

Department of Community Planning and Economic Development
Zoning Amendment, Variances, and Site Plan Review
BZZ-6283

Date: November 12, 2013

Applicant: Joani Essenberg, Banyan Community Center

Address of Property: Banyan Community Center

Project Name: 2529 13th Avenue South and 1308 26th Street East

Contact Person and Phone: Joani Essenberg, (612) 722-8512

CPED Staff and Phone: Aaron Hanauer, Senior City Planner, (612) 673-2494

Date Application Deemed Complete: October 10, 2013

End of 60-Day Decision Period: December 9, 2013

End of 120-Day Decision Period: February 7, 2014 (extension letter sent on November 5, 2013)

Ward: 9 **Neighborhood Organization:** Midtown Phillips

Existing Zoning: R2B/Two-Family District

Proposed Zoning: OR2/High Density Office Residence District

Zoning Plate Number: 20

Lot area: 38,760 square feet or approximately 0.89 acres

Legal Description: 2529 13th Avenue South: Lots, 7, 8, 9, and 10 and the West $\frac{3}{4}$ of Lot 6, all in Block 14 of Gales 1st Addition to Minneapolis; and the South $\frac{1}{2}$ of Lot 6, Block 11 of Gales 1st Addition to Minneapolis. 1308 East 26th Street: E $\frac{1}{2}$ of E $\frac{1}{2}$ Lot 006 Block 014 Gales 1st Addition to Minneapolis

Proposed Use: The construction of a community center

Concurrent Review:

- Petition to rezone the property located at 2529 13th Avenue South and 1308 East 26th Street from the R2B/Two-Family District to the OR2/High Density Office Residence District.
- Variance to reduce the established front yard setback along 26th Street East from 18.6 feet to 15 feet to allow for the new community center (withdrawn).

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- Variance to reduce the front yard setback along 13th Avenue South from 15 feet to 11.8 feet to allow for off-street parking (withdrawn).
- Variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet.
- Variance to reduce the number of off-street parking spaces from 27 to 9.
- Site Plan Review.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article IX, Variances, specifically Section 525.520 (1) “vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations” and (6) “minimum and maximum number of required off-street parking.” Chapter 530, Site Plan Review.

Background: The subject properties 2529 13th Avenue South (36,915 square feet) and 1308 East 26th Street (1,845 square feet) are located at the northeast corner of 26th Street East and 13th Avenue South. Both properties are zoned R2B/Two-Family District; combined they are 38,760 square feet. Immediately surrounding the subject properties are low-density residential uses. Within three blocks of the subject properties are Stewart Field, Children’s Hospital and Bloomington Avenue, a designated community corridor.

The parcel at 2529 13th Avenue South was most recently the location of the Waite House Community Center. The community center was built in 1969 and demolished earlier in 2013 (BZH-27381). The parcel at 1308 East 26th Street was the location of a single family house until 1992 when it was demolished (I-22954). The Pillsbury United Communities, which leased the Waite House from the Minneapolis Park and Recreation Board (MPRB) for over 40 years, moved its Waite House services to the Phillips Community Center (2323 11th Avenue South). After Waite House moved to the Phillips Community Center, the MPRB led a community-based process and issued a request for proposals to consider new ownership and uses for the subject properties. The goal was to receive a proposal that met the needs of the neighborhood, while also meeting the financial interests of the MPRB.

The Banyan Community was selected from the MPRB process to purchase the subject properties and build a new community center. Banyan Community has provided community services to the Phillips neighborhood for the past 15 years. Since 2007, the Banyan Community has been located at 2647 Bloomington Avenue South (Oliver Christian Ministry Center) in leased space. The applicant states they needed to find a new permanent home which necessitated the acquisition of 2529 13th Avenue South and 1308 26th Street East to build a new, larger home to better meet the need for Banyan services.

Proposal: Banyan Community and In Sight Architecture are proposing to construct a two-story, 25,600 square foot community center at 2529 13th Avenue South and 1308 East 26th Street. In 1969, when the former community center was built, these lots were zoned R6/General District. In and around 1975, the properties were rezoned to R2B/Two-Family District, which is the current zoning of the subject properties. Since the applicant is proposing to build the proposed community center on both 2529 13th Avenue South and 1308 East 26th Street, the applicant does not retain the rights to build a community center at this location. Therefore, the applicant is applying to rezone the property

from R2B/Two-Family District to OR2/ High Density Office Residence District, a zoning district that allows for community centers.

The Banyan Community Center is proposed to have a preschool, gym, kitchen, offices, and classrooms. In addition to preschool services, Banyan's Community Center would provide after-school programs and family/community development assistance. Banyan would serve approximately 800 people a year. The applicant states that almost all Banyan employees and all Banyan community members live in the Phillips neighborhood. Arrival for programs is mainly by school bus, walking, or biking.

The applicant is proposing to place the new community center closer to the intersection of 13th Avenue South and 26th Street East compared to the former Waite House Community Center. The building design consists of multiple roof styles and five exterior materials: brick, stone, metal, fiber cement, and glass. To the north of the building, the applicant is proposing a nine-space parking lot, driveway/play area, and playground /landscaped area. The parking requirement for the community center is 27 spaces. The applicant has requested a variance to reduce the number of off-street parking spaces from 27 spaces to nine spaces. The applicant has also requested a variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet.

The project was noticed for two additional variances, however, they were withdrawn. The subject site is a corner lot. When this project was noticed for a public hearing review, the lot was incorrectly identified as a reverse corner lot. An additional variance request was applied for to allow for parking in the front yard setback; however, the applicant has revised their site plan to meet the front yard setback requirement, and therefore, the variance was not required.

CPED Staff has not received official correspondence from the Midtown Phillips Neighborhood Association or other stakeholders prior to the printing of this report. All correspondence received prior to the City Planning Commission meeting will be forwarded on for consideration.

REZONING

Findings as Required by the Minneapolis Zoning Code:

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

The proposed zoning amendment is consistent with the applicable policies of the comprehensive plan. According to *The Minneapolis Plan for Sustainable Growth*, the future land use map identifies the subject parcels and their surrounding area is identified as being within the urban neighborhood category. The urban neighborhood district is primarily residential; however, other appropriate uses include community centers as well as schools, religious institutions, and public safety facilities.

The applicant is proposing to rezone the properties at 2529 13th Avenue South and 1308 East 26th Street East from R2B/Two-Family District to OR2/High Density Office Residence District to allow for the community center. The property at 2529 13th Avenue South has been the location of a community center since 1969. The property at 1308 East 26th Street was the location of a single-

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family dwelling until 1992, when it was demolished. In 1969, when the community center was built, the subject parcels were zoned R6/General District and community centers were a permitted use within this district. In and around 1975, the subject properties (and a large continuous area between 24th Street East and 26th Street East were rezoned to R2B/Two-Family District, which is the current zoning of the subject properties.

Today, the immediate surroundings of the subject parcels are R2B/Two-Family District, like the subject properties. However, along 26th Street East there are a variety of more intense zoning districts within a three block area including OR2 and OR3 districts three blocks to the east. The OR2 and OR3 zoned properties are part of the Wells Fargo/Hospital Growth Area. There is also C1 and C4 zoned property along Bloomington Avenue (a community corridor), two blocks to the west.

The applicant's proposal to rezone the properties along 26th Street to OR2 will allow for an encouraged use, a community center, within the future land use map's urban neighborhood category. The proposed location along 26th Street, which is recognized as a community connector by the Metropolitan Council, has an annual average daily count of approximately 10,000 vehicles. Allowing a community center at this location will provide an amenity to the residents and will maintain the contiguous lower-density residential to the north of the subject property.

The proposal to rezone the properties is consistent with the relevant provisions of *The Minneapolis Plan for Sustainable Growth*, as follows:

- Land Use Policy 1.1 of *The Minneapolis Plan for Sustainable Growth* states, "Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan." This policy includes the following applicable implementation step: (1.1.1) "Ensure that the City's zoning code is consistent with The Minneapolis Plan and provides clear, understandable guidance that can readily be administered." (1.1.5) "Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development."
- Land Use Policy 1.2 of *The Minneapolis Plan for Sustainable Growth* states, "Ensure appropriate transitions between uses with different size, scale, and intensity." This policy includes the following applicable implementation step: (1.2.1) "Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area. 1.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties."
- Land Use Policy 1.3 of *The Minneapolis Plan for Sustainable Growth* states, "Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit." This policy includes the following applicable implementation steps: (1.3.1) Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings." (1.3.2) "Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features."

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- Land Use Policy 1.8 of *The Minneapolis Plan for Sustainable Growth* states, “Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.”
- Economic Development Policy 4.6 of *The Minneapolis Plan for Sustainable Growth* states, “Focus resources and efforts on building and maintaining a skilled and employable workforce.” This policy includes the following applicable implementation step: (4.6.3) “Support youth employment, apprenticeship and mentorship initiatives in preparation for city jobs.”
- Economic Development Policy 4.8 of *The Minneapolis Plan for Sustainable Growth* states, continue to pursue the removal of barriers that prevent residents from holding living wage jobs and achieving economic self-sufficiency. This policy includes the following applicable implementation step: (4.8.3) “Promote a more comprehensive range of child and elder care services.”
- Economic Development Policy 5.2 of *The Minneapolis Plan for Sustainable Growth* states, Support the efforts of public and private institutions to provide a wide range of educational choices for Minneapolis students and residents throughout the city. This policy includes the following applicable implementation step: (5.2.4) “Connect residents to educational opportunities throughout the city, including magnet schools, community education, early childhood family education, post-secondary education, and vocational and higher education.” (5.2.8) “Provide infrastructure (sidewalks, crosswalks, signage, etc), education, and enforcement to ensure safe routes to neighborhood schools.”
- Urban Design Policy 10.13 of *The Minneapolis Plan for Sustainable Growth* states, Work with institutional and public partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area. This policy includes the following applicable implementation step (10.13.3) Encourage institutional uses and public buildings and facilities to incorporate architectural and site design that is reflective of their civic importance and that identifies their role as focal points for the community. (10.13.4) Promote active uses at the ground floor level.
- Urban Design Policy 10.19 of *The Minneapolis Plan for Sustainable Growth* states, Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits. This policy includes the following applicable implementation step: 10.19.4 Landscaped areas should be maintained in accordance with Crime Prevention Through Environmental Design (CPTED) principles, to allow views into and out of the site, to preserve view corridors and to maintain sight lines at vehicular and pedestrian intersections.

There is not a small area plan to provide future guidance for the subject properties.

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

A rezoning from R2B/Two-Family District to OR2/High Density Office Residence District is in the public interest. It will allow for more development possibilities along a community connector street that are complementary to nearby residential uses with minimal disturbance to the lower-density

residential properties. Today, the immediate surroundings of the subject parcels are R2B/Two-Family District, like the subject properties. However, along 26th Street East there are a variety of more intense zoning districts within a three block area including OR2 and OR3 districts three blocks to the east. The OR2 and OR3 zoned properties are part of the Wells Fargo/Hospital Growth Area. There is also C1 and C4 zoned property along Bloomington Avenue (a community corridor), two blocks to the west.

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 existing uses within the general area of the property are compatible with the proposed zoning classification. The immediate surroundings are primarily low-density residential. The new community center is proposed to serve the neighborhood's residential population like the former community center did for the past 44 years.

The zoning classification of the surrounding properties is also compatible with the proposed zoning classification. The immediate surroundings of the subject parcels are R2B/Two-Family District, like the subject properties. However, along 26th Street East there are a variety of more intense zoning districts within a three block area including OR2 and OR3 three blocks to the east (Wells Fargo/Hospital Growth Area), and C1 and C4 zoning two blocks to the west, along Bloomington Avenue, a community corridor. The applicant's proposal to rezone the properties along 26th Street to OR2 will allow for an encouraged use within the urban neighborhood category of the Minneapolis future land use map, with minimal disturbance to the lower-density residential to the north of the subject property.

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.

Reasonable uses are allowed under the current zoning, R2B/Two-Family District. The zoning amendment to convert the property from R2B to OR2 will allow for the additional following uses:

- Multiple-family dwellings, three to four units and five units or more
- Community residential facility serving six or fewer people and seven to 16 persons, and 17 to 32 persons.
- Board and care home, nursing home, assisted living
- Hospitality residence, residential hospice, and supportive housing
- Early childhood learning center, preschool, school, grades k-12, vocational school or business
- Athletic field, cemetery, club or lodge, with limited entertainment, community garden, development achievement center, educational arts center, library, museum, park, indoor theater
- Convent, monastery or religious retreat center
- Birth center, medical or dental laboratory

- Office, bed and breakfast home, child care center, medical or dental clinic, farmer's market, funeral home,
- Neighboring serving retail sales and services
- Parking facility and parking lot, serving institutional and public uses
- Electric or gas substation, fire station, heating or cooling facility, police station, post office, stormwater retention pond

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.

There has been a modest change in the character and trend of development in the area of the properties in question, in particular along 26th Street East. Although Chicago Avenue and 26th Street East has historically been the location of a hospital, major expansions have taken place to the hospital campus over the past five years.

VARIANCE – (1) Variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet. (4) Variance to reduce the number of off-street parking spaces from 27 to 9.

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet.

The applicant is proposing to increase the width of the walkway in the front yard setback from the maximum eight feet to 25 feet at its widest point. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The subject property with 38,760 square feet of area is substantially larger than a typical residential or office residential lot in Minneapolis. The proposed width of the walkway at 25 feet complements the size of the proposed building and fosters an environment for people to safely walk and bike to the community center. The wider than typical sidewalk will be able to better accommodate people walking and biking to the community center compared to the maximum eight-foot wide walkway that is allowed by the zoning code.

Variance to reduce the number of off-street parking spaces from 27 to 9.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone. The applicant is proposing to reduce the number of off-street parking spaces from 27 to nine. The proposed development, a community center with an outdoor play area, is intended to serve children in the neighborhood under the age of 16; most of those coming to Banyan will walk or bike to the community center. The applicant states that the

land that would otherwise be used for unneeded parking spaces is reprogrammed for secure, outside play area. Strict adherence to the regulations would not allow for the proposed development as proposed due to the limited space of the lot.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet.

The applicant is proposing to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The applicant is proposing to construct a community center with a wider than allowed walkway. The maximum width of a sidewalk in a required front yard is eight feet. The purpose of limiting the permitted obstructions is to provide for orderly development and use of land and to minimize conflicts among land uses by providing adequate light, air, open space and separation of uses. The wider than typical walkway within the front yard setback will not provide a conflict among the land uses and will not impact light, air, and open spaces. In addition, it will assist in providing a quality environment for pedestrians and help separate vehicles from cars.

Variance to reduce the number of off-street parking spaces from 27 to 9.

The applicant is proposing to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The applicant is proposing to construct a community center with an outdoor play area for the Phillips community. The intent of parking and loading regulations are established to recognize the parking and loading needs of uses and structures, to enhance the compatibility between parking and loading areas and their surroundings, and to regulate the number, design, maintenance, use and location of off-street parking and loading spaces and the driveways and aisles that provide access and maneuvering space. The regulations promote flexibility and recognize that excessive off-street parking conflicts with the city's policies related to transportation, land use, urban design, and sustainability. Staff finds that the variance to reduce the required parking from 27 spaces to nine spaces is a reasonable request based on the intended users of the community center, primarily children under the driving age, and that most workers and users of the community center live within the neighborhood and get there by bike or by walking. In addition, the applicant's previous experience in the neighborhood has shown that nine parking spaces will be able to adequately meet their vehicle demands. Furthermore, the applicant is providing 41 bike parking spaces, well above the bike parking requirement for community centers; six spaces.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet.

The proposed variance to increase the width of walkway within the front yard setback from eight feet to 25 feet will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The subject property with 38,760 square feet of area is substantially larger than a typical residential or office residential lot. The proposed width of the walkway at 25 feet complements the size of the proposed building and fosters an environment for people to safely walk and bike to the community center. In addition, the previous community center had an approximately 25-foot wide walkway along 13th Avenue South that assisted in providing a safe environment for getting to the community center by walking and biking.

Variance to reduce the number of off-street parking spaces from 27 to 9.

The proposed variance to reduce the number of off-street parking spaces from 27 to 9 will not alter the essential character of the locality. The primary users of the community center will be under the driving age and will be walking, biking, or arriving by bus to the community center. The applicant states that “since the Banyan community has been located at 2647 Bloomington Avenue South (for the past six years), there has not been a need for nine parking spaces. In addition, almost all Banyan employees and all Banyan community members live nearby in the Phillips neighborhood.” Banyan also has two vans to transport kids on field trips and shuttling some children home at the completion of the after-school programming will reduce the need for parents to pick up kids at the community center. Furthermore, the applicant is providing more than the required bike racks to encourage biking to the community center.

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 and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- 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. In the case of a corner lot, the principal entrance shall face the front lot line.
- 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 walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- 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 fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7)

feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.

- f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
- g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.**
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

- The placement of the building will reinforce the street wall. The applicant is proposing to place the building at the 15-foot district setback and closer to the intersection of 26th Street East and 13th Avenue South Street compared to the previous community center. The proposed design will maximize natural surveillance and visibility with the proposed glazing levels that exceed site plan review standards. The proposed design will also facilitate pedestrian access and circulation with walkways leading to the entrances on 13th Avenue South.
- Along 13th Avenue South, the subject site's front yard, the building is setback at the district setback requirement 15 feet. Along 26th Street East, the site's corner side yard, the building is also setback 15 feet. The corner side yard setback is 10 feet. The applicant's proposal to set the building back an additional five feet from the district requirement will protect the front yard of the house to the west (1218 26th Street East) and the side yard of the adjacent residential property to the east (2546 14th Avenue South).
- The area between the building and the lot lines includes trees and shrubs.
- The subject property is a corner lot. The proposed building is oriented so that at least one principal entrance faces 13th Avenue.
- The proposed on-site accessory parking is located to the interior of the site.
- The new construction provides architectural detail that helps blend in with its low density residential surroundings and creates visual interest. This includes the proposed materials (brick, stone, metal, and fiber cement) and the dormers on the second floor. The proposed

fenestration on the front and interior side elevations will help increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility. The applicant's fenestration proposal exceeds minimum site plan window percentage requirements.

- The applicant has included recesses and projections that help break up the building. The building entrances along 13th Avenue are slightly recessed, but contain an awning that helps emphasize the importance of the opening. The second floor contains outward projections from the main building plane that dialogue with neighboring residential dormers.
- The rear of the building is proposed to have a blank uninterrupted wall without window or an entry for 80 feet. This is the location of the gym. Alternative compliance is required. The applicant is proposing to provide equal distance green screens along this wall that are a similar size to the windows on the first floor of this elevation to help break up the blank wall.
- Proposed exterior materials are durable. The proposed materials include, brick, stone, metal, and fiber cement. The applicant has limited the use of fiber cement to 34 percent on the west elevation, 14 percent on the south elevation, 12 percent on the north elevation, and three percent on the east elevation.
- The exterior materials and appearance of the rear and side walls is similar and compatible with the front of the building. The rear and side walls have similar materials and fenestration patterns as the front elevation.
- The applicant is not proposing plain face concrete block for the community center.
- The principal entrance along 13th Avenue is clearly defined and emphasized through the use of architectural features including a roofline and a seven-foot walkway. The proposed entrance on the north elevation is emphasized by surrounding the entrance with a large amount of glazing.
- The applicant's proposal meets the requirement that 30 percent of the walls on the first floor and ten percent of the walls on each floor above that face a public street and on-site parking lot. The first floor on the south elevation is proposed to have 37 percent window coverage and the second floor is proposed to have 43 percent window coverage. The first floor of the north elevation is proposed to have 30 percent window coverage and the second floor is proposed to have 53 percent window coverage. The west elevation is proposed to have 40 percent window coverage and the second floor is proposed to have 52 percent window coverage. Overall, the windows will be vertical in proportion and distributed in a more or less even manner. As conditioned, the first floor windows will be clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
- The portion of the first floor that faces a public street is designed to accommodate active functions. No part of the floor plan facing 13th Avenue South or 26th Street East is designed to accommodate parking, loading, storage, or mechanical equipment rooms.
- The form and pitch of the roof lines is similar to the surrounding low density residential buildings. The primary roof is hipped, which is a common roof form for low-density residential housing in Minneapolis.
- The applicant is proposing a small parking garage for two vans (789 square feet). The parking garage does not dominate the appearance of the interior elevation (north).

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 530.150 (b) related to alley access.**
 - **Site plans shall minimize the use of impervious surfaces.**
- The applicant is proposing clear and well-lighted walkways at least four feet in width connecting building entrances to the adjacent public sidewalk and to the parking facilities located on the site. The walkways connecting the entrances on 13th Avenue South are a minimum of five feet in width.
 - The applicant is not proposing to install transit shelters.
 - The vehicular access and circulation are designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The applicant has a large walkway to the south of the parking lot and a walkway to the east of the parking lot that provides a safe route to the vehicular parking spaces.
 - Traffic will be directed to minimize the impact upon residential properties. Most of the vehicles coming to the community center will enter and exit onto 26th Street East, which will limit the amount of vehicles that will go into the more residential area to the north of the subject property. The traffic flow pattern is in compliance with section 530.150 related to alley access. The applicant is not proposing to have vehicles enter or exit the site via the alley to the east.
 - The site plan minimizes the use of impervious surfaces. The applicant is exceeding their pervious surface and landscape area requirements.

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, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **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.**
- **Except as otherwise provided, 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 530.170 (b), including providing landscape yards along a**

public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.

- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 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 530.210.**
- **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 530.80, as provided in section 530.220.**

- The composition and location of landscaped areas will complement the scale of the development and its surroundings. The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 38,760 square feet. The footprint of the proposed building is 14,920 square feet. When you subtract the footprint from the lot size the resulting number is 23,840 square feet; 20 percent of this number is 7,752 square feet. The applicant is proposing to have 12,067 square feet of landscaped area, 31 percent of the lot area. The zoning code also requires that there be at least one tree for every five hundred square feet of required landscaping and one shrub for every 100 square feet of required landscaping. Therefore, the project will be required to provide 10 trees and 48 shrubs. The applicant is proposing to plant 10 trees and 66 shrubs.
- The applicant is proposing that the parking and loading facilities along 13th Avenue South comply with section 530.170 (b). The applicant has proposed to provide a landscaped yard of at least seven feet in width, the screening is proposed to be three feet in height and not less than 60 percent opaque with the planting of Japanese White Spirea and Anthony Waterer Spirea. In addition, the applicant is proposing to plant five trees along the 13th Avenue South parking area, which will provide one tree for every 21 linear feet of loading and parking area. Along the side property line, the applicant is proposing a seven-foot wide landscaped yard with three-foot screening that will be 95 percent opaque. The applicant is proposing to plant Yellow Ribbon Arborvitae along this interior side lot line.
- There will not be a corner of the parking lot where rows of parking spaces leave areas unavailable for parking and vehicular circulation.
- The parking lot has nine spaces. Even though the proposed parking lot is not subjected to the requirement that all parking spaces shall be located not more than 50 feet from the center of an on-site deciduous tree, the applicant's proposal will meet this requirement.
- All other areas of the site not occupied by buildings, parking and loading facilities or driveways will be covered by turf grass, perennial flowering plants, vines, mulch, shrubs or trees.

- As conditioned, the installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.120.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
 - **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
 - **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
 - **To the extent practical, 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 related to:**
 - **Natural surveillance and visibility**
 - **Lighting levels**
 - **Territorial reinforcement and space delineation**
 - **Natural access control**
 - **To the extent practical, 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.**
-
- The applicant's proposed parking area is designed with wheel stops and provides on-site retention and filtration of stormwater. The applicant is proposing a ribbon curb as the border between the parking stalls and the landscaped area to the east to allow water from the parking area to enter the 15-foot landscaped area.
 - The site plan will have a minimal impact of blocking views of important elements of the city.
 - The building is located and arranged to minimize shadowing on public spaces and adjacent properties. The applicant has limited the height of the structure to 35 feet (a comparable height to the neighboring properties) to help reduce the impact of the new construction.
 - The building will have a minimal impact of wind currents.
 - The site plan includes crime prevention through environmental design elements. The applicant is providing more glazing than what is required to help with natural surveillance and visibility. The applicant is proposing to provide lighting within the parking area to help with security, and natural access points with the walkways leading directly to the entrances along 13th Avenue South. In addition, the applicant is proposing to install green screens on the east elevation (alley elevation) to help reduce the possibility of graffiti.
 - The proposed project does not include the demolition or the rehabilitation of a locally designated historic structure. The former Waite House community center that was on the subject property was torn down earlier in 2013.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE – The applicant is proposing a zoning amendment that will rezone the property from R2B to OR2. The proposed use is a permitted use in the OR2 zoning district. If all land use/zoning applications are approved, including the variance applications and site plan review, the proposal would comply with all applicable provisions of the OR2 district.

Parking and Loading:

Minimum automobile parking requirement: Per Table 541-1, the base minimum parking requirement for a community center is determined by the principal uses in the community center. For purposes of calculating parking, the community center will have three primary uses: preschool, office/classroom, and gymnasium. The minimum parking requirement for a preschool is one space per two employees plus two drop-off spaces. The preschool is proposed to have two employees. Therefore, it will be required to provide one parking space. The two drop-off spaces are proposed to be within the parking area to the north of the building. The minimum parking requirement for the offices and classrooms is one space per 500 square feet of gross floor area (GFA) in excess of 4,000 square feet, but not less than 4 spaces. Approximately 13,777 square feet of building would be used for offices and classrooms. Therefore, 24 off-street parking spaces are required for these uses. The parking requirement for the gymnasium was determined to be similar to a sports and a health facility. Sports and health facilities are required to provide one space per 500 square feet of gross floor area. The gross floor area of the gymnasium is 3,434 square feet. Therefore, the parking requirement for the gymnasium is seven spaces. The combined minimum parking requirement for the three uses is 31 spaces.

Per section 541.220, the minimum automobile parking requirement for each non-residential use may be reduced ten percent or one space, whichever is greater, where bicycle parking spaces are provided equal to twenty five percent of the number of required automobile spaces specified in Table 541-1, (but not less than four bicycle parking spaces). This incentive shall allow for a reduction in the automobile parking requirement of no more than twenty-five (25) spaces on a zoning lot. To qualify for this incentive, bicycle parking shall comply with the standards for required bicycle parking as specified in this ordinance.

The applicant is able to reduce their vehicle parking requirement by one space for the preschool, if they provide four bike parking spaces. For the office and classroom area, the applicant is able to reduce their vehicle parking requirement by two spaces (10 percent of the overall vehicle parking requirement) if they provide six bike parking spaces. Per Section 541.180, two of the bike parking spaces for the office and classroom area are required to be long-term bike parking spaces. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. For the gymnasium, the applicant is able to reduce their vehicle parking requirement by one space if they provide four bike parking spaces. Per Section 541.180, two of the bike parking spaces for the gymnasium are required to be short term bike parking spaces. Required short-term bicycle parking spaces shall be located in a convenient and visible area within fifty feet of a principal entrance and

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shall permit the locking of the bicycle frame and one wheel to the rack and shall support a bicycle in a stable position without damage to the wheels, frame or components. Therefore, the applicant is able to reduce their off-street parking requirement by four spaces if they provide a total of 14 bike parking spaces. The applicant is proposing to provide 41 bike parking spaces; 11 bike parking spaces are proposed to be within 50 feet of the entrance (meeting the short-term parking requirements) and 30 spaces are proposed to be within an indoor bike storage area (meeting the long-term parking requirements). With the four vehicle space reduction, the off-street parking requirement for the community center is 27 spaces.

Maximum automobile parking requirement: Per Table 541-1, the maximum parking requirement for a community center is determined by the principal uses in the community center. For purposes of calculating parking, there are three proposed uses within the community center: preschool, office/classroom, and gymnasium. The maximum parking allowed for a preschool is one space per two employees plus four drop off spaces. The preschool is proposed to have two employees. Therefore, the maximum parking allowed would be one parking space. The maximum parking requirement for the offices and classrooms is one space per 200 square feet of gross floor area. Approximately 13,777 square feet of building would be used for offices and classrooms. Therefore, the applicant could provide up to 69 off-street parking spaces for the proposed use. The maximum parking requirement for a gymnasium was determined to be comparable to a sports and a health facility. The maximum allowed parking for a sports and health facility is one space per 200 square feet. The gross floor area of the gymnasium is 3,434 square feet. Therefore, the applicant could provide up to 17 off-street parking spaces for the proposed use. In total, the maximum automobile parking for the proposed project is 87 off-street parking spaces.

Bicycle parking requirement: The minimum bicycle parking requirement for a community center is six spaces. Not less than 50 percent of the required bicycle parking must meet the standards for short-term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, short-term spaces must be located in a convenient and visible area within 50 feet of a principal entrance and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position without damage to the wheels, frames or components. Required spaces that are not short-term need to comply with the long-term requirements. Those spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. The applicant is proposing to provide 41 off-street bike parking spaces, including 30 long-term spaces in the bike storage area. The other 11 outdoor bike parking spaces will be within 50 feet of the front entrance.

Loading: For a community center between 20,000 and 50,000 square feet, one small loading space (10 feet wide by 25 feet deep) is required. One small loading space will be provided.

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Maximum Floor Area: The maximum FAR allowed in the OR2 district is 2.5. The building would have approximately 25,619 square feet of gross floor area. The subject site is 38,760 square feet, which is an FAR of approximately 0.66.

Building Height: Building height in the OR2 District is limited to four stories or 56 feet, whichever is less. The proposed building is two stories and 33.75 feet, which meets the district height requirement.

Minimum Lot Area: The OR2 District requires not less than 20,000 square feet of lot area for a community center. The proposed community center on a 38,760 square foot lot meets the minimum lot area requirement.

Dwelling Units Per Acre: Not applicable for this application.

Yard Requirements: The required yards for the proposed two-story community center are as follows. The 'x' equals the number of stories above the first floor.

- Front yard: 13th Avenue South: 15 feet
- Corner side yard 26th Street East (8 +2x): 10 feet
- Interior side yard/rear yard (5+2x): 7 feet

Specific Development Standards: The proposed development would comply with the following development standards from section 536.20 of the zoning code required for community centers:

1. To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
2. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

Signs: All signs are expected to comply with Chapter 543 of the Zoning Code. All new signage requires a separate permit from CPED. The applicant has not provided details of signs for the community center.

Refuse Storage: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The applicant has refuse containers within the garage portion of the building.

Lighting: The lighting plan submitted by the applicant indicates that these standards will be met. Lighting must comply with Chapter 535 and Chapter 541 of the zoning code including: Section 535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

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(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

Building coverage: The maximum building coverage allowed in the office residence districts is 70 percent of the zoning lot. The building footprint is 14,920 square feet and the lot in question is 38,760 square feet. Therefore, the project is proposed to have a lot coverage of 38 percent.

Impervious surface area: The maximum impervious surface coverage allowed in the office residence districts is 85 percent of any zoning lot. The proposed impervious surface area is 27,007 square feet. The subject site is 38,760 square feet. Therefore, the impervious surface area would be 70 percent.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:

As conditioned, the proposed project is in compliance with the Minneapolis Plan for Sustainable Growth. See conditional use permit finding 5 for a review of the project in compliance with the policies and implementation steps of the comprehensive plan. The policies and implementation steps outlined in finding 5 of the conditional use permit apply to the proposed site plan application.

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

The subject site is not located within the boundaries of a small area plan.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any 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, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, 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.**
- *Blank wall:* The site plan review chapter of the zoning code requires that blank walls not exceed 25 feet in length. The rear of the building is proposed to have a blank uninterrupted wall without window or an entry for approximately 80 linear feet. This is the location of the gym. Alternative compliance is required. To help break up the blank wall, the applicant is proposing to provide equal distance green screens along this wall that are a similar size to the windows on the first floor of this elevation. The green screen along with a proposed graffiti prevention coating applied to the brick will discourage/help reduce the potential of graffiti. CPED is supportive of the applicant's proposal and recommending that the Planning Commission grant alternative compliance.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the zoning amendment:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the findings and **approve** the rezoning of the properties located at 2529 13th Avenue South and 1308 East 26th Street from the R2B/Two-Family District to the OR2/High Density Office Residence District.

Recommendation of the Department of Community Planning and Economic Development for the variance:

The variance application to reduce the established front yard setback along 26th Street from 18.6 feet to 15 feet to allow for the new community center at 2529 13th Avenue South and 1308 East 26th Street has been **withdrawn**.

Recommendation of the Department of Community Planning and Economic Development for the variance:

The variance application to reduce the front yard setback along 13th Avenue South from 15 feet to 11.8 feet to allow for off-street parking at 2529 13th Avenue South and 1308 East 26th Street has been **withdrawn**.

Recommendation of the Department of Community Planning and Economic Development for the variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to increase the width of a walkway within the front yard setback from eight feet to 25 feet at 2529 13th Avenue South and 1308 26th Street East.

Recommendation of the Department of Community Planning and Economic Development for the variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the number of off-street parking spaces from 27 to 9 for the property at 2529 13th Avenue South and 1308 26th Street East to allow for a new community center subject to the following condition:

1. A minimum of 41 bike parking spaces shall be provided: 11 short-term bike parking spaces and 30 long-term bike parking spaces.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the findings and **approve** the site plan review application for a new community center at 2529 13th Avenue South and 1308 East 26th Street East subject to the following conditions:

1. CPED Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. Per Section 541.380, required parking spaces, driveways, access aisles and landscaping shall not be used for the purpose of snow storage.
3. All site improvements shall be completed by November 12, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. The first floor windows will be clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher as required by section 530.120 of the zoning code.

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5. The installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.120 of the zoning code.

Attachments:

1. Statement of proposed use, description of the project, and statement to findings
2. Correspondence council member and neighborhood
3. Zoning Maps and aerials
4. Survey, site plan, site plan close up
5. Elevations, floor plans, renderings
6. Images
7. Community input: Letter of support from Midtown Phillips neighborhood
8. Permitted and conditional use tables for R2B and OR2 Districts