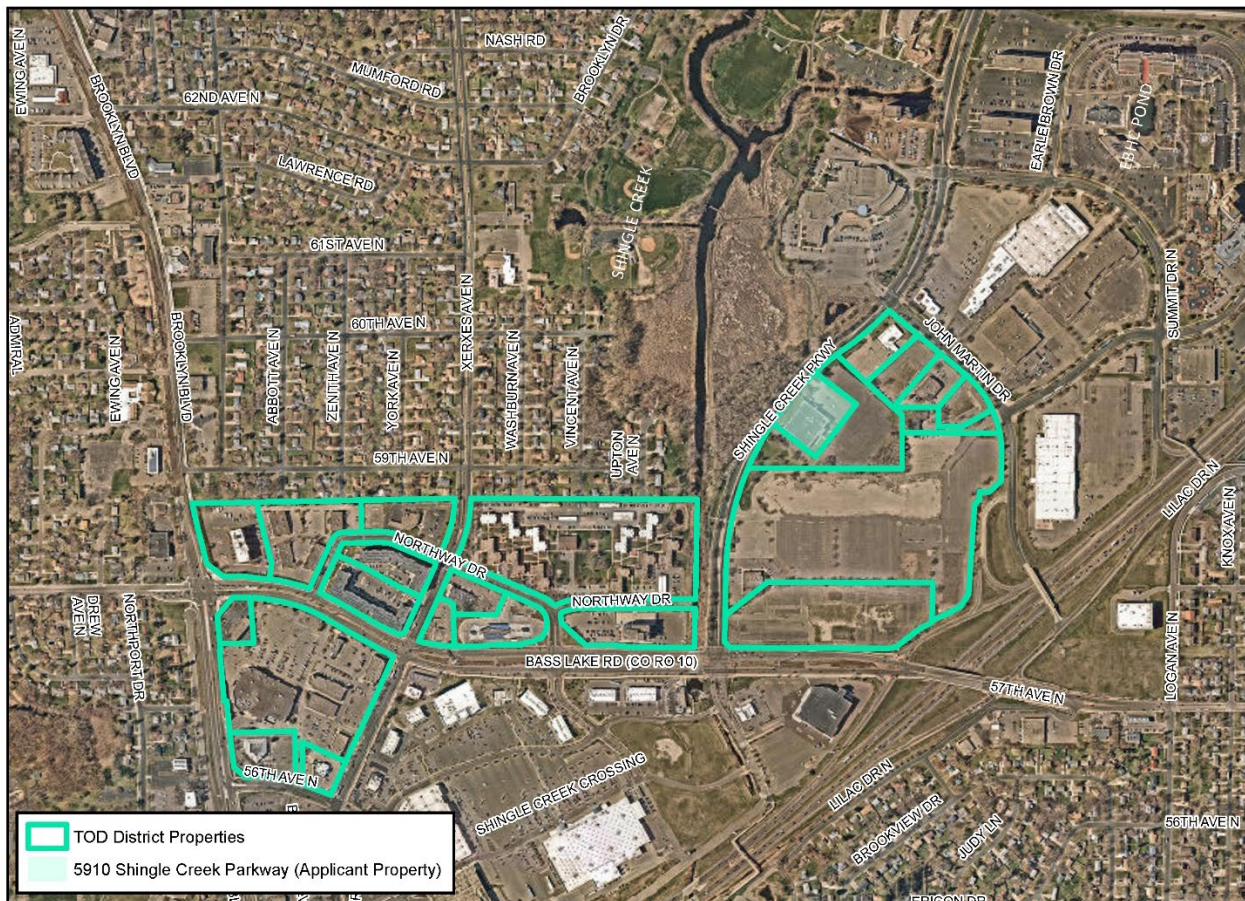


Planning Commission Report
Meeting Date: May 9, 2024

- Application Filed: 04/09/2024
- Review Period (60-day) Deadline: 06/08/2024
- Extension Declared: No
- Extended Review Period Deadline:

Application No. 2024-008
Applicant: Independent School District #286 (Brooklyn Center Community Schools)
Request: Ordinance Amendment (Text)



Map 1. Transit-Oriented Development (TOD) District Properties.

REQUESTED ACTION

Independent School District #286 (“the Applicant”) and commonly known as Brooklyn Center Community Schools, is requesting an ordinance amendment to Chapter 35 of the City Code to allow for “public and private elementary and secondary schools offering a regular course of study” as a conditional use within the City’s Transit Oriented Development (TOD) zoning district—refer to Exhibits A and B. This use is currently permitted as a conditional use within the City’s R1 (Low Density Residential), R2 (Medium Low Density Residential), and R5 (High Density Residential) zoning districts.

Due to the nature of the request, a public hearing notice was published in the Brooklyn Center *Sun Post* on April 25, 2024 (Exhibit C). Mail notifications were sent to those property owners and residents

located within 350 feet of the Subject Property per direction of the City Attorney, although the proposed amendment would affect the entire TOD District, which is comprised of 23 properties. Of these, five (5) properties are owned by the City of Brooklyn Center’s Economic Development Authority (EDA). A public hearing notice was also uploaded to the City’s website, and a link to the public hearing notice was sent out by email to subscribers of the City’s weekly events bulletin.

ORDINANCE AMENDMENT (TEXT)

Background

Per Section 35-71301 (*Applicability*), an amendment of the City’s Unified Development Ordinance may be initiated by the City Council, Planning Commission, or a City property owner. In this particular case, the Applicant contacted the City regarding proposed changes to their building located at 5910 Shingle Creek Parkway, which was purchased by the Applicant in 2022. The Applicant had long been a tenant of the building, and served as the home of its Centaur Beginnings Child Care and Early College Academy (ECA), and desired a consolidation of their district offices and childcare services into one building.

Per Planning Commission Application No. 2022-002, the intent at that time was to house an Early Learning Center (birth until school age) at this location, as well as a community service center, wellness center, and elder’s room. In facilitating purchase of the property, the City of Brooklyn Center’s Economic Development Authority acquired approximately 5.45 acres of the approximately 8-acre property for future developable land within the Opportunity Site when the property was re-platted to BCCS 5910 SHINGLE CREEK ADDITION. This resulted in an approximately 2.5-acre new home for Brooklyn Center Community Schools.

City staff was contacted by the Applicant in April 2024 regarding the District’s plans to relocate its regular and special education preschool programming from Brooklyn Center Elementary School, located at 1500 59th Avenue North and within the City’s R1 (Low Density Residential) District, to 5910 Shingle Creek Parkway, which is located within the City’s TOD (Transit Oriented Development) District. This property was re-zoned in January 2023 with the adoption of the City’s new Unified Development Ordinance and had previously been zoned C2 (Commerce) District, which has since been retired as a district.

The Applicant had already proceeded with interior remodeling to the second floor of the building located at 5910 Shingle Creek Parkway, in anticipation of relocating the Early College Academy (ECA) upstairs to accommodate the existing Centaurs Daycare and preschool programs on the main level of the building, when the Applicant was notified that public elementary schools were not permitted within the TOD District.

As proposed, the Applicant would be seeking a text amendment to Chapter 35 (Unified Development Ordinance) that would allow for “public and private elementary and secondary schools offering a regular course of study” as a **conditional use** within the City’s Transit Oriented Development (TOD) District. As proposed, the following would be modified within Section 35-4103 (*Allowed Use Table*):

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-4103 ALLOWED USE TABLE OF THE CITY CODE OF ORDINANCES REGARDING PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS OFFERING A REGULAR COURSE OF STUDY IN THE TRANSIT ORIENTED DEVELOPMENT ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Brooklyn Center City Code, Chapter 35, Section 35-4103 Allowed Use Table is amended by adding the following double-underlined language:

P = PERMITTED USE, C = CONDITIONAL USE, I = INTERIM USE, A = ACCESSORY USE														
	Residential					Commercial/ Mixed Use				Nonresidential				Use-Specific Standards
	R1	R2	R3	R4	R5	MX-N1	MX-N2	MX-C	TOD	C	MX-B	I	O	
EDUCATIONAL FACILITIES														
Nonresidential educational uses including Area Learning Centers (ALC), post-secondary schools, business schools, trade schools and the like, but excluding public and private elementary and secondary schools							C	C	P	P	P			
Public and private elementary and secondary schools offering a regular course of study	C	C			C				<u>C</u>					
Accessory educational structures serving public and private elementary and secondary schools offering a regular course of study	I	I			I									35-4408

(~~Strikeout~~ indicates matter to be deleted, double-underline indicates new matter.)

In reviewing requests for ordinance amendments, certain amendment criteria shall be considered as outlined under Section 35-71304 (*Amendment Criteria*). The Planning Commission and City Council shall review the necessary submittal requirements, facts, circumstances of the proposed amendment, and make a recommendation and decision on the amendment based on, but not limited to, consideration of the following criteria and policies:

- a. Whether there is a clear and public need or benefit;
- b. Whether the proposed amendment is consistent with and compatible with surrounding land use classifications;
- c. Whether all permitted uses in the proposed zoning district can be contemplated for development of the subject property;
- d. Whether there have been substantial physical or zoning classification changes in the area since the subject property was zoned;

- e. Whether there is an evident, broad public purpose in the case of City-initiated rezoning proposals;
- f. Whether the subject property will bear fully the UDO development restrictions for the proposed zoning districts;
- g. Whether the subject property is generally unsuited for uses permitted in the present zoning district, with respect to size, configuration, topography, or location;
- h. Whether the rezoning will result in the expansion of a zoning district, warranted by:
 - 1) Comprehensive Planning;
 - 2) The lack of developable land in the proposed zoning district; or
 - 3) The best interests of the community.
- i. Whether the proposal demonstrates merit beyond the interests of an owner or owners of an individual parcel.
- j. The specific policies and recommendations of the Comprehensive Plan and other City plans;
- k. The purpose and intent of this UDO, or in the case of a map amendment, whether it meets the purpose and intent of the individual district; and
- l. If applicable, the adequacy to buffer or transition between potentially incompatible districts.

2040 Comprehensive Plan

All impacted properties located within the City’s TOD zoning district are future guided under the 2040 Comprehensive Plan as “TOD (31.01-130 DU/Ac.)” which is a new future land use designation. The TOD designation was a direct response to the opening of the Metro Transit C and D lines and the land use designation specifically guided redevelopment within ¼ mile of the planned station stops and a vision that these areas create a vibrant, accessible and diverse land use pattern.

Table 3-6. Anticipated Developable Acres and Residential Units by Decade

Future Land Use	2019-2020			2021-2030			2031-2040			2019-2040 Total New HH
	Est. Total Acres ^a	Residential Acres ^a	HH (Min)	Est. Total Acres ^a	Residential Acres ^a	HH (Min)	Est. Total Acres ^a	Residential Acres ^a	HH (Min)	
Transit Oriented Development 31.01-130 DU/A	12	9	279	48	36	1,116	22	17	527	1,922
Neighborhood Mixed-Use 15.01-31 DU/A	26	13	195	12	6	90	5	4	60	345
Commercial Mixed-Use 10.01-25 DU/A	16	8	80	14	7	70	14	10	100	250
Medium Density Residential 5.01-15	2.5	2.5	13	-	-	-	-	-	-	16
TOTAL	56.5	32.5	567	77	66	1,276	41	31	687	2,533

^a Estimated Total Acres represents the acreage anticipated to redevelop within this Planning Period. As shown, the estimated redevelopment acreage accounts for approximately 50% +/- of the total 2040 guided acreage reflected in Table 3-3. Redevelopment may generally occur anywhere within the land use designation shown on Map 3-3. The guided land uses shown on Map 3-3 and described in Table 3-3 demonstrate an OVERSUPPLY of land for redevelopment based on the estimated market demand for residential units within this Planning Period. The City is open to redevelopment that occurs faster than what is estimated in Table 3-6, and it is therefore important to show through the Future Land Use Plan the ultimate vision for the central core of the City. It is also anticipated that many of the acres NOT included for redevelopment will largely remain in commercial use.

Table 1. Total New Households within the Transit Oriented Development future land use designation.

The majority of the City's forecasted growth, as outlined in the City's 2040 Comprehensive Plan, was anticipated to occur within the City's major redevelopment areas guided primarily as Transit Oriented Development (TOD) and Commercial Mixed-Use (C-MU), and a minimum of 75% of the land within this designation was planned for development into high-density residential uses, with remaining land developed for supporting retail, office, and commercial uses. The TOD future land use designation is ultimately intended to create a walkable, bikeable, vibrant core within the City of Brooklyn Center, and encompasses properties located within the City's Opportunity Site, and along Bass Lake Road (County Road 10) and Xerxes Avenue North.

The City's Comprehensive Plan further notes that, increasingly, access of neighborhoods, housing, services, and experience-based retail by efficient and frequent transit services is becoming a highly desirable and sought-after amenity within development and redevelopment areas.

The Institute for Transportation & Development Policy notes that, "Transit Oriented Developments are inherently intended to integrate urban places designed to bring people, activities, buildings, and public space together, with easy walking and cycling connections between them and near-excellent transit service to the rest of the City."

Unlike the broader region, in which the population continues to age rapidly, Brooklyn Center's population grew younger between 2000 and 2010, due to an increase in the number of persons aged 25 to 34, many of which are starting families and having children. Increases in the number of young families ultimately place demands on schools, housing affordability, and the types of retail goods and services needed. In the case of the TOD future land use designation, where 75% of the lands are likely to provide higher density housing, it is assumed that the demand for school and daycare services will only *increase*. In the case of those lands future guided as "Transit Oriented Development" under the City's 2040 Comprehensive Plan, those affected school districts include Brooklyn Center Community Schools (ISD #286) and Robbinsdale Area Public Schools (ISD #281).

Although the 2040 Comprehensive Plan noted a median age of residents as 32.8 (2016), the 2020 census identified a median age of 32.4 in Brooklyn Center. The median age in Minnesota is 39. The American Community Survey estimates (2022) identify approximately 9% of Brooklyn Center's population as being under 5 years of age, and approximately 29.3% of the City's population as being under 18 years of age. In the state of Minnesota, and per ACS estimates (2022), approximately 5.7% of the state's population is under 5 years of age, and approximately 22.5% of the state's population is under 18 years of age.

Unified Development Ordinance | Transit Oriented Development Zoning District

When the City was initially approached by the Applicant, City staff engaged with the City Attorney to determine whether or not "preschools" could be interpreted as "licensed daycare facilities (13 or greater persons)," as Centaur Beginnings Child Care was issued a special use permit from the City in 2014 and has continuously operated at 5910 Shingle Creek Parkway since 2015.

However, in reviewing information from the Minnesota Department of Education, it was eventually determined that the voluntary prekindergarten (VPK) and school readiness plus (SRP) programs are publicly funded prekindergarten programs that may be incorporated into a school district or charter school's E-12 system as a "new grade level" and are therefore are considered an extension of the elementary programming overseen by the Department of Education. Brooklyn Center Community Schools (ISD #286) and Robbinsdale Area Public Schools (ISD #281) both offer pre-kindergarten programming.

The City's Transit Oriented Development zoning district was created as a district response to the City's adoption of the 2040 Comprehensive Plan in 2019. The purpose of the TOD (Transit Oriented Development) district is to support opportunities for dense, transit-supportive and transit-oriented development. The TOD district requires intensities and patterns of development that support vibrant pedestrian activity and discourages land uses and development patterns that could decrease walkability or interfere with future growth of transit-oriented development and transit ridership.

The district intends to promote sustainable urban places that includes places to live, work, shop, and recreate, reduce reliance on automobiles, and encourage the use of public transit. The further district intends to foster job creation and economic growth in near-proximity to transit, and provide citizens with new housing and lifestyle choices with a high level of amenities and spaces for social interaction.

Uses currently allowed within the City's Transit-Oriented Development District, either as permitted or conditional uses, that City staff has determined as similar to "public and private elementary and secondary schools offering a regular course of study," and targeting similar demographics, include: community centers, libraries and art galleries, nonresidential educational uses including Area Learning Centers (ALC), post-secondary schools, business schools, trade schools and the like, and licensed day care facilities (13 or more persons).

In reviewing the 23 properties currently zoned "Transit Oriented Development," 9 of these properties are located within the City's designated Opportunity Site, five (5) of which are owned by the City's Economic Development Authority.

For those properties located outside the Opportunity Site, all of these properties are currently developed at this time, and in many cases, City staff does not foresee any opportunity to utilize these properties for educational purposes, which limits the ability for school districts to address the needs of an increasingly young population in a district intended for the greatest housing density within the City, and encompassing the majority of lands intended for what is envisioned as the City's downtown, walkable core.

Examples include: Brooklyn Center Transit Center (2900 County Road 10), Gateway Commons Apartments (2850 Northway Drive), Sonder House and Sonder Point (5801 and 5803 Xerxes), and Cub Foods shopping center (3245 County Road 10). Although there are two large office complexes zoned Transit-Oriented Development (3300 County Road 10, 5701 Shingle Creek Parkway), there are inherent complications and constraints in envisioning these locations for use as "private or public elementary and secondary schools offering a regular course of study" given building and fire code restrictions on how many stories up in a building an educational/institutional use can be located, fire sprinkler requirements, exiting/egress, etc. This ultimately limits the locations in which schools are able to serve students within the City's TOD District, unless a full redevelopment were contemplated.

RECOMMENDATION

Based on the above noted findings, and in response to Section 35-71304 (Amendment Criteria) of the City Code, City staff recommends the Planning Commission recommend City Council approval of Planning Commission Application No. 2024-008, which would amend Section 35-4103 (Allowed Use Table) of the City Code of Ordinances regarding public and private elementary and secondary schools offering a regular course of study in the Transit Oriented Development zoning district.

Any subsequent approval by City Council for the above-requested amendment to Chapter 35 (Unified

Development Ordinance) shall require that any applicant, including the Applicant for Planning Commission Application No. 2024-008, submit a separate application for review and consideration of a conditional use permit (CUP).

Attachments

Exhibit A- Planning Application No. 2024-008 narrative, prepared by Brooklyn Center Community Schools.

Exhibit B- Map and spreadsheet noting Transit Oriented Development district properties.

Exhibit C- Public Hearing Notice, published in the Brooklyn Center *Sun Post*, and dated April 25, 2024.



5910 Shingle Creek Parkway
Brooklyn Center, MN 55430
P: [763] 450-3386
F: [763] 560-2647

In addition to owning and operating two school buildings, Brooklyn Center Community Schools District 286 had rented space to operate Early College Academy programming, Centaur Beginnings programming, and the District Office since 2015. As we came out of the pandemic, our district explored ways to invest money back into our community.

In July 2022, our school board approved the purchase of 5910 Shingle Creek Parkway which allowed our district the ability to fully own and operate three buildings and continue investing in students' education without raising homeowner's taxes. Through this purchase, our district is able to expand their programming facilities while also creating intentional gathering spaces to allow for further relationship building and resource distribution with our community.

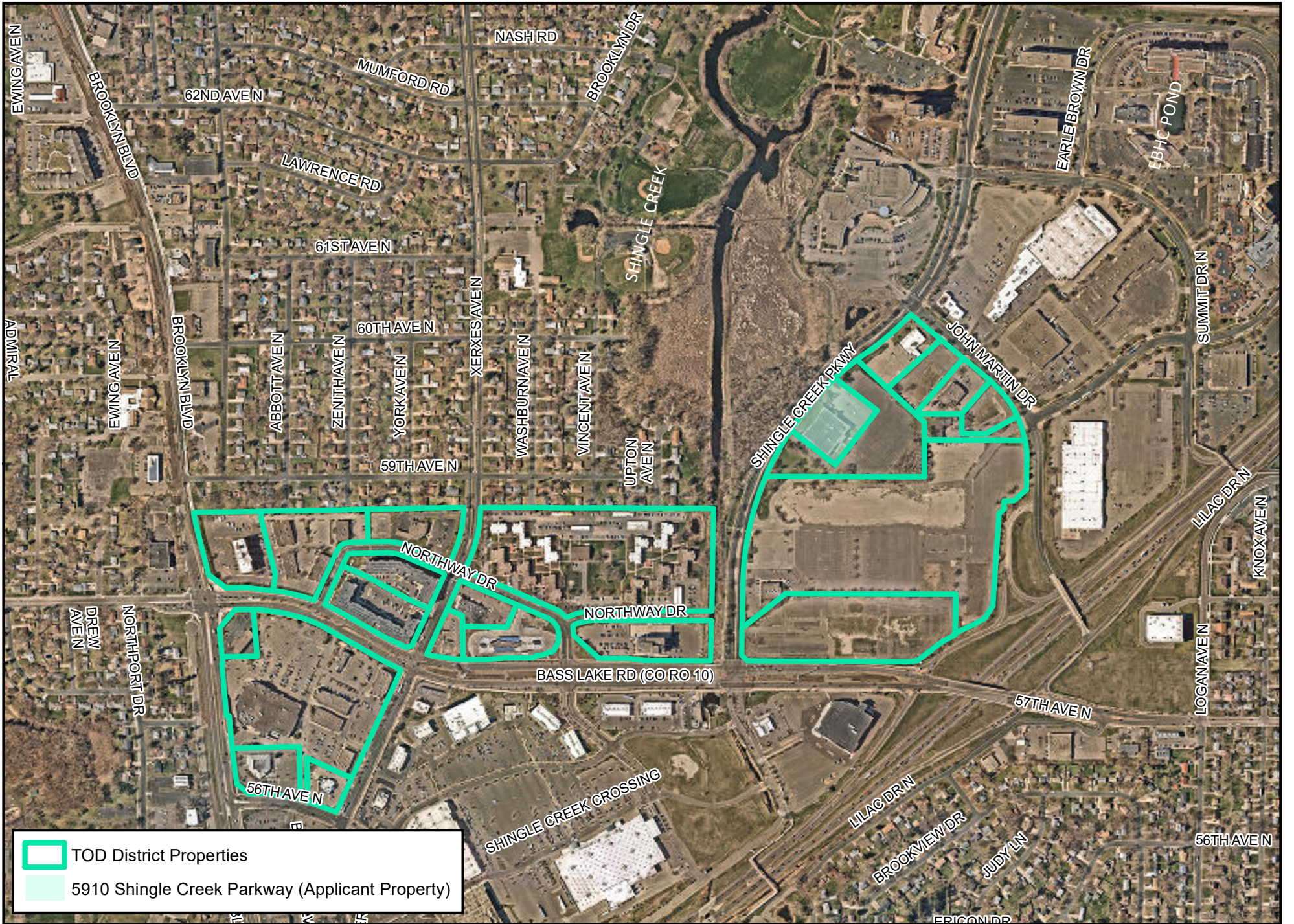
By the start of the 2024-2025 school year, our district is preparing to run all our Early Childhood Programming (20,922 sq ft) at 5910 Shingle Creek Parkway. Our design plans allow for all our students and families who attend birth-five year old programming to be located in one space. By building these spaces to be specifically geared towards our young learners on the Opportunity Site, we can cater to their development and support them in building lifelong connections as they prepare for Kindergarten.

Additional programs and operations that will be housed in the building include:

- The Early College Academy Alternative Programming (9611 sq ft)
- An Elder's Community Room (413 sq ft)
- A Family Resource Room (497 sq ft)
- Adult Basic Education Classrooms (3008 sq ft)
- A Welcome & Enrollment Center (2164 sq ft)
- Common Spaces (5940 sq ft)
- Board Room (2586 sq ft)
- District Office (7141 sq ft)

Common spaces include multiple workstations, group tables, and conference rooms. These spaces are intentionally created for any staff members to use collaboratively when they visit the district office.

Brooklyn Center Community Schools District 286 is excited about the future of our Early Childhood and Alternative Programming at 5910 Shingle Creek Parkway. We look forward to opening our doors to the community in the fall!



Applicant | Property Owner: Independent School District #286 (Brooklyn Center Community Schools)
Request: Ordinance Amendment

Transit Oriented Development (TOD) District Properties

PROPERTY ID	PROPERTY OWNER	ADDRESS	CITY STATE ZIP CODE	TAXPAYER	TAX_2	TAX_3	TAX_4
22 02-118-21 12 0011	ECON DEVEL AUTH BROOKLYN CTR	5915 JOHN MARTIN DR	BROOKLYN CENTER MN 55430	ECON DEVEL AUTH OF	BROOKLYN CENTER MN	6301 SHINGLE CREEK PARKWAY	BROOKLYN CENTER MN 55430
22 02-118-21 21 0002	5930 SHINGLE CRK PKWY MN LLC	5930 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430	5930 SHINGLE CRK PKWY MN LLC	C/O JANI-KING INTERNTL INC	16885 DALLAS PKWY	ADDISON TX 75001
22 02-118-21 21 0005	GROUP HEALTH PLAN INC	5901 JOHN MARTIN DR	BROOKLYN CENTER MN 55430	HEALTHPARTNERS	REAL ESTATE	PO BOX 16115	ST LOUIS PARK MN 55416
22 02-118-21 21 0014	ECON DEVEL BROOKLYN CENTER	5939 JOHN MARTIN DR	BROOKLYN CENTER MN 55430	ECON DEVEL BROOKLYN CENTER	ATTN: CURTIS BOGANAY	6301 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430
22 02-118-21 21 0015	LIN SHUANG LLC	5927 JOHN MARTIN DR	BROOKLYN CENTER MN 55430	NEW KING BUFFET	5927 JOHN MARTIN DR	BROOKLYN CENTER MN 55430	
22 02-118-21 21 0019	INDEPENDENT SCHOOL DIST #286	22 ADDRESS PENDING	BROOKLYN CENTER MN 00000	INDEPENDENT SCHOOL DIST #286	5910 SHINGLE CREEK PKWY	DOOR 7	BROOKLYN CENTER MN 55430
22 02-118-21 21 0020	EDA BROOKLYN CENTER	22 ADDRESS PENDING	BROOKLYN CENTER MN 00000	EDA BROOKLYN CENTER	6301 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430	
22 02-118-21 23 0015	G B HOMES LLC	2802 NORTHWAY DR	BROOKLYN CENTER MN 55430	MKT EQTS-GATEWAY COMMONS LLC	810 MILL AVENUE	WATERTOWN MN 55388	
22 02-118-21 23 0016	FTKD PROPERTIES INC	5701 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430	FTKD PROPERTIES INC	6000 BASS LAKE RD #200	CRYSTAL MN 55429	
22 02-118-21 23 0022	KS ENTERPRISE LLC	5810 XERXES AVE N	BROOKLYN CENTER MN 55430	KS ENTERPRISE LLC	1199 SUMMER ST	ROSEVILLE MN 55113	
22 02-118-21 23 0024	METROPOLITAN COUNCIL	2900 CO RD NO 10	BROOKLYN CENTER MN 55430	METRO TRANSIT COMM	ATTN: METRO TRANSIT FINANCE	560 6TH AVE N	MINNEAPOLIS MN 55411
22 02-118-21 24 0019	ECON DVLPT ATHY BROOKLYN CTR	2500 CO RD NO 10	BROOKLYN CENTER MN 55430	ECON DVLPT ATHY BROOKLYN CTR	6301 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430	
22 02-118-21 24 0020	ECON DEV AUTH BROOKLYN CENTE	5900 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430	ECON DEV AUTH BROOKLYN CENTE	6301 SHINGLE CREEK PKWY	BROOKLYN CENTER MN 55430	
22 03-118-21 14 0001	KENT J ERICKSON REVOCABLE TR	5740 BROOKLYN BLVD	BROOKLYN CENTER MN 55429	KENT J ERICKSON	C/O BROOKDALE HEALTH	5740 BROOKLYN BLVD #100	BROOKLYN CENTER MN 55429
22 03-118-21 14 0026	HONEYWELL EMPLY CREDIT UNION	5825 XERXES AVE N	BROOKLYN CENTER MN 55430	CONNEXUS CREDIT UNION	PO BOX 8026	WAUSAU WI 54402	
22 03-118-21 14 0030	TCF BANKING & SAVINGS F A	2950 CO RD NO 10	BROOKLYN CENTER MN 55430	TCF NATIONAL BANK	ATTN: CORP REAL ESTATE	PO BOX 182334 55441	COLUMBUS, OH 43218
22 03-118-21 14 0033	BC CROSSING/INVENTURE P LLC	3300 CO RD NO 10	BROOKLYN CENTER MN 55429	BC CROSSING LLC	INVENTURE PROPERTIES LLC	3105 1ST STREET S	ST CLOUD MN 56301
22 03-118-21 14 0034	BC CROSSING/INVENTURE P LLC	3220 CO RD NO 10	BROOKLYN CENTER MN 55429	BC CROSSING LLC	INVENTURE PROPERTIES LLC	3105 1ST STREET S	ST CLOUD MN 56301
22 03-118-21 14 0035	BROOKDALE CORNER LLC	3245 CO RD NO 10	BROOKLYN CENTER MN 55429	BROOKDALE CORNER LLC	705 MARQUETTE AVE S STE 900	MINNEAPOLIS MN 55402	
22 03-118-21 14 0036	BROOKLYN CENTER AH II LLLP	5803 XERXES AVE N	BROOKLYN CENTER MN 55430	BROOKLYN CENTER AH II LLLP	C/O REAL ESTATE EQUITIES LLC	579 SELBY AVE	ST PAUL MN 55102
22 03-118-21 14 0037	BROOKLYN CENTER AH I LLLP	5801 XERXES AVE N	BROOKLYN CENTER MN 55430	BROOKLYN CENTER AH I LLLP	C/O REAL ESTATE EQUITIES LLC	579 SELBY AVE	ST PAUL MN 55102
22 03-118-21 41 0001	MARQUETTE BANK BROOKDALE	5620 BROOKLYN BLVD	BROOKLYN CENTER MN 55429	WELLS FARGO BANK	C/O DELOITTE TAX LLP	PO BOX 2609	CARLSBAD CA 92018
22 03-118-21 41 0002	IHOP PROPERTY LLC	5601 XERXES AVE N	BROOKLYN CENTER MN 55430	IHOP PROPERTY LLC	C/O DINEEQUITY INC	450 N BRAND BLVD	GLENDALE CA 91203

Owned by City of Brooklyn Center EDA
Applicant Property (ISD #286)

**CITY OF BROOKLYN CENTER
NOTICE OF PUBLIC HEARING**

Please take notice that the Planning Commission of the City of Brooklyn Center will hold a public hearing on Thursday, May 9, 2024 at 7:00 p.m. at Brooklyn Center City Hall, located at 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430 to hear from the public, discuss, and make a recommendation upon an ordinance amending Chapter 35 of the City Code to allow public and private elementary and secondary schools offering a regular course of study as a conditional use in the City's Transit Oriented Development zoning district. Public hearing materials can be accessed and will be available in advance of the meeting by visiting the City of Brooklyn Center's website at: <https://www.brooklyncentermn.gov/>. Interested persons are welcome to attend the hearing and be heard regarding this matter.

Comments and questions may be forwarded to Ginny McIntosh, Planning Manager at gmcintosh@brooklyncentermn.gov or (763) 569-3319 up until 4:30 pm on the day of the hearing.

Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 35-4103
ALLOWED USE TABLE OF THE CITY CODE OF
ORDINANCES REGARDING PUBLIC AND PRIVATE
ELEMENTARY AND SECONDARY SCHOOLS OFFERING
A REGULAR COURSE OF STUDY IN THE TRANSIT
ORIENTED DEVELOPMENT ZONING DISTRICT**

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Brooklyn Center City Code, Chapter 35, Section 35-4103 Allowed Use Table is amended by adding the following underlined language:

P = PERMITTED USE, C = CONDITIONAL USE, I = INTERIM USE, A = ACCESSORY USE

	Residential					Commercial/ Mixed Use				Nonresidential				Use-Specific Standards
	R1	R2	R3	R4	R5	MX-N1	MX-N2	M X-C	TO D	C	MX-B	I	O	
EDUCATIONAL FACILITIES														
Nonresidential educational uses including Area Learning Centers (ALC), post-secondary schools, business schools, trade schools and the like, but excluding public and private elementary and secondary schools						C	C		P	P	P			
Public and private elementary and secondary schools offering a regular course of study	C	C		C					<u>C</u>					
Accessory educational structures serving public and private elementary and secondary schools offering a regular course of study	I	I		I										35-4408

Article II. Severability. Should any section or part of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision will not affect the validity of the ordinance as a whole or any part other than the part declared invalid.

Article III. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Dated this 25th day of April, 2024

April Graves, Mayor
ATTEST: Barb Suci, City Clerk

(Strikethrough indicates matter to be deleted, underline indicates new matter.)