

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES**

**Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

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MEMORANDUM

DATE: September 9, 2008

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 September 8, 2008

The following actions were taken by the Planning Commission on September 8, 2008. 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, Gorecki, Huynh, LaShomb, Norkus-Crampton, Schiff, Tucker and Williams – 8

Not present: Luepke-Pier and Nordyke

Committee Clerk: Lisa Baldwin (612) 673-3710

7. CVS/Pharmacy (BZZ-4116, Ward: 13), 4419 France Ave S, 3815 Sunnyside Ave and 3724 W 45th St ([Hilary Dvorak](#)). This item was continued from the August 18, 2008 meeting.

A. Rezoning: Application by Kevin McGhee with Velmeir Companies for a petition to rezone the site located at 4419 France Ave S from the C1 zoning district to the C2 zoning district to allow a CVS Pharmacy with a drive-thru facility.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of the site located at 4419 France Avenue South from the C1 zoning district to the C2 zoning district to allow for a use with a drive-through facility.

B. Variance: Application by Kevin McGhee with Velmeir Companies for a variance to allow signage on a non-primary building wall (northeasterly side of building) for property located at 4419 France Ave S, 3815 Sunnyside Ave and 3724 W 45th St.

Action: Notwithstanding staff recommendation, the City Planning Commission **denied** the variance application to allow signage on a non-primary building wall (northeasterly side of building) located at 4419 France Ave S, 3815 Sunnyside Ave and 3724 W 45th St based on the following finding:

1. The proposed signage is not of exceptional design as required by section 543.420 of the zoning code.

C. Site Plan Review: Application by Kevin McGhee with Velmeir Companies for a site plan review for property located at 4419 France Ave S, 3815 Sunnyside Ave and 3724 W 45th St.

Action: The City Planning Commission adopted the findings and **approved** the site plan review for a CVS/Pharmacy with a drive-through facility located at 4419 France Ave S, 3815 Sunnyside Ave and 3724 W 45th St subject to the following conditions:

1. EIFS shall not be used as an exterior material. Instead a masonry material shall be used.
2. At least 30 percent of the window area in the commercial portions of the building facing the public streets shall allow views into and out of the building and be free of shelving, mechanical equipment or other similar fixtures that block views so as to comply with the regulations of Section 530.120 of the zoning code.
3. The walkway on the south side of the building shall continue around to the receiving door that is located on the northeasterly side of the building in order to provide protection for those loading and unloading materials.
4. The number of parking spaces shall be reduced to 48, which is no more than 150 percent of the number of spaces required by the zoning code.
5. The species of the canopy trees used on the site shall not be ash.
6. There shall be a minimum of 15 canopy trees located on the site. At a minimum there shall be two canopy trees along France Ave, two canopy trees along Sunnyside Ave and four canopy trees and three evergreen trees along W 45th St.
7. Screening equal to 60 percent opacity shall be provided around the entire perimeter of the parking area as required by section 530.170 of the zoning code.
8. Wood mulch shall be used in all landscaped beds.
9. The entire refuse storage enclosure shall be made out of brick.
10. Approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development – Planning Division.

11. All site improvements shall be completed by October 10, 2009, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
12. The curb cut along W 45th St shall be eliminated, subject to the approval of Public Works.
13. One additional green wall panel shall be added in the blank space to the left of the two shown along the rear wall of the building. The green wall on the W 45th St elevation shall be made 50 to 75 percent larger.
14. The total number of bicycle parking spaces shall be increased to 16 spaces.
15. A sign shall be added that encourages people to turn off their vehicle while waiting in the drive-through lane.
16. The pedestrian crosswalk that connects the building to W 45th St shall be a raised crosswalk.

Staff Dvorak presented the staff report.

Commissioner Norkus-Crampton: I've been looking at this site and one of my main concerns is just the amount of curb cuts on this site. This is a community commercial corridor. I went over and visited the site this weekend and am fairly familiar with the neighborhood. What we're hoping is that it is embedded within a neighborhood and that will hopefully have people busing, biking and walking to use a neighborhood service which is the advantage of having it so close to a community. It just seems like with the curb cuts as well as the drive-thru and everything else and minimal bike parking, we end up with a much more auto-oriented use here. I know that we're over the limit as far as how much parking is being provided and all that. My main concern is how the amount of curb cuts affect the safety and convenience and the perceived safety and convenience of people trying to get through this site, just walk down the street...it's a very active neighborhood, there are a lot of small businesses, it's a great area. One of the curb cuts I was especially looking at was the one on the Sunnyside Ave side that is next to the drive-thru area and my understanding is that that's mainly for semi delivery which is weekly at off hours. I did talk with some of the traffic people today to just run by a couple of ideas. One idea I had that they did not object to was the idea of combining those two curb cuts so that way you have the drive-thru area but you also have an expanded drive to the east of that so that way cars could get through there but you don't end up with an extra curb cut and it's also more perpendicular to the sidewalk which limits the amount of speed and you won't have people just whizzing in there. I know that there are some businesses right next door and across the street and everything so there is a lot of pedestrian traffic there. The other issue on the France Ave side, one of the things that we asked for at Committee of the Whole was some sort of logical way of getting pedestrians across this parking lot. Directly to the south of this business is a residential neighborhood. We're hoping that they're going to use the business. They're not going to walk all the way to the corner and use those front entrances; we know they're going to cut across the parking lot so we asked the proposers to plan for that accordingly. There is a crosswalk to the west of the 45th St entrance and exit, but the issue is that you've got two-way traffic coming in from France, two-way traffic coming in from 45th St, people turning a corner; there are just a lot of different things for the pedestrians to play dodge-em with on that. The other suggestion that I ran by the Traffic Department, and they said they would not object to this either, there is a history of curb cuts, one being specifically an entrance and one being specifically an exit for cars in the existing business in the old Sunnyside Market site, so the people living there are used to this sort of thing. They

said they would not object to having the France Ave entrance specifically just an entrance point for cars so that way you wouldn't have cars coming off 45th St, turning left into that pedestrian crossing area and eliminating another perceived unsafe pedestrian car interaction. The other thing that they agreed to was to make that crosswalk a raised crosswalk indicating that that is a safe area and then with signage saying do not enter there. Between combining the two curb cuts on the Sunnyside Ave, which would allow the semis to come in from France and then getting the one way coming off France, it would be able to keep the traffic going through, accommodate everything, but also accommodate more of the mixed use that we want to have people actually utilize this space and the services.

President Motzenbecker: Is that a recommendation or is that a question?

Commissioner Norkus-Crampton: I just was wondering if there were any other issues that I didn't think of or that, in my conversations with traffic, that they didn't think that would be an issue with something along those lines.

Staff Dvorak: One comment about your discussion with Public Works today about Sunnyside, it's a surprising response that you got because we talked about combining the curb cuts along Sunnyside at our PDR meeting and the answer at that time was "no" because if you're entering and you have an exit, which obviously has to be next to the building because there is a pick-up window, so you have an out and then you'd have an in and then an out or two outs and an in and out; you'd be driving opposite of how we drive here when you're entering and exiting driveways. At the PDR meeting Public Works said that that wasn't a good solution to combine them along Sunnyside. I don't know who you talked to.

Commissioner Norkus-Crampton: I was just trying to sort out some of this stuff and I asked if they had any objection and the people that I spoke to said that they didn't so it wasn't like their suggestion, we were just trying to figure out if there was a way to combine curb cuts or to eliminate some of them because four for this site seems excessive. The other suggestion I would have then is the possibility of just making that an exit for the drive-thru and for the parking lot. Make the entrance a one-way entrance coming in from France and making the two-way on 45th St.

Staff Dvorak: I think for loading purposes for semis, we wouldn't want them going out on to 45th given that...

Commissioner Norkus-Crampton: They could enter on France as well.

Staff Dvorak: But to exit...before we start rearranging curb cuts we'd have to look at turning maneuvers for their...

Commissioner Norkus-Crampton: I'm just letting you know that when I did talk to Traffic people, they did say that they didn't think that that would be an issue as far as that specific one there. I'm just trying to figure out a way...it seems that four curb cuts is excessive. Rather than just throw a suggestion out, I wanted to at least vet it by somebody who know more than me how...

Staff Dvorak: I think if you were to close the curb cut and reading through some of the emails and also from our conversation at Committee of the Whole, the one curb cut that I know you

could close without interfering with the loading would be the one on 45th if the purpose is to reduce the number of curb cuts to and from the site.

President Motzenbecker: A lot of these would also, just if we did recommend them as conditions, they would have to be subject to their final approval anyway.

Commissioner Norkus-Crampton: I guess I would be amenable to either eliminating the 45th St, at least there would be less conflicts with pedestrian traffic and car traffic on that side, or somehow combining the curb cuts on Sunnyside, but I just think that once you start getting into this many curb cuts around a business, you're really taking away from the pedestrian friendliness of the area and I don't think that's appropriate for his area. I'd be open to fellow commissioners on whichever one people want, but I'd really like to see one of these eliminated.

Staff Dvorak: The only other thing I'd throw out there is when we get to the recommendation portion of tonight's hearing, if we close a curb cut we should talk about what happens to that space. I think staff's already expressed a concern that there's more than enough parking so I would hate to see a curb cut closed and then have the applicant come back with more parking spaces there.

Commissioner Norkus-Crampton: We could certainly have more bike parking, we only have eight.

President Motzenbecker: With the bike racks, it is eight? I thought I saw two racks, is that two bikes each or four bikes each? I couldn't tell. I only saw two bike racks.

Staff Dvorak: It's showing two bike racks.

President Motzenbecker: I just saw the detail; they can hold four bikes each. Can you talk a little about the parking reduction? Your report came up with a maximum number and four spots didn't really seem like it'd be enough and if you're really going to reduce things and staff felt that what was required was enough and then only went back and explored this just for informational purposes, correct?

Staff Dvorak: Right. The parking lot is 32 and they have 52 so it's 20 more. With looking at the landscaping requirement, they do meet their landscaping requirement and so without just requiring that they only meet their minimum we looked through other sections of the code, the Pedestrian Oriented Overlay district and also the downtown parking which has a maximum of parking of 150% of what's required by the code, which is where the 48 comes from. Staff thought that that was a good place to start. At the Planning Commission meeting there is always room for discussion, but we put that as a condition of the maximum that they could have on the site. I found the detail of the bike rack. It's right here in the middle; it's kind of an "m" shaped bike rack. You could get four bikes on to that bicycle rack.

Commissioner Norkus-Crampton: I know that there's a bus stop on that corner of Sunnyside of France and I thought we had talked about making it easier for people to use otherwise besides driving to get to this neighborhood service; it's just a sign on a corner and it's a very busy corner. I didn't see anything incorporated but I wanted to make sure I didn't miss anything; was there any conversations about somehow integrating anything like that into the project?

Staff Dvorak: There is a bench and they do not propose to make any changes to it. In our staff report we indicated that with the new development, we suggest that they explore integrating a bus shelter into the building or adopting one or putting a more elaborate bus shelter on their own property, but I haven't heard any response from the applicants on that.

President Motzenbecker opened the public hearing.

James Lundberg (4521 Ewing Ave S) [not on sign-in sheet]: Ewing Ave S is a very nice street. It's very quiet and calm. I've talked with my neighbors. I think that they share my concern. Our concern is traffic. Increasing traffic on this street we think would seriously harm our neighborhood. It's always been a quiet place to live and one where pedestrian traffic, bicycle traffic, people walking their dogs and enjoying our neighborhood. I wrote to somebody in the Planning office and also my council member and said that we really have a consensus on our block that we don't want this development because we're afraid of increased traffic. We ask that perhaps you take a look at putting in one of those little round concrete things on 45th and Ewing to slow people down and keep people moving around that type of area or consider dead-ending. I understand that there's a possibility that a curb cut could be eliminated and if that's the case, why not have the parking lot go out on to those high traffic areas at Sunnyside and France Ave? That is the nub of our concern. We also kind of wonder why at this stage in city planning we're looking to increase pedestrian traffic, bicycle use and also to increase the use of public transportation why we're planning a facility like this with drive-thrus. Those are our major concerns and they are serious concerns for our neighbors.

Ken Stone (4516 Ewing Ave S) [not on sign-in sheet]: I echo those concerns about the traffic up and down our street. We do have a three-way stop; no one stops at those stop signs, no one. They just go right on through. I would appreciate that consideration of not having the curb cut on 45th St or, if not, then have some traffic interruption like a circle or other boundary like they have around Southwest High School in our neighborhood. We are against the C2 zoning because of that drive-up. We think that will think that will create more traffic coming in and out at 45th. I also would like to voice opposition to the variance for the signage on the northeast corner. I feel like the building...I counted seven signs, two of them almost billboard size, already on the building plus they have a free standing sign. It has plenty of signage and we don't need another sign. If there is a variance granted for that, they should also have a window over there; it's a very blank prominent façade. We would like as much landscape buffer along 45th from that parking lot. There seems to be one section of grass and there's no screen or low bushes to screen the headlights from the cars. I'm an architect and would like to just make a couple of points about the architecture. They did respond to the neighborhood wishes to make the building all masonry and cut back on the EFIS, which we applaud, we think that's a good move. We just want to make a point that we want it to fit into the architectural vocabulary of the neighborhood. It has some white columns and some other odd features that don't seem to fit in. We want a strong architectural piece like the other buildings such as the Bruegger's across the street. We like to see traditional brick detailing to the building. One point that is often overlooked is the roof screening of the mechanical equipment. This building is sitting down low; our neighborhood is up on a hill overlooking this. We have some horrible examples of mechanical rooftop screening in our neighborhood; the wood is rotting, the noise. We want to make sure there is good rooftop screening for the noise and the visual. Thank you very much.

Ed Mathie (4239 Grimes Ave S, Edina) [not on sign-in sheet]: I've lived there for the past seven years. Prior to that we lived at 4015 Sunnyside which is about a block from there. I'd like to see

the area developed, but I'm worried that the current proposal is not a responsible way to develop it and it's really unacceptable. I'd urge you, based on the current plan, to reject the proposal and the requested change to rezone. Three reasons; scale, signage and drive-thru. The scale really reveals what is a bigger box, higher volume strategy rather than serving the neighborhood. Size, height, proximity to the street, all overwhelm the other stores that are in that area. The store size and format is designed to draw people in from a broader area. Some would say it's the same size as a grocery store that's in there, but the thing to keep in mind is that it's a 13,000 square foot grocery store. Average grocery store is 47,000 square feet so it's a small grocery store. The average size of a drug store is 12,000; this is 13,000. We're going from small grocery to slightly over standard drug store. It's not a small drug store, it's a standard size drug store crammed into this spot. The second thing I talked about is the signage. The signage is really absurdly large. The plan that I've seen shows letters on three sides of the building that are 36 inches tall by 25 feet wide. If you look at lettering on building signs, the standard for 36 inches, what they call the readable distance for maximum impact is 360 feet. You can't back up from the building far enough to read the sign at the maximum impact, the ideal impact. The maximum readable distance is 1500 feet. If you take a look at that, you're talking about Kojetin Park going to the west, Zenith Ave to the east, 42nd to the north and going to the south it's 48th St. The reality is, site lines, you can't even see that far, but what that creates is this little area where you go in and there are these absurdly large glowing signs. It really takes over. I'm not against signage. Signage makes sense, but they should look at the reality of that site before they pick the signage. The last thing is drive-thru. The corner already has traffic problems, I'm sure you've heard this. Roads are single lane with a parking lane. I'm probably the minority here because I'm officially Edina-Morningside and we sort of have not even been invited into it because it's officially a Minneapolis decision. Talking with people from Edina-Morningside, they have huge cut-thru problems right now and Sunnyside Road is the cut-thru problem. It goes right through to the bridge and connects with 50th and there's been an enormous problem with that. This last weekend, I helped take a woman out of a car at an accident at the very site we're talking about. These streets aren't designed for the volume of traffic that this format is trying to build and trying to generate, particularly with a drive-thru. The other thing is that it exits on Sunnyside Road. Sunnyside is the thoroughfare for bikes, walkers, everybody right through there. They used to go right in front of our house, we loved it, they would go right in front of the exit for the drive-thru and if you think about it, they're all going to be sitting, waiting for the light to change to get out to go. That's where all the people go passed, it's going to be a huge pedestrian problem. The last thing is, a study out this year by Ohio State University, drive-thru pharmacies have a higher rate of wrong prescriptions. The complication of adding that into the business and having people having to deal with a window complicates it enough. It's more convenient for some people, but much higher rate of filled prescriptions and misfilled. We've been in the neighborhood 16 years. It's a very quiet community, we don't think of it as a corridor through which businesses should run lots of traffic. There's no shortage of people who want to develop this spot a responsible way. Because of those three reasons and many others, I'm sure people brought up, I would say I urge you to reject it at this point and either get them to do it responsibly or hold out for somebody who will.

Rhonda Grant (4011 Sunnyside Rd) [not on sign-in sheet]: Being in the Edina area, we didn't feel invited to this. I didn't know about this until the last hearing was actually cancelled. I'm disgusted that we weren't a part of this because many of our homes will be looking right at this project. It is signage bombardment and I think it's really unfortunate that we're looking at redundancy when we've got five blocks down the road, a Walgreens drugstore. I have all this traffic going right past my house with pedestrians, runners, stroller pushers and dog walkers and

it's absolutely wonderful and that corner is going to be so utterly congested. Traffic is a huge concern and I know that that's not something that you want to hear more about but it is a huge concern for us on Sunnyside. I thoroughly reject this proposal for a CVS Pharmacy. I think that there are so many better uses for this in a small grocery store like what was proposed in there earlier was the Kowalski's. I spoke with their architect; the rug was pulled out from them at the eleventh hour and that really makes me sad because that would have been a great addition to our neighborhood. Thank you.

Linea Palmisano (4309 France Ave) [not on sign-in sheet]: I'm speaking on behalf of Linden Hills Neighborhood Council, I'm the board president. Through this process with CVS, we've gathered over 600 pieces of feedback. We've hosted two broadly advertised community sessions and we keep our website pretty up to date at all kinds of hours of the evening. Some of the concerns raised, I know that we've walked through and talked through with the developers. Our goal, Linden Hills Neighborhood's goal, is to incorporate a development into the neighborhood, it was never about yes or no this is private commercial property, it's always been about how. I would urge you to go to the middle of that packet, but there's a three page long...if I could just reiterate those points. There's the Comprehensive Plan, which defines this property. I see that a plan can easily comply with the notes of zoning code and not the music of what was trying to be said through all of that input. I think that the great streets design guide was really a great assistance in helping us translate some of the things that we were hearing from residents, things such as why something looks like it doesn't look into this space or not, what suburban means, what would be suggested as an alternative to some of the signage and some of the lighting. The third piece, and this is something that speaks I think to where the parking lot is is CPTED review. I do know that the developer went through a CPTED review process. I don't know what the outcome or what the recommendations were of it or if they are changing anything in this plan to be in compliance of it, but I do believe that the parking lot is one that makes sense based on CPTED guidelines. Something that is talked about and I'm not sure how well different people are able to speak to it, but when you talk about sustainability of a building like this, this is a front gateway property, not just to our neighborhood but to Minneapolis from the Edina side. It's something that if you look at the gates of this area, size might be compatible with that. It looks as though it is with the plans. It also shouldn't necessarily look like a sign itself. It shouldn't be a CVS into the building if it's supposed to be something as permanent as the old pharmacy across the street or as lasting. At the end of the day, the Morningside Business Association and the neighborhood benefits from a strong anchored tenant. It doesn't necessarily mean that it needs to look the way that it does and I think that there are things such as the gooseneck lamps that is on the packet of the sign packet but isn't actually a plan, it's just the cover page. I've seen CVS pharmacies. There are pictures of CVS pharmacies that have incorporated some of those details that there aren't here. Sidewalks, on the other hand, are a big deal, particularly on 45th St which has none and has significant pedestrian traffic out to the bus stop, particularly for a developer to be offering to put in sidewalk, that's a big part of pedestrian design that the neighborhood values. We've accumulated significant data and that this document is asking you for something in this process. It's up to you to decide if this proposal meets it and I'm not sure that Linden Hills Neighborhood Council or the neighborhood thinks that it's done yet. Thank you.

Commissioner Tucker: Did you have any specific suggestions on how the site plan could be improved to meet the neighborhood sense that you're looking for?

Linea Palmisano: Yes. In the façade...in the great streets program façade design guide, they talk about...and it's also a CPTED guideline, but use of lighting appropriately, something that we

think makes something look suburban are some very hot spots of bright light versus the continuity of light that something like awnings in a development helps to provide, something like human scale windows and appropriate transitions between the sidewalk and the windows.

Commissioner Tucker: Is this something that you've discussed with the developer in these area sessions and did you get any response?

Linea Palmisano: It's in this document. The response that we got is the plans that you have in front of you.

Commissioner Tucker: Did you find them responsive at all?

Linea Palmisano: Yes, brick façade...the bus stop wasn't actually proposed, it was spoken about in some community sessions, changing the building to have a double entrance so people can enter on Sunnyside and France is a big deal...

Commissioner Tucker: I agree, having seen many other CVS plans, both in my neighborhood and in St. Paul. It does seem to be a big accomplishment to get the street side entrance so I congratulate you on that. One other question on the variance for the sign on the northeasterly sign, does the neighborhood have a position on that?

Linea Palmisano: All the feedback about signage hasn't been about that particular side. It makes sense that it would be advertised on that side of the building for what the building is. The biggest concerns raised were on the pylon sign on the corner and the CVS Pharmacy sign on France that doesn't reach very far. It's meant to be seen a certain distance away but you're not seeing it that distance away and it's all backlit. The only other backlit signage in the area is that of a very small cleaner's, but every other business in the area makes use of the gooseneck lights, even national chains like Caribou Coffee and Bruegger's Bagels use the gooseneck lanterns and not backlit signage. It seems to be in our commercial design committee that we're working on some guidelines, it seems to be something that is consistent throughout the area, holds the businesses together and helps define that node. If this anchor tenant were to have the backlight signage, I'm not sure that would necessarily adhere anymore. It's a pretty big anchor tenant.

Commissioner Gorecki: Can you just elaborate a little bit more on the signage that was proposed and what the neighborhood reaction was? You're talking a little bit about the backlit lights which is pretty traditional and typical of a store like this, especially CVS. Did you look at and ask to have other signage shown to you and was any provided?

Linea Palmisano: The signage wasn't actually...I don't recall that the signage was submitted until the very end after the plans were submitted to the city so all we were looking at were illustrations of signage which didn't necessarily show one way or the other if it was backlit or not and people did discuss the use of lamps and the use of signage in the area but it was never specific because it was never official. In fact, the plans that were shown through the community dialogue sessions didn't have the pylon sign shown but it was maybe the orientation and just the way the drawings were.

Commissioner Gorecki: Ok. Was there any discussion on the drive-thru and what was that discussion about?

Linea Palmisano: We did hear a lot about the drive-thru. We heard both very positive and very negative things about the drive-thru. Similar to what you've heard here from residents, people are concerned that the drive-thru makes a higher traffic area, which from the CVS perspective doesn't seem to be the case, but more and more convenient perspective. Other compliments and positives for the drive-thru was that you were reducing what's currently a four drive-thru gas station down to a one drive-thru pharmacy drive-thru and it was something that made it easier seniors, easier than the Walgreens down at 50th and France which parking and access is a huge problem because a person needs to walk 60% of the way around the building to get into the building then the pharmacies are always in the back. It was seen both as a positive and negative. The negatives were more about being able to see pedestrians as you were exiting and with the dumpsters moved, which they moved and it's a lot easier to see.

Brian Alton [not on sign-in sheet]: I'm an attorney with the law firm of McClay Alton in St. Paul. I'm here with Kevin McGee of Velmeir Companies today to seek your approval for this proposal. We're really pleased to be here today. We started this process several months ago and have had several meetings with the Linden Hills Community District Council and we've enjoyed those meetings and have made significant revisions to the project as a result of our meetings with them and we believe we've got a good proposal here today. We ask you to pass it consistent with the recommendations of the staff. We do have a couple of comments on a couple of the conditions and I certainly will address some of the concerns that have been raised by the persons here today. We also want to tell you that we appreciate the work that the staff has done with working with us for the past several months to have this project evolve and get to the point where we're here seeking your approval today. With respect to a couple of the questions, on 45th St now I believe there are three curb cuts. We're going to be eliminating two of them and we believe that the one curb cut we're going to leave on 45th is important for traffic circulation. We don't want to dump a lot of traffic on to 45th St, but there ought to be options for people who would be leaving the site on to France Ave so they could go on to 45th and turn left on 45th St because it would be very difficult to exit on France and turn left going south on France Ave. We think that 45th St curb cut is important. Ms. Dvorak mentioned the reason for the way we've configured the curb cut on Sunnyside is probably not ideal, but it's what we figured out as the best way to do it and I think Public Works supports that proposal as its been laid out. With respect to the amount of traffic, I don't know if it's part of your packet but we did have a traffic engineer prepare a summary of trip generations by a pharmacy with a drive-thru as opposed to a gas station and grocery store of like size and the conclusion is it's basically the same. We won't be increasing the traffic. We understand those are legitimate concerns by neighbors who live there, but we don't think we're going to be exacerbating that problem. With respect to the comments that have been made regarding signage, we're only asking for signage that's approved by the ordinance with the exception of the one variance on that one side, the short side, of the building on the easterly side. We're not putting any signage on the side of the building that does face the residential houses, that's intentional; we don't want to intrude on them. You've probably all seen these CVS stores at night. I don't think the signs are that glaring; they're internally lit signs, there's not white light that's shining out. We've also provided a lighting analysis of the lighting in the parking lot so none of the lighting in the parking lot exceeds the candle power that's permitted by the ordinance. We're making sure that we don't over-light the area. With respect to the 11 or 12 conditions in the staff report, the first condition is that stucco be used or at least not EFIS be used. EFIS, in this case, is only going to be used on the top of the building. We were going to also put it to match the trash enclosure to the building and that's one of the last recommendations that we not do that, that's fine, we won't do that on the trash enclosure, but we would like to be able to put some EFIS on the top rather than stucco because there are problems

with moisture and stucco. EFIS is easy to repair, it's not in an area where it can get damaged by people bumping up against it or potentially damaging it. We don't think that the small amount of EFIS should cause a problem. There was a question about landscaping along 45th St. We have met with Tom Thompson from the Police Department about CPTED and there's a little bit of tension between CPTED principles and the landscaping desires. We certainly will put additional landscaping on the northeast corner off of Sunnyside and are happy to put additional smaller bushes on the 45th St side to the east of the curb cut. We think that's fine to put additional small shrubs there. We don't want to put a large hedge because we don't think it'd be safe with CPTED principles. If we do put that additional hedge there, there's also some concern about the requirement for additional trees. The staff report recommends that we put in eight additional trees, but it doesn't count five trees that we're putting on the boulevard along 45th St. We would like those five trees to be counted. We are going to be installing a sidewalk and putting in a boulevard. We originally had those trees on the inside of the sidewalk and at the request of staff, I believe, we moved them out into a boulevard. We don't think there's going to be enough room to put those trees along 45th St and then also additional trees on the inside so we'd appreciate some consideration there. Finally, our most important and critical exception with the staff recommendations is the reduction of parking from 52 to 48 parking spaces. We already are supplying fewer parking spaces than what CVS would like to have on the parking space. We rearranged the parking and reduced the parking in order to take away any parking along France Ave. We also moved the trash enclosure, which caused a couple of parking spaces to be lost. We think that we're providing an adequate amount of parking. We're also addressing pedestrian oriented concerns. We've got the bicycle racks and benches. We want to encourage pedestrians here but the reality is that people coming to a pharmacy, a lot of them are going to drive. They're sick, elderly, and injured people and they're going to be driving to the pharmacy and we want to make sure we're providing adequate parking for the customers. The business association, both business associations, have expressed concern about reducing parking. They don't think that reducing the number of parking spaces is good. We think that we should provide enough parking so that when people come to CVS, they can shop there and then maybe walk to another store in the area and do some more shopping. We want to make sure that we don't exacerbate the parking shortage that's in the neighborhood already. We are providing the minimum that we think we can provide for the building. We understand that staff calculated a maximum that we should have based on the downtown area and the pedestrian overlay district, neither of which really apply to this area. The ordinance, as it applies to this particular property, does not have a maximum parking.

Commissioner Huynh: Are you providing screening for rooftop mechanical equipment? The second question I have, in the studies you've done for the scale of signage that you are providing on Sunnyside and also France and the rear elevation, you have three foot high lettering that seems to be prevalent on Sunnyside and France but on the rear elevation, it's at two feet high. Just judging look at the precedence of what's currently existing, the existing signage in the area seems a lot less. With the signage you're providing, is it a CVS standard or is it something you came about from looking at the existing neighborhood?

Brian Alton: It's CVS standard signage. It's consistent with what the ordinance allows. Regarding the screening, the parapet on the roof is higher than the roof level so that screens the mechanical equipment.

Commissioner Huynh: In response to the scale of the signage, you see a lot of Bruegger's and there are images of that in our packets. I think the only anomaly that is in the neighborhood is the

wine and liquor store that seems to be pretty high catered towards the automobile. My stance is that it seems to be more of a neighborhood that's more pedestrian focused. With the signage that you're proposing on Sunnyside and France, it is definitely catered more towards the automobile. I would like to see more options looking at making that more pedestrian friendly and fitting into the character of the neighborhood.

Brian Alton: Thank you for the comment; we can certainly look at that.

President Motzenbecker: I would reiterate that. We all know that CVS, as well as Bruegger's and many other stores of this type, have many different designs in their arsenal that they can choose from and flex depending on the needs of the particular community that they're in. Realizing that you also want to maximize your exposure to your customers, I understand that, but perhaps there's a happy medium that we can look to work with staff to possibly look at some different things that shrink that signage down to a more palatable scale with the neighborhood but to still meet your needs right now and incorporate possible gooseneck lighting as opposed to illuminated signs because I think there are six backlit styles of illuminated so maybe those could shift to the gooseneck on the front or something. That's just a thought to possibly consider that as we go forward a little bit.

Brian Alton: Absolutely we will look at that. We will work with staff on that.

Commissioner Norkus-Crampton: I want to reiterate that because we did talk about this at Committee of the Whole. In this particular area, the businesses who are succeeding there are doing really well with the standard signage that they've had which is lit from the front with gooseneck lights, people are used to looking at that, that's the scale they're used to, that's the type of sign they're used to. They don't have a grocery store anymore so the service that you're providing is going to be a good one for the neighborhood. There isn't any competition for what you're providing. I think that this is a little over the top and certainly part of our Comprehensive Plan is really focusing on not over-lighting and light pollution and things like that. If it's not needed, save some energy costs, save some light pollution and if it would make peace with the neighbors it seems like that would be a good way to start out.

Commissioner Gorecki: I want to echo the comments of the Chair in regards to your lighting packages. Having worked with CVS in the past, we had these same issues in regards to a development that I was working on. You do have many, many packages and I'd just basically say that we shouldn't have a backlit sign, let's go with something not backlit. I saw it very consistently on the east coast where CVS was able to show us many different sign packages that were not backlit.

President Motzenbecker: I wanted to get more information from you for the calculations for this parking. The required parking is 32 and you're requesting 20 more spaces than that, kind of in the context that the city's major goal is to reduce auto dependency, reduce auto trips. I respect the drive-thru issue, I don't have a big issue with that as I do just the overabundance of parking, and am wondering about your demographic research into this particular neighborhood in Edina and Linden Hills and knowing the amount of biking that goes on and other transit alternatives. Only having eight bike spaces and 20 plus extra parking spaces; just maybe a little more detail into your calculations would help us I think.

Brian Alton: First of all, CVS has done their calculations on what they want for a minimum parking requirement; what they need for parking in a typical store. Factoring in traffic counts on France Ave are...

President Motzenbecker: Typical store of the same square footage?

Brian Alton: Yes. Traffic counts on France Ave are quite high so we know that there's a lot of automobile traffic on France Ave. Sunnyside has probably has not as much traffic. Before I came here today, I could not find the parking requirements before you amended the zoning code to see what it would have been. I'm familiar with the city of St. Paul and the minimum parking requirement is significantly higher in the city of St. Paul. I think it would be, I'm not sure about this, but I think it would be higher. You've changed your zoning code and reduced the parking requirements for a good reason, but taking into account the fact that it is a pharmacy where we know our customers are going to be driving to the store, we think we're providing a reasonable number of parking spaces. We are meeting the landscaping requirement so we've got a lot. We have a building taking up a certain number of square feet. We've got the other amenities, the courtyard, benches, table, bicycle racks and sidewalks.

President Motzenbecker: That being said, if we pushed your buttons a little bit and pushed you to reduce down...forget four, that's a joke. I think if we wanted to push them down, we would get substantially like down to 40 or 38 or to something that is more close the requirement but still is somewhere in the middle. In your opinion, what do you think you could live with?

Brian Alton: I think I will let Kevin McGee answer that question because I think the answer to that question is that CVS wouldn't build the store.

Kevin McGee [not on sign-in sheet]: We have worked with CVS very strongly on this store. This is against a lot of their beliefs of what they bring in and what they want to see in a store. Brian was right; we develop stores all over the United States. In the Twin Cities area, most of the minimum parking for a store this size is right at 65 parks. Fifty-two is what we negotiated with our client to get down to. I would like to make a point on the signage, this signage is not CVS's standard size. They're standard size is 48 inches. We have reduced the signage. We've also worked with our client very much to keep signage off of the 45th St; that was actually our suggestion, not CVS's. They had a hard time with it. We felt if we could expose a sign to the Sunnyside northeast corner where it's more to the commercial zoning and the roads that we could comply. We've gotten our client to agree with that, with to our knowledge, I have not seen that happen before. They have really bent over. They've gone with the double entrance like we said, they went with the all brick. We're nowhere near a prototype. We've extended the costs extremely in this building to try to fit in with the community and work with everyone that's here. We want to make this better for the community. We're willing to keep working with staff and so forth, but we would like to be a part of this community and we would like to participate in it.

Commissioner LaShomb: Having been in the transit business for a long time, I can tell you that the standard for people walking to a bus stop is three blocks. Beyond three blocks, people will not walk to a bus stop. Take that as a three block standard. That means that if you severely limit parking at this site, what you're basically doing is limiting the scope that the business can function in because after three blocks people will not walk. On top of that, add the element of seniors who tend to do pharmacies. I live in a building where people won't walk a block to the church that's on the corner, especially at night. I think we ought to understand that while it's nice

to talk about transit usage and nice to talk about pedestrian usage and all that stuff, there is a limitation as to the kinds of exercise people are willing to talk to get to a drug store. I walked from where I live to the light rail tonight and that was about nine blocks and I was tired from doing the walking. I'm a little more sympathetic to this idea of parking simply because watching seniors in actions, their view of security and their view of exercise is substantially different than a lot of folks.

Commissioner Norkus-Crampton: In response to that, I understand the aspect for senior citizens and I think the drive-thru would probably be a good option for a lot of those people. I also think that the grocery store what was here and the gas station that is now here are both going to be gone. There are no other grocery stores or places where people can get things like milk, candy, stuff like that so this is really not going to be just a senior citizen accessed area. I guess what I've been striving for is to make sure that it's going to multi-generational use and that we're trying to come up with ways of getting in and out that will accommodate all those. On the news today, South High School said they quintupled their bike usage at their school simply by putting in more bike racks. The more people that are willing to do that, the less pressure you're going to have on your parking lot. I'm not necessarily pushing to have less parking than what's here, but I do think that we need to make sure that we're sharing and that we're not eliminating options simply because of the perception that either it's not safe to get in and out by these other modes of transportation or it's inconvenient or whatever. Those are the things that I'm really looking for in this and I'm glad to see the crosswalk that you guys put in here. I think we can still modify this a little bit better and make it more approachable by different modes.

Commissioner Williams: My question is maybe one that goes beyond the applicant, but maybe one that Ms. Dvorak can respond to. This is a border development, right on the Edina border. To what extent do we expect developers to take in that site and reach across the border to see what kind of impact the proposed development might have across the border?

Staff Dvorak: I'd like Linea to maybe come up and answer this question for the neighborhood process, but we did notify and the 350 foot circle went into Edina and we notified all of those property owners so we did not cut it off at the border of the city. So, all property owners in Minneapolis and Edina that live within that 350 foot buffer were notified of this public hearing, which was a cycle ago and we continued to tonight. Maybe Linea can come up and speak to their notifying for their neighborhood meetings. I attended one, Amanda Arnold the community planner for southwest attended an additional one while I was out of town and there were 50-75 people there. I don't know if they came from both sides of the border or not.

Commissioner Williams: The other question that's related to that, we notified the individuals within that circle, but we also know that in our community on the Minneapolis side there was a neighborhood council association that had a genuine concern about development in that area. I would suspect that there might be a corresponding association on the other side that might be interested in what's happening. We know that the neighborhood associations in particular pay [tape ended]...and they assist in that notification process because a simple sending of a letter doesn't always do it.

Staff Dvorak: It's my understanding, but I believe the Morningside Business Association was involved in this process. However they advertise meetings or seek input on these proposals is really up to the neighborhood organizations. As Linea from Linden Hills indicated, they had an ongoing website and mailings and whatnot.

President Motzenbecker: I think, too, just to note, I don't think it's necessarily...I don't know if Edina sends us notifications all the time of their things, or other neighboring jurisdictions. I think the neighborhood organizations did it out of thoughtfulness and wanting to include them. Obviously we did send out in that radius, but I think beyond that we don't have a...Linea, you're welcome to respond to Hilary's question, but if we could keep it brief that'd be great.

Linea Palmisano: The Morningside Neighborhood Association had me come and speak to them after the first community dialogue. We had at least one full table of Edina residents present from the very first community dialogue session that gave input and specifically did voice concerns of which one of our requests to the developer was to do a traffic study that incorporated that area. I believe that they did so. Morningside Neighborhood Association is both Minneapolis and the Edina side, that's what they represent. I've been in regular communication with Joni Bennett who's the Edina City Council person.

Council Member Betsy Hodges: I'm not here to speak yay or nay for the proposal because I will have that opportunity later. I represent this part of Minneapolis on the City Council. I just wanted to take this opportunity to thank Linea Palmisano and the Linden Hills Neighborhood Council for their outstanding work in facilitating a community input process that did draw in hundreds of residents leading up to this public hearing. I know you have the results of that before you and Linea very ably reflected the results of those meetings. There is a great deal of community input behind that proposal, more than the people you've seen here tonight. They've been represented by the neighborhood. I did also want to take a moment to thank Mr. Alton and Mr. McGee for their engagement with the neighborhood. I know the project has changed in response to the input from the communities, you've seen that reflected here tonight. Regardless of one's position on the final product, again I have no position on the final product until all the information is on the public record, I did want to thank everybody who has been involved to try to move this forward, including the developers. I appreciate you allowing me a little bit of time at the end of your public hearing to say such. Thank you.

President Motzenbecker closed the public hearing.

Commissioner Tucker: I will move staff recommendation on item A (LaShomb seconded).

Commissioner LaShomb: Business realities make drive-thrus at banks and drugstores the way a lot of people do business these days. The reason for that is demographics. There are a lot of people who are either afraid to get out of their car or they don't want to unstrap their kids and take them into a drugstore. If you didn't support the idea of a drive-thru you really don't want the facility on the site because I think the business model is the one that everyone is doing simply because it meets the demographic needs of the community.

Commissioner Norkus-Crampton: Just to add to that, whenever I'm looking at a project, especially if there is a rezoning and trying to look at the use, I try to look at the existing use and with that gas station on the corner, there's obviously a lot of car traffic that's in and out of there now, which includes a little grocery store and I'm sure that's used more for that too since the Sunnyside Market is now gone. It's hard to argue that cars don't have a place on this site and that possibly a drive-thru wouldn't be appropriate for this site. I think moving forward hopefully we'll figure out ways to make it more compatible with other uses as well.

President Motzenbecker: All those in favor? Opposed?

The motion carried 7-0.

Commissioner Huynh: I'd like to move variance B for the signage on the northeasterly side of the building at 4419 and at Sunnyside Ave and 3724 W 45th St with the condition that we had a third item that the applicant work with Planning staff on building signage that is appropriate and compatible with the neighborhood (LaShomb seconded).

President Motzenbecker: If I might, I had some things that I had written down for that additional condition. I think the applicant should work with the neighborhood to shrink the signage to more appropriate smaller sign package that can be found within their framework, as well as incorporating non-backlit signs lit with goosenecks for lighting package styles B, B1, B2, B2S, B3 and B4, working with staff to address those issues (Norkus-Crampton seconded).

Commissioner Schiff: I'm confused on a condition that says "minimize signage." We usually approve signage based on actual measurements and size. A condition that just says "minimize" to me is too vague for me to support. I don't think the package that's been submitted meets the criteria of exceptional design which is the language in our code. It must be exceptional and there is nothing exceptional about what is before us. If you could explain more what you mean by shrinking the signage, I think we just need to be very specific and use exact measurements.

President Motzenbecker: I don't have an exact measurement and I'm reluctant to give percentages, that's why I was offering them to work with staff to get something a little more appropriate. If perhaps we added to utilize the design guidelines that were provided by the surrounding signs in the neighborhood that were given in the staff report as a guideline to be compatible with those signs. Hilary, if you have input that'd be great.

Staff Dvorak: This is the only sign that requires the variance because it's on a non-primary building wall. This is the side of the building that faces France Ave. They are allowed 97 square feet of signage along this side of the building and they're just about right at the maximums for these two sides of the building and then along Sunnyside it's 149 square feet of signage. That's what's allowed and that's what they have. I couldn't follow your B1, B2...I wasn't up to speed with you on that. I'm not sure what signs that represented. I'm guessing it's the larger CVS signs.

President Motzenbecker: Right, they're outlined here. They'll correspond with the building, you'll see what the titles are on them.

Staff Dvorak: All of the signs combined meet these totals so that would be just a little more guidance for you to provide me.

Commissioner Norkus-Crampton: So are you saying that the size of the signs, the two on that list that was before us a second ago, being allowed by code if there was a move to try to reduce those to blend in better with the existing signs in the neighborhood that could be appealed and overturned based on the existing code?

Staff Dvorak: No, you have a variance related to signage before you so I think whatever condition about signage you want to place on this is appropriate. I'm just pointing out...Commissioner Schiff was concerned about not being able to support something that said

“minimize the amount of signage” so I’m just pointing out the maximum amount of signage that’s allowed on the two building walls. This sign is 58 square feet to round up. If you wanted to minimize based on what’s allowed, because they have the free standing sign, you could reduce these numbers. Instead of 97 square feet of signage here, you could pick a different number and then I could work with the applicant within that guideline.

Commissioner LaShomb: I don’t understand how when the code says you can have a certain size signage on a building that you can use a variance for one side of the building to affect the signage on the other side. If the code says the other signage is legal, then it seems to me that they’re legal. The variance really has nothing to do with those two sides of the building so my feeling is that if we want to tink around with the signage on this side of the building, the side that’s addressed by the variance, we should simply deny the variance and let them either come back or take it to appeal, but to try to screw around with something that’s allowed by code on the other sides of the building seems like pretty dangerous ground.

Commissioner Tucker: As I understand it, 97 square feet and 149 square feet are allowed on two sides, correct? That’s 246 square feet allowed right now. Could one think about distributing that 246 on the three sides if they find that the sign on the third side is very important to them? We could modify your suggestion to they could have the variance but the total signs could total only 246 square feet.

Staff Dvorak: I should point out that this is also primary building wall which they are not putting signage on. This is what faces 45th and residential is across the street. This building wall is eligible for another 149 square feet of signage.

Commissioner Tucker: And they’ve given that up.

Staff Dvorak: They’ve given that up.

Commissioner LaShomb: I’m going to move a substitute motion that we deny the variance (Tucker seconded).

Commissioner Schiff: I think this is the proper way to go. I don’t think we can legislate what is exceptional and I don’t think we can condition an existing package and try to make it exceptional. I think we should just ask the applicant to come back, work with the neighborhood and come back with a sign design that meets the language in the code here.

President Motzenbecker: All those in favor to deny the sign variance?

The motion carried 7-0.

Commissioner Tucker: I will move approval of C with staff recommendations (Gorecki seconded).

Commissioner Norkus-Crampton: In looking at this site, I can see that...to try to create some kind of buffer between this use which is going to be heavily used, I see with the amount of curb cuts that are there, I really see that the 45th St curb cut is redundant. We’re allowing extra parking, allowing the drive-thru. I think having a solid buffer between this commercial use and this big parking lot and the neighbors is a courtesy. I think it also makes it much easier for the

people in the residential neighborhoods living three or four blocks away who may actually walk or bike or whatever to get there if they don't have the conflicts with the traffic on 45th St. I'd really like that to a pedestrian bike friendly area. One of the amendments I'm going to propose is to eliminate the curb cut on 45th St W, subject to Public Works approval (LaShomb seconded).

The motion to add the condition was approved 7-0.

Commissioner LaShomb: I'm going to move to amend condition four from 48 to 52.

President Motzenbecker: There's no second. I'd like to offer an additional condition looking at just trying to bolster this a little bit more for the neighborhood looking at the elevations and applauding CVS for offering some green wall pieces on both the rear elevation and the 45th St elevation, but seeing that there is room for more, I'd love to have on the rear elevation one additional panel of green wall added in the blank space to the left of the two that are shown. On the 45th St elevation, I would ask that the green panel that is shown there be expanded to more graciously cover that wall. It is very small now. It should be more in conjunction with the size of the two that are shown on the rear elevation. Fifty percent, 75% bigger (Norkus-Crampton seconded).

President Motzenbecker: All those in favor? Opposed?

The motion to add the condition was approved 7-0.

Commissioner Norkus-Crampton: I have one more condition I'd like to add. There was talk that when we have a variety of uses facing a residential neighborhood, I think we've done this on other sites and I guess I need to know what the code says, to have shrubbery on that 45th side to limit the amount of car lighting that actually shines into the neighborhood. Is that to deal with environmental safety type things, crime reduction, is that three feet high?

Staff Wittenberg: That's correct. I believe that may be covered by condition number seven in the staff recommendation.

Commissioner Norkus-Crampton: So that would cover all that? I want to make sure the area where the curb cut was was covered by that as well.

President Motzenbecker: I would like to add one more condition that the bike parking be increased from eight bike spaces to 16 bike spaces (Huynh seconded). There is plenty of room for additional places out in that parking lot.

President Motzenbecker: All those in favor? Opposed?

The motion to add the condition was approved 7-0.

Commissioner Schiff: We have a new anti-idling ordinance in the city of Minneapolis. I do use those drive-thrus every now and then and I do go to pharmacies and I know that three minutes is nearly impossible to get a prescription filled at the pharmacy I go to. In order to be consistent with new city ordinance we should have a sign posted by the drive-thru encouraging people to turn off their cars. Ten seconds of idling uses more fuel than restarting a car and that's from the US Department of Energy. Whatever final language on the signs are we should leave up to staff,

but it should be a sign that encourages people to turn off their engines while waiting (Motzenbecker seconded).

President Motzenbecker: All those in favor? Opposed?

The motion to add the condition was approved 7-0.

Commissioner Norkus-Crampton: There was one more thing with talking to the traffic people today, the crosswalk that's going across there, there seems to be a feeling that raised crosswalks just makes things a little bit safer for pedestrians to get across a parking lot so I'd like to make a condition that the pedestrian crosswalk going from 45th St to the business is a raised crosswalk.

Commissioner Schiff: Can you clearly mark, Ms. Dvorak, where this would be?

Staff Dvorak: Here's the sidewalk and then here's the curb area so it's these hatched lines. The applicant is proposing to mark the crosswalk like you would see in a street. It would get someone to the front door from 45th.

Commissioner Norkus-Crampton: The advantage is that it would extend from the pathway going across the boulevard directly to that crosswalk directly to the apron of the business and on to that door on the south side.

Commissioner Schiff: The vehicles are sharing this and driving over it?

Staff Dvorak: Right. With the elimination of this curb cut, you would now come in the site from France or appear off of Sunnyside.

Commissioner Schiff: So it could operate as a speed bump inside the parking lot. Ok, I'll second that.

Commissioner Williams: You said that studies have shown that this is safer; is this for safety?

Commissioner Norkus-Crampton: It's better than just signage alone because it actually gives people sort of...you're using it as a crosswalk but also as sort of a speed hump. It just physically slows traffic down coming in through there. We really are trying to figure out ways to make it safer for pedestrians to enter the business.

Commissioner Williams: It slows the vehicular traffic.

Commissioner Norkus-Crampton: Exactly.

President Motzenbecker: All those in favor to add the condition? Opposed?

The motion carried 6-1.

President Motzenbecker: So we end up with 16 conditions. Site plan review, no changes to the recommended staff recommended conditions, adding conditions to eliminate the 45th St curb cut subject to Public Works approval, add larger green walls – one additional screen on the rear elevation and increase the 45th elevation by 50 to 75%, to increase the bike parking spaces to 16

from eight, to work with staff to create a sign posted to recommend cars turn off ignition while they are in line and to add a raised crosswalk table where the crosswalk is proposed. All those in favor of the motion as amended? Opposed?

The motion carried 7-0.