

**Excerpt from the
Monday, May 15, 2000
CITY PLANNING COMMISSION
MINUTES
317 City Hall
Minneapolis, Minnesota 55415
4:30 p.m.**

20. **Block bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street (5th Ward - CU-1000141)**

Application by Block E Interests, LLC for a conditional use permit to allow a mixed use, planned unit development. The Developer's project includes the following: Hotel, including ballroom and conference center; Cinema complex; Retail, including four to six restaurants; Underground parking garage of approximately 563 spaces; Loading facilities Stairs/Mechanical; Interior public space; and, Exterior public plazas. (Staff, Jack Byers)

Director Ballentine introduced the item and indicated that there was a revised staff recommendation. The reason that was done was, despite the recommendation for approval, some issues were raised by the development team about their ability to receive a financing package. We met with them and worked on ways to get what we thought the City needed, particularly in terms of the sign issues, and other types of controls on the building of this development and still meet the developers needs. We will be presenting the revised recommendations which were handed out.

Jack Byers presented the staff report.

Hilary Watson presented the staff report pertaining to the alley vacations.

Joe Antunovich, President of Antunovich Associates, an architecture and planning firm located at 224 W Huron St., Chicago, IL, introduced the other members of the team. He indicated that one of the most important issues that were brought up in their presentations to the Planning Commission was the name of the project. We have been criticized for calling it the Minneapolis Lifestyle Centre, from now on we are just going to refer to it as Block E. One of the design guidelines that we have had from day one was that we do not look at this as a project. We look at this as a collection of buildings and we have tried to express and come up with the architecture in such a way to express different buildings along the streets that surround Block E. These buildings would take their cue from the warehouse district, the buildings that are so attractive to us all within the warehouse district and in that way make a link between the central business district, the warehouse district, the theater district and what the city is trying to do on Hennepin Avenue. We are committed to returning activity to the streets and we see this block as very important in bringing people out of the skyways. Even though we acknowledge this is the missing link in the skyway system, we estimate that almost five million people a year will traverse through our site. However, we also have made provisions to bring people down to the street, down to the front door of the warehouse district. We are committed, with our retailers and with the entertainment aspects of our project to bring people in and back to Hennepin Avenue, much like they were fifty years ago. They have made numerous changes, the elevations for Hennepin Avenue have been totally changed. The City

Planning Department mentioned that we should express the theaters more prominently on Hennepin Avenue, we've done that. They have said that we should raise the cornice lines of the building so there is not a uniform front along Hennepin, we've done that. Along Hennepin we think we've captured the spirit of a Times Square entertainment presentation that they and the City desired. With the individual expression of the buildings, the theater in the center with the skyway coming through, the marquee rising above the announcement of the theaters, we believe we have achieved that. The corner tenant is ESPN operating on two floors. Other retailers along Hennepin all have sidewalk access. They are very hopeful of a two story book store on the corner of 6th and Hennepin. The third and fourth floor will be occupied by Crown Theaters, with a 17 screen theater complex. What the elevation also indicates is large areas of signage, electronic and passive signage that will embellish the building. Although you won't see it from Hennepin, in the background along 1st Avenue is a 255 room renaissance hotel that will anchor the project on the 1st Avenue side. The 7th Avenue elevation has ESPN on the corner and other retailers coming down 7th Street. They have animated the skybridge as it goes across to the Target Center with lights, a large spire and made it very exciting as well as the skybridge that goes across to the City Center on the East side of Hennepin. The marquee that will rise up along the facade of Hennepin is very pronounced and along 7th street it is very animated with large "Times Square" type signage which they have worked very closely with staff in putting together. Along the sidewalks, in addition to the streetscape that will match the Hennepin Avenue type streetscape, we will put in period fixtures. We will plant trees approximately 30 feet on center around the entire project. The trees are not shown on the illustration. Those period fixtures with banners and the awning on the retail will help enhance and activate the streets throughout. This activity continues up the full fourth story of the elevations. They have embellished the end of the hotel. We were criticized for making large flat slabs on the end of the hotel, here we have added corner windows and windows at the ends of the corridors which express the functions of the inside of the building and we think that we have made a much more prominent and much more elegant hotel.

President Martin asked what period the period elements on 7th Street were from?

Mr. Antunovich replied that they mentioned earlier that they had period light fixtures that were being placed along Hennepin. We are continuing those period light fixtures all the way around the entire block. They are placed 50 feet on center and they are using the same fixtures that were recommended to be approved in the Hennepin Avenue Streetscape improvement and actually wrapping them all the way around the block. They have also added benches and tree grates where appropriate. All of those are the period things that we are talking about which are illustrated on the landscaping plan. On 1st Avenue at the corner of 1st and 6th, we have an approximate 9,000 square foot park. This will be the gateway area to the warehouse district. We have also shown a very exciting amenity where the escalators will come down from the skyway and external escalators to the street so that when he mentioned before that you will be able to come down at this point to the warehouse district from the skyway, that will occur at the corner of 1st and 6th. It will also occur at one of the key retail corners that we are trying to create in the project. At the corner of 7th and 1st, there will be another small park area. He mentioned earlier that they are still programming these park functions and will come back at a later time and present the actual workings of those parks. The hotel entrance

occurs right across from the Target Center through a porte cochere with the entrance to the hotel at this point, you are also able to enter the building there. They have heeded staffs comments by making and improving the facade of the hotel. The 6th street elevation, is a very important retail street as it opens toward Gluek's and the Hennepin center for the arts on the North side and over to Block D and to the other retail businesses that open out along 1st avenue. Staff asked us to conduct a sun study, which we felt in the beginning was superfluous, but we were glad that they did because what we found was on a day in the middle of summer, the park that they are showing on the corner of 6th and 1st is in sunlight at 9:00 in the morning on the 21st day of June and is in sunlight at 3:00 PM on the 21st day of June. Along the street we have made provisions for outdoor cafes, we've worked with staff to move the wall along the street in and out, we've accommodated bus shelters. On the plans that we have, you can see that we have a 22 foot wide sidewalk along Hennepin. We want everyone to come in through the streets to our retailers. We have a skyway crossing over the top. There will be two story stores on the corners with interior escalation up to the skyway level. They also have connections back to the retail corridor area that they have traversing the property that opens up with some smaller tenants. The hotel lobby is off of the porte cochere drive on 1st avenue. Even though it shows a drive-in, there will be depressed curbs so that once you actually go through the curb cuts, it will be flat and the sidewalk will carry on through so you won't go up and down through the curb cuts. On the corner of 1st Avenue and 6th is the park that they are programming the escalators that are going up and on the skyway level as is would meander through the property, they have programmed in a food court and shown 10-12 individual vendors and public rest rooms. We have made provisions to bring in future skyways and they are very excited with the fact that in the center they have circulation that runs all the way from the 1st floor to the third theater floor where the theaters will be. As the skyway engages the project, they have escalators that take you up and down from the 1st floor so that you can come up directly from the street to the skyway level at the actual sidewalk at the periphery of the project. On the third floor, there are the 17 theaters with a concession and ticketing area. The screens will all be stadium style, they have been working very hard with Crown Theaters who are very excited about coming here. They are also talking to us about putting a ticketing booth on the skyway level and we will continue developing that with them. The exterior of their retail space is playful, a four story retail base which is higher than City Center's parking area on the other side of the street. They are a collection of buildings, they are not just one building labeled a "project." On the skyway level they are looking at embellishing that area so that it looks like a street or a glorified alley (he displayed the drawings). One of the other aspects of the project that they were asked to show were some materials and sample boards of the materials they would be using on the building. Having a collection of buildings, they are doing a collage of four individual samples of building types that could be integrated into their project (he showed the boards). Another thing the Commission asked them to do was to come back with better illustrations of the signage program that they discussed. He handed out a packet of examples. They have worked very closely with staff to put together a Signage Master Plan for this project. He believed they established new ground for this. In the handouts, they have filed four elevations that have been marked up to illustrate areas of signage, every conceivable type of sign you could have on each of the sides of the building. All the way around on all four sides it adds up to approximately 26,000 square feet of signage. Each of the areas on each elevation is identified on the matrix shown. In those areas that they have identified, you

can put any one of eight sign types or only one of eight sign types as illustrated on the matrix. They see that as the Signage Master Plan. The sign types are included in the back of the drawings that were distributed and also further enumerated on the handout just presented. The first illustration is simply an illustration of Times Square and the Times Square type signage that they would like to aspire in this project. This signage theme is illustrated on the first page of the handout. After that first page, they have examples of individual sign types that they are using. Sign type one is a front faced lit sign. In discussions with staff there was a lot of discussion about this particular type of sign and they have agreed to use only two of those on the project, in total. There was some concern about this type of sign where the sign is put up and it is front lit with flood lights over the sign. They have agreed to use a maximum of two of these anywhere in the project. Sign type two is internally lit or it may have louvres that would change. Sign type three is the large electronic signs which are the signs, that you see on the cover illustration. These could be changeable signs or a large jumbo-tron. We want this kind of excitement, along with the search lights and the lighting of the project, this will give the kind of Times Square excitement that we are looking for in the project. As we go further, type five would be freestanding with individual letters mounted on an awning or mounted on the building. Sign type six would be reverse channel or face lit letters which are popular with retailers. Sign type seven is banner signs that can be illuminated or it can be a fabric sign at right angles which are also popular with retailers. Type eight is an awning sign that gives the gaiety and the fun to retail which they hope to bring to the site.

Byers, staff, continued presenting his staff report. He reviewed the updated staff recommendations. Staff recommends full approval of the alley vacations. They are required for the project to move forward. Secondly we have approval for the planned commercial development and also for the site plan review. The first two conditions are considered "boiler plate" conditions and the developer has cooperated in believing that they should remain conditions. The third condition is that the developer will consult with the Public Works Department and the Planning Department to refine pedestrian and vehicular circulation spaces on the 1st Avenue side, public spaces along 1st Avenue, the entrance on Hennepin Avenue and the public spaces on the 7th Street side of the project. We have been talking about the width of sidewalks and the ability to have sidewalk cafes on the 7th Street side of the project for two reasons. One, because it is the sunniest side of the project and two, because that particular bus route on 7th Street sees most pedestrian traffic of all of the area bus stops, we need that width to accommodate both moving pedestrians and seated pedestrians. There has been concern expressed by staff about how the parking ramp would be operated. Whether it would be operated as a long term parking ramp, contract parking or all day parking or whether it would be priced so that it is operated as a short term parking ramp for trips of one, two or three hours. Staff concern here is that we maintain the integrity of the peripheral parking policy in the City and we do not erode that policy project by project and that we ensure that those people who will be parking all day because they work downtown will still continue to use the TAD ramps and will not attempt to use this ramp because it will be closer. The developer has informed us that would be quite difficult for him to achieve his financing if that were the case and that no bank would approve a loan where the City had any kind of review on prices for parking. The Public Works Department has told us that they are not particularly concerned with the pricing of the parking at this location because it is a privately owned ramp. What was agreed to is that no more than 35% of the parking stalls

in the parking garage will be operated as long term parking for the first five years of the project, the fourth condition. We already spoke about the loading berths for the project. The project must include a total of four large loading berths and a separate additional trash compactor unit, all of which are located in an underground facility. The developer shall file a shared use agreement in the County Lands Record Office in accordance with the Zoning Code Chapter 541 (#5). The exterior sign plan for the planned unit development will be discussed more in detail after the other conditions. There are two conditions for the site plan review. The planned unit development shall approve the final site plan, landscaping plan, and lighting plans consistent with the plans dated May 4, 2000 (#1). And the second condition is that the final site plan will reference final lighting plans and indicate method for achieving full compliance with requirements concerning the lighting of pedestrian walkways. The particular concern that we have is when they embark upon the process of refining what the Hennepin Theater District streetscape will be and on this project the developer and the development team have indicated their willingness and eagerness to be part of the streetscape project and therefore we need to have some way of making sure that they go together in the end. The seventh condition on the conditional use permit is that the PUD include a conditional use permit for the operation of a parking facility. We also have a condition that all site improvements shall be completed by September 30, 2003 (#8). We have come to the very complex and difficult area of concern which is the signage for the project. The terms of this particular condition were worked out only a few hours ago. The concern we have in terms of the signage for this project is that the developer is not able to sell signage for the project until all of the tenants for the project are known and the developer is not having success getting tenants for the project until he has approval for the project. Once there is approval for the project, there will be signing of leases with tenants. Once there is signing of leases with tenants, it is easier to sell signage. However, getting that approval for the project is important for the developer to have an approval for the signage and the difficulty between the development team and the staff all along for the last six weeks has been that the development team needs maximum flexibility to do the kind of signage that will help them get revenue, but will also help them make this an important and exciting downtown project. Staff has really needed something to judge that proposal on. Within this difficulty of what can be exempted if nothing is proposed, what should be proposed if we are not willing to consider all exemptions.

Commissioner McDonald stated that she could certainly understand that issue if it were related to on-premise signs, which are the signs stating the name of the businesses, but she didn't understand why the tenants would care about the second floor signage that really was not in relationship to advertising your business. She asked staff to explain that.

Byers, staff, replied that was one of the complexities. The way staff started this was in order to write the staff recommendation and in order to take a recommendation to the Planning Commission, we need a master sign plan so that we can report to the Planning Commission what that sign plan is about and therefore what our recommendation would be about that sign plan.

Commissioner McDonald indicated that you could have the signs that are not on-premise signs come back to the Planning Commission. That's another option, correct?

Byers, staff, responded that was another option that the development team has been happy to talk about.

Director Ballentine stated that the agreement that we have reached with the developer is that they all will be on-premise signs. They all will be advertising something available in the development and we'll explain that to you when we get into the package.

Commissioner McDonald indicated that she could understand if you were advertising Coke and everybody in there has Coke, but she couldn't imagine that the businesses that are in there are going to feel the need for that sign.

Director Ballentine agreed with Commissioner McDonald and what staff is trying to do is grant the developer the ability to sell the advertising package which is also a benefit to the City in the sense that we are a partner in the revenues coming from the signs as well, without limiting the ability to do the marketing in the appropriate way since we don't know who all of the tenants are going to be. We are trying to strike a balance that allows the developer to go ahead and get his construction financing package put together and market the sign package, but assure the City that we are not going to get a set of billboards around the site of this development which is what we don't want to see.

Commissioner McDonald stated that her concern was that the Commission just received the revised staff recommendation after we started the meeting. It is very complex. She wouldn't want to approve this today because she felt that no one had the opportunity to look at it since we have been paying attention to other items on the agenda. She was not blaming staff for that, just because the developer and their attorney came in at noon today and decide to strike a deal and didn't give us the time to peruse this. We have requested that the MCDA give us plenty of time on projects and she didn't know why this should be any different.

Byers, staff, read through condition number six for the planned unit development.

Commissioner McDonald asked if we have a prohibition against advertising both cigarettes and alcohol in the conditions or do we need to add that? That is often an issue in the downtown district.

Director Ballentine replied that the development agreement that we have with the developer specifically prohibits them from advertising sexually oriented businesses. He asked Mr. Handy from the MCDA if it prohibited cigarette advertising as well?

Phil Handy, MCDA Staff, replied that it did not.

Steve Poor, Zoning Staff, stated that there is no explicit ban on tobacco, liquor or gambling in the downtown entertainment district in signs. There is a prohibition on tobacco advertising on off-premise billboards. As this project has come forth and as it has been presented here, that is not what we are talking about. As this is written, there is not a provision that would prohibit that type of advertising at this development.

Commissioner McDonald asked if we wanted to ensure that no alcohol or tobacco was advertised since they don't technically constitute billboards, we would have to put that in the development agreement?

Poor, staff, responded that was correct.

The public hearing was opened.

Mark Maxam, 2544 Aldrich Av. S, "If I were to do it again, I would go out into the neighborhoods." With all due respect to Mr. McCaffery, these were the words attributed to Mr. McCaffery of McCaffery Interests in a March 4, article by Linda Mack entitled Pendulum Swings, Council Approves Block E, immediately following the approval of the McCaffery plan by the Minneapolis City Council. "If I were to do it again, I'd go out into the neighborhoods." Unless I have it wrong, the development now under approval by the Minneapolis City Council and under consideration by the Minneapolis Planning Commission is at the tail end of an extended period of involvement and at least one other proposal by Mr. McCaffery related to Block E. It made him wonder who Mr. McCaffery has been listening to since his initial involvement with the development of Block E. It makes me wonder whose opinion Mr. McCaffery has been considering when formulating the development which now stands before you. Please do not read my concern incorrectly, I as most concerned with the welfare of Minneapolis, am pleased that something stands to replace the eyesore, what I call the used car lot, which now resides in the heart of our city. I, as a Minneapolitan, want that hole filled. Unfortunately, as often happens in politics and discussions over the family dinner table, the argument over Block E polarized into two opposing forces, each battling to achieve their extreme view at the expense of the middle. But the issue as it has always been, is not that something be done about Block E, but instead, what precisely will be done about Block E? And that is why we are here today discussing the design of the McCaffery proposal. The main debate is finished, the dye has been cast. The proponents of the commercial development of Block E have routed the public park forces. Victory has been achieved. But really, who are the losers? Those who feel the revitalization of our city center is best delivered in the form of a movie multi-plex, another sports bar, chain restaurants, chain retail and a chain hotel have their wish. The park is dead. Long live City Center II. Those who get the idea that I'm opposed to the current design of McCaffery development are correct. I am one of those people in the neighborhoods who had something to offer, that is if Mr. McCaffery had taken the time to ask. I am one of those people in the neighborhoods who would have suggested a compromise between what has been referred to as a suburban city mall and a public park. The framework of which I presented in a March 9 letter to our Mayor, to Mr. McCaffery and to the members of the Minneapolis City Council, but by then it was too late, or was it? As best I've seen no ground has been broken. You see, I believe that all space is public space. No matter the legalities of ownership, rights to use or rights of development. Whoever takes on this trust becomes the custodian of what could easily be referred to as the most valuable piece of real estate in downtown Minneapolis. That individual or firm who develops this property takes on the responsibility to do what is in the best long term interest of both the citizens of this community and of anyone who may be affected by this development, both directly and as the result of waiving such limitations as the number of signs which may be hung on the developments façade. The point today is yet a challenge. A challenge, to finally consider the people who reside in

the neighborhoods in and around the City of Minneapolis. A challenge to design a better solution for the heart of our city. A challenge that the Commission deliberate on the long term beneficial and deleterious affects of such decisions as overwhelming passersby with Las Vegas, Times Square style signage, flashing lights and neon. As well as such concerns as the outright silliness, which may have changed by now, presenting Minnesotan's known lovers of the out of doors, with the nonsense of a miniature skating gazebo. Such questions as, why is it not possible that the developer with reasonably unlimited design resources can or will not design a structure which can satisfy both the developmental minded and those who would have Block E used as a community gathering place. He has submitted the framework for such an idea to the developer, the City Council and to the Mayor, backed up with no more than a dear and endearing love for the City of his birth and the scribbling on a napkin prepared across the street from Block E at a local eatery. Block E is a public space. Its development will impact our community for generations after the developer and the contractor and the cranes and the shovels and the hard hats have returned to their respective homes, cities and other jobs. The design of and construction on Block E will establish the tone of our downtown long after these words disappear into the vapor, long after he and the Commissioners occupy our chairs at the eve of our lives, long after our children grow up to come to Block E to watch movies in 2050. Please take your considerations seriously, they will be a part of our, my life, for the rest of my life. Make Hennepin Avenue a street I can enjoy again. Make Block E a development which serves our community. Assert your influence and be responsible to our children and their children. Make Block E a center for our community, even if you must disagree with the concerns of certain self serving interests. I ask you to look at the design and if you see it the way that I do, you'll see that it's a step through the looking glass. It is "hodge podge", an eye sore, perhaps something that belongs on the main street of Disney, but not in the center of Minneapolis. There is an article appearing in Time Magazine in the near future, written by the founder of a leading New York Advertising Agency, David Ogilvie. In this article he talks about a future for United States civilization where every possible spot is covered by advertising and signage. In this article he talks about a time when people like yourselves will have to sit down and create a zone for non advertising for non impact. He would like the Commission to challenge the developer to satisfy the concerns of the people who live in the neighborhoods. Block E must not be a visual circus. Block E is a public space. Specifically please deny any application for easement in the zoning in signage. If you can, make them change the design entirely.

Victor Caliendo, Architect and Urban Designer, Fellow Institute for Urban Design Chair, faculty of the School of Architecture at the University of Minnesota, speaking on behalf of the Minneapolis AIA Urban Design Committee. First of all, we support the redevelopment of Block E. It has been a long time coming and will add significantly to the vitality of the city. We support the observations and comments made by staff, we believe that they will tremendously improve the design. But what we are going to talk about in this aspect here is not the small things, of which a very large number go into making a successful design, but some of the bigger issues and aspects of the design. The Urban Design Committee recognizes the difficulty in attracting tenants and creating the appropriate mix of activities which can generate revenue and excitement. He felt this project begins to do that. The Urban Design Committee also recognizes that the City of Minneapolis, with its substantial investment in Block E-past and future-is one of the

major clients for its redevelopment. The City is in the unusual position of approving and designing. Because of the City's investment here, this development must serve as a catalyst and guide for revitalization beyond its borders. We recognize that time is of the essence, yet in a project with such a long and labored gestation, the character and quality of the product must be carefully considered as well. The urban presence which Block E can create is one which has the potential to become a significant "landmark"-one which will inspire people to return to it time and time again. This "landmark" quality has at its roots in an intimate, involved and accommodating pedestrian sensitivity and scale; a sense for continuous and varied street fronts; a celebration of time and place, night and day, summer and winter which he thought create their own architectural presence and requirements and these aspects must engage and involve each of the venues within the project. The "landmark" also serves to connect, I think we've heard a lot about "projectitis" here and it serves to connect one block to another; one district to another; one set of people with another; traditional activities with contemporary ones, the recent talk about signs in the electronic future come to mind; older parts of the city with new ones; existing public spaces with new ones; and a sense of history is being connected to a forward reaching vision. All of these factors can be seen as the need to capture the public imagination with the sense of urgency, excitement, promise, vitality and prove to be memorable. We believe Block E must have a civic presence. It is perhaps ironic that the proposed design looks back toward the time when Hennepin Avenue and its varied venues and shop fronts were a destination for many Minneapolitans. Because of the changes which have been taking place along Hennepin Avenue-where the long and continuous row of storefronts and venues which linked Loring Park to the Gateway and the Mississippi River have all but disappeared, recreating a fragment appears misplaced. A new language and image need to emerge which support the changes taking place across the City. Buildings with civic presence have been at the heart of Minneapolis's urban spirit. City hall, Milwaukee Depot, Foshay Tower, the IDS Tower and Crystal Court, the Walker, the Guthrie Theater, the new Federal Courts, both Federal Reserve buildings, the Metrodome, and the Minneapolis Energy City First Avenue Cooling Station, among others, have marked their presence in Minneapolis by their state of the art designs. Each has come to signify the best of its time and have not looked back. Urban retail and entertainment centers, such as those in South Miami, Times Square in New York City, Horton Plaza in San Diego, City Walk at Universal City, California, Hollywood and Vine in Hollywood, among others, just to cite some of the more obvious ones, give to their cities a civic presence, look forward with confidence and excitement and provide for significant public open space experiences at their center as well as at their perimeter. The qualities of civic presence for an urban entertainment and retail development such as Block E may be summarized as follows:

Pedestrian involvement: streets, sidewalks, entrances, canopies, signs, lights are all designed to enhance a sense of involvement, comfort, security and excitement for each visitor. This pedestrian involvement also extends into the adjacent streets, sidewalks and skyways. Gateways and gateway corridors are established. There is a bigger linkage at the intimate pedestrian scale.

Porosity and variety: storefronts, building walls, windows, lights, signs merchandise all contribute to communicating the interior to the exterior, to facilitate an understanding of choices among venues, and add excitement and vitality. Multiple access ways to the interior are part of the sense of porosity. Variety among venues and interests contribute to vitality, intimacy, sense of choice and excitement (large

venues have small frontages). Honesty and transparency contribute to the sense of choice, variety and interest from the users point of view. Inherent in this is also the ability to adapt and change venues as tastes and fashions also change.

Linkage and Gathering: Multiple paths converge from adjacent streets and skyways onto a common central space, this is perhaps true of many venues, but we don't have a common central space in the interior, nor do we use it to link, as even the Mall of America does, multiple levels, thereby giving excitement and access and equal opportunity for everybody. Destinations are created that are not just venues but are places of gathering and entertainment in their own way. The public space can be a destination and can add value to the entire project. Particular venues and their immediate public spaces can be paired.

Image: A skyline presence is as important as a street address. We need to create a strong visual identity which can be "read" at three distinct scales:

1. Street, sidewalk and skyway, which ties in with pedestrian involvement;
2. Surrounding buildings and neighborhood/district, which ties in with porosity and variety and linkage;
3. City-wide, is there a memorable feeling about a bold form which signals that address and location.

These in turn are tied to materials shapes and ultimately to a bold family of forms.

Measured by these precedents and qualities, the design of Block E does not yet have a civic presence with its role in the City. We, the Urban Design Committee, wish to open the door on a larger discussion about urban form and civic presence for Block E and future Minneapolis designs. It is urgent that the design be given prime consideration and brought into the realm of a civic presence. We believe that the willingness exists, and the time is right! The Urban Design Committee would welcome the opportunity to present in more detail some of our thoughts and images about what can shape civic presence. Design is important, because it is what our city will be remembered by. The Urban Design Committee welcomes the chance to participate through design and design review in the future of Minneapolis.

Aaron Gerdy, North Loop resident, stated that he had four purposes that he would like to address. The first is to commend, the others are to challenge, to encourage and also to question. First he commended everyone on working together to provide something much more interesting than what we currently have at Block E. This is the first time he had seen the drawings and he would describe them as interesting and appealing, that's also how he would describe the period lighting. He also would like to commend the emphasis on street level pedestrian access and not skyway emphasis. He thought that the emphasis on park space and trees on all four sides of the block was a wonderful addition to our city. He also thought that the Times Square inspiration to generate excitement on the block was also very welcome. He was happy to hear that there would be wide sidewalks that would accommodate sidewalk café's and he was also pleased to see the varied roof lines, the mixed exterior materials and styles. He thought it lends additionally to the interest and excitement that the building could generate for our city. The challenge that he would like to offer was in attracting tenants and that would be to lend whatever focus could be lent to attracting locally run, owned and operated tenants as opposed to nation-wide chains. Finally, for his encouragement, he would like to encourage everyone on the seemingly complex issue, but otherwise apparently simple issue of signage. He didn't have any

comments on the details of the issue other than to encourage everyone to continue to work together to quickly resolve whatever differences there are. He has been to many great cities around the world and there is a great amount of excitement generated by the varied signs and lighting and everything used in the exterior of the buildings and he was certain that those cities could provide templates to look at in terms of what we are trying to do to make our city great as well. Right now Minneapolis and Minnesota, as well much of the nation, are enjoying a very favorable decline in crime rates. Hopefully that will continue although he didn't think anyone could predict or guarantee that. His question was what design elements have been incorporated to ensure security for the people who will be utilizing the facility? He commended everyone for accomplishing as much as has been. The drawings are evidence of many hours of hard work and discussions. Please continue to focus on his challenge to bring in local tenants, restaurants and retail as opposed to a pure focus on national tenants and continue to work together to get the signage worked out. There are many great cities that have done it, we can too.

Mr. Antunovich replied that as a part of their design review with City staff and the different City departments, they have met with the City of Minneapolis Police Department and reviewed the drawings with them. They had no difficulties with what we were showing.

Dan McCaffery, developer, responded regarding security, they will have cameras in the garages. They have outfitted a number of old projects with Mr. Antunovich's help where they have increased the lighting levels two and three times so the garage will be extremely well lit. All around the perimeter of the project every individual building will have its own lights as well as the city light, and planter lights. The periphery should be very secure.

Pete Goelzer, 100 2nd St. SE, stated that he had a lot of concerns about the project because he has a lot of concerns about whatever happens in the city. He had two concerns that he thought were errors of perception. The signage on the building has been repeatedly referred to as being similar to Times Square and in the material that was passed out there are photographs of Times Square. Times Square is a wonderful, vital space with sound, lighting and billboards all around you, but it is just that, it's a space. This is a building. This building is not going to create a space, it will be part of a space. In Times Square you have all of this going on all around you and in the case of this building, you are going to have all of this going on around the building. Its going to be a building with a lot of signs on all four sides of it and that is not Times Square and it is not what makes Times Square an exciting, vital and interesting space. In thinking about this, we have to think about it in those terms. In the warehouse district there are no fake windows on the upper level such as the fake windows outside of the movie theaters in this building. I think we, as a city, and he thought Mr. Antunovich, as an architect for this project, can echo the materials, the scale and the rhythm of the buildings in the warehouse district without having to do it as though this is Las Vegas, Reno or Disneyland. What I see when I look at the drawings is a series of pasted on facades on a very contemporary, very modern building with "old timey" pastiche pasted on the outside of it and he didn't think that was appropriate for the downtown area of an urban major city.

Newton Parker, 17 1st St. S, Towers Condominiums, indicated that he is a resident of downtown and this project affects him directly. He was interested in preserving and enhancing the warehouse district and all that means to the downtown. I had some concerns with this project because whatever we put here is going to dominate the warehouse district. From every building downtown or in the warehouse district, you are going to be looking at this project and he was talking mainly about the skyscraper. He was online with the previous speaker who was saying the importance of putting a meaningful structure in this space because it is going to be with us for a long time and it is going to dominate the fabric of where we are at. 1st Avenue has become a very vibrant entertainment district in its own right and this building will dominate that area. You will see the warehouse buildings and then you will see the very tall building. He was not saying that we can't do this kind of building there, what he was saying was that the building that we put there can't be "plain Jane", it should be dignified, it should be something we are proud of and something that will dominate the area. The other thing on this project which is important is Hennepin Avenue which is one of the few boulevards we have in the downtown area and it is historic in its use. We are putting skyways across Hennepin Avenue which upset him, but he understood that was the way things were going. He thought in this project whatever we do with the skyway that crosses Hennepin Avenue at the heart of the downtown has to be very significant. It has to reflect what we are as a city. Whatever we do has to accent the Hennepin Avenue feeling and that skyway is going to be the focus of your attention. He hoped the Commission would keep that in mind during deliberation.

Tim Karl, 179 Malcolm Av. SE, architect, stated that he was going to make a point about aesthetics, and not aesthetics as it pertains to style or taste, but as it pertains to quality. He thought the architects and the developer have tried really hard to make this building contextual and he thought they tried so hard that rather than looking like a downtown building in a world class city, it looks a little bit more like a theme park. He thought that the pastiche, as a previous speaker had said, of these multitude of styles from any downtown in this kind of dense arrangement, that everyone will know it is fake and in that sense it lacks that quality that he thought this downtown deserved.

Tom Van De Weghe, 1325 27th St., architect, indicated that he appreciated the pedestrian oriented ideas that were presented. He felt that there was an opportunity inserting this building into the urban fabric and knitting together the downtown and the warehouse district. But he didn't feel as though the architecture that was represented did knit that together. He felt it tried to represent the warehouse district as a series of too finely grained store fronts that don't mimic the true character of the district. He felt that there was an opportunity for expressing something about the nature of Minneapolis and how it is to progress into the future that could be represented at this very dynamic connection between one area of the city and the other. He felt that by making references to Times Square and by trying to make this look as though its copying a typology that works in one place is risking the fact that it does not work here. He worked for an architect in New York that wrote the codes for the Times Square development. He knew that the basis of that development was that there are beautiful buildings beneath the signs. Something to recognize is that what he sees in the architecture is that the buildings themselves are perhaps not given as much thought as the signs that go in front of them and he would appreciate a recognition that the architecture should not be quite so schizophrenic, but should be perhaps a more well considered architecture that has materials that people can

appreciate and not the “schizophrenic” flash of trying to copy a place in the world that has developed over time. We can’t try to put something down here in one fell swoop and replicate what has taken 100 years in New York to develop. He felt that by trying to do that, it risks looking more like Las Vegas than New York. Based on the fact that he used to work across the street from the Conservatory and saw it going down after not being up for very long, he worried that by having a building that is perhaps not substantial enough or reserved enough to stand the test of time, that something in this important part of the city may in the end come down prematurely when it could be something very substantial and long lasting.

Ralph Rapson, 1 Seymour Av., architect, stated that Block E has been on the agenda for many years as you all know. There have been some beautiful statements both for and against this project. If he thinks about it, this is a terrible, terrible mistake that you are making. It is a complex of buildings that has absolutely no integrity, no honesty, nothing that really reflects the beauty of our city. This should be the heart of our city. He didn’t know how he could express it any stronger than this, it is a mess. He would be terribly disappointed if after all of these years this is the best we could do.

The public hearing was closed.

Commissioner McDonald thought it was interesting what a “schizophrenic” project this has been. Essentially when it first came to us it was a quasi Times Square, Jetson-like development and clearly the reaction to that was very negative. What came back to us when we were involved in the financial discussions was an 1890’s streetscape of Hennepin Avenue, not dissimilar to what was originally there. It had a somewhat “Celebration-like” quality to it ala Disney, but it certainly did not have the amount of signage that it currently has on it. What happened in the interim is that basically the first iteration got married to the 1890’s streetscape and now what we basically have is Celebration meets Las Vegas and she wasn’t quite sure how well that would wear for us in the city. What she intended to move after the discussion, because her understanding that what currently was items #20-24 on the green agenda is now included in the packet that was distributed at the meeting, is that we have to go ahead and approve with caveats about the type of business signage which she thought was essential for tenants. It seemed to her what she calls off-premise signs, which are those signs more on the second floor of the building that we need to have those come back to the Planning Commission with some of the design guidelines that were drafted by staff, also the caveat that we don’t have gambling, anything adult entertainment related, alcohol and cigarettes. The reason she thought that these needed to come back before the Commission was one, because they have a huge design impact and two, because of the size of some of these signs. On Hennepin Avenue, one of these signs will be about 1,320 square feet, over 30’ X 30’ which is a pretty big sign. On the 1st Avenue side, we have two signs that are 1,188 square feet, each one of these has smaller signs as well. On the 7th Avenue side, we have a 1,000 foot sign and on the 6th Street side we have another 1,000 foot sign. It seems when you look at the size of these signs, she thought they should come back to the Planning Commission because they will have a huge impact on the look of this project. She was particularly concerned about the fact that it may say a neon sign, but what does that mean? If you just put a band of neon around it, have we gotten the kind of signage that we expected to get and by basically making this an administrative approval process, she didn’t think the Planning Commission had the input it should have.

Commissioner Bradley stated that he had been trying to think through some of what we have been seeing for this project and listening to comments from the public and remembering his own comments from the Committee of the Whole. He had some disagreement with what was being presented for Block E. He wasn't anywhere in the initial stages of thinking or looking at some of these issues, but it seemed to him that part of this project was going to hit the wall. Let's start with what the architect has presented as four different buildings. He was having a hard time buying that. Everybody in this city knows that Block E is Block E. What we are going to get out of here is one project, it is going to be one structural system. It is going to be two buildings, a four story building and a 27 story hotel. We are going to do something to the façade of the four story building to make it not look like one building. He was wrestling with that. It is just not four buildings, but at the same time he could appreciate the architects attempt to bring some excitement and some dynamic to the entertainment district in downtown Minneapolis. The problem is where is the line and how close does this get to Universal Studios and how close does this get to Disney? The problem he was wrestling with and what he has heard other people wrestle with is the difference between what are we going to have that is long term that is a civic reality, even if it is an entertainment building versus a trend? Trends change, they wear out, they go away and there is a new trend that comes later. He thought he was having difficulty with the architecture. He was having difficulty with the concept of four story separate buildings because it just isn't authentic and he didn't think that any citizen who has spoken at the meeting was buying it. That is the difficulty he thought the project was going to have in the long term. He wasn't sure the Commission could make a motion to have the architect go back and redesign it, he didn't think that was fair to him at this point, but we are going to have some difficulties as this project moves ahead. Staff talked about the food court not having any exterior windows. He didn't realize that until he heard staff say it and he thought that those people would overlook the Target Center as a part of their 2nd floor experience, which he thought was an important thing to do. The hotel entry at the ground level and the corridor coming from 1st Avenue to Hennepin Avenue creates a pedestrian nightmare. How do you get from the hotel easily from your vehicle when you have people coming down 1st Avenue. That is going to be a logistical difficulty. He went back to a comment that he made at the Committee of the Whole, when you are coming in off Hennepin, Hennepin Avenues strength is that it is a pedestrian street and it has been since day one. When those people who are walking down Hennepin don't go through Barnes and Noble to get into the building, or who don't go into ESPN to get into the building, but who walk in under the façade of the theater marquee enters a corridor. Whatever excitement you had off Hennepin Avenue will quickly dissipate once you go through that lobby. One way to help that is to create, after you move through the double doors, a two story space so that you can see that the escalators that are leading to the upper level, eventually to the theater level, you start to have a sight line with that so that space somehow continues the excitement and the celebration that you put in place on Hennepin Avenue into the building. You can chose to go upstairs because you can see it or you can chose to stay on the first floor. Just getting on an escalator isn't going to do it. From a design standpoint, we did that at the Conservatory and it didn't work very well. He thought we were going to have a problem here walking in and taking an escalator up to the second level skyway. He thought that the strength of Hennepin Avenue would be lost once you walk through that door, you are in a hallway after that.

Commissioner Idelkope stated she wanted to get back to what we are doing today and what we are being asked to do, and the fact is whether or not we like the overall concept of this project, it is a project that's been approved by the Council and the Mayor. That's before us. We have had two presentations at Committee of the Whole, we have had five weeks where we have had an opportunity to provide input. She thought the developers and the architects have worked pretty closely with our staff and come forward with a lot of changes. They took some of our input and she was pleased with the way the project looked. She thought on the signs, I'm not a sign expert and I don't think any of us are, what was important was our staff, worked together with their staff. They came up with a joint proposal. I am not really prepared to be in a position where I'm going to micromanage and criticize that. I think the compromise looks good. It sounds like the Planning Department is comfortable with it. I haven't heard from Mr. Poor. It is something that the architect and the developers can live with and she thought it was important that we move forward.

Commissioner Baylor asked if this was the first public hearing?

President Martin replied yes.

Commissioner Baylor recalled that there have been several projects where the Commission has had a half dozen public hearings to get the input of the general public prior to making a decision. Notwithstanding the fact that we have had a lot of staff input and that it has been approved already, so maybe this is a moot exercise, but he was struck by some of the comments, particularly from the architects that spoke. Notwithstanding the summary of recommendations that were presented and delivered to us moments before we had to deliberate, he did have some concerns about the refinements that were presented in the package and the function of the public open spaces that Commissioner Bradley mentioned and also of the building architecture. They are both conditions in the packet that we received in the mail, but they were eliminated in the recommendations that were just distributed. I too am sensitive to the nature of Block E. I would love to see something happen there, I think this has great energy, but the word "schizophrenia" sticks in my mind as I look at the various types and textures of the building and nobody loves development more than I, but I would like to somehow enhance #4 and #6 [in the original staff recommendation] with regard to the function of open public space as well as the actual architecture.

Commissioner Miller stated that she liked the idea of making Block E the center of the city and she thought it was long overdue. She happened to be around when Hennepin Avenue was lively and had a lot of signs and there was a lot of action and you did get drawn to it. One of the things that she has noticed in the last couple of meetings that we have had was that there was a lot of emphasis on the signage. We are not talking about how it is going to benefit the city, so much as we are talking about the size of the signs. She thought that we need to look at this whole project if we are talking about having it here for the next 50 years. Are these types of signs going to be the "in" thing or not? As Commissioner Bradley said when he talked about the trends, here today, gone tomorrow. She liked the idea of the glitz. She thought that Hennepin Avenue should be glitzy. She thought it should have a lot of light. She thought it should have neon or whatever it takes to have it. But on the other hand, she didn't want to make it look gaudy. She commended staff because she felt they worked very closely with the developers on the way that they see it. She heard the architects speak about making it disgraceful, especially the last speaker.

President Martin noted that Mr. Rapson was the former head of the School of Architecture.

Commissioner Miller indicated that he obviously knows what he is talking about because he has been around for a long time and it makes you step back and think. We want the glitz there, but we don't want Minneapolis to look cheap.

Commissioner Doty didn't want to repeat what other Commissioners had said, however, she agreed with both Commissioners Bradley and Baylor and what they said, and also with several of the citizens who testified. She also agreed with Commissioner Baylor that we have had more hearings than this at times when we have had more Commissioners present and more public present for other projects. She was uneasy about approving a project this large with a bare quorum and as Commission Baylor said after only one hearing.

Commissioner McDonald commented about how much time has been spent on the signage and that we had a very simple plan on Friday as to what the control issues were going to be on the signage and she was insulted that people come in at noon today because they feel like they are not protected in terms of their development and the Commission didn't get something that is very complex until 20 minutes into the meeting and we are supposed to be paying attention to all of the other items on the agenda that are coming before us. The item right before this was extremely complex and then you are expected to vote on it. She didn't blame staff on this, they were caught in a conundrum, but it seemed to her if it were that important that you would go to those lengths to do that at the last minute, then it seems like its important enough to delay in order to give it the full perusal. But the information she has been given is that it needs to be out of the Commission tonight and if that is the case, her intention was to amend the signage agreement.

Commissioner McDonald motioned, Bradley seconded to substitute the language on condition #6 stating that all on-premise signs be granted (those that refer directly to the business names) within the guidelines suggested by staff under the exterior Master Sign Plan. All other signs (not directly related to the name of the business) come back to the Planning Commission with the understanding that they would refer to the guidelines in the Master Sign Plan with the caveat that there be no adult related uses, gambling, alcohol or tobacco advertising.

Council President Cherryhomes stated she wasn't going to speak to the amendment because she respected the Planning Commission's ability to make decisions in the best interest of the City. She wanted to reiterate a point that Council Member McDonald made that it was important that this project get out of this body at this meeting. There are time constraints with the development and she didn't think that this was a situation where anybody was "blowing smoke" or telling us it has to be done for no good reason. She believed they were very legitimate reasons and very legitimate time frames that have to be met. She respectfully asked that the Commission move the project forward this evening if you see fit to do so. She also wanted to say that, the Commission may have had only one public hearing, but we had a number of public hearings at the City Council and there has been a lot of opportunity for the public to comment. She probably has gotten more comments on this issue by Email, phone and public discourse. There was a presentation made to the Warehouse District Business Association two weeks ago. The

developer tried to reach and repeatedly asked the Downtown Resident Association if they could appear before them and they did not return their calls or schedule a meeting. That was a missed opportunity for more people to hear. She thought there was a lot of opportunity for public comment. She also wanted to say that she thought the staff had done a phenomenal job on this. It is a very difficult situation and a very difficult project. She thanked Mr. Ballentine and Mr. Byers and all of the staff that worked on this project. While things did start to appear at the last minute, those were a result of negotiations and negotiations were going on all the time. She thought that Mr. Ballentine was repeatedly negotiating on behalf of the City and working in the City's best interest with other staff. She wanted to thank staff for the time and attention that was put into this and for all of the hard work and looking out for the City's best interest.

Commissioner Bradley referred to documents A2 and A10 and asked Mr. Antunovich about the skyway. Sheet A10, the elevation along 1st Avenue shows a pyramidal shaped skyway with the escalators both being on the South side, on sheet 18, the floor plan shows the elevator splitting the skyway, which one are we going to have?

Mr. Antunovich replied as he had mentioned earlier, they are in the process of planning the programming of the corner park. One of the considerations was to make as much space as they possibly could in the park area. That is why the elevations showed that to one side. The escalators on either side as shown on drawing A10, illustrate those dropping down on either side. This is also tied to the programming of the park. They would prefer to show them as illustrated on A10, but he thought that even the Commission could see that in their own minds, that is something that could move to one side or the other.

Commissioner Bradley asked if it was not finalized then?

Mr. Antunovich replied that they would like to go with what they were showing on A10.

Commissioner McDonald noted that the Commission should vote on the motion on the floor.

Commissioner Idelkope motioned, Bradley seconded to **approve** the staff recommendation with the substituted condition #6.

Commissioner Bradley stated that there were two issues he wanted staff to deal with under condition #3. The first was that he was not comfortable with the third and fourth level fenestration and the concept of four buildings. He wanted staff to look at that issue again. He knew Mr. Antunovich felt strongly about it, but he felt just as strongly about it in the other way. We are going to end up with four buildings that in eight years are going to look like they are not finished.

Commissioner Bradley motioned, McDonald seconded to amend condition #3) by adding a new e) that the developer will consult with Public Works and the Planning Department to refine the façade fenestration on the third and fourth levels on the perimeter of the project.

Commissioner Bradley motioned, Baylor seconded to amend condition #3) by adding a new f) for the staff to refine the exterior windows at the food court.

Commissioner McDonald wanted them to put windows in at the food court and make it look like we want them.

Commissioner Bradley asked staff on item #3c, the entrance on Hennepin Avenue, can staff explain a little more about what they are looking for?

Byers, staff, replied that it is for the project to be considered part of the downtown entertainment area. That area extends from 5th to 10th on Hennepin on the West side and from 6th to 9th on Hennepin on the East side. That downtown entertainment area is a place in the zoning code that allows for relaxation of signage standards and negotiation of what that signage would be, specifically so that projects can achieve something over and above the limitations of the standard sign chapters. In order for the project to be considered a part of that area and therefore, the signage would be negotiated as such, then the main entrance to the building/complex/project, would need to be on Hennepin Avenue. At the moment we have an entrance on Hennepin Avenue, as noted you can see on the renderings of the Hennepin Avenue façade, that has been accommodated in the sense that the façade has been changed to show a presence for the movies. Initially on the permit applications, the drawing submitted didn't show a movie theater at all or a movie marquee, nothing at all that would indicate the 17 movie theaters inside. That was a problem because this was the heart of the theater district and it is in close proximity to the Shubert. As an accommodation to that request, Mr. Antunovich changed the façade on Hennepin Avenue to incorporate something which he has roughly modeled on the Minnesota Theater which used to be on the City Center side. As you will recall, he changed the Marquee to something that used to say "Tivoli" and was unclear, to something that said Crown Theaters because there will be a Crown Theater in the complex. There is a vertical marquee, there is a canopy marquee, that canopy marquee is integrated into the architecture of the skyway across Hennepin Avenue. The staff concern then is halfway addressed in that the façade or the exterior treatment of the building, has been modified to indicate a main or primary entrance or at least an important entrance on Hennepin Avenue that is over and above the entrances to the individual retail establishments, the ESPN Zone, the potential bookstore and whatever tenants lease the remaining space. The second half of that concern is that there is nothing within the building that looks like a lobby or something that invites the patron from the entrance point. There is nothing particular about the design of that corridor that says that it is the main entrance of the building. The staff concern is that there is an issue in the plan, that the plan of the ground floor would also have to have changes that would reflect that this is an important place and an important entrance to the building. As you know there were several sets of drawings submitted, around May 1st or 2nd, there were drawings in which the escalators go directly from the first floor all the way to the third floor much like the escalators in the International airport so that you can bypass a floor and therefore you can go from the front door directly to the theater if you go half way into the center of the complex.

Commissioner Bradley asked if it was a two story escalator and did not stop on the second floor?

Mr. Antunovich replied that the escalator goes from first to second and second to third.

Byers, staff, asked if it goes from first to second, does someone need to walk around to go up again?

Mr. Antunovich responded that the whole corridor is 27 feet wide, if someone wants to call it a hallway they can. There are escalators at the front door that get you up to the skyway, you can go from the first floor to the second floor to the third floor and back down. Then you can go to the other side of the block and there is an escalator that takes you from the first floor up to the skyway level.

Byers, staff, asked if this elevator goes directly from the first floor to the third or does it stop?

Mr. Antunovich replied no, it goes from one to two and you can go up and down between one and two and then you can go up and down in that same location, there is a central circulation area with an opening, the building department is saying its an atrium, taking you from one to two and from two to three.

Byers, staff, continued that one escalator was then put in and that another escalator was taken out. One of the concerns that staff has had is the separation between the second level activities in this complex and the City in general with those on the ground level. This being an important project between a district where most of the activity takes place outside on the street level and another district where a great deal of the activity takes place on the skyway level, it was important to maintain that vertical connection and maintain it close to the street so that it was visible. The other connection is an excellent vertical connection because it is visible and it invites pedestrians from the street to come up into the complex. This does not work quite as well because it is a bit hidden, however it was put back in because of a long discussion. He wasn't sure whether this area is considered a lobby or not.

Commissioner Bradley stated no, it is not a lobby, it's a hallway, its just very wide. He wanted to get a comment from staff on condition #3c), on page 13 of the staff report, Planning staff raised the following concerns: "pedestrian access to and from the project, all vertical connections between ground level, skyway level and tunnel level must be highly visible through direct sight lines and directly accessible from city sidewalks of each building entrance and each location of a skyway or tunnel connection." This does not do that. He wanted it to do that. He already has in the conditions that the entrance on Hennepin Avenue shall result in an atrium or two story space or something or a stronger vertical connection because there is no strong vertical connection. It is a weak vertical connection.

Commissioner Bradley motioned, McDonald seconded to amend condition #3c) by adding after "The entrance on Hennepin Avenue" shall have a stronger vertical connection.

Commissioner Baylor stated that he was trying to look at the plan before him and the elevation of the corridor going through the project which shows blue sky and correlate that to the plan that he had.

Commissioner Bradley noted that the drawing with the blue sky was at skyway level.

Commissioner Baylor asked if there was a blue sky?

President Martin replied no, that it was just a ceiling.

Commissioner McDonald asked the clerk to read the amendments to the main motion.

The clerk read the motions.

Director Ballentine noted in the haste to get this document put together it would be more appropriate in condition #4 to state that no more than 35% of the *spaces* in the parking garage, rather than *contract*.

Commissioner Bradley motioned, Miller seconded to change the word *contract* to *spaces* in condition #4.

Commissioner Bradley asked who was the author of the Exterior Master Sign Plan?

Director Ballentine replied that there was not a particular author, it was a group effort. We worked back and forth, there was some language proposed by the Planning Department, language proposed by the development team, reviews of both sets of language and combining of the language.

Commissioner Bradley asked who would oversee implementation of the exterior master sign plan or enforcement?

President Martin replied Steve Poor.

Poor, Zoning staff, stated that he was not in the Planning Department and did not work under the Director of Planning, he is a member of the Inspections Department which is why he would step forth and take more ownership of working on the document. He would imagine that what would happen was that Inspections, through the issuing of permits, would keep track of what has been done, obviously working with Planning deferring to the Director of the Plan or whatever condition comes out of this hearing to enforce the sign plan.

A vote was taken on the following motion: The City Planning Commission adopted the findings and **approved** the conditional use permit subject to the following conditions: 1) All required City permits shall be obtained prior to the issuance of the certificate of occupancy; 2) The Project must meet all State Building Code Requirements and all other applicable codes and ordinances prior to the owner occupying the site; 3) The Developer will consult with the Public Works Department and the Planning Department to refine: a) Pedestrian and vehicular circulation on the First Avenue side; b) The public spaces along First Avenue; c) The entrance on Hennepin Avenue shall have a stronger vertical connection; d) The public space on the Seventh Street side; e) The fenestration of the third and fourth floors; f) To provide exterior windows in the food court area; 4) No more than 35% of the spaces in the parking garage will be long term parking for the first 5 years of the project; 5) The Project must include a total of four (4) large loading berths and a separate, additional trash compactor unit(s) - all of which are located in an underground facility The developer shall file a shared use agreement in the county lands record office in accordance with Minneapolis Zoning Code Section 541.510; 6) All on-premise signs be granted within the guidelines suggested by staff in the Master Sign Plan and must refer directly to businesses in the building. All other signs, not directly related to the businesses, shall come back before the City Planning Commission in accordance with the Master Sign Plan agreement. There shall be no signage referencing adult uses, gambling, cigarette/tobacco or liquor ads; 7) This PUD includes a conditional use permit for the operation of a parking facility of approximately 563 parking spaces; and, 8) All site improvements shall be completed by September 30, 2003 or the permit may be revoked for non-compliance. **Carried.**

President Martin commented that this process has felt rushed to get through this, particularly since it has been changing minute by minute. The reality is that we have worked on many large public projects before and she keeps thinking of the enormous difficulty that we went through with the Federal Reserve Bank to refine it.

21. **Block bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street (5th Ward - CU-1000142)**

Application by Block E Interests, LLC for a conditional use permit to allow a non residential conditional use. The Developer's project includes the following: Hotel, including ballroom and conference center; Cinema complex; Retail, including four to six restaurants; Underground parking garage of approximately 563 spaces; Loading facilities Stairs/Mechanical; Interior public space; and, Exterior public plazas. (Staff, Jack Byers)

The public hearing was opened.

See discussion in item #20 above.

The public hearing was closed.

Commissioner Idelkope motioned, Bradley seconded to adopt the findings prepared by staff and **approve** the conditional use permit subject to the following conditions: 1) All required City permits shall be obtained prior to the issuance of the certificate of occupancy; 2) The Project must meet all State Building Code Requirements and all other applicable codes and ordinances prior to the owner occupying the site; 3) The Developer will consult with the Public Works Department and the Planning Department to refine: a) Pedestrian and vehicular circulation on the First Avenue side; b) The public spaces along First Avenue; c) The entrance on Hennepin Avenue shall have a stronger vertical connection; d) The public space on the Seventh Street side; e) The fenestration of the third and fourth floors; f) To provide exterior windows in the food court area; 4) No more than 35% of the spaces in the parking garage will be long term parking for the first 5 years of the project; 5) The Project must include a total of four (4) large loading berths and a separate, additional trash compactor unit(s) - all of which are located in an underground facility The developer shall file a shared use agreement in the county lands record office in accordance with Minneapolis Zoning Code Section 541.510; 6) All on-premise signs be granted within the guidelines suggested by staff in the Master Sign Plan and must refer directly to businesses in the building. All other signs, not directly related to the businesses, shall come back before the City Planning Commission in accordance with the Master Sign Plan agreement. There shall be no signage referencing adult uses, gambling, cigarette/tobacco or liquor ads; 7) This PUD includes a conditional use permit for the operation of a parking facility of approximately 563 parking spaces; and, 8) All site improvements shall be completed by September 30, 2003 or the permit may be revoked for non-compliance. **Carried.**

22. **Block bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street (5th Ward - SP-1000138)**

Application by Block E Interests, LLC for site plan review of a mixed use development. The Developer's project includes the following: Hotel, including ballroom and conference center; Cinema complex; Retail, including four to six restaurants; Underground parking garage of approximately 563 spaces; Loading facilities Stairs/Mechanical; Interior public space; and, Exterior public plazas. (Staff, Jack Byers)

The public hearing was opened.

See discussion in item #20 above.

The public hearing was closed.

Commissioner Idelkope motioned, Bradley seconded to adopt the findings prepared by staff and **approve** the site plan review subject to the following conditions: 1) The Planning Department shall approve the final site plan, landscaping plan, and lighting plans consistent with the plans dated May 4, 2000; and, 2) The final site plan will reference final lighting plans and indicate method for achieving full compliance with requirement concerning the lighting of pedestrian walkways. **Carried.**

23. **Alley bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street (5th Ward - Vac-1320)**

Application by Block E Interests, LLC for an alley vacation to allow a mixed use development. The Developer's project includes the following: Hotel, including ballroom and conference center; Cinema complex; Retail, including four to six restaurants; Underground parking garage of approximately 563 spaces; Loading facilities Stairs/Mechanical; Interior public space; and, Exterior public plazas. (Staff, Jack Byers)

The public hearing was opened.

See discussion in item #20 above.

The public hearing was closed.

Commissioner Idelkope motioned, Bradley seconded to adopt the findings prepared by staff and **approve** the vacation subject to the condition that if a utility requests an easement the applicant shall grant the easement or relocate the utility at the applicants' expense. **Carried.**

24. **Alley bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street (5th Ward - Vac-1321)**

Application by Block E Interests, LLC for an alley vacation to allow a Mixed use development. The Developer's project includes the following: Hotel, including ballroom and conference center; Cinema complex; Retail, including four to six restaurants; Underground parking garage of approximately 563 spaces; Loading facilities Stairs/Mechanical; Interior public space; and, Exterior public plazas. (Staff, Jack Byers)

The public hearing was opened.

See discussion in item #20 above.

The public hearing was closed.

Commissioner Idelkope motioned, Bradley seconded to adopt the findings prepared by staff and **approve** the vacation subject to the condition that if a utility requests an easement the applicant shall grant the easement or relocate the utility at the applicants' expense. **Carried.**