you to involve community members and partners in key decision points, including selecting the developer and creating the community engagement plan. Additionally, we ask for a robust community engagement process that meaningfully engages those most impacted by housing inequities.

The impact ICA has had in this community has provided thousands of residents with food and financial resources to stay in their homes. We are committed to serving our community through a three-pronged approach:

- 1) Stop immediate crisis
 - a. Providing emergency assistance with rent and utilities, food resources and referrals to other resources in our community.
- 2) Promote stability
 - a. Provide bi-monthly groceries for families and case management services to help individuals find employment to secure affordable housing.
- 3) Sustaining community
 - a. Helping those on fixed incomes remain in their homes with food resources and financial support.

Often times ICA is a last stop for close to 700 families each month. As a nonprofit leader in our community we are committed to ensure families who are risk of being lost can grasp the reality of being heard and welcomed to thrive in a rich and diverse community. The late Senator Paul Wellstone infamous quote says it best, "We all do better, when we all do better."

Sincerely,
Daniel Narr
Executive Director

12990 Saint Davids Road, Minnetonka, MN 55305 • www.icafoodshelf.org

This letter qualifies under the 1993 tax law requiring taxpayers to obtain written substantiation for charitable contributions of \$250 or more. No commercial goods or services have been received from Intercongregation Communities Association in exchange for your contribution.

Our tax-exempt identification number is: 41-0979010.

Jan Youngquist

From: Larry Hiscock <larryhiscock@gmail.com>
Sent: Monday, September 7, 2020 3:40 PM
To: Jan Youngquist
Cc: Ann Beuch
Subject: [EXTERNAL] Comment - Development Vision for 325 Blake Road

Jan Youngquist,

Thank you for the opportunity to submit public comments on the "Development Vision for 325 Blake Road." I found vision to include both positive and very concerning elements. Overall, I am deeply troubled that the vision avoids any reference to advancing racial and economic equity or mitigating gentrification of the surrounding community. The Twin Cities region has deep racial and economic disparities that are linked to federal and local policies and community development practices. The lack of acknowledgement and proactive vision supporting a fair and just redevelopment is an alarming value statement supporting a status quo that has delivered entrenched racial disparities and civil unrest. We need to do better.

There several positive components to the development vision.

1. **Commitment to Transit Oriented Development:** It is important for Hopkins and the region that all developments within the 1-mile radius leverage the full benefits of the LRT line. A critical component of Federal funding and approval was the potential of the line to reduce economic disparities by connecting low-wage workers to opportunity and developing affordable housing. It is unfortunate that the best practices of Equitable Transit Oriented Development learned elsewhere in the Country and lessons learned on the Green Line are not referenced or drawn upon.
2. **Connections:** This is an important value and expectation. The redevelopment benefits from the enormous public investment in LRT. It is important the development is not an island but creates connections and amenities for everyone. This will be incredibly important to reduce the perception of a segregated development lacking economic diversity consistent with the history of Hopkins.
3. **Community Engagement:** It is good to have this mentioned in the vision. There is little specificity on how community will be involved nor expectation that Hopkins rich diversity is included in the decision-making.

Deep Concerns:

1. **The explicit exclusion of equitable development principles.** There has been extensive work within our region in support of equitable development. Equity is front and center in our country. It's absence comes off at best as tone deaf. Additionally, communities of color have been disproportionately impacted by the pandemic. Yet there is no expressed desire for a Woman or Minority owned developers or a developer with a track record of working with Women and Minority owned contractors.
2. **The low expectation for affordable housing.** The vision only requests that responses provide concepts including affordable housing of 10-15%. This is deeply disturbing and signals a lack of commitment by the public entities involved. Other municipalities have base goals of 20% and higher.
3. **No explicit consideration of environmental justice implications for the surrounding populations.** The Watershed District has an environmental focus, yet there is no reference to environmental justice or how this project could affirmatively benefit environmental justice populations. The surrounding community fits the definition of an environmental justice population.

Recommendations:

1. **Seek outside support to apply an equity lens in this process:** The Minnehaha Watershed District and City of Hopkins take immediate action to identify outside support to a process that results in equitable outcomes for the surrounding community, City of Hopkins and our region.

2. **Establish an RFP Review Committee:** The Committee could include Watershed representatives, City of Hopkins, nearby residents and equity advocates to inform the evaluation criteria, provide input on the actual RFP texts, and aid in selection.
3. **Use an “Equity Tool” or process to guide this shared work. There are multiple tested tools that can be used to guide this process that place equity at the center.** One includes the Equitable Development Scorecard (<https://www.metrotransit.org/Data/Sites/1/media/equity/equitable-development-scorecard.pdf>) or the Racial Equity Tool used by GARE (<https://www.racialequityalliance.org/wp-content/uploads/2016/11/GARE-Equitable-Development.pdf>). Both tools have been used by local governments. There is no need to recreate the wheel or suggest the wheel does not exist.

We are at a boiling point in our country. In Minnesota we talk about fairness, justice and equity. It is time for us to align our actions with our words and ensure that this transit oriented development equitably benefits our community. We will be the ones that future generations blame if we chose to ignore opportunities to advance racial and economic equity.

Thank you,

Larry Hiscock
302 7th Street South
Hopkins, MN 55343

--

Larry Hiscock
A Culture of Health Leader

Culture of Health Leaders is a national leadership development program supported by the Robert Wood Johnson Foundation. It fosters collaboration between people from all fields and professions that have an influence on people’s health.

www.cultureofhealth-leaders.org

The opinions expressed here are the author’s own and do not represent the opinions of the program or the Robert Wood Johnson Foundation.

(Ann Beuch comments)

Thank you for the opportunity to share thoughts about the draft Development Vision for 325 Blake Road.

In 2015, the City of Hopkins co-sponsored the Corridor Development Initiative, which resulted in a set of Development Guidelines for the Blake Road LRT Station Area. These guidelines include four main goals:

- Goal 1: Create stronger connections and walkability for the Blake Road area
- Goal 2: Preserve the neighborhood diversity
- Goal 3: Improve water and environmental quality
- Goal 4: Strengthen residential and neighborhood-oriented retail to enhance vitality and livability

The current draft of the Vision Document for 325 Blake Road contains elements of Goals 1 and 3; however, Goals 2 and 4 are not as apparent.

Goal 2 in the Development Guidelines indicates the community's desire to "preserve the neighborhood diversity." The RFQ for the site that was released in 2018 stated, "One of the strengths of the neighborhood is its diversity." Yet, the current draft of the Vision Document does not similarly include mention of neighborhood characteristics, expectations for support of this community-identified goal, nor expectations for how the new development will "integrate into the fabric of the community" (as stated in the 2018 RFQ).

The 2015 Development Guidelines also lift up the community's desire for housing and neighborhood-oriented retail within development projects. Under Goal 4, community members noted support for a mix of housing types to accommodate a range of incomes, ages, and family size as well as support for creative ways to incorporate local businesses and small cultural businesses that serve the community. While the Vision Document contains a paragraph on Housing Affordability, it does not mention affordability regarding retail space, although this is likely to impact how accessible the space might be to small and local businesses. Also, where the Vision Document mentions household size in the paragraph on Housing Mix, it should be noted that community members have specifically expressed a need for units with more bedrooms (3-4).

The 2018 RFQ for this site asked developers to "Please refer to the Hopkins Blake Road LRT Station Area Development Guidelines for specific recommendations from the community." I would recommend that the Vision Document for 325 Blake Road better reflect the Development Guidelines by more specifically identifying Goals 2 and 4 so that all four goals will be well reflected in the document.

Lastly, I am grateful that the Vision Document calls for "inclusive community engagement" and states that the City and Watershed District are "interested in engaging with the community early and in a way that is meaningful and helps to inform the site plan." To this end, I encourage the community engagement framework and plan for this project to be specific in outlining:

1. How the community engagement approach for this project will go beyond traditional outreach methods to be inclusive (as an example: a 2018 Hopkins report on Community Engagement notes, "Hopkins Highlights is currently distributed with utility bills. As a result most renters do not receive Hopkins Highlights."),
2. How the project will measure success regarding being inclusive, and
3. How the community's involvement in the engagement processes will have meaningful impact on the project so that Blake Road neighborhood residents and Hopkins community members see their voice and vision reflected in the outcome.



**APPROVE PROPOSED 2021 LEVY, PROPOSED 2021 GENERAL
FUND BUDGET AND SET BUDGET MEETING DATE**

Proposed Action.

Staff recommends that the Council approve the following motion: Approve Resolution 2020-045 “Approving proposed 2021 tax levy, debt service levies at levels under those required in bond covenants, proposed general fund budget, and setting budget meeting dates”.

Adoption of resolution 2020-045 will set a maximum tax levy for 2021, will set debt levies at amounts sufficient to pay debt service requirement taking into consideration other revenue sources and fund reserves, approve a proposed 2021 general fund budget and set the Truth in Taxation hearing for Monday, November 30, 2020. A decision on whether the meeting will be held in-person or virtually does not need to be made at this time.

Overview:

The City is required to certify a proposed tax levy and submit to Hennepin County by September 30th. This will be the maximum levy for 2020 and can only be reduced. The certified levy amount is also used for truth in taxation notices.

The City must hold a public hearing on the budget between November 25th and December 28th. The proposed date of November 30th would allow time to consider comments heard at the public hearing before passing a final tax levy and budget. The date does not conflict with public hearings of Hopkins School District or Hennepin County.

A proposed tax levy and budget has been prepared and reviewed. Adoption of the final budget will occur in December 2020 following the public hearing.

Supporting Information:

- Overview of Preliminary Tax Levy and General Fund Budget
- 2021 Preliminary General Fund Budget
- 2021 Tax Levy Summary
- 2021 Budget Preparation Schedule
- Resolution 2020-045

A handwritten signature in black ink, appearing to read 'Nick Bishop'.

Nick Bishop, Finance Director

Overview of Preliminary Tax Levy and General Fund Budget

A draft version of the 2021 Budget and Tax Levy was prepared by staff and presented to City Council on July 21st. The draft included both conservative revenue estimates and decreased expenditures. Charges for services and miscellaneous revenue have decreased from the 2020 Budget by \$22,800 and \$48,300, respectively. The City also hosted a virtual budget engagement session on August 17th that reviewed the same draft version of the budget and tax levy. City Council directed staff to make reductions before the preliminary levy is set in September. The budget and tax levy being recommended for approval were reviewed at the September 1st City Council meeting.

The general fund budget and tax levy will still meet the needs of the community, but does offer a lower level of services than in 2020. The General Fund budget is balanced. Revenues and expenditures are both set at \$15,750,835, a \$389,122 or 2.53% increase from 2020. The 2021 tax levy has also been revised based on the direction of City Council. The total tax levy is \$18,023,384, a \$493,700 or 2.82% increase from 2020. Based on preliminary tax capacity information, city taxes on a median value home (\$291,000) will be \$1,867, a \$40 or 2.19% increase from 2020.

Details regarding the budget and reductions being proposed are provided in the remainder of the memo.

Local Government Aid (LGA) amounts were certified and published the last week in July. We have incorporated the certified amount of \$853,671 in this budget. This is an increase of \$118,725 over the draft budget previously presented and results in a reduction to the tax levy of the same amount. Although the 2021 amounts have been certified there is still some uncertainty surrounding the State's budget. Projections released on July 31st project a \$4.7 billion deficit during the State's next two-year budget period. The 2021 LGA payments are scheduled for July 2021 and December 2021 could still be impacted by the actions of the Legislature or Governor. In the past, there have been reductions to LGA that have had a substantial impact on our organization.

General Fund Reductions of \$100,000 have been identified and removed from the budget. An open public works superintendent position was eliminated and the supervisory aspects combined with an existing position. Other reductions identified include reducing crack sealing on City streets by 25%, a 20% reduction in tree re-planting and delaying all pole painting.

COVID-19 Contingency of \$150,000 has been removed from the budget. This contingency budget was included to address the financial uncertainty surrounding COVID-19 in 2021. It could have been transferred to any of the City's funds experiencing financial difficulty. Staff believes funds from the Equipment Replacement Fund and Capital Improvement Fund could be used as one-time contingency for 2021. Any additional impacts from COVID-19 could cause the city to need to rely on existing reserves or further reductions.

Burnes Park debt service has previously been paid for with a portion of our debt levy. \$150,000 of franchise fees that were previously dedicated to current park improvements will be used to pay debt service for the 2017 project. The tax levy was planned through 2032 and this decision could be one-time or continued. The five-year plan for the Park Dedication Fund would need updating based on this change. Some of the upcoming work within the next 5 years includes: rehab of deteriorated picnic shelters at Central Park, replacement of 30 year old play equipment at Central Park-East, replacement/rehab of 35 year old picnic shelter at Shady Oak Beach, rehab of 30 year old pavilion/concession building at Maetzold Field, rehab of 25 and 30 year old tennis courts at Oakes and Burnes Parks.

**City of Hopkins
General Fund Revenue Budget
For the Year Ending December 31, 2021**

Proposed
September 15, 2020

Department	2020 Budget	2021 Budget	% Increase (Decrease)
Property Taxes	12,564,305	12,893,552	2.62%
Intergovernmental Revenue			
Local Government Aid	734,946	853,671	
Intergovernmental Revenue - Other	618,000	621,000	
Total Intergovernmental Revenue	1,352,946	1,474,671	9.00%
Licenses, Permits & Fines			
Court Fines & Penalties	177,750	176,000	
Building Permits & Inspections	461,300	479,300	
Inspection Fines & Citations	8,000	6,000	
City Clerk - Business Licenses	7,000	7,000	
PD - Liquor, Animal Licenses & Penalties	102,300	97,800	
Fire - Licenses & Permits	1,100	300	
Public Works - Licenses & Permits	19,415	19,415	
Planning & Zoning - Licenses & Permits	1,000	1,000	
Total Licenses, Permits & Fines	777,865	786,815	1.15%
Charges for Service			
Finance Department	5,500	5,500	
Assessing	3,000	3,000	
Inspections	105,900	103,900	
Police	35,000	35,000	
Fire	10,500	10,500	
Public Works	4,150	3,150	
Activity Center	87,000	67,500	
Total Charges for Service	251,050	228,550	-8.96%
Miscellaneous Revenue			
Franchise Fees	296,200	296,200	
Miscellaneous	15,250	15,250	
Finance Department	1,200	2,000	
Police	2,000	500	
Fire	3,500	3,500	
Public Works	5,300	5,300	
Activity Center	32,100	14,500	
Community Development	60,000	30,000	
Total Miscellaneous	415,550	367,250	-11.62%
Total Revenues	15,361,716	15,750,838	2.53%

**City of Hopkins
General Fund Expenditure Budget
For the Year Ending December 31, 2021**

**Proposed
September 15, 2020**

Department	2020 Budget	2021 Budget	% Increase (Decrease)
City Council	97,630	102,095	4.57%
Administrative Services	854,893	866,311	1.34%
Finance	400,495	426,278	6.44%
Legal	175,000	200,000	14.29%
Municipal Building	404,014	390,560	-3.33%
Assessing	221,835	245,920	10.86%
City Clerk	237,513	176,656	-25.62%
Inspections	863,296	879,588	1.89%
Police	5,977,982	6,242,453	4.42%
Fire	1,483,177	1,566,528	5.62%
Public Works	3,443,017	3,469,191	0.76%
Recreation	285,279	291,339	2.12%
Activity Center	497,843	456,798	-8.24%
Planning & Zoning	222,382	233,000	4.77%
Community Development	108,160	114,921	6.25%
Tuition Reimbursement	19,200	19,200	0.00%
Contingency	50,000	50,000	0.00%
Transfer to Other Funds	20,000	20,000	0.00%
Total Expenditures	15,361,716	15,750,838	2.53%

**City of Hopkins
Preliminary Tax Levy
For the Year Ending December 31, 2021**

**Proposed
September 15, 2020**

Purpose	Actual FY2020	Preliminary FY2021	% Increase (Decrease)
General Operations			
General Fund	12,479,305	12,808,552	2.64%
Capital Levy	75,000	175,000	133.33%
Arts Center	325,225	331,182	1.83%
Pavilion Fund	290,000	340,000	17.24%
Equipment Replacement	110,000	250,000	127.27%
Total General Operations	<u>13,279,530</u>	<u>13,904,734</u>	4.71%
Debt Levy	4,250,154	4,118,650	-3.09%
Total Levy	<u><u>17,529,684</u></u>	<u><u>18,023,384</u></u>	2.82%

2021 Budget Preparation Schedule

On September 15, 2020, City Council will approve the City's preliminary budget and tax levy. The City has three months to make modifications before a final budget and tax levy are approved on December 15, 2020. The following table outlines the tentative schedule for discussions on important aspects of the City's Budget.

Meeting Date	Meeting Type	Subject	Details
October 6	Regular Meeting	Financial Management Plan (FMP) Update	-Overview of the FMP, prior tax increases and debt
October 13	Work Session	Review Capital Improvement Plan (CIP) and Equipment Replacement Plan (ERP)	-Park Dedication Fund -Capital Improvement Levy (City Buildings) -Permanent Improvement Revolving Fund (Street Projects) -Equipment Replacement Levy
October 20	Regular Meeting	Quarterly Financial Report	
November 4 (Wednesday)	Regular Meeting	Budget Review	-TBD
November 10	Work Session	Review Special Revenue Budgets, Activity Center Budget, Enterprise Fund Budgets and Utility Rates	-Chemical Assessment -Activity Center -Economic Development -Sewer -Parking -Storm Sewer -Communications -Refuse -Depot -Pavilion -Arts Center -Water
November 17	Regular Meeting	Approve CIP, ERP & Utility Rates	
November 30 (Monday)	Regular Meeting	Truth in Taxation Hearing	-Overview of 2021 Budget and Tax Levy -Public Comment
December 1	Regular Meeting	Budget Review	-Final Comments from Council on Budget
December 15	Regular Meeting	Approve Final Budget & Tax Levy	-Last scheduled meeting to approve

CITY OF HOPKINS
Hennepin County, Minnesota
RESOLUTION NO. 2020-045

RESOLUTION APPROVING THE PROPOSED 2021 TAX LEVY, SETTING
DEBT SERVICES LEVIES AT LEVELS UNDER THOSE REQUIRED IN THE BOND
COVENANTS, APPROVING THE PROPOSED 2021 BUDGET, AND
SETTING BUDGET MEETING DATE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOPKINS, MINNESOTA,

That the following sums be levied for 2021 upon the taxable property in the City of Hopkins, for the following purposes.

General Levy

General \$13,904,734

Special Levies

Debt Levies

2010A GO Improvement Bonds	95,000
2012A GO Capital Improvement Bonds	225,000
2012B GO Bonds	160,000
2012B Equipment Certificates	92,925
2013A GO Bonds	88,453
2014A GO Bonds	97,000
2014B GO Refunding Bonds	670,000
2015A GO Street Reconstruction Bonds	250,000
2015B GO Tax Abatement Bonds	115,000
2016A GO Improvement Bonds	100,000
2016B GO Tax Abatement Bonds	33,316
2016C Equipment Certificates	242,445
2017A GO Street Reconstruction Bonds	975,798
2017B GO Tax Abatement Bonds	4,040
2018A GO Equipment Certificates	79,222
2018A GO Improvement Bonds	464,136
2019A GO Bonds	<u>426,315</u>

Subtotal Special Levies 4,118,650

Total Levy \$18,023,384

That based upon staff analysis of specials assessments currently levied for Permanent Improvement Bonds, alternative revenue sources for the Capital Improvement Bonds and Equipment Certificates, and available reserves within all debt service funds listed below, that the debt service levies for 2021 for the following issues be levied at amounts less than that provided by the bond covenants.

<u>Bond Issue</u>	<u>Net Debt Service Levy</u>
\$2,710,000 G.O. Improvement Bonds of 2010A (B2679)	\$ 95,000
\$5,505,000 G.O. Bonds of 2012B (B2833)	\$ 252,925
\$3,650,000 G.O. Bonds of 2013A (B2833)	\$ 88,453
\$1,895,000 G.O. Improvement Bonds of 2014A (B2964)	\$ 97,000
\$6,345,000 G.O. Refunding Bonds of 2014B (B2983)	\$ 670,000
\$4,100,000 G.O. Street Reconstruction bonds of 2015A (B3031)	\$ 250,000
\$2,940,000 G.O. Tax Abatement Bonds of 2015B	\$ 115,000
\$4,335,000 G.O. Improvement Bonds of 2016A (B3123)	\$ 100,000
\$1,630,000 G.O. Tax Abatement Bonds of 2016B (B3122)	\$ 33,316
\$11,795,000 G.O. Street Reconstruction Bonds of 2017A (B3198)	\$ 975,798
\$3,170,000 G.O. General Obligation Bonds of 2017B	\$ 4,040
\$6,715,000 G.O. Bonds of 2018A	\$ 464,136
\$12,185,000 G.O. Bonds of 2019A	\$ 426,315

That the Proposed 2021 General Fund Budget be set at \$15,750,838.

That the budget meeting to discuss the 2021 budget and tax levy be set for November 30, 2020 at 7:00 PM in the City Council Chambers or virtually under Minn. Stat. § 13D.021.

BE IT FURTHER RESOLVED that the City Clerk is hereby ordered and directed to transmit a certified copy of this resolution to the County Auditor of Hennepin County, Minnesota.

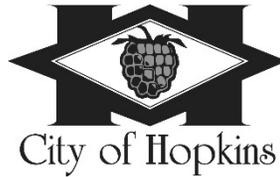
Adopted by the City Council of the City of Hopkins this 15th day of September 2020.

By _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

September 15, 2020



Council Report 2020-046

APPROVE PROPOSED 2021 HRA/EDA TAX LEVY

Proposed Action

Staff recommends adoption of the following motions:

Move to approve Resolution 2020-046 Approving proposed 2021 HRA tax levy.

Overview

The City is required to certify a proposed HRA/EDA tax levy and submit it to the county by September 30th. There are levy limits for HRA/EDA levies which are based on the market value of personal and real estate property. For Hopkins the market value is \$2,203,931,800 and the allowed levy is 0.0185% of total market value or \$407,727, which would be a \$39,776 or 10.81% increase from 2020. Based on the direction of City Council, the proposed levy is \$378,070, which is an increase of \$10,119 or 2.75% from 2020.

A proposed Economic Development Fund budget is in the process of being prepared using the proposed levy. This is the main income source for our economic development activities and therefore the levy plays an important role in our continued efforts for redevelopment. When the budget is presented for review we have the opportunity to reduce but not increase the levy at that time.

Staff is recommending that council approve the resolution setting the proposed levy for HRA/EDA operations at \$378,070.

Supporting Information

- Resolution 2020-046

A handwritten signature in black ink, appearing to read 'Nick Bishop', is written over a horizontal line.

Nick Bishop, Finance Director

CITY OF HOPKINS
Hennepin County, Minnesota
RESOLUTION NO. 2020-046

RESOLUTION APPROVING THE
PROPOSED 2021 HRA TAX LEVY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOPKINS, MINNESOTA,

That the following sum be levied for 2021 upon the taxable property in the City of Hopkins, for the following purposes.

HRA/EDA Levy

Housing & Redevelopment Authority Levy

\$ 378,070

That the levy is under the maximum allowable based on 0.01850% of market value as allowed by law for the City's Economic Development purposes.

BE IT FURTHER RESOLVED that the City Clerk is hereby ordered and directed to transmit a certified copy of this resolution to the County Auditor of Hennepin County, Minnesota.

Adopted by the City Council of the City of Hopkins this 15th day of September 2020.

By _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk