

WHITTIER ALLIANCE – Business Association – MEETING MINUTES

Wednesday, September 12th, 2007 – 11:30 a.m. - 1:30 p.m.
Rainbow Chinese Restaurant – 2739 Nicollet Avenue South

Present Felino de la Pena, Erica Christ, Keith Covart, Paul Jablonsky, Christina Le, Aaron McCallum, Pam Nordaune, Cindy Ohlenkamp, Kelly Peterson, Lisa Vecoli, Tammy Wong, Elizabeth Grzechowiak
Speakers Precinct Commander Kris Arneson, Kim Bartmann (Joe's Chicken Shack), Peter Roos / Arlyn Lomen (Wendy's Four Crown)
Staff Marian Biehn

Call to order 11:45

Welcome and introductions

Agenda & Standard of Conduct Policy Agenda approved as presented

August Minutes -- motion to approve as written carried.

Featured Business: Rainbow Chinese Restaurant – Tammy Wong Rainbow recognizes people in the n'hood. Most people in the room know what its like to live and work in the n'hood. Tammy is chef and owner, loves her job but it's challenging. She's glad to see the new businesses on Nicollet. Felino appreciates Rainbow being here and wants to see the n'hood be safe. Tammy expressed the need for continued work toward improving the image of the neighborhood so suburban people don't feel intimidated about coming to Nicollet Ave. There have been many changes over 20 years with more and more restaurants and good people living in the n'hood. Getting more people involved in BA and Special Service district would be better. Question: Special District tax—how the streetscape got started and the structure of the special service district is set up by the SSD and run by a board. The SSD has a menu choice of what services are provided. Jeff Johnson is the contact with the City. The fee/tax charging structure is unknown but the SSD fee is itemized on the property tax stmt. Tammy was complemented on her improvements and decoration on Nicollet Ave. Better police sensitivity would be better for business. The Police sometimes put their lights on cars in front of business, intimidate guests from coming to the area. The banquet room available for party's. She was thanked for hosting.

5th Precinct Report – Precinct Commander Kris Arneson Precinct Commander Kris Arneson thanked Tammy. The area is at a negative 1% in crime rate but burglaries and rape are issues in the n'hood now. The summer went without an increase in crime. Best thing businesses can do is know your neighbors, pick up litter, and beautify the business – you'll be bothered less. Nicollet Ave is pretty quiet but in the n'hood 29 robberies in June, 21 in July, and 12 in Aug. Police received some buyback money for use in the NW area of Whittier for robbery suppression. There are buyback dollars for Nicollet Ave but no Police are signing up—they're doing bridge buybacks now. Graffiti is a big issue. People should get the graffiti off before the city gets involved. A reward program is in place—if offenders are arrested and convicted, the reporting person can get a \$500 reward which is co-sponsored with Clear Channel. A member asked if anything was available for acid etched windows. The WA and Fire Department has free graffiti removal kits. Whittier is getting better. Seldom is there robbery along Nicollet but people can do more to improve area. There are two types of graffiti—gang tags and “art” taggers. Supposedly, all reports that go the 311 are to be responded to within a day—according to a city meeting on Tuesday night. 311 reports can now be done online. Robbery is defined as robbing a person. Burglary is into a home or business. Stealing from or a car is theft. There are 14 auto thefts in Aug, 13 home and 13 business burglaries (from laundry rooms). The reward budget for graffiti came from donations. Tammy gets tagged once a month. She would like to do a mural but it was too large a project for her to do alone. MCAD offered to work with the businesses on coordinating with students for a mural project. There was an update on the Kira Simonian arrest and Arneson thanked all for being patient with the Police Department while they waited to release information.

Vera's Café-Wayne Butzer-Request for Wine & Beer Lisc. *Wayne did not show up at the meeting.*

109 East 26th Street – Joe's Chicken Shack – Kim Bartmann Kim had approached Dave Nelson to purchase the building over a year ago but it didn't move forward. Negotiations started again recently but since she is involved in another new venture and stretched, her friend Josh Howe is buying the building and doing the upgrades. Kim will lease the restaurant space from him. There are no plans for the 2-3rd floor immediately but would prefer them as office/studio space. Since the building has been shut down for so long it has lost its grandfathered rights: ADA, parking, sprinkling. She needs a 100% parking variance (16 to 0) since there is no parking for the building. She has not investigated leasing parking from Signe Burckhardt or somewhere else. She is motivated to find parking since she has none. There is a lot of development and change happening in the n'hood and would like to move her offices to the Joe's location. She plans on being open only at night at this point. Arneson says that Kim has been good to work with. She does a lot of block parties in the n'hood she is in.

Joe's price point will be between Barbettes and Bryant Lake Bowl. They plan on a March/April opening. A member asked about Lee's Laundry since no activity has happened. The 3rd floor of Joe's was originally a ball room and she would like it to be a studio or art space but it needs elevator to do that – possible would need Lee's space to make it work. She would like to partner with Lee's to make something work. Currently Lee's plans to rebuild but the ownership is tied up in a trust. Joe's needs to submit a plan for parking – verifying that leased parking is not overleased or need to submit application for a 100% variance. She won't close on the building unless she has assurances for a parking variance and liquor license. Parking is a plus for customers but if they want to go to a place they will find a way. Not a lot going on along 26th now.

Liz stated that she believes that the history of an owner is important to consideration for new requests. Kim runs a good business. However, the BA needs to see the how she will handle parking since parking is tight in the n'hood. What are the street parking counts, what are the potential parking leasing sites, and perhaps do a casual parking study finding out where customers can park. BA needs a more specific proposal.

Kim did not get a parking variance for the White Stag in NE and is leasing space. Qs on liquor license and parking. Class A lic. is downtown exclusive. They are asking for Class C –wine, beer liquor with entertainment amplified with 5 or less people. **Motion** to table the site plan review, parking and liq lisc. Until the October BA for 109 E. 26th St. **Motion withdrawn.**

There was a recommendation to take action on the site plan. Lisa recommended the site plan be worked out further. BA needs info on permits, windows, layout, building improvements. Kim confirmed 1700 sq. ft. of open space. The building goes to the lot line. The interior is gutted so the floor plan is all new. The kitchen is in the basement. The license and parking need more resolution.

BA 1 Motion: The Whittier Alliance Business Association moves to support the Site Plan Review at 109 East 26th Street, Joe's Chicken Shack.. Motion carried

Motion to table the parking variance and liquor license discussion until next BA meeting. **Motion carried.**

325 East Franklin Avenue – Wendy's – Peter Roos & Arlyn Lomen Wendy's is requesting an extension of hours and expansion of non-conforming use based on new POD. It opened in July 2006. They had planned on coming back after a year and asked for later hours. They don't want to be part of the bar crowd service. Wendy's feels they have demonstrated that they are good neighbors. They are caught in the POD and need the expansion of non-conforming use. The motion could be crafted to be a non-precedent setting. Roos presented at the CI and were pleased with the comments -- it passed with a noise condition.

Arneson was asked if there was any positive or negative impact in that area due to Wendy's. The building prior to Wendy's was graffii constantly and feels Wendy's has been a great neighbor. Franklin Ave has a lot of 3rd Precinct narcotic types. The calls from Wendy's were presented at the CI—14 calls in 5 months. Roos said they are a good neighbor: the area and parking lot is clean, they don't allow loiterers, but there are always challenges. Wendy's tries to keep the n'hood and customer in mind.

Felino lives close by and he walks there but has found it closed earlier than he wants and he doesn't want to walk much further. A restaurant has a duty to make sure the customer feels safe and it is the responsibility of the employees to assure that. It's important to be able to get food when you want it.

The owner of Electric Fetus voiced that the business itself was not approved by the n'hood and got in because it was arranged before the n'hood knew via a land lease arrangement. The police reports are suspect. He said illegal activity is going in the paring lot that he views from his employee picnic table. There is constant traffic and he hears the "Welcome to Wendy's" all day long. The Pedestrian Overlay was passed should be honored. He has reported the issues in the parking lot to the police and to the store manager but that manager denied issues because of not wanting an incident report. Extending hours is very contrary to the POD when 60% of the business is drive through and 40% is restaurant. Wendy's only has 11-12 parking spots.

Arlyn believes that they run their store more responsible because they are local owners. There are 35 employees part & full time and all but four live in the n'hood. The payroll is in excess of \$250,000 per year. The BA member said it's not an issue of local or corporate but the POD. Wendy's accepted the terms of building a year ago and now are asking for special consideration.

BA 2 Motion: The Whittier Alliance Business Association moves to support the conditional-use permit at 325 East Franklin Avenue, Wendy's, to extend hours from 10 p.m. to midnight Sunday to Thursday and 11 p.m. to 1 a.m. Friday to Saturday (expansion of non-conforming use in a Pedestrian Overlay District). Motion failed.

BA 3 Motion: The Whittier Alliance Business Association moves to approve the amended BA/CPED budget. Motion carried.

Motion to adjourned 1:15 p.m.

Minutes respectfully submitted by Marian Biehn