



### **WA Community Issues Meeting Minutes**

Whittier Park

Monday, February 13th, 2017

6:00 - 8:00 p.m.

**Attendees:** Jesse Oyervides, Ella Kampelman, Brian Foster, Rush Tully, Deborah Dickson, Steve Wagner, Dave La Violette, Bruce Lundeen, Carol Lansing, Deb Girdwood, Erica Christ, Kevin Beaudin, Karl M. Schulz, Gwen Jenkins, Felino del la Pena, Maria Dillon, Mark Severtsgaard, Greg Schmidt, Mary Gazca, Kris Martinson, Teresa Murphy, Rachel Johnson

**WA Staff:** Ricardo McCurley, Paul Shanafelt, Joey Whitesman

**Presenters:** Lisa Bender- Ward 10 Council Member  
Scott Nelson and Thomas Watson- DJR/ CPM  
Inspector Kathy Waite, Chelsea Adams- MPD 5th Precinct  
Matt Wilcox- Minneapolis City Attorney's Office

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#### **Welcome/Call to Order -**

Welcome at 6:11pm by Michael Malone. Agenda was reviewed, Introductions are made. Standard of conduct policy was reviewed. **Motion** to approve the Agenda **Carried**. Minutes from 01-09-2017 CI meeting were reviewed. **Motion** to approve 01-09-2017 CI meeting minutes **Carried**.

- We will be using a speakers list for development discussion to help with conversation structure and to make sure everyone has a chance to speak.
- White Castle is no longer on the agenda due to changes in the pedestrian overlay, implemented in November, requiring them to change site plans

#### **Announcements/Community Comments & Discussion**

##### **Ricardo McCurley:**

- We are seeking candidates for our board of directors, Ricardo describes membership eligibility, and briefly discusses the application process
- We will be electing five new board candidates

#### **Ward 10 Updates and Development Discussion- CM Lisa Bender**

Whittier is one of 5 neighborhoods in Ward 10. Ward 10 staff includes Lindsey Wallace on communications and Ron Harris as a policy aide. CM Bender gives updates on city-wide and neighborhood policy work:

## Reopening Nicollet Project

### Key Points:

- City has long-term goal of opening Nicollet at the Kmart site
- There have been monthly meetings with fellow council members in neighboring wards, public works and CPED on this issue
- The city has purchased the land under Jerry's Food Store- so we control land and lease on that part of the site. There is also a purchase agreement in place to buy the land under k-mart itself. By september, city council will decide whether to move forward with that agreement.
- Kmart had a 99 year lease until 2053, it is also transferable
- Staff is negotiating with kmart, negotiation is in part for them to stay on site in a different form
- Kmart not in best financial situation though which makes clear negotiation difficult
- Next big decision point will be purchase of land underneath Kmart
- CM bender is working on convincing council to approve purchase of land
- Land is increasing in value due to transit investments, etc.
- The current cost is likely the lowest cost at which the city would have the opportunity to buy the and
- Citywide benefits of purchasing land must be shown. This is relevant to Wards up and down Nicollet ave
- If we don't sign purchase agreement now, it is unlikely we would have staff focus on the issue in near future

## 26th and 28th street Protected Bikeways

- Part of Minneapolis Master Bicycle Plan
- Planned for this Summer- extend current protected bike lanes that are just east of Whittier
- Public meetings were held 2 years ago, more community engagement planned for end of February and early March before approval later in Spring and early Summer

## Development

- On Lake street and Harriet Ave, Steve Minn is looking at building an affordable housing project- land parcel issues, early phase of project
- Hennepin Ave is being resurfaced from Lake street to 36th street (Calhoun Square to Lakewood Cemetery). The redesign hopes to improve pedestrian, transit, and green experience; lots of interest for pedestrian environment between Lake and 31st. Mid-block crossing being discussed to keep people safe

## Minimum wage

- Series of engagement session going on (listening sessions)
- City Staff will gather feedback and report in second quarter
- Ordinances are complex
- Phasing, exemptions for industries all under discussion
- Still in listening phase
- Hearing support in 10th ward

## Workers day at city hall

- Every year there's a small business day so this is a compliment to that event
- NOC, labor unions, other workers groups will be present
- March 8th in the afternoon- greeting from Mayor and then breakout sessions
- Workers are dealing with all sorts of issues in the city

### Other City Updates

- CM Bender is pushing for more participatory budgeting in Minneapolis budget process
- Inclusionary zoning ordinance requiring affordable units is also being discussed

### State Level

- CM Bender has been representing city council at state level on preemption issues around sick leave and minimum wage
- Senator Dibble is sponsoring a bill to help car-sharing companies by addressing the tax issues that contributed to car2go leaving

### Federal Level

- Lots of concerns about Trump administration policies
- Lots of strong-language ordinances coming from city hall about/ in support of Sanctuary City designation
- Rep. Omar shared experiences of traveling and facing discrimination
- Discussion happening on how to strengthen sanctuary city status

### Questions/ Comments:

#### On Minimum wage

- City is not doing anything for small businesses
- Parking concerns on 26th with new bike lanes
- Minimum wage increases is a burden to small businesses
- Small businesses are not being heard or given any benefits
- State minimum wage law already a problem- pits employers against employees

CM Bender: our small business community is unique in that it has a lot of people that also live in the community and that is important.

#### On Reopening Nicollet

- Quarterly we were bringing the public into discussions, why aren't we doing that anymore?  
Answer: We are at a negotiation phase. Community partners discussion were more about ideas for the site
- 10 years is optimistic prediction of when it would be reopened
- Because of uncertainty we're not getting partners input on site yet
- Communication on these quarterly meetings just stopped and that did not engender trust
- If Kmart paying is paying a lease, who owns the land? Family in New York/ business entity, they don't have any long term interest
- Even if we own the land, we haven't completed all agreements
- Could I contact office for maps of parcel? Yes
- Purchase agreement information is all online

#### On Development:

- Chroma wanted neighbor's lot for parking, since there is limited parking, possibly detracting tenants
- CM Bender told Chroma was 60% leased and things were going well

## **Development Presentation- Scott Nelson of DJR & Thomas Watson of CPM**

### **Proposed development on five lots from 2009 to 2017 Lyndale Ave**

Scott will explain the plans and Carol of CPM will introduce variances

Scott explains the site map and plans:

- 5 floors with 15 units per floor plus 2 units in the duplex for a total of 77 total units
- Gringos will be demolished / Mortimers and residence behind it will remain
- The apartment building will go where much of parking lot is now
- Amenity spaces face Lyndale, parking is accessed from alley
- Across street is theatre garage project- approved last month
- Alley accesses a one story parking garage, no underground parking- very costly
- Amenities on ground floor while floors 2-5: mostly one bedrooms and studios(no two bedrooms)
- Units range from 660 square feet of to the mid- 500's (Chroma featured 550 sf units)
- Rooftop won't be seen from street but will offer views towards lake of the isles and downtown
- Other part of site is existing Mortimers which will remain but with upgrades
- Visible metal siding on all sides
- Plans to add streetscape and greenery- similar to wedge landscaping
- Active spaces across lyndale side/ Other sides- metal trim facing wedge parking lot
- Exterior of building: very large windows- which helps with natural light and attractiveness when units are smaller
- Theatre garage across the street is 6 stories and across the alley to east it is also zoned for higher buildings so a height variance will fit context of surroundings
- Expectation of a high number of people without cars
- On major bus routes, excellent transit and bike location
- Trying to provide space for one bike per unit

Building Materials:

- 1st floor all concrete, Wood frame floors 2-6
- Exterior all metal with dark accent pieces of sementatious panel (hardiplank)
- Hardy plank longevity? 25-30 years
- This is 40-50 year material (city requirement that only 30% can be hardiplank)
- Modern style, we might want to be darker in color of panel
- CPM Turned in land-use application, Public hearing is on March 20th with planning commission

Questions/Comments:

- The ground under the site is a landfill, across street they are going to bedrock, concern about foundation.
- They Have not completed soils report yet
- How deep will piling go? Waiting for soil report
- Comment on design- building looks like big ice cube. Any brickwork or stonework would be nice. Has brick been considered? No, would significantly increase costs.
- Rent cost of Studios and bedrooms? Smaller units, cheaper than class A studio. Still to be determined. Units will command between \$2 and \$2.3 Per SF (about \$1000 +- for a studio\_
- 55 one bedrooms and 20 studios
- 75 in new building, 2 in duplex
- No one currently living in duplex

- What type of metal are these panels? Aluminum, same panel used on CPM project on University and Huron in SE Minneapolis
- Exterior: Vertical panels, attached to frame system, attached to sheathing, flat seams, gage of aluminium
- Would these resist hail damage? They can be replaced
- Ricardo offers different perspectives on cost from LENA meeting
- Glad of urban streetscape but no short fencing to protect trees
- Protecting with fences could be excellent idea public works on board
- Audit will happen on project, tested 24% in terms of efficiency
- Stormwater management? A lot of drainage into existing lot (will need some sort of storm water retention tank to slow rate it gets into storm stream (Not for re-use)
- Couldn't you put drywells in if putting pipes in? We could.
- If brick could be carried to upper levels that would improve aesthetic
- Already parking crunch, traffic with both buildings, a smaller building would be more attractive
- Why 6 stories? Economics of deal require to go to 6 to pay for cost of land (enough units)
- Traffic flow- they are closing existing curb cuts on Lyndale ( traffic will be diverted to alley)
- Alley is 12 feet, we will widen it on our side maybe work with public works and wedge for their delivery trucks
- What type of insulation? Fiber glass, r-23
- Describe what you mean by financially feasible: land costs in Minneapolis in desirable areas are very expensive. If you want to create affordable housing. Expected debt + investor rate of return all dependent on number of units
- Investor expectation + banks won't give you a loan unless you meet certain criteria
- Happy that Mortimers is staying and it is appreciated (small businesses often seen as expendable)
- If you don't know the status of the foundation how can you approve a plan / ask us to approve? Foundation problem occurred at nearby building.
- You have to stabilize foundation to get loans from the bank
- If the soil is bad, you have to excavate it out. All comes out in soil report
- Why is Mortimers sticking around? We want to keep it, think it's an asset, owner of Mortimers made it a condition of keeping it there
- There is no contact to hold us to keeping it there
- We consider it a long term investment

CI Motions: Are these motions binding to the developer? Developers must notify neighborhoods.

Motions then go to the board of the neighborhood and then on to planning commission

- You can also go downtown and submit your comments. WA can help connect you
- Chair of planning commission is our city council member

**CI Motion 1:** The CI supports a Conditional Use Permit to increase the height of the building from 4 stories at 56 feet to 6 stories at 66 feet.

Reasons Against: We have too many buildings, too much density

Reasons For: It is a foregone conclusion that they need the height for investment/ finances to work

**Motion defeated: 4-6-1**

**CI Motion 2:** The CI supports a variance to increase the Floor area ratio (FAR) from 2.13 to 2.56

Reasons For: Can't spread out building any farther to create this kind of ratio

Reasons Against:

- Too many apartments in the city, not sure we can support this kind of density
- There is approval for 70 unit buildings at 26th and Lyndale, Theatre Garage across street, and the Grand and Harriet development- all will contribute to traffic /too much concentration of all these units in one place

**Motion defeated: 2-7-2**

**CI Motion 3:** The CI supports a variance reducing the parking requirement from 38 spaces for apartment units to 28 spaces provided in parking garage

Reasons For:

- Chicken and egg situation- transit will increase as number of people increase.
- Things seem to be moving in bike/transit direction. Market will follow
- Land for car use should not be prioritized

Reasons Against:

- More bike racks, isn't an equal increase of jobs in city, you can't bike to job centers in suburbs
- With 75 units and 28 parking spaces are you keeping track of how many cars?
- What about visitors?

**Motion defeated: 4-6-1**

**CI Motion 4:** The CI supports a variance to reduce the required setback at east (alley) side from 15 feet to 12 feet

Reasons For:

- Not encroaching on neighboring properties with set back because up against alley
- They want the variance to allow for 4 more parking spaces

**Motion defeated: 5-5-1**

**CI Motion 5:** The CI supports a variance of the pedestrian overlay building placement standard to allow a portion of the building (SW corner) to be beyond 8 feet from the property line to allow for guest bike parking

Reasons For:

- Crime prevention through environmental design, full dark walls up to corner on some buildings not safe, having greater setback at corner is better visibility (especially at night).
- This is an additional amenity to the building

**Motion carries: 7-2-3**

**CI Motion 6:** Site Plan Review. The CI supports the overall material choices, window orientation, access to site, landscaping, and exterior package of the development

Reasons Against: Too tall, unappealing

**Motion defeated: 3-7-1**

Only motion that passed was CI motion 5 concerning the pedestrian overlay.

### **Crime and Safety Report- Inspector Kathy Waite, 5th Precinct**

Kathy Waite is the new 5th precinct inspector, came from NE and SE Minneapolis in the 2nd precinct and had a chance to work with Ricardo back in the Como neighborhood. Kathy touches on crime rate in neighborhood- we are doing well, active community makes this happen. When people came out to meetings like these it improves safety in the community. The 5th precinct encourages block club leaders in the neighborhood. Kathy then mentions the recent homicide in one of the Mint Properties on Franklin Ave and how Mint was an active partner in addressing the issue

Matt Wilcox introduces himself as the community attorney for the 5th precinct. The city attorney's office sends out one attorney to each precinct. The program helps work channels of communication and connects the community to the office. There are bi-weekly meetings, tracking crime results and while Inspector Waite focuses on statistics the community attorney focuses on judicial results.

There is a brief discussion on the consequences of density on crime and the idea of "eyes on the street" with key points below:

- Lots of building proposals last couple years- idea of eyes on greenway. Does more people, mean more safety?
- What has history shown about density related to crime? The more communities are engaged and the more they know each other, the safer we all are.
- If you don't know your neighbors, your less likely to take action
- There was a situation in NE Minneapolis- an elderly gentleman knew a young woman lived alone, saw robbery of her home happening and called the police who caught the robbers
- Having community connections is critical- critical to our success as a community
- Conscious effort to create community important not just density on its own
- Concerns that rest of community could care less
- It's not possible for everyone, we need to force opportunities to get to know people and to build community. One more person goes a long way.

Discussion on Filing police reports:

- What do you say to a police officer if you get punched in the face? You want the report.
- It is always documented when police officers respond to a call but not enough to later prosecute
- Not possible to do an investigation without police report
- Follow-up is possible and can file a report later if weren't able to at the time
- Good for complainant to show ongoing behavior issue with problem individual
- what can they be charged with for punching (fighting)? Depends on damage- likely assault 5- lower level misdemeanor
- Timeliness vital from prosecution standpoint . photographs of injury are good.

Discussion on police call Prioritization:

- If you witness a crime, make a call
- All calls are prioritized. Priority call is for situation that is still occurring
- Officers dispatched to calls based on priority of situation
- Keep calling 911 If not satisfied with service, let us know. We are never too busy

### **Old/New Business**

- Update- Survey on changing CI time
- Ricardo explains survey background and that main issue is not about CM Bender's schedule as much as gauging if this is the best night to hold the meeting
- WA will keep the survey open and wait out Park Board Multi-purpose room displacement in March
- Whittier Alliance Annual Meeting- Board Applications now available (Due Friday at 5)
- \$15 minimum wage listening discussions underway
- [minneapolismn.gov/minimumwage](https://minneapolismn.gov/minimumwage)
- Send surveys/ comments to [minwage@minneapolismn.gov](mailto:minwage@minneapolismn.gov)
- 4 upcoming listening sessions (2 for the general public)

### Comments:

- Minimum wage could affect job loss with automation

Mike and Ricardo thank everyone for coming and for their participation.

Meeting adjourns at 8:37pm

Minutes respectfully submitted by Joey Whitesman