

Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permits, Site Plan Review
BZZ-1793

Date: July 26, 2004

Applicant: Bear Creek Capital for CVS Pharmacy

Address of Property: 5 East Franklin Avenue, 15 East Franklin Avenue, 2000 1st Avenue South and 2020 1st Avenue South

Project Name: CVS Pharmacy

Contact Person and Phone: Charles Schatz with DJR Architecture, Inc., (612) 676-2715

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: June 18, 2004

End of 60-Day Decision Period: August 17, 2004

End of 120-Day Decision Period: Not applicable

Ward: 6 **Neighborhood Organization:** Whittier Alliance

Existing Zoning: C1 and C2

Proposed Zoning: C2

Zoning Plate Number: 20

Legal Description: The North 14 feet of Lot 9 and the South 36 feet of Lot 10 and the North 100 feet of Lot 10, “The Neighborhood Block, Minneapolis, Minnesota”, according to the record plat thereof, Hennepin County, Minnesota

Proposed Use: Mixed-use development including a CVS Pharmacy, two additional retail spaces and 54 dwelling units

Concurrent Review:

Rezoning: of the property located at 5 East Franklin Avenue from C1 to C2.

Conditional use permit: for 54 dwelling units.

Conditional use permit: to allow CVS Pharmacy to operate 24-hours a day, seven days a week.

Major site plan review.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments; Article VII, Conditional Use Permits; and Chapter 530 Site Plan Review.

Background: The applicant is proposing to demolish the existing buildings located on the site and construct a new four-story mixed-use building including a CVS Pharmacy with a drive-through facility, two additional retail spaces and 54 dwelling units. All three of the retail spaces have their own individual entrances off of either Franklin Avenue or Nicollet Avenue. The residential portion of the building also has its own entrance off of Franklin Avenue. All of the dwelling units are located on the upper three floors of the building.

The parking requirement for the commercial portion of the development is one space per 300 square feet of gross floor area after the first 4,000 square feet. The CVS Pharmacy has a parking requirement of 30 parking spaces and both of the additional retail uses have a parking requirement of four. The parking requirement for the residential portion of the development is one space per dwelling unit or 54 spaces. The total parking requirement for the development is 93 parking spaces. There are 60 parking spaces located in one level of enclosed parking below the building that is accessed via a driveway off of 1st Avenue South. The enclosed parking will be for the residential portion of the building only. The commercial tenants, their employees and customers will utilize the parking lot located towards the back of the building which can accommodate up to 48 vehicles.

Both the Whittier Alliance neighborhood organization's zoning committee and the Stevens Square Community Organization's Board of Directors have reviewed the development. Both organizations approved the development but opposed the conditional use permit for 24-hour operations of the CVS Pharmacy.

REZONING - of the property located at 5 East Franklin Avenue from C1 to C2

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The parcel of land that is proposed to be rezoned from C1 to C2 is designated as retail-commercial in the comprehensive plan. The site is located on the southeast corner of Franklin Avenue and Nicollet Avenue. Franklin Avenue is a designated Commercial Corridor. Nicollet Avenue, south of Franklin Avenue is a designated Community Corridor and north of Franklin Avenue it is a designated Commercial Corridor. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support the development of residential dwellings of appropriate form and density.
- Support efforts that recognize the increased visibility of corner properties.
- Support urban design standards that emphasize a traditional urban form in commercial areas.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form.
- Require the landscaping of parking lots.

- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities and improve compatibility with surrounding areas.
- Promote more intensive residential development along Community Corridors where appropriate.

This development supports these principles and policies.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment will allow the applicant to construct a mixed-use development including a CVS Pharmacy with a drive-through facility, two additional retail spaces and 54 dwelling units. Through the adoption of *The Minneapolis Plan*, City stakeholders have identified Franklin Avenue as a Commercial Corridor and Nicollet Avenue as a Community Corridor where they believe mixed-use developments including residential and commercial uses such as the proposed project would be appropriate.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The parcel of land that is proposed to be rezoned is one of several lots that make up the development site. Of the lots, the parcel located at 5 East Franklin Avenue is the only one that is not already zoned C2. The parcel is bordered by C2 zoning to the east, south, west and north. Surrounding properties are zoned R5, OR2, OR3 and C1. Adjacent uses include a mixture of commercial establishments, offices and multiple-family housing developments. Given the mixture of surrounding zoning classifications and uses in the area staff believes that the C2 zoning district would be compatible in this location.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under the C1 zoning district. The C1 zoning district is a neighborhood commercial district. Permitted uses in the C1 district include, but are not limited to, the following:

- General retail sales and services, including drug stores without a drive-through
- Bank or financial institution
- Grocery store
- Video store
- Coffee shop, with limited entertainment
- Clinic, medical or dental
- Multiple-family dwellings, three and four units
- Place of assembly

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its

present zoning classification, where the amendment is to change the zoning classification of particular property.

In the last several years Nicollet Avenue has been transformed into what is known as “Eat Street.” As a result several restaurants of varying ethnicities have been established amongst other uses between Downtown Minneapolis and Lake Street. Also currently under construction in the immediate area is a mixed-use development located on the southwest corner of the intersection of Franklin Avenue and Nicollet Avenue and a 54-unit residential development located on the southeast corner of the intersection of Franklin Avenue and 1st Avenue South.

CONDITIONAL USE PERMIT – for 54 dwelling units

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The Planning Division does not believe that 54 dwelling units will be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Division does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. The design, scale and setbacks of the building are similar to existing buildings throughout the neighborhood, including the new development that is currently under construction across Nicollet Avenue from the site. The proposed density is also similar to surrounding multiple-family developments.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The parking requirement for the residential portion of the development is one space per dwelling unit or 54 spaces. There are 60 parking spaces located in one level of enclosed parking below the building that is accessed via a driveway off of 1st Avenue South. The enclosed parking will be for the residential portion of the building only.

5. Is consistent with the applicable policies of the comprehensive plan.

See rezoning finding number 1.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

With the approval of the rezoning, the conditional use permits, and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

CONDITIONAL USE PERMIT – to allow CVS Pharmacy to operate 24-hours a day, seven days a week

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will be detrimental to or endanger the public health, safety, comfort or general welfare.

The site is located on the southeast corner of Franklin Avenue and Nicollet Avenue. Adjacent uses include a mixture of commercial establishments, offices and multiple-family housing developments. Given that there are such a high number of surrounding residential uses staff believes that extending the hours of operation for CVS Pharmacy would be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

2. Will be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

Staff uses the following criteria to determine compatibility of extended hours with the surrounding area:

Proximity to permitted or conditional residential uses. There are a number of residential uses that surround the site. In addition, there will be 54 dwelling units in the same building as CVS Pharmacy.

Nature of the business and its impacts of noise, light and traffic. The applicant is proposing to keep CVS Pharmacy open 24 hours a day, seven days a week. The commercial tenants, their employees and customers will utilize the parking lot located towards the back of the building. Immediately to the east of the parking lot a new 54-unit residential development is currently under construction which would

look directly at the parking lot. The development immediately to the west that is currently under construction would also look directly at the parking lot and the drive-through facility.

Conformance of use. Drug stores are permitted uses in the C2 zoning district. Please note that one of the reasons why the rezoning application is necessary is to allow CVS Pharmacy to have a drive through facility.

Complaints received. The existing SuperAmerica located at 5 East Franklin Avenue is open Monday through Friday 6 am to 11 pm, Saturday 7 am to 11 pm and Sunday 7 am to 10 pm. Between January 2003 and July of 2004 156 911-calls have been made in reference to this site.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The parking requirement for the commercial portion of the development is one space per 300 square feet of gross floor area after the first 4,000 square feet. The CVS Pharmacy has a parking requirement of 30 parking spaces and both of the additional retail uses have a parking requirement of four. The total parking requirement for the commercial portion of the development is 38 parking spaces. The commercial tenants, their employees and customers will utilize the parking lot located towards the back of the building which can accommodate up to 48 vehicles.

5. Is consistent with the applicable policies of the comprehensive plan.

The Minneapolis Plan does not specifically address hours of operation and the uses impact on adjacent uses.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

With the approval of the rezoning, the conditional use permits, and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

**A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review.
(See Section A Below for Evaluation.)**

- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FACADE

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
- Residential uses shall be subject to section 530.110 (b) (1).
- Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The building is located within eight feet of the property line along Franklin Avenue, Nicollet Avenue and 1st Avenue South. In the areas between the building and the property lines there is landscaping.
- All three of the retail spaces have their own individual entrances off of either Franklin Avenue or Nicollet Avenue. The residential portion of the building also has its own entrance off of Franklin Avenue.
- The exterior materials of the building include brick, stucco and cast stone. The percentage of windows required on all four sides of the building is 30 percent. According to the submitted drawings, all four sides of the building meet or exceed the percentage of windows required. Staff is

recommending that the internal layout of the commercial spaces be such that shelving units and display cases do not block views into and out of the store through the windows provided.

ACCESS AND CIRCULATION

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- All of the entrances to the building are connected to the public sidewalk via walkways.
- The Public Works Department has reviewed the vehicular access and circulation plan provided by the applicant. In order to be in compliance with the Public Works requirements, the ramp leading to the below ground parking garage shall be flat (less than a four percent grade change) for at least 20 feet in back of the public sidewalk.
- The Traffic and Parking Division of Public Works has recently converted 1st Avenue South from a one-way street heading north to a two-way street. In order to maintain traffic flow along the street and to provide as much on-street parking as possible Public Works is requiring that there be only one curb cut along 1st Avenue South leading to the surface parking lot located towards the back of the building.
- Public Works has also indicated that the four parking spaces closest to Nicollet Avenue need to be removed as vehicles maneuvering into and out of the parking spaces will conflict with vehicles entering and exiting the parking lot.
- The drive-through is located on the south side of the building closer to Nicollet Avenue. Drive-throughs have a stacking requirement of four spaces. The proposed drive-through meets the stacking requirement.
- The applicant has indicated that snow will be removed from the site.

LANDSCAPING AND SCREENING

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year.**

Screening shall be satisfied by one or a combination of the following:

- A decorative fence.
- A masonry wall.
- A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.
- All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The applicant has indicated that approximately 22 percent of the site not occupied by the building will be landscaped. The landscaping requirement for this development is 30 trees and 150 shrubs. According to the plant schedule there will be a total of 15 trees and 135 shrubs. Staff is recommending that three additional trees and at least 15 additional shrubs be planted on the site. The trees shall be planted in the parking lot. In addition, additional landscaping is required along Nicollet Avenue where adjacent to the parking lot.
- The applicant is not proposing to have any fences on the site. As an alternative to requiring that the applicant meet the tree requirement on the site staff is recommending that the applicant install a decorative metal fence along Nicollet Avenue and 1st Avenue South. The fence shall be similar to the fence that is located along Nicollet Avenue currently.

ADDITIONAL STANDARDS

- Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.

- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The lighting plan that was submitted meets the requirements of the zoning code.
- This development should not block views of important elements within the city.
- This development should not cast shadows on surrounding properties.
- This development should not contribute to the wind tunnel effect.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. In order to be in compliance with the CPTED requirements, sufficient lighting needs to be located near the dumpster enclosure and security measures need to be implemented inside the enclosed hallway that stretches between the parking lot and Franklin Avenue.
- The east half of the site is located in the Washburn-Fair Oaks Historic District. The Heritage Preservation Commission reviewed the development on July 12, 2004 and recommended approval of the Certificate of Appropriateness to demolish those properties located within the historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE

With the approval of the rezoning, the conditional use permits, and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

THE MINNEAPOLIS PLAN

See rezoning finding number 1.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

There are no small area plans adopted by the city for this particular location.

ALTERNATIVE COMPLIANCE

The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- Staff is recommending that the Planning Commission grant alternative compliance to allow there to be less trees on the site than what is required by the zoning ordinance provided that the applicant install a decorative metal fence along Nicollet Avenue and 1st Avenue South. The fence shall be similar to the fence that is located along Nicollet Avenue currently.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the rezoning application from C1 to C2 for the property located at 5 East Franklin Avenue.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for 54 dwelling units located at 5 East Franklin Avenue, 15 East Franklin Avenue, 2000 1st Avenue South and 2020 1st Avenue South subject to the following conditions:

1. There shall be no more than 54 dwelling units located within the building.
2. The residential portion of the development shall have and maintain a separate entrance than the commercial portion of the development.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the conditional use permit to allow CVS Pharmacy to operate 24-hours a day, seven days a week for the property located at 5 East Franklin Avenue, 15 East Franklin Avenue, 2000 1st Avenue South and 2020 1st Avenue South.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the site plan review application for a mixed-use development including a CVS Pharmacy, two additional retail spaces and 54 dwelling units located at 15 East Franklin Avenue, 2000 1st Avenue South and 2020 1st Avenue South subject to the following conditions:

1. The internal layout of the commercial spaces shall be such that shelving units and display cases do not block views into and out of the store through the windows provided.
2. The ramp leading to the below ground parking garage shall be flat (less than a four percent grade change) for at least 20 feet in back of the public sidewalk.
3. The four parking spaces closest to Nicollet Avenue shall be removed.
4. There shall be only one curb cut along 1st Avenue South leading to the surface parking lot located towards the back of the building.
5. Three additional trees and at least 15 additional shrubs shall be planted on the site. The trees shall be planted in the parking lot.
6. A decorative metal fence shall be installed along Nicollet Avenue and 1st Avenue South. The fence shall be similar to the fence that is located along Nicollet Avenue currently.
7. Sufficient lighting shall be located near the dumpster enclosure.
8. Security measures shall be implemented inside the enclosed hallway that stretches between the parking lot and Franklin Avenue.
9. Approval of the final site, landscaping, fence and elevation plans by the Community Planning and Economic Development Department – Planning Division.
10. All site improvements shall be completed by July 26, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Department of Community Planning and Economic Development – Planning Division
BZZ-1793

11. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.

Attachments:

1. Statement of proposed use
2. CUP findings
3. CODEFOR report for SuperAmerica located at 5 East Franklin Avenue
4. June 3, 2004 e-mail to CM Zimmerman
5. May 23, 2004 e-mail to the Whittier Alliance
6. July 14, 2004 e-mail from the Whittier Alliance
7. July 9, 2004 letter from the Stevens Square Community Organization
8. Response letters from adjacent property owners
9. Zoning Map
10. Site plan, floor plans and elevations
11. Photographs of the site and surrounding area