

REPORT TO THE CITY COUNCIL FROM
BUSINESS, INSPECTIONS, HOUSING & ZONING COMMITTEE
March 16, 2021

A regular meeting of the committee was convened at 1:30 pm on this date.

Members Present: Council Members Lisa Goodman (Chair), Jeremy Schroeder (Vice-Chair), Kevin Reich, Cam Gordon, Jeremiah Ellison, and Jamal Osman (Quorum - 4)

Pursuant to Minnesota Statutes Section 13D.021, the meeting was held by electronic means and Committee Members and staff participated remotely due to the local public health emergency (novel coronavirus pandemic) declared on March 16, 2020.

Matters listed below are hereby submitted with the following recommendations; to-wit:

1. Property Assessment for Clean Energy (PACEMN) financing: ELFE Bros. LLC, 2808 Washington Ave N [\(2021-00245\)](#)

Passage of Resolution adopting the assessment, levying the assessment and adopting the assessment roll for PACE energy financing in the amount of \$80,000 for a solar project for ELFE Bros. LLC located at 2808 Washington Ave N.

Staff presentation by Becky Shaw, Community Planning & Economic Development Department.

The public hearing was opened.

There being no persons wishing to speak, the hearing was closed.

Schroeder moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

2. Property Assessment for Clean Energy (PACEMN) financing: Judson Memorial Baptist Church, 4101 Harriet Ave S [\(2021-00247\)](#)

Passage of Resolution adopting the assessment, levying the assessment and adopting the assessment roll for PACE energy financing in the amount of \$88,000 for a solar project for Judson Memorial Baptist Church located at 4101 Harriet Ave S.

Staff presentation by Becky Shaw, Community Planning & Economic Development Department.

The public hearing was opened.

There being no persons wishing to speak, the hearing was closed.

Gordon moved to approve. On roll call, the motion passed.
Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)
Nay: (0)
Abstain: (0)
Absent: (0)

3. Property Assessment for Clean Energy (PACEMN) financing: Raimis Construction LLC, 1515 19th St E [\(2021-00248\)](#)

Passage of Resolution adopting the assessment, levying the assessment and adopting the assessment roll for PACE energy financing in the amount of \$58,776 for a solar panels and related equipment for Raimis Construction LLC located at 1515 19th St E.

Staff presentation by Becky Shaw, Community Planning & Economic Development Department.

The public hearing was opened.

There being no persons wishing to speak, the hearing was closed.

Schroeder moved to approve. On roll call, the motion passed.
Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)
Nay: (0)
Abstain: (0)
Absent: (0)

4. Property Assessment for Clean Energy (PACEMN) financing: CFPA Development Project, LLC, 3754 Pleasant Ave [\(2021-00249\)](#)

Passage of Resolution adopting the assessment, levying the assessment and adopting the assessment roll for PACE energy financing in the amount of \$240,000 for HVAC equipment for CFPA Development Project LLC located at 3754 Pleasant Ave.

Staff presentation by Becky Shaw, Community Planning & Economic Development Department.

The public hearing was opened.

There being no persons wishing to speak, the hearing was closed.

Gordon moved to approve. On roll call, the motion passed.
Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)
Nay: (0)
Abstain: (0)
Absent: (0)

5. Property Assessed Clean Energy (PACEMN) financing: Sommers - Haas Project, 504-506 24th St E [\(2021-00250\)](#)

Passage of Resolution adopting the assessment, levying the assessment and adopting the assessment roll for PACE energy financing in the amount of \$50,960 for solar panels and related equipment for Sommers - Haas project located at 504-506 24th St E.

Staff presentation by Becky Shaw, Community Planning & Economic Development Department.

The public hearing was opened.

There being no persons wishing to speak, the hearing was closed.

Schroeder moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

6. Interim use permit: St. Stephen's Human Services, 510 8th St S ([2021-00328](#))

Approving an application submitted by St. Stephen's Human Services for an interim use permit (PLAN12281) to allow for up to forty-four beds in an emergency shelter within an existing building until April 1, 2026 for the property located at 510 8th St S, subject to conditions.

Staff presentation by Shanna Sether, Community Planning & Economic Development Department.

The public hearing was opened.

The following persons spoke:

1. Deborah Moses, St. Stephens Human Services
2. Michael Huffman, St. Stephens Human Services

The hearing was closed.

Osman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

7. Fuzzy' s Taco Shop, 701 Washington Ave N, (Ward 3), for an On Sale Liquor with Sunday Sales, No Live Entertainment License ([2021-00326](#))

Considering application for Fuzzy's Taco Shop, 701 WASHINGTON AVE N Minneapolis, MN, submitted by JMJR, LLC, BLLiquor, LIC391746, for an On Sale Liquor with Sunday Sales, No Live Entertainment License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Staff presentation by Max Cervantes, Community Planning & Economic Development Department.

The public hearing was opened.

The following persons spoke:

1. Peter Fitzgerald, Fuzzy's Taco Shop
2. Ed Pittsley, Fuzzy's Taco Shop

The hearing was closed.

Reich moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

8. Variance appeal: Heidi Nau, 3037 Dupont Ave S ([2021-00304](#))

Considering an appeal submitted by Heidi Nau regarding the decision of the Board of Adjustment denying a variance (PLAN12134) to the required interior side yard setback.

Staff presentation by Andrew Liska, Community Planning & Economic Development Department.

The hearing was opened.

The following persons spoke:

1. Heidi Nau, appellant
2. Chris Morris

The hearing was closed.

Schroeder moved to deny. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

9. Variance appeal: Bob Bailey and Mohagen Hansen, 1324 Quincy St NE ([2021-00305](#))

Considering an appeal submitted by Bob Bailey and Mohagen Hansen regarding the decision of the Zoning Board of Adjustment denying a variance (PLAN12139) to the enclosed building requirements associated with Los Campeones Gym located at 1324 Quincy St NE.

Staff presentation by Andrew Liska, Community Planning & Economic Development Department.

The hearing was opened.

The following persons spoke:

1. Benjamin Loehrer, Los Campeones Gym
2. Nick Hrdlicka

The hearing was closed.

Reich moved to deny. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

10. Gambling license approvals for March 16, 2021 ([2021-00327](#))

1. Firefighters for Healing, 1368 LASALLE AVE Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC393044
2. Minneapolis Firefighters Local 82 Charities, 2200 COMO AVE SE Minneapolis, MN, submitted by Minneapolis Firefighters Local 82 Charities, BLGeneral, LIC393057
3. Firefighters for Healing, 606 WASHINGTON AVE N Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC393154

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

11. Liquor license renewals for March 16, 2021 ([2021-00325](#))

MICKYS LIQUOR STORE, 1104 PLYMOUTH AVE N Minneapolis, MN, (Ward 5) submitted by Mickey's Liquor Store Inc, BLLiqOff, LIC54081

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

12. Minnesota Housing Community Homeownership Impact Fund grants for the development of new construction homes ([2021-00318](#))

1. Accepting a grant from Minnesota Housing in the amount of \$1,000,000 to develop new construction homes through the Minneapolis Homes: Financing program.

2. Authorizing agreements with Minnesota Housing for the grants.
3. Passage of Resolution approving appropriation of funds to the Community Planning and Economic Development Department.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

13. Contract with NorthPoint Health and Wellness Center, Inc. for implementation and expansion of the virtual and phone based Tenant Resource Center (TRC) ([2021-00329](#))

Authorizing a five-year basic service agreement with Northpoint Health and Wellness Center, Inc. to provide tenant resource center services not to exceed \$25,000 per year, subject to future appropriations.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

14. Grant Agreement with Minneapolis Public Housing Authority for sprinkler system installation ([2021-00331](#))

Authorizing a grant agreement with the Minneapolis Public Housing Authority in the amount of \$1,000,000, using Community Development Block Grant funds removed from the Higher Density Corridor Housing program, for the installation of sprinkler systems at four high-rise buildings.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

15. Local Historic Landmark Designation: Tyler St NE John Cook House, 948 18th Ave NE ([2021-00324](#))

Passage of Resolution approving the landmark designation [PLAN12189] of the Tyler St NE John Cook House, located at 948 18th Ave NE.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

16. Border Avenue Extension Redevelopment Plan and Modification ([2021-00322](#))

1. Setting a public hearing for March 30, 2021, to consider approval of the Border Avenue Extension Redevelopment Plan
2. Setting a public hearing for March 30, 2021, to consider approval of Modification No. 129 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

Goodman moved to set public hearing for Mar 30, 2021. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

17. Baldwin Square Redevelopment Plan and Modification No. 130 to the Common Development and Redevelopment Plan ([2021-00323](#))

1. Setting a public hearing for March 30, 2021, to consider approval of the Baldwin Square Redevelopment Plan.
2. Setting a public hearing for March 30, 2021, to consider approval of Modification No. 130 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

Goodman moved to set public hearing for Mar 30, 2021. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

18. Administrative hearing procedures ordinance ([2021-00188](#))

Setting a public hearing for March 30, 2021, to consider an ordinance amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to General Provisions: Administrative Enforcement and Hearing Process, adding and amending provisions related to administrative hearing procedures.

Goodman moved to set public hearing for Mar 30, 2021. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

19. Animal licensing and procedures ordinance ([2021-00189](#))

Setting a public hearing for March 30, 2021, to consider an ordinance amending Title 4 of the Minneapolis Code of Ordinances relating to Animal Care and Control, adding and amending provisions related to lifetime license applications and rabies procedures:

1. Chapter 63 Licenses and Permits.

2. Chapter 65 Public Health Considerations.

Goodman moved to set public hearing for Mar 30, 2021. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

20. Occupancy regulations ordinance (Housing Code) ([2018-00160](#))

Setting a public hearing for March 30, 2021, to consider an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, amending provisions related to occupancy.

Goodman moved to set public hearing for Mar 30, 2021. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

21. Zoning Board of Adjustment appointments ([2021-00290](#))

1. Setting a public hearing for the March 30, 2021 meeting to consider the following Council reappointments to the Zoning Board of Adjustment for three-year terms beginning January 1, 2021 and ending December 31, 2023: Matt Perry, Seat 3, Ward 13; Jacob Saufley, Seat 2, Ward 10; and Taylor Smrikarova, Seat 1, Ward 6.
2. Setting a public hearing for the March 30, 2021 meeting to consider the following Council appointment to the Zoning Board of Adjustment for an unexpired term beginning January 1, 2020 and ending December 31, 2022: Jasmine Frias, Seat 7, Ward 1.

Goodman moved to set public hearing for Mar 30, 2021. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

22. Rezoning: Jean-Claude Drui, 2401 Pillsbury Ave ([2021-00321](#))

1. Approving an application submitted by Jean-Claude Drui to rezone (PLAN12153) the property located at 2401 Pillsbury Ave from the R2B Multiple Family District to the R3 Multiple Family District to establish a cluster development consisting of a total of five dwelling units within two existing buildings.
2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)
Abstain: (0)
Absent: (0)

23. Rezoning: Chris Gordon, on behalf of Consciousness Corner LLC, 3330 25th St E ([2021-00313](#))

1. Approving an application submitted by Chris Gordon, on behalf of Consciousness Corner LLC, to rezone (PLAN12127) the property located at 3330 25th St E from the R1A Multiple-family district to the C1 Neighborhood Commercial district to allow for an existing mixed-use building.
2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.
Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)
Nay: (0)
Abstain: (0)
Absent: (0)

24. Tenant Protections ordinance ([2021-00288](#))

1. Referring to staff the subject matter of an ordinance amending Title 12 of the Minneapolis Code of Ordinances relating to Housing, creating a new Chapter 246 entitled "Tenant Protections" and adding thereto provisions creating a right of first refusal and/or opportunity to purchase for tenants and qualified developers to the sale of rental housing.
2. Directing City Attorney's Office to work with the Council authors and staff from the Community Planning and Economic Development and Regulatory Services Departments to draft an Opportunity to Purchase ordinance and return it to the BIHZ committee by July 1, 2021 for further action, based on the following framework:
 1. The Tenant Opportunity to Purchase applies to all rental housing in the City of Minneapolis, with the following exemptions: 1-4 unit buildings owned by an individual (not an LLC) who has five or fewer rental licenses; 1-4 unit buildings that are homesteaded, relative homesteaded, or partially homesteaded; five-plus unit buildings that received a certificate of occupancy within the last ten years.
 2. Establishes a private right of action for all covered properties in the city.
 3. Allows a tenant, tenant organization, tenant partner, or qualified organization to exercise rights, in a "waterfall" that gives tenants the first opportunity, and qualified organizations subservient rights. These rights should run concurrently.
 4. Before offering a property for sale, a property owner must provide tenants and qualified organizations with a right of first offer. In order to make an offer, a tenant, tenant organization, tenant partner, or qualified organization must register their rights.
 5. Tenants may assign their rights only to a tenant partner that meets baseline criteria regarding the management of rental properties. Tenant partners must inform the City that they will be serving this role before any assignment of individual tenant rights.
 6. If the tenant, tenant organization, tenant partner, or qualified organization does not register their right to make an offer, the sale may proceed without additional requirements under the policy.

7. If a property owner chooses not to accept the first offer from a tenant, tenant organization, tenant partner, or qualified organization that has registered their rights, the tenant, tenant organization, tenant partner, or qualified organization has a right of first refusal.
8. The timeline for each of these elements will be based on the timelines identified in the Opportunity to Purchase Policy Options report completed by consultants to the City.

Further directing the Community Planning and Economic Development and Regulatory Services Department to work with the Council authors to address outstanding policy details, including but not limited to the following:

1. Criteria for City support of tenants and qualified organizations, by building rent levels and/or income of tenants, and requirements that would be tied to City support;
2. Effective date(s) for this policy;
3. Possible compliance alternatives;
4. Potential exemptions for certain types of transfers of ownership;
5. Types of buildings other than standard rental properties that may be covered or exempted;
6. The process for identifying tenant partners;
7. The process for identifying qualified organizations;
8. Staff resources required to implement this policy;
9. Resources the City should make available to external partners in order to maximize low-income tenants' exercise of their rights;
10. Outreach and education necessary to successfully implement this policy; and
11. Additional resources and/or regulations required to ensure compliance.

Goodman moved to refer the ordinance to staff and approve the staff direction. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Ellison, and Osman (6)

Nay: (0)

Abstain: (0)

Absent: (0)

With no further business to transact, the meeting adjourned at 2:19 pm.

Reported by Lisa Brock, Clerk