

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

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MEMORANDUM

DATE: August 30, 2011

TO: Steve Poor, Planning Supervisor – Zoning Administrator, Community Planning & Economic Development - Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development - Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of August 15, 2011

The following actions were taken by the Planning Commission on August 15, 2011. 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 Motzenbecker, Carter, Cohen, Gorecki, Huynh, Luepke-Pier, Schiff, Tucker and Wielinski – 9

Not present: Bates (excused)

Committee Clerk: Lisa Baldwin (612) 673-3710

1. Walker Methodist (Vac-1586, Ward: 10) ([Becca Farrar](#)).

A. Vacation: Application by Walker Methodist has applied to vacate the portion of the public alley not previously vacated within the Walker Methodist Campus bounded by Bryant Ave S, 37th St W, Aldrich Ave S and 38th St W.

Action: The City Planning Commission recommended that the City Council accept the findings and **approve** the vacation (Vacation File 1586).

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the consent agenda (Huynh seconded).

The motion carried 7-0 (Schiff not present for the vote).

7. Cedar Towing & Auction, Inc. (BZZ-5216, Ward: 9), 3516 and 3534 Snelling Ave ([Becca Farrar](#)). This item was continued from the August 1, 2011 meeting.

A. Rezoning: Application by Cedar Towing & Auction, Inc., for a petition to remove the Pedestrian Oriented (PO) Overlay District from 3516 and 3534 Snelling Ave in order to establish a towing service on the premises. Transportation uses which include towing services are prohibited in the PO.

Action: Notwithstanding staff recommendation, the City Planning Commission recommended that the City Council **approve** the rezoning petition to remove the PO (Pedestrian Oriented) Overlay District from the properties located at 3516 & 3534 Snelling Ave for a towing service, based on the following finding:

1. The Pedestrian Oriented Overlay District may have been applied too broadly in this industrial area, and the site is located at the edge of the overlay district.

Staff Farrar presented the staff report.

Commissioner Cohen: Where the emphasis is on Dight rather on Snelling, is that a more favorable option in terms of having less impact on the residential housing than the emphasis on Snelling?

Staff Farrar: As I noted, you would still need to walk on that walkway to the front of the building. The principal entrance to the office is still going to be off of Snelling so you would still have pedestrian traffic. The difference would be that you wouldn't have vehicular traffic, you'd have that on the opposite side. A couple of pros and cons between the two plans would be that you'd be having more landscaping and screening along the Snelling side, Dight, the parking space is directly up to the property line. You could also make the argument in that location that buffering isn't as important because it's right across from the grain elevators there and it's a very industrial street. There's no landscaping on that side of the property. There are pros and cons of both plans.

President Motzenbecker opened the public hearing.

John Johnson (1440 Arcade Ave, St Paul) [not on sign-in sheet]: I'm the project manager, Civil Engineering Manager for M&P Engineering. We're presenting on behalf of Cedar Towing, assisting them in trying to help you understand what they're trying to do with a site that has the interesting opportunities or challenges that come with it. We have several people here from Cedar Towing. It's always a challenge to deal with rezoning issues that come up with real hard and fast findings. What we have is a use that is very compatible with what's there except for the pedestrian overlay. It doesn't have a big pedestrian demand, but everybody that comes to the site

to reclaim their vehicles got to get there. One of the options that they would have is access with light rail. Everybody else is going to come and be dropped off. Parking and customers are not a high issue, but it happens that people get there to reclaim their vehicles. We have tried to design the site so that we minimize the impacts on the Snelling side. The corporate offices will access on that side of the building. The customers will come in to the counter on that side of the building. We did position a small customer parking stall on that side to make it easier for the customers. We can do it off the Dight side, that was seen by the option Becca shared with you. I think the important thing is that customers will access to reclaim their vehicles from the Snelling side. All vehicles being brought and removed from the site will go to and from the Dight side of the building. It really reduces the impact on the existing residents that face Snelling. I think it's important to recognize that the access for the customers is fairly limited and that the storage is actually occurring off of Dight. The auto storage is about 12,000 - 13,000 square feet depending on how cars are positioned in there for storage. It isn't a lot of cars. The perimeter fence, which is going to be eight feet high, is metal. The best example I can give is the metal roofing that you see on a number of buildings. It's for security and screening, but also for aesthetic benefits for the residents. We're putting additional landscaping on Snelling. There are several large over-story trees already existing in the boulevard on Snelling so it's a little hard to put a lot of over-story trees in that area. A couple more probably could be in there. We suggested using evergreens as a complimentary to that. I don't have problems with the staff recommendations with the landscaping that they're suggesting. The CUP, variance and site plan issues, I think it's important that we get through the rezoning. This particular use doesn't fit what I call a transportation use, it's more storage and office.

President Motzenbecker: What's your average haul? How many cars are usually sitting there waiting to be picked up on a given day?

John Johnson: If we squeeze it tight, I'd say about 50. We're estimating that something probably around over 30 but not 50 would be typical daily. What we get is about 18 people a day to come and reclaim vehicles. There's usually no more than three or four that show up at the same time so it's a really low volume access. Putting all the heavy uses on the Dight side, the more active issues. That's what we try to do to fit it in. The zoning classification was recommended to us that we request the PO to be removed. Another option might be modification of the PO to allow this kind of use or uses that are narrowly defined as a conditional use in that zone would be another possibility but I don't think that's something that could be acted on here tonight.

Commissioner Schiff: Are you going to be advertising the business with a Snelling Ave address or Dight Ave address?

John Johnson: The address of the parcel is Snelling Ave.

Commissioner Schiff: Where will you be advertising, or where will you be telling people to go?

John Johnson: That's where they will come because they will have to access the Snelling side of the building to get to the administrative offices and counter, that's the way the building is currently set up.

Commissioner Schiff: That's disappointing. You've got a unique opportunity here with the Dight Ave side to focus your attention on Dight instead of attracting your customers to the Snelling Ave side which is more residential.

John Johnson: I hadn't questioned the address issue as you're just suggesting. I do know that the rear portion of the building is kind of a warehouse kind of building where the two story office component is on the Snelling side of the building.

Commissioner Schiff: You're doing a remodel of the interior of the building?

John Johnson: Not at this time and only to get it ready for use, there won't be any major interior changes made.

Commissioner Wielinski: At what hours do you tow cars? I'm trying to understand when cars are being dropped off.

Cassandra Blake (359 Hoover) [not on sign-in sheet]: It's most likely during the day. You were referring to the snow, most of the apartment buildings that we do from are in the daytime when we get signatures from people to tow the vehicles they want towed.

Commissioner Wielinski: If people are picking up their cars in the evening, how do you move the cars around in the lot?

Cassandra Drake: We park them when they drop them off and we leave them there. We don't move them around too much.

Commissioner Wielinski: When they come, they have their keys so you wouldn't have a tow truck that's backing up and doing the beeping in the middle of the night?

Cassandra Drake: Nope.

George Kalogerson (336 Hoover St NE): I'm Cedar Towing's neighbor across the street. I have been there almost seven years. I'm an off site and on site catering company.

President Motzenbecker: On Snelling or their current site?

George Kalogerson: Their current location. I'm here to tell you that I don't want to lose my neighbor. As an off site and on site catering business, we operate 24/7. We're in at 2:00 a.m. to make breakfast that we drop off. We also come back on Friday and Saturday nights from weddings at 1:00 a.m. or 2:00 a.m. My business is very all day and all night, in and out, seven days a week. I'll characterize Cedar Towing as my best neighbor. There is not a lot of parking problems on the street. I infrequently see anybody over there picking up a car. They tow them in, park them, it's a quiet area and people do come and get their cars. It's very seldom that I see more than two cars parked out there with people trying to get cars from them. There's not an extreme amount of activity. The activity there is, is not noisy.

Commissioner Schiff: It is helpful to hear from you so I'm glad you're here. One issue that neighbors on Snelling Ave put in writing for the Planning Commission is their concern about disruptive customers. Do you have any experience with hearing noise, fights, police sirens, squad cars, that kind of thing.

George Kalogerson: What I've observed is customers come pick up their car, they come with a friend or relative and they go into the office. I've been in their offices and I've seen the clients upset because they didn't want to pay the fee. These people aren't happy, but I've never seen a problem on the street outside the office. I've been there for years and never seen anything. I'm not there just from 8-5, I'm there 24/7 and never seen an issue. They tow cars in, park them,

leave to get another, park them - I wish my other neighbors were as respectful of my property and my business as Cedar Towing has been.

Al Blake (359 Hoover St) [not on sign in sheet]: I'm the manager of Cedar Towing. I want to touch base on some of the advantages I feel that if Cedar Towing was to move in that facility there. One of them is that it can be a propensity for jobs for people in the area there. Being a 24 hour business, when businesses are going 24 hours, that has a tendency to, if there were to be any folks inclined to be up to mischief, people don't want to be around a 24 hour business. They like to be in the shadows. We would be right in the area for the folks in the Longfellow neighborhood for services tows, service calls, things of that nature. That's what we've done in areas that we've been at. If we put in landscaping and things of that nature, we'd get it looking real nice for the neighborhood.

Martin Kemp (3528 Snelling Ave S): I'd like to have Cedar Towing in my building. Have a 24 hour business would help with the crime up and down Dight Ave. It's very common for me to show up there in the morning with garbage dumped on my property, old tires, evidence of prostitution and I think that a 24 hour business would scare off a lot of that activity. There is a lot of semi truck traffic up and down Dight Ave because of the grain elevators. There's a lot of noise from that and it doesn't have anything to do with Cedar Towing. The elevators start up at 5:30 a.m. and go to 8:00 p.m. It's noisy, dusty and dirty. I don't see how Cedar Towing could harm the neighborhood by running their operation off of Dight Ave.

Tom Rodrigue [not on sign-in sheet]: I'm the co-owner of Cedar Towing. I've been in operation for a little over 30 years. I employ 18 full time people and I don't know how many part time. I don't think I have one complaint on any of the neighbors I have been around and I've always tried to be a positive image in the neighborhood even though towing does have a very negative image. I don't know what these people think of towing companies. Not only do I tow cars, but I have been dabbling with bio-diesel and a lot of different things to make this city a lot greener. I know that I can employ more people if given the opportunity to move to this location to reduce my rent. It would greatly increase my proactivity to do the bio-diesel and to bring other things into the community besides just towing.

President Motzenbecker: You're going to convert your trucks to bio-diesel?

Tom Rodrigue: What I do is make diesel fuel, you do not have to convert your diesel equipment.

President Motzenbecker: You just use that in your trucks?

Tom Rodrigue: I have been for three years in my loader. I use it in my personal truck. There are have been companies going broke. My byproduct is soap, nothing goes in the garbage.

Commissioner Huynh: Can you speak to your conversations with the neighborhood and adjacent neighbors?

Tom Rodrigue: I didn't know there was a problem until today.

Commissioner Huynh: I didn't know either, but I'm just curious as to what your discussion has been and what the topics have been.

Tom Rodrigue: I have not talked to anyone in the neighborhood but I can. I want to be accepted into the community.

Commissioner Huynh: Just to confirm, so you have not been to the neighborhood group to present your project?

Tom Rodrigue: I think my manager has.

Al Blake: We sent out an email to the Longfellow neighborhood group and didn't hear anything back. We sent out a subsequent too and I have that in my packet. It asked if they had any questions or would like to discuss anything and didn't hear anything back from either one of those attempts.

Commissioner Huynh: So, just one last time, you sent two notifications but there was no attempt to attend?

Al Blake: We never got an email back from them.

Commissioner Huynh: Ok, but there was no attempt to attend a neighborhood meeting either?

Al Blake: We don't know when they are. We don't know the timeframes they have them.

Commissioner Huynh: I was just wondering because usually that information is posted online. I was just curious to what your discussions have been. So there's been no contact with the adjacent residential neighbors either?

Tom Rodrigue: I talked to the neighbors. They didn't express concern.

Commissioner Gorecki: The crane that is in your parking area, it says it's going to be removed within 18 months. Why are you waiting 18 months?

Tom Rodrigue: It will probably be a lot sooner than that. If there is a problem, we have 18 months to play with it. It would be to our advantage if we could get it done a lot sooner.

John Johnson: There are several large slabs of steel that are still on site that have to be moved and can only be lifted by that crane to get put on something to be taken off site. It's needed for a short period of time, but once those... and I'm talking about steel that's two to three inches thick and probably four by eight big. Once that use is no longer necessary, it's the intent to remove it.

Al Blake: I just pulled out my notes here. The original email that we sent out to the neighborhood as part of the protocol. The second one we sent said "Dear Longfellow Community Council, we are doing a follow up to see if you have had an opportunity to review our recent email correspondence to you. After review, if you have any questions at all, we'd be glad to visit with you on them. We look forward to hearing from you soon." We never heard anything from them.

President Motzenbecker closed the public hearing.

Commissioner Schiff: About the building layout, the walkway that you're showing coming from Dight... and I'm looking at parking layout option two, it shows the five foot walkway along the north wall of the building leading out to the sidewalk on Snelling. What's in the northeast corner of your building? Is there any reason that would prevent you from just putting a customer entrance off the parking lot off the north wall of the building so people don't have to use the Snelling Ave address at all?

John Johnson: Other than there isn't one, there is one over here. There's an overhead garage door in this area and so it'd have to be modified or something would have to be done different to put an entrance in here. All the offices are up in this part of the building.

Commissioner Schiff: I'm looking at the north wall of the building, particularly the northeast corner. Could you put a new business entrance off the north wall?

John Johnson: I haven't been in the building to see if it's possible. Is it possible? Ok, it'd be possible.

Commissioner Schiff: I'm trying to further think of ways to minimize on Snelling Ave. I did see in the police calls, you do have need from time to time to have police come and one of my questions is are the police going to show up on Dight Ave or Snelling Ave? If we could ensure they arrive on the Dight Ave side to give you the assistance you need whenever you need it, then we can further minimize the impact of sirens and sounds to the neighbors across the street. I don't know if you've ever been located across from single family homes before in your company history.

John Johnson: I'm not sure how to address that because all of the businesses along the strip have Snelling Ave addresses so if you turn one around and they all go through the block and everything is addressed to Snelling and you take one parcel and put it as a Dight address what complications will that bring to emergency vehicle responses?

Tom Rodrigue: I don't think it'd be a problem. It could be 3529 Dight which would be the back side of the building instead of 3528 Snelling.

Commissioner Schiff: I think our Planning staff have experience on addressing issues, perhaps we can get their expertise on how difficult it would be.

Staff Wittenberg: We could encourage the applicant to explore but it's not something we'd want to try to mandate in this setting, partly for the reasons the gentleman stated about potential impacts on emergency services that we aren't qualified to deal with at this point.

John Johnson: I find there are agencies we don't know about that dictate how that happens.

Commissioner Cohen: I agree with Commissioner Schiff: If it'd make it possible for you to do this and you're able to do this, one of the factors is going to be getting as much attention off of Snelling Ave and shifting it to Dight Ave. You put a sign up on your Snelling Ave front that says "office in back" or something like that and you just make the effort to do that because that's our neighborhood problem. People on Snelling Ave don't want this because they think it's going to impact their homes. If we do this, you have to do everything possible to make this reference to Dight, not Dwight, Dight.

Commissioner Schiff: I think the applicant identified the rezoning as the most significant policy issue before us. Looking back at our actions in 2004 in the Pedestrian Overlay Districts that we've put around Hiawatha, we were doing this at the same time that we were trying to engage an industrial preservation policy in a way to protect the amount of industrial land that still remains in the City of Minneapolis when manufacturing and necessary services like towing exist. When I go to this site and I'm in this area several times a week, I've come to the conclusion that we've overzoned. We overzoned with over anticipation for the benefits of light rail related development and we put too many restrictions on the existing industrial land and for how it can be used. With my colleague Council Member Colvin Roy, we've gone through the painful experience of trying to tear down grain silos and build multi family housing on 38th and Hiawatha and all the

complications of that have lead me to believe that we're not going to see the other grain towers in this area come down anytime soon no matter how much subsidies are put into the area. I think what we basically have is a block here where half of it is industrial, it's being used as industrial and we've got a business here that's providing a necessary evil for city residences. I do think the location of the business here with the improvements to the fencing and the taking down of the crane in the back will help the residential properties across the street. I think that crane today that can be seen, once it's removed, it will really improve some of the residential properties, but I think my fellow commissioner said it again, as many activities as we can get on the Dight Ave side that minimize activity on the Snelling Ave side, I think that's where all the details are going to come into play for success because I don't think we've ever tried to locate a towing company across the street from single family homes and if we do it we should try to take advantage of the Dight Ave side as much as possible. With that, I'm going to move the rezoning (Cohen seconded).

Commissioner Cohen: I understand that one of our problems here is that the proposal by the applicant to remove the PO Overlay District from the subject parcels in order to allow a transportation use, I think this is misdesignated as a transportation use and if it helps in any way to alter that description in order to get this approved, I'd like to ask someone to help me supply the language that would accomplish this.

Commissioner Luepke-Pier: I'm curious to see what it would look like to move the entrance to Dight Ave and I'm wondering if that's the sort of thing where we want to see those revisions made before we move on this or if we can move on other items and we can hold off on the site plan.

Commissioner Tucker: I think the main issue is the zoning which we can handle right now with or without a site plan review. If we do decide to rezone we can ask the applicant to work with staff to make some changes that we deem good. I would like to speak against the motion. I think we should stick with the zoning we have that was established. Staff did cite many different policies from our station area plans and the Comp Plan and I think it represents a commitment to a transit oriented city. As rezoning is forever, I don't think we want to lightly change the zoning when we really do want to make this into a transit oriented city. I will be voting against this motion to remove the pedestrian overlay.

Commissioner Wielinski: I agree with Commissioner Tucker: The city is already in the process of doing a zoning study for this area. I think it's a little presumptuous of us to go in and rezone while they're in the middle of this study. I will also oppose changing the zoning at this time.

Commissioner Carter: I concur with Commissioner Luepke-Pier. There have been some strong arguments made, but my thoughts are on the remainder beyond the zoning and what options are there to hear more or what options would lie with working with staff.

President Motzenbecker: I think if this particular rezoning motion passes then I think we can look at what our options are for the other applications on there. I'm not sure if a continuance, in my opinion, is the best option for this simply because this would require much more than the applicant is going to do to readdress this and reconfigure the entire building. They may be able to due some exterior pieces but my guess is they're not going to gut the building and rework it and we can't make them do that. I think working with staff would be an adequate provision should that get to that point. The motion on the floor is notwithstanding staff recommendation is to approve the rezoning to remove the pedestrian oriented overlay district. All those in favor? Opposed?

The motion carried 5-3.

Commissioner Schiff: I would take up the advice from Commissioner Luepke-Pier on giving more time for a site plan rather than doing it right now, but a second take on a site plan that concentrates activity off of the Dight Ave entrance and I think we need a clarification of materials for the fencing. I can't really tell what that material was that you're proposing to use, but whatever it is I hope it's compatible with the residential homes across the street and I think I would, if we can, move a postponement once cycle on the site plan.

President Motzenbecker: I would recommend that we move the last three applications that we haven't voted on together.

Commissioner Schiff: That time could also be used to meet with the neighbors and talk to them about some of their concerns. The motion is for a one cycle postponement (Carter seconded).

President Motzenbecker: All those in favor to continue the rest of the applications to the meeting of August 29, 2011? Opposed?

The motion carried 8-0.

9. Zoning Code Text Amendment (Ward: All), ([Kimberly Holien](#)).

A. Text Amendment: Application by Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to the Zoning Code: Administration and Enforcement.

Amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to Land Subdivision.

The purpose of the amendment is to amend land use application, inspection and subdivision fees.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the zoning code text amendment to Chapter 525, Administration and Enforcement. Staff further recommends that Chapter 598 be returned to the author.

Staff Holien presented the staff report.

President Motzenbecker opened the public hearing.

Bill Price (900 N 4th St): I'd like to address the administrative review of donation collection bins, the fees. The Salvation Army is a nonprofit organization that provides adult rehabilitation, homeless shelters, soup kitchens, disaster relief services and a lot of other things throughout the world. The adult rehabilitation center of which I direct in Minneapolis is a branch of the Salvation Army that provides chemical dependency rehabilitation for up to 150 men at one time for a minimum of six months. This program includes shelter, meals, counseling, work therapy, group therapy, job skills, training, relapse prevention, transitional housing, completely free regardless of an individual's economic status. Every other program that I'm aware of uses insurance, state funding, United Way contribution and other means of income. We operate 100% on the proceeds from the sales of our family stores and the products of our stores comes from donations from thousands of people. In order to sustain our current programming and develop the quality of programming and provide more resources for our clients and more care for our clients and possibly create a women's program within the twin cities, we need to garner twice as many donations than we are currently receiving. With me is Kristine Mier, she is the developer of donations and is working very hard with collection boxes because it's a very efficient way for us to collect and a very convenient way for people because it's close to where they live. Because of the majority of our sales comes from clothing and household items, we feel that the placement of

donation boxes in the community provides the most effective and convenient way to collect these types of donations while providing jobs and restoring men to be productive members of our society. We've got to commend the city of Minneapolis for changing their text ordinances about a month ago to allow for the placement of donation boxes in approved areas, we were thrilled when that happened because Minneapolis is such a large part of our service area. The construction and cosmetic design of these boxes as well as the servicing and collection of these boxes is one of our largest operating expenses and any additional expense to gather the donations would directly affect our programming and make it impossible to place the amount of boxes needed to fund our programming needs. I noticed that in the text changes that allow for the boxes to be placed by nonprofit organizations, it also does not allow for the receiving of income from property owners, which we liked, because then we didn't have to negotiate with the owner some kind of a rent fee and it just simplified that process and then comes along this fee. I understand the cost of administration, that's my department that I work in, but it also makes it very problematic when you're considering a multitude of boxes and a \$100 fee per location. We serve about 95 municipalities throughout the twin cities area. Nine of those municipalities allow boxes with substantial fees attached to them, which in effect, disallows them for an organization like ours. We're concerned about that. We have a code now allowing for the placement of boxes, it increases the possibility of collecting donations, however, that application process has a lot of restrictions to it, that's not our point tonight. An additional fee, would in reality halt the gathering of donations in Minneapolis.

President Motzenbecker: How many boxes do you anticipate adding?

Bill Price: Within the city of Minneapolis, about one per 2000 residents over the next year or two.

President Motzenbecker: Kimberly, what does the review entail?

Staff Holien: Right now the staff review on these is taking an average of two to four hours. A lot of it is answering questions up front regarding where these boxes can go, where they would meet the spacing requirement and meet the zoning requirement. Staff has to review a site plan, verify the spacing, we also get a lot complaints and often times have to send zoning enforcement staff out to sites to verify whether or not a box is in a permitted location. We're also maintaining a map that maps all the locations of bins throughout the city so that in the future it will be easier for us to verify whether or not one meets the spacing requirement.

Commissioner Luepke-Pier: Is the fee per bin or per review?

Staff Holien: It's one bin per administrative application so each bin would be \$100.

Bill Price: I mentioned that we serve 95 municipalities. Approximately two-thirds of those municipalities have no restrictions or very minimal procedural restrictions that allow us to place boxes in their community. We are doing this because it's good for us, but also because it's convenient for donors because what we know is that as much as people might want to support the Salvation Army or whatever charity, convenience trumps almost everything else and if we can be close to your house or where you live, that's important. I'm assuming that you are all Minneapolis residents and if we don't have a store or donation center near where you live, a donation box would be very convenient. I think that the new text ordinance is very new and more restrictive that it needs to be but that's not in my venue to work on that. It's going to take a while to flush out how easy or how hard it is to be able to satisfy that and to work with the administrative part of that to get these things processed. I understand the need to have some control and I'm totally for that. We're just trying to make it workable for an organization like ours. In reality, if wanted to place 100 bins and it's \$100 that's \$10,000.

Commissioner Cohen: What does it cost you now to place a bin? What do we charge you now?

Bill Price: Up until about 30 days ago we couldn't put them in Minneapolis so it's new.

Commissioner Cohen: You have no bins now but if the proposal passes, it would be \$100 a bin and you want to place 100 bins, or 200.

Bill Price: It's a lot of money. Minneapolis is a big place.

Commissioner Cohen: In this text amendment, what is the one that applies to them, the fourth one here?

Commissioner Wielinski: I would like an outline of how you do your collections.

Kristine Mier (900 N 4th St): Currently we do provide home pick-up but we schedule appointments or people can leave it at their curb but they call a number. At this time we're not expensing to send out the cards or bags that you see from other organizations. We also have parking lot events where we have a truck going to a parking lot of like your local Cub Foods and we'll call a home phone so if you don't have a home phone you don't get that call, but it's to notify you that we're going to be in your neighborhood that day and you can bring your donations. We also have an in-store drop off. The donation bin program for us is one of our focuses and our strategy to collect donations. We'd love to expand our services and improve the quality of our services in our programming to our men and possibly add a women's program and we can't do that without donations. We're losing a lot and we believe that part of that is from donation bins that are already currently in the community, mainly, in the suburbs and some in Minneapolis that are for for-profit organizations so we're just trying to provide that alternative. Convenience trumps any other method of donating.

Commissioner Wielinski: The question I'm asking here is if other non-profits were to go in the city and put up bins, they'd also be charged \$100 and at the same time they have been able to provide the service to my door and mailing out these cards that you find to be cost prohibitive so if they found a way to fit it into their business model as a non-profit, why wouldn't you be able to do that?

Kristine Mier: It's something we could look at. We believe the donation bins are a convenient way to donate and it's proven so with the boxes that we've placed. We've only been doing this for a little over three months and it's already increased our donations phenomenally. I think just seeing the donation box at a location at a business puts it in the mind of donors and then they clean up their closets when it's convenient for them and make a donation at their local church or gas station.

Commissioner Luepke-Pier: What is the cost of making and dropping off a bin?

Bill Price: Bins cost us \$600-\$700 to build and decorate and then I'm not sure exactly what the cost is to put them on a truck and take them to a location. They are serviced between every night and two or three times a week depending on how much they're being used.

President Motzenbecker closed the public hearing.

Commissioner Cohen: I move approval of the text amendment minus item number four, the administrative review of donation collection bins.

President Motzenbecker: Is there a second? No second. Direction Sporlein, you have a comment for us?

Staff Sporlein: I was going to say that we are under direction by City Council, I think this was in the staff report, in 2005 when they approved the budget that we should towards full cost recovery given our budget situation so that's what we're trying to do. We're very limited on what we can charge for under state law but development fees related to the actual cost of doing the work is one thing that is lawful and our City Council is encouraging full cost recovery. I also want to caution a little bit... I don't think we exempt any type of organization from paying fees based on the type of organization they are and that is a bit of a slippery slope because lots of charitable organizations have site plan reviews, rezonings and all sorts of things and so we just want to be cautious about that.

Commissioner Tucker: I will move staff recommendation (Gorecki seconded). I have a question, if we return an application is the fee refunded?

Staff Holien: If we return the application?

Staff Wittenberg: We always keep part of that fee and then it depends on how much staff time has gone into it, it's sort of prorated.

Commissioner Cohen: I'm going to move an amendment to Commissioner Tucker's motion that we delete item number four. I think the city of Minneapolis can afford to make this small contribution to the Salvation Army. I think this is getting a little too rigid around here.

President Motzenbecker: Is there a second for that? No second for that so we're back to the primary motion. Any further discussion? All those in favor? Opposed?

The motion carried 6-0 (Cohen abstained, Schiff not present for the vote)