

Department of Community Planning and Economic Development - Planning Division
Conditional Use Permit and Site Plan Review
BZZ-2517

Date: October 5, 2005

Applicant: Bluff Street Development, LLC

Address Of Property: 521 2nd Street SE

Project Name: Flour Sack Flats

Contact Person And Phone: Steve Minn 952-888-2001

Planning Staff And Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: July 25, 2005

End of 60 Day Decision Period: September 23, 2005

Date Extension Letter Sent: August 8, 2005

End of 120 Day Decision Period: November 22, 2005

Ward: 2 Neighborhood Organization: Marcy-Holmes

Existing Zoning: C3A Community Activity Center District

Existing Overlay Districts: MR Mississippi River Critical Area Overlay District.

Proposed Zoning: Not applicable for this application.

Plate Number: 15

Legal Description: Lots 8, 9, and 10, Block 34, St. Anthony Falls, according to the recorded plat thereof, Hennepin County, Minnesota.

Proposed Use: Amend development proposal from 52 units to 59 dwelling units.

Concurrent Review:

Conditional Use Permit: To allow 59 dwelling units.

Site Plan Review.

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Applicable Zoning Code Provisions: Chapter 525, Article VI Zoning Amendments; Chapter 525, Article VII Conditional Use Permits; Chapter 525, Article IX Variances; and Chapter 530 Site Plan Review.

Background: This item was continued from the August 15, 2005, meeting of the City Planning Commission to allow for Heritage Preservation Commission review. Bluff Street Development received approval to build a 52-unit, 5-story building at 521 Second Street SE from the City Planning Commission at its meeting of March 28, 2005 (BZZ-2237). The building was proposed to have 7,669 square feet of ground floor commercial. The applicant proposes to convert the ground floor commercial into seven additional dwelling units. An increase in dwelling units requires an amendment of the approved conditional use permit and site plan review.

The applicant proposes to make these spaces “live/work” units. Live/work units are subject to the home occupation requirements of Section 535.450 and 535.460 of the zoning ordinance or the building and zoning code requirements that require the uses be separate. In addition, separate entrances for residential and commercial uses are required by Section 548.170 unless the commercial activity complies with home occupation standards.

This site is in the St. Anthony Falls Historic District and requires Heritage Preservation Commission (HPC) review. This original development was heard before the HPC on December 12, 2004. A certificate of appropriateness was granted to demolish the existing buildings and for the construction of the new building subject to conditions. The HPC reviewed this revised project and approved a revised Certificate of Appropriateness, subject to conditions (please see attached HPC letter).

The City of Minneapolis completed an Environmental Assessment Worksheet (EAW) for the 521 Second Street SE site (and a companion development at 520 Second Street SE). On July 23, 2004 the City Council decided not to order the development of an Environmental Impact Statement and found that the EAW was adequate.

The Marcy-Holmes Neighborhood Art Gateway, which consists of a series of 23 miniature bronze sculptures depicting neighborhood buildings, runs along this site on 6th Avenue SE in the boulevard. Staff recommends that the applicant develop a construction management plan that outlines measure to protect the statues during construction of the project.

The recommendations of the Marcy-Holmes Neighborhood Association are attached to this report.

CONDITIONAL USE PERMIT (for 59 residential units)

Findings as required by the Minneapolis Zoning Code:

The Minneapolis City Planning Department 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, comfort or general welfare.**

The applicant proposes to make these spaces “live/work” units. Live/work units are subject to the home occupation requirements of Section 535.450 and 535.460 of the zoning ordinance or the building and zoning code requirements that require the uses be separate. In addition, separate entrances for residential and commercial uses are required by Section 548.170 unless the commercial activity complies with home occupation standards.

The proposed development will replace a small industrial building with a 59 unit residential building. There are other large residential buildings in the area as well as smaller multi and single-family residential uses, industrial uses, and commercial uses. The proposed development should not be detrimental to the surrounding area. The site will have indoor parking and is designed so the taller parts of the structure are setback away from the residential properties to the north and west.

- 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 surrounding area is developed, but there are plans to redevelop various parcels near the site in the future. This building should not be detrimental to surrounding properties if it complies with HPC and site plan review conditions of approval.

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

Utilities and access are existing and adequate. Public Works and the Fire Department have reviewed the plans for access and circulation and they find the plans acceptable. The final drainage plan is required to be approved by Public Works before and permits may be issued.

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

Access to the parking is from 2nd Street SE. The development is required to have 59 spaces. The project provides 106 spaces. The proposed development should have little impact on congestion in the public streets. The project has an approved Travel Demand Management plan as a part of the EAW.

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

There are several policies in *The Minneapolis Plan* that support infill development and housing choice. Policy 4.11 states that “Minneapolis will improve the range of housing types for those with few or constrained choices.” This policy has implementation steps that promote infill housing, a variety of housing types, and mixed income housing. Policy 4.13 states that “Minneapolis will expand the type and range of housing types for residents with substantial choice.” Policy 4.15 states that “Minneapolis will carefully identify project sites where housing redevelopment or housing revitalization are the appropriate responses to neighborhood conditions and market demand.” The redevelopment of the site for multi-family housing is in conformance with many of the housing policies.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of the rezoning, conditional use permit for height, variances, and site plan review.

The proposal will conform with the applicable regulations upon the approval of the conditional use permit and site plan review.

SITE PLAN REVIEW

Required Findings for Site Plan Review

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 FAÇADE:

- 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 and windows:
 - 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.**

Minimum window area shall be measured as indicated in section 530.20 of the zoning code.

- **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. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

The building is located up to the property line on 6th Avenue SE and 2nd Street SE. The area between the building and the lot line is landscaped. The principal entrance for the residential structure faces the front of the building along 2nd Street SE. The building facades will contain architectural detail and will utilize metal, brick, and precast concrete panels for exterior materials. However, there are blank uninterrupted walls of greater than 25 feet at the northerly and westerly sides of the building on the first floor that are required to include architectural elements. Staff recommends alternative compliance to allow the current design as this part of the structure is not visible from the public street or other structures due to large retaining walls to the west and north of the site. The structure has a flat roof similar to other structures in the area.

The windows on the building meet the requirements of the site plan chapter. They are vertical in proportion and distributed in a more or less even manner. For the façade facing 6th Avenue SE, all floors have 35 percent windows. For the façade facing 2nd Street SE, the first floor has 33 percent windows and all floors above have 29 percent windows.

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 main entrance to the building opens onto the public sidewalk. No transit shelters are proposed as a part of this project. Public Works and the Fire Department have reviewed the site for access and circulation and find them acceptable. Fifty-nine parking spaces are required and 80 are provided. The applicant has most areas not covered by the building and will install a landscaped roof on a portion of the building to minimize impervious surfaces.

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.

Approximately 80 percent of the site minus the building is landscaped. The lot area is 32,979 square feet and the building footprint is 30,234 square feet. This leaves 2,745 square feet, of which 20 percent (549 square feet) is required to be landscaped. The applicant is providing 2,215 square feet of landscaping.

There are no surface parking areas that need screening. The applicant is also proposing a large roof top garden for a portion of the building and extensive boulevard plantings. The City's landscaping consultant has reviewed the landscaping plan and finds it acceptable.

One tree and five shrubs are required and no trees and approximately 150 shrubs are provided. There is no room on site for trees, but the applicant is providing six boulevard trees as alternative compliance for the tree. Staff recommends granting the alternative compliance.

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.
- 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.
- 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.

There are not surface parking lots on the site, so concrete curbing is not an issue. The lighting will comply with Chapters 535 and 541 including the following standards:

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

- (1) Lighting fixtures shall be effectively shielded and arranged so as not to shine directly on any residential property. Lighting fixtures not of a cutoff type shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb).
- (2) No exterior light source located on a nonresidential property shall be visible from 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 from any permitted or conditional residential use.
- (4) Lighting shall not 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.
- (5) Lighting shall not create a hazard for vehicular or pedestrian traffic.

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(6) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

There are no adjacent residential uses that would be affected by headlight glare due to grade changes. The design of the buildings has been planned to minimize the blocking of important views of the city, to minimize the shadowing of public spaces and adjacent properties, and to minimize the generation of wind currents at ground level. While the site is located in an historic district, there are no locally designated structures on the site that are contributing to the district and the building design has received HPC approval.

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 proposed use is a conditional use in the C3A District.

Off-Street Parking and Loading: The zoning code requires 59 parking spaces. Two handicapped van accessible spaces are required and five will be provided. The applicant proposes 90 parking spaces, of which only 80 meet the drive aisle and parking space requirements of the zoning ordinance.

Maximum Floor Area: The maximum FAR in the C3A District is 2.7. The lot in question is 32,979 square feet in area. The applicant proposes 84,090 square feet of gross floor area, an FAR of 2.5.

Building Height: Building height in the C3A District is limited to four stories or 56 feet, whichever is less. This project received a conditional use permit to 5 stories at the March 28, 2005, City Planning Commission meeting.

Minimum Lot Area: The C3A District requires not less than 400 square feet of lot area per dwelling unit. With 59 proposed dwelling units on a lot of 32,979 square feet, the applicant proposes 559 square feet of lot area per dwelling unit.

Yard Requirements: In general, no setbacks are required for properties in the commercial districts, except where adjacent to residential districts and for residential uses that contain windows facing an interior side lot line. This structure is bordered on two sides by public streets, so no setbacks are required on the easterly and southerly sides of the development. The westerly and northerly interior yard have a required setback of 13 feet and the actual setback on the west side is 8 feet and on the north side is 5 feet. This project received variances to 4 feet 11 inches on the west side and 4 feet 10 inches on the north side at the March 28, 2005, City Planning Commission meeting.

Specific Development Standards: No specific development standards are applicable for this project. Individual home occupations are subject to Section 535.450 and 535.460:

535.450. Home occupation standards. Home occupations shall be subject to the following standards, except that licensed family day care and licensed group family day care shall be exempt from the provisions of sections (2), (6), (11), (12), (13) and (15):

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- (1) The home occupation shall be an activity which is customarily associated with the use of a dwelling.
- (2) Only the residents of the dwelling unit, and not more than one (1) nonresident employee, shall be employed by or engaged in the conduct of the home occupation on the premises. For the purpose of this section, "nonresident employee" shall include an employee, business partner, independent contractor or other person affiliated with the home occupation who is not a resident of the dwelling unit, but who visits the site as part of the home occupation. Not more than one (1) nonresident employee shall be permitted per dwelling unit or two-family dwelling, regardless of the number of home occupations.
- (3) Exterior alterations or modifications that change the residential character or appearance of the dwelling, any accessory buildings or the zoning lot shall be prohibited.
- (4) Interior alterations or modifications that eliminate the kitchen, living room, all of the bathrooms, or all of the bedrooms of the dwelling shall be prohibited.
- (5) The home occupation shall be conducted only within an enclosed area of the dwelling. However, beginning in the R4 zoning district, in multiple-family dwellings of five (5) or more units the home occupation may be allowed within a specific area of the principal building designated for such home occupation by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards, the planning commission shall consider, but not be limited to, the following factors:
 - a. Nature of the home occupation and its impacts of noise, light, odor, vibration and traffic.
 - b. Conformance with applicable zoning requirements, including but not limited to, yards, gross floor area, and specific development standards.
 - c. History of complaints related to the property.
- (6) Outdoor storage or display of materials, goods, supplies, or equipment related to the conduct of a home occupation shall be prohibited.
- (7) The required off-street parking area provided for the principal use shall not be reduced or made unusable by the home occupation.
- (8) Signage shall be restricted to one (1) non-illuminated, flat wall, identification sign not to exceed one (1) square foot in area. On a corner zoning lot, two (2) such signs, one (1) facing each street, shall be allowed.
- (9) No equipment, machinery or materials other than of a type normally found in or compatible with a dwelling shall be allowed.
- (10) No retail sale and delivery of products or merchandise to the customer or client shall occur on the premises except where accessory to any services provided (such as hair care products sold accessory to hair cutting or computer disks accessory to accounting services).
- (11) No home occupation shall be visible from any public right of way, except for allowed signage.
- (12) The hours open to the public shall be limited to between 8:00 a.m. and 8:00 p.m.
- (13) The home occupation shall not generate excessive customer or client traffic that is detrimental to the residential character of surrounding properties or the neighborhood. For purposes of this provision, more than five (5) customers or clients per day may be determined to be an excessive and detrimental level of traffic. This number shall apply per dwelling unit, regardless of the number of home occupations, except that in the case of two (2) family dwellings, the number shall apply to the two (2) family dwelling. The factors to be used for such a determination shall include but not be limited to:

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- a. The characteristics of the neighborhood, including land uses, lot sizes and lot widths.
- b. Street type, width and traffic volumes.
- c. The availability and location of off-street parking and the extent to which the home occupation contributes to on-street parking congestion.

(14) Shipment and delivery of products, merchandise or supplies shall be limited to between 9:00 a.m. and 6:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.

(15) No sound or noise created by the operation of the home occupation shall be audible beyond the boundaries of the zoning lot.

(16) Hazardous materials in excess of consumer commodities which are packaged for consumption by individuals for personal care or household use shall be prohibited.

Hours of Operation: In the C3A District, uses may be open to the public during the following hours: Sunday through Saturday from 6:00 a.m. to 1:00 a.m.

Signs: Signs are subject to 531 and 543 of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code and permits are required from the Zoning Office. The preliminary sign plan appears to meet all code requirements. The final sign plan is not yet finalized, but the applicant is aware that signs require zoning office approval and permits.

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. Trash is stored inside the building, but if dumpsters are utilized in the future they are required to be screened to the standards of the zoning code.

MINNEAPOLIS PLAN: Please see finding number 5 under the conditional use permit sections of this report.

Alternative Compliance. The Planning Commission 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.

Alternative compliance is necessary to allow the applicant to provide six boulevard trees in lieu of the required one on-site tree.

Alternative compliance is necessary to allow blank uninterrupted walls of greater than 25 feet at the northerly and westerly sides of the building on the first floors. Staff recommends alternative compliance to allow the current design as this part of the structure is not visible from the public street or other structures due to the large retaining walls to the west and north of the site.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the conditional use permit for 59 dwelling units:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **approve** the conditional use permit application for 59 dwelling units for property located at 521 2nd Street SE subject to the following condition:

- 1) The live/work component of the dwelling units is subject to the home occupation requirements of Section 535.450 and 535.460 or the separate entrance requirements of Section 548.170.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **approve** the site plan review application for property located at 521 2nd Street SE subject to the following conditions:

- 1) Staff review and approve the final site plan and elevations before building permits may be issued. All site improvements shall be completed by October 5, 2006 (unless extended by the zoning administrator) or permits may be revoked for noncompliance.
- 2) The site plan and elevations are subject to HPC review and approval.
- 3) Compliance with the standards of the MR Mississippi Critical Area Overlay District.
- 4) The applicant develops a construction management plan that outlines measures to protect the Marcy-Holmes Neighborhood Art Gateway statues during construction of the project.
- 5) The floor plans shall be revised, so the parking layout complies with the size and dimension requirements of Table 541-4 of the zoning ordinance.

Attachments:

- 1) Findings from applicant.
- 2) Letter from the HPC.
- 3) Letter from the neighborhood group.
- 4) Site and zoning maps.
- 5) Site plan, floor plans, and elevations.
- 6) Photos.