

**Excerpt from the  
CITY PLANNING COMMISSION MINUTES  
Minneapolis Community Planning & Economic Development (CPED)**

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**MEMORANDUM**

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DATE: July 10, 2014

TO: Zoning and Planning Committee

FROM: Jason Wittenberg, Manager, Community Planning & Economic Development – Land Use, Design and Preservation

SUBJECT: Planning Commission decisions of June 9, 2014

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The following actions were taken by the Planning Commission on June 9, 2014. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Commissioners Present: President Tucker, Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack – 8

Not present: Gagnon

Committee Clerk: Lisa Kusz (612) 673-3710

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**8. Friendship Store (BZZ-6507, PL-282 and Vac-1631, Ward: 8), 317 38<sup>th</sup> St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3<sup>rd</sup> Ave S (Becca Farrar).**

**A. Rezoning:** Application by Cresa, on behalf of Seward Co-op, for a petition to rezone the properties located at 317 38<sup>th</sup> St E, 3800 and 3808 Clinton Ave S, and 3805 and 3815 3<sup>rd</sup> Ave S from the R1A (Single-family) District to the C1 (Neighborhood Commercial) District.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning petition to change the zoning classification of the property located at 317 38th St E, 3800 and 3808 Clinton Ave S, and 3805 and 3815 3rd Ave S from the R1A (Single-family) District to the C1 (Neighborhood Commercial) District.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**B. Rezoning:** Application by Cresa, on behalf of Seward Co-op, for a petition to rezone the properties located at 3817, 3821 and 3825 3<sup>rd</sup> Ave S to add the TP (Transitional Parking) Overlay District.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning petition to change the zoning classification of the property located at 3817, 3821 and 3825 3rd Ave S to add the TP (Transitional Parking) Overlay District. The underlying R1A District shall remain.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**C. Conditional Use Permit:** Application by Cresa, on behalf of Seward Co-op, for a conditional use permit to establish a surface parking lot in the TP (Transitional Parking) Overlay District for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to establish a surface parking lot in the TP (Transitional Parking) Overlay District, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**D. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance to reduce the front yard setback along the west property line adjacent to 3<sup>rd</sup> Ave S for the proposed parking lot from 20 feet to approximately 7 feet for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the front yard setback along the west property line adjacent to 3rd Ave S for the proposed parking lot from 20 feet to approximately 7 feet.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**E. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance to reduce the front yard setback for the first 25 feet from south to north along the east property line adjacent to Clinton Ave S from approximately 17 feet (established) to zero feet for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the front yard setback for the first 25 feet from south to north along the east property line adjacent to Clinton Ave S from approximately 17 feet (established) to zero feet.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**F. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance to reduce the rear yard setback for the proposed parking lot from 5 feet to approximately 2 feet, 3 inches for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **denied** the application for a variance to reduce the rear yard setback for the proposed parking lot from 5 feet to approximately 2 feet, 3 inches.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**G. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance of the TP (Transitional Parking) Overlay District standards: (1) to increase the allowable width of a surface parking lot in the TP from 75 feet to approximately 136 feet; and (2) to not close the parking lot with a secure gate or other appropriate mechanism between the hours of 10 p.m. and 6 a.m. for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the TP (Transitional Parking) Overlay District standards: (1) to increase the allowable width of a surface parking lot in the TP from 75 feet to approximately 136 feet; and (2) to not close the parking lot with a secure gate or other appropriate mechanism between the hours of 10 p.m. and 6 a.m.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**H. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance to increase the maximum size of a commercial use in the C1 district from 4,000 square feet to approximately 21,295 square feet for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance to increase the maximum size of a commercial use in the C1 district from 4,000 square feet to approximately 21,295 square feet, subject to the following conditions:

1. The building shall have a minimum of 50% transparent windows on the north elevation of the structure facing 38<sup>th</sup> St E.
2. The building shall have a minimum of 40% transparent windows on the west elevation of the structure facing 3<sup>rd</sup> Ave S.
3. No shelving, signage, merchandise, newspaper racks or other mechanisms shall be placed in front of the required ground level transparent windows.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**I. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance to increase the maximum amount of impervious surface from 65% to approximately 79.3% on the R1A zoned parcels located at 3817, 3821 & 3825 3<sup>rd</sup> Ave S for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance to increase the maximum amount of impervious surface from 65% to approximately 79.3% on the R1A zoned parcels located at 3817, 3821 and 3825 3rd Ave S.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**J. Variance:** Application by Cresa, on behalf of Seward Co-op, for a variance of the roof sign standards regarding height, location and type for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the roof sign standards regarding height, location and type.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**K. Site Plan Review:** Application by Cresa, on behalf of Seward Co-op, for a site plan review to allow a new two-story or 47 foot tall, approximately 21,295 square foot grocery store on the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the site plan review application to allow a new two-story or 35 foot tall, approximately 21,295 square foot grocery store on the subject properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S, subject to the following conditions:

1. CPED Staff review and approval of the final site, elevation, lighting and landscaping plans before building permits may be issued.
2. All site improvements shall be completed by June 9, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. All ground level windows must be transparent (non-reflective) as required by Section 530.120 of the Zoning Code.
4. The applicant shall coordinate construction of the new alley outlet to 3rd Ave S with Public Works.
5. The building shall have a minimum of 50% transparent windows on the north elevation of the structure facing 38th St E.
6. The building shall have a minimum of 40% transparent windows on the west elevation of the structure facing 3rd Ave S.
7. No shelving, signage, merchandise, newspaper racks or other mechanisms shall be placed in front of the required ground level transparent windows.
8. No plain face concrete block is permitted.
9. The elevator storage room located at the corner of the building shall include transparent windows, artwork and provide visibility into the store.
10. The blank, uninterrupted walls that exceed 25 feet in length on the south elevation of the building shall be modified to comply with Section 530.120 of the Zoning Code.
11. The plan shall be modified along the east property line to meet the 7-foot landscaped yard requirement as outlined in Section 530.170 of the Zoning Code.
12. The dumpster shall be screened as required by Section 535.80 of the Zoning Code.
13. The mechanical equipment shall be screened in compliance with the regulations outlined in Section 535.70 of the Zoning Code.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**L. Plat:** Application by Cresa, on behalf of Seward Co-op, for a preliminary and final plat to consolidate the underlying properties into two lots located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission adopted the findings and **approved** the Preliminary and Final Plat application and the drainage and utility variance for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**M. Vacation:** Application by Cresa, on behalf of Seward Co-op, for an alley vacation to vacate a portion of the existing alley that runs north/south and provide a new outlet to 3<sup>rd</sup> Ave S for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S and 3805, 3815, 3817, 3821 and 3825 3rd Ave S.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the request to vacate a portion of the existing alley that runs north/south and provide a new outlet to 3rd Ave S, subject to the retention of easements dedicated to Xcel Energy over the entire described area to be vacated.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

Staff Farrar presented the staff report.

**Shawn Doyle: (Not on sign-in sheet):** I'm the General Manager of the Seward Co-op. I'd like to thank staff for all their work on this project. As the General Manager, I'm very excited to be standing here before you with this proposal and to have a grocery store built at 38<sup>th</sup> and Bryant. There is significant support in the community for this project. We've had many conversations with the community as we are owned by the community. We have nearly 12,000 households that own our co-op and out of that about 1500 live within a mile and a half of this site. We are excited about bring a co-op grocery store closer to the homes of a significant portion of our current owners. We also think we'll be serving the larger mission of the co-op of sustaining a healthy community by providing better access to fresh, healthy food in south Minneapolis. I know the purpose of this meeting is to review the site plan and I've got Bruce here to talk about the details of the site.

**Bruce Cornwall: (Not on sign-in sheet):** I'm with LHB Architects. Becca did a great job of going through that very quickly and succinctly. I'd like to elaborate just a little bit. On item nine, which is the principal elevation along 38<sup>th</sup> and the suggestion to reorient the entrance. As we go through to design and try to work within the programmatic requirements, our north/south dimension from the south part of the building to 38<sup>th</sup> Street is extremely tight for getting a grocery store to work. When we were suggested by the Committee of the Whole to move an entrance to 38<sup>th</sup>, we asked how we could do that then we figured out a way to do that, but it required us to have the vestibule oriented the way you see it on the submittal. To have it vertical as you come in with the seven foot depth that's required for ADA accessibility, it basically bisects that portion of the store where we're trying to get in front of the cash registers the place where you eat and the community room or classroom. To rotate that 90 degrees would really be very complicated in terms of the store design how it actually functions for the owners. We thought we were doing a great job here of animating the façade. I think it'd read quite strongly as an entrance as you walk along the street. I don't think there will be any confusion with that.

**Commissioner Luepke-Pier:** Do you have a floor plan that shows the layout? You talk about registers and such and our layouts are bare so I don't know where your registers and things are.

**Bruce Cornwall:** We weren't required to submit the layout of the store so I'll draw on this. This is where the checkout is. As you enter here, you're greeted by information and then there's a standard way of shopping where you come into produce and move through the store in a very almost programmed way that I think if you look through all your grocery stores they are kind of laid out that way. The movement through the store is like that and then you come around here. Up here, if we were to orient our door here, and remember we can't have a door swing across the public right-of-way, we'd still have to have the recess and we'd have to do something like that and you'd see it really starts cutting this off. This needs to be on this side of the cash registers. We also wanted to make sure when someone came in the door we would see them. That would also provide a nice area for the seating, which is on the street, and the classroom which is on the street and we think the cash register and that activity I think is on the street and interesting to see. We worked hard to move it from this location to that location and think we are keeping the street animated. That's really number nine. On number 10, the elevator storage room, we've reduced it to the corner. If you look at the elevation we have a rhythm of

the piers and the glass so it's a really natural place to tuck a solid portion of the building because we have a very traditional commercial retail look. We couldn't open that up to glass and keep that nice rhythm going. Adding an entrance there is another challenge primarily because...grocery stores would like to have only one entrance so having two is a stretch in making the store work, commercially and programmatically. The other thing is that corner. If you remember the site here is sort of cockeyed so where the location is on 38<sup>th</sup> is a place where we can meet the natural slope to have an entrance. To continue the natural slope, the corner where we have the elevator now is actually not on the floor grade so we'd have to adjust and have some steps there and may some more ramping to make that work. We're tucked into the hill a bit. It's a difficult thing to visualize, but it wouldn't be just as easy to plop in a door there. We'd have to modify the grade and have some exterior steps. Right now when you're on 38<sup>th</sup> and you walk towards the entrance you walk slightly downhill to get to the entrance. With this view, when you come in, you'll have a great view into the store. Part of our responsibility is to use different areas to tie in the history of the Sabathini Center and old church that was there. The structure itself doesn't have any real value, but the social history does. We were going to use this as a mural to reflect that history and now we're suggesting that we actually will do something set back in that area, maybe the mural behind glass. I think with that and the aspect of that type of movement we believe that there will be people there and you'll see into the store and you'll see lights and activity. You will see the movement of the stair up and down. It's similar to Lunds and Whole Foods downtown; they both have exposed stairs as part of the facades. Lastly, on the parking, this is our original submittal. This is what they suggested. This is the version with the four parallel parking spaces, the aisle and pulling this back to get the landscaped area. Officially, this does work, you can get cars around there. Our concerns are that we've reduced parking. We have a minimum required of 31 and a maximum of 86 and we're proposing 70. Those of you who have worked with grocery stores, we would love to have a 10:1 ratio. We'd like to have 100 or something to make the typical ratio, so we don't feel like we're pushing any limits and we aren't achieving our maximum on site so we are trying to maximize the number of parking spaces we can. In the community meetings, they requested we keep the shoppers off the streets. From a practical standpoint, we're always hesitant to have parallel parking behind 90 degree just in terms of the people pulling out and the potential for the dings that happen along here and the dented doors. We also have a bit of a problem with the one-way and people having to go passed and then back in. As people are following each other around, there's always that potential of people having to back up. We can't curb this because of the truck movement and it makes it problematic to make this like a raised pedestrian area. We believe that this won't be very efficient and will cause backups. We've proposed where we get this down and don't require the variance along that side, we cover all of our other requirements and still keep the one-way, still keep 70 parking spaces and we just make some minor adjustments to the width of the drive aisle and we think it's a good compromise. We eliminate the issues of being too close to our neighbors, but we are still able to keep the number of parking spaces we need.

**Commissioner Kronzer:** At the curb cut off of 38<sup>th</sup>, have you considered what happens at Kowalski's in Uptown on Hennepin where you turn off of Hennepin and you're forced immediately to turn right into a one-way loop through the parking lot. I believe part of staff's concern is the pedestrian/vehicle conflicts going to the front door. If I'm a car coming in off of 38<sup>th</sup> I then have to go west and then circle the parking lot as you've identified it on the south end as a one-way loop. Have you thought about that and could that function to help alleviate some of this pedestrian/vehicle conflict at the main entry?

**Bruce Cornwall:** Lydia, our landscape architect, maybe can answer those questions.

**Lydia Major (not on sign-in sheet):** I'm a landscape architect with LHB. We have made a number of concessions to make that particular issue that you're talking about easier here than your experience at Kowalski's. It would be hard to make it one way when someone enters here because the trucks have to swing around over this. We've widened this drive aisle right here quite a bit. We think that most customers, after their first visit, will likely come to this entrance and I think they will find it much easier to get in and out. This

will become a secondary entrance to this parking lot. We will have the landscaping and signage that will make it much more inviting and useful to come in the other way. With the widened entrance here and here, that should function more smoothly than we've seen in some other locations.

**Commissioner Luepke-Pier:** With the new proposal, the alley is lower than the lot, right? How much lower?

**Lydia Major:** It varies from about four feet at this end to about five or six feet down here.

**Commissioner Luepke-Pier:** I assume there's a fence at the top of this wall.

**Lydia Major:** Yes. We will have an ornamental metal fence at the top. It will be a residential looking, but heavy duty, retaining wall. With our new landscape space, we would anticipate doing some nice shrubbery and other things to mask the parking lot a bit more and have some plants that might actually come down over the top of that wall and soften it further.

**Commissioner Luepke-Pier:** I was concerned about headlights and screening.

**Lydia Major:** Yes. This would allow us to do a great deal more screening and we could go for some more evergreens and things that would be opaque year-round.

**Commissioner Luepke-Pier:** How many trees and shrubs are we talking here?

**Lydia Major:** I would anticipate a spacing of three to four feet on center for those shrubs so about 30 or so I'm guessing. Seward does a tremendous job of landscaping their existing site and they anticipate using a similar level of finish at their new site so I would anticipate it being quite nice.

**Commissioner Slack:** By building code, do all public entrances to the building have to be ADA accessible?

**Bruce Cornwall:** A percentage of them and it's over half. All of ours are accessible right now.

**Commissioner Slack:** The new entrance off of 38<sup>th</sup> became non-accessible...

**Bruce Cornwall:** I think that one would not have to be accessible. As long as we have that percentage, if there were three – two of them were accessible, I think we'd be fine.

**Commissioner Slack:** We asked for an entrance closer to the corner of the building, is there an opportunity for that elevator to move to the southern portion of the building and then the entrance go in there and a stair because it doesn't need to be ADA accessible?

**Bruce Cornwall:** In terms of how the store is laid out and how people come to the store and might be going upstairs, we need that to be in front of the cash registers. When someone comes in and has a business meeting, we need them to check in with the desk and go straight up. Some people need to use the elevator. So to push it to the south part of the store, it never really worked really well in terms of the almost prescriptive layout of how stores work and how people move through a store. We looked at the registers oriented sort of north/south instead of east/west and that just didn't work very well. We have a loading dock in that corner that's needed because we had to have our maneuvering done on the site.

**Art Serotoff (4524 Columbus Ave):** I love the idea of the co-op coming in. I'm urging you to file the staff recommendations contingent on Seward and the neighborhoods agreeing to a community benefits agreement.

My neighbors and I see Seward as an organization with incredible potential. That potential can have to do with economic development, employment, supporting local entrepreneurs who are urban farmers and the neighbors want to participate. The community benefits agreement would describe all of these items in some detail and would also allow transparency for the entire transaction and the history of this organization in our community so that we can see progress in hiring, in supporting local sourcing to the immediate neighborhood that we can see participate on Seward's board so that there is a voice and we can see access of neighbors who really do go hungry. I worked at Sabathani for 16 years, those are the people that are hungry and could use Seward. The community benefits agreement would spell that out. As you move forward with your process, please help us by placing a contingency based on a community benefits agreement. My understanding is that Seward and CANDO are meeting in a week.

**Commissioner Luepke-Pier:** Has this agreement been brought to them already and how have they received your idea?

**Art Serotoff:** It hasn't been brought to Seward as a benefits agreement. CANDO did prepare a letter that outlined 12 or 13 points that would be the substance of that agreement. My understanding is that's part of the discussion that would happen next week.

**Commissioner Luepke-Pier:** Ok. So at this point would you say they're receptive to it or resisting or do you not know until next week?

**Art Serotoff:** My perspective is that Seward appears open and did schedule the meeting, which is movement.

**Juan Coleman (4428 Clinton Ave):** I grew up in the Bryant/Central neighborhood and I understand the years of impact of this historically African American community has had for multi-generations of families. I am concerned about the notice for this meeting not being communicated and posted for seven days on the location of the Greater Friendship Church site. I'm asking for additional time and notification for adequate community input on this matter.

**Claire Stoscheck (3420 Portland Ave S):** I am a community member who is very interested in food access and economic opportunities for my family and for my community. I also serve on the board of the Central Area Neighborhood Organization and tonight I wanted to come and support the approval of the applications that Seward is bringing to you and recognize the work that Seward has done to accommodate the needs of the community of the new store and the needs we have expressed. For example, a long-term hiring strategy, hiring quotas for people of color and women for its general contractor, etc. However, we all have also heard a lot of concerns from our community about this project over the many months of community meetings and events surrounding this topic, both put on by Seward and community organizations, and not all of these needs have been fully addressed yet. These needs aren't only related to the physical design of this project, but also some other aspects. Many people who have concerns couldn't be here tonight, they're busy working and could not take off work to be here, they don't have childcare or there are language barriers. I feel I am speaking for many other people who couldn't be here tonight. It's important that we recognize that there are concerns and discomfort in the community surrounding this project, as well as excitement. How do we actually make this work for everyone? Any development project this big will have large effects on a community. The Seward can be, and needs to be, more responsive to the community's needs and accountable for the public money that they are and will be using...for example from the new market tax credits which is for development and low income communities. This is especially true because it's in the Seward's own cooperative principals to be democratic. A tool that we can use and a tool that has been used for many development projects across the nation is a community benefits agreement that Seward could do with local neighborhood associations and stakeholders. This is an exciting opportunity for Seward to let us help to further the mission and express their

values. Some of the issues that are most important to me and my family and topics I heard most resonate with the community include jobs and I recognize that Seward has created a long-term hiring strategy around hiring more people of color and that's a wonderful start, but it's important to take it a step further so that the hiring practices create a store that has employees representative of the demographics of the community. Policies that ensure that 70% of staff at the new store are people of color who are low income and from the community would be very important to ensure the store reflects its neighborhoods. It's also vital that staff be at all levels of management so that people of color aren't only at entry level positions. Board representation ensuring that a proportionate number of Seward board seats are held by people from the new store's immediate community is very important. Sourcing locally is very important. We want to recognize that just opening the store in our neighborhood will not solve the food gap for all of our neighbors. Still many won't be able to afford the organic food in that store. We ask that Seward invest in community lead culturally relevant projects that are working to take down barriers to urban agriculture and food access in our neighborhood and to support potential local producers and entrepreneurs in training and capital so they can eventually source to the Seward store. I, and the CANDO board, support this project moving forward with a community benefits agreement formed between Seward, CANDO and the Bryant neighborhood organization board so that we can help ensure this development project is the best it can be for our neighbors. Seward has responded to our request for a CBA and we look forward to working with them in our meeting next week. Thank you.

**Ralph Crowter (4205 Oakland Ave S):** Today I speak for my aunt and uncle. I did add some assistance to the African American public relations firm that Seward Co-op hired initially to communicate and frame some of the issues around Seward's move into that historic black community which is on the corridor of 38<sup>th</sup> and 4<sup>th</sup> Ave. It has a very extensive community with a large amount of contributions from generations of African Americans in that area. I echo the concerns about the community benefits agreement. I think that's essential moving forward with any discussion with Seward coming into the Bryant neighborhood. I support the co-op being there. I think it could be a good opportunity for the neighborhood, but as it exists right now in lining up with the principles of the city of Minneapolis and the many gaps that seem to perpetuate the discussions around equity, diversity, any contracts or RFPs that are sent out for architect firms or anything like that...I'd like to draw some parallels with a similar situation happening right now in Portland where a Trader Joes was moving in to the historic black community in Portland and it was a lead by a Gary Cunningham endorsed organization from the Metropolitan Council...they had some definite issues with accountability for that particular business to serve its community in an equitable way. I think there should be an affordable housing component that is included. There have been multiple generations of African American families that have been continuing to lose stable housing in that area. That neighborhood has changed drastically in the last ten years. I think this should be an opportunity for the city of Minneapolis to bring some stability to the community through this initial business model that's coming in. Any discussions around this topic, those conversations should be done in a way where it's fully transparent. I can say that for the last seven days, there has not been any posting done on the Greater Friendship Baptist Church site. The orange stickers were posted on the housing property for this issue today. The church itself had no posting on it. Make sure the community is informed of the process and that it's fully transparent for those that do have some concerns around this opportunity in the neighborhood. That should be the standard.

**Tom Pearson (not on sign-in sheet) (32253<sup>rd</sup> Ave S):** I'd like to encourage you to approve this with the parking spaces that have been described. The store in the Seward neighborhood greatly exceeded their projected sales right out of the gate so the parking is very cramped there because there is a lot more interest in that site than they anticipated. I parked there earlier today and it's difficult to maneuver. I'd like that to not happen at this store. If there is going to be a co-op at this location, I would want to see the capacity for that store to be able to handle the amount of business that the retail outlet would be able to provide to the community. So in terms of parking, I would really encourage you to allow that full 70 parking spaces. I think this approval should happen without the contingency for a community benefit agreement. I believe that

community benefit agreements are worthwhile mechanisms for you as a planning commission to consider when institutions are negotiating planning processes within communities, in particular because there is no way to affect the highest level of governance in many of the institutions that come to you with plans within these communities. The Seward Co-op does have many pathways for participation and voice to be made real at the highest level of governance and so a community benefit agreement could be something that occurs in parallel but for that to be a focal point and contingency of this approval would put too much emphasis on that mechanism. Ultimately there needs to be two pathways for community participation in affecting this site. The people in the community need to take ownership of that site and affect change within Seward Co-op and that mechanism exists. It exists in fact and philosophy with how that store is structured. Thanks.

President Tucker closed the public hearing.

**Commissioner Luepke-Pier:** I don't remember ever making a project contingent on a community benefit agreement. Is that something that is in the planning commissions purview or is that a City Council thing?

**Staff Wittenberg:** It really is outside the scope of the commission's authority, particularly many of the things that we heard people discussing as potentially being incorporated into a community benefits agreement. We can with the community and Seward good luck in arriving at that kind of agreement, but those things are outside the scope of the commission's authority.

**Commissioner Bender:** What have we done for notifications?

**Staff Wittenberg:** We have many channels of notification that go out. I wish I had the list in front of me. It does include notice in a newspaper, notice to the neighborhood association, notice to all property owners within 350 feet of the project, the orange posters are supposed to be posted on the property.

**Commissioner Brown:** I will move staff recommendation for items A, B and C (Forney seconded).

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**Commissioner Brown:** I will move that we deny variance F (Luepke-Pier seconded).

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**Commissioner Brown:** I will move staff recommendation for items D, E, G, H, I and J (Slack seconded).

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**Commissioner Brown:** I will move staff recommendation on item K and I'd like to make a modification to condition ten related to the northwest corner of the building. I'd like to reword that so it reads that the elevator storage room at the corner of the building shall include transparent windows, include artwork and provide visibility into the store.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**Commissioner Kronzer:** I'd like to remove condition nine. I was walking here on the street. As people walk, they walk parallel to the building face and they're looking towards the doors. With a canopy and some concrete treatments, I think that entrance will be fairly well identified and I believe the applicant is true with the north/south dimension of the inside of the store is really tight and accessible vestibules are an enormous waste of space but we need to do them for the building code so it'd really dramatically disrupt the inside of the store. I think the applicant has done a very good job coming up with compromises that we've asked for and I think this is one where we can say the entrance will work as the doors are situated.

**President Tucker:** I would add that the canopy and the recess further accentuate that that's an entrance so people won't be finding it hard to get there.

**Commissioner Kronzer:** I'd like to remove condition 12. I agree with the intent of the condition, but I don't think the sidewalk is going to be used as staff sketched out. The concern with parallel parking is really quite real as the applicant laid out with us. Having a one-way drive with people trying to parallel park is going to be a nightmare so with the added green to the east side of the lot I think that's a better benefit than trying to get a pedestrian space that's going to be used very little in that lot.

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon

**Commissioner Brown:** I'd like to move approval of L and M (Luepke-Pier seconded).

**Aye:** Bender, Brown, Forney, Gisselman, Kronzer, Luepke-Pier and Slack

**Absent:** Gagnon