

**Department of Community Planning and Economic Development – Planning Division**  
Rezoning, Conditional Use Permit, Variance and Site Plan Review  
BZZ-2208

**Date:** March 28, 2005

**Applicant:** The Cornerstone Group

**Address of Property:** 2848 Pleasant Avenue South and 2821 and 2825 Grand Avenue South

**Project Name:** Machinery Lofts

**Contact Person and Phone:** Wayne Olson, (952) 942-6900, extension 12

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

**Date Application Deemed Complete:** February 23, 2005

**End of 60-Day Decision Period:** April 24, 2005

**End of 120-Day Decision Period:** Not applicable

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

**Existing Zoning:** R5, Multiple-family District

**Proposed Zoning:** R6, Multiple-family District

**Zoning Plate Number:** 25

**Legal Description:** Parcel A: Lot 12, Block 4, Excelsior Addition to Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota.

Parcel B: Lots 8 and 9 and the South 4 feet of Lot 7, Block 1, and all of Lots 1 to 11, both inclusive, Block 4, Excelsior Addition to Minneapolis, together with that part of vacated alley in said Block 4 lying Northerly of a line drawn from the Southeast corner of Lot 7, and said Block 4 to the Southwest corner of Lot 6, Block 4, and lying Southerly of a line drawn from the Northeast corner of Lot 11, said Block 4 to the Northwest corner of Lot 2, said Block 4, as vacated in Book 402 of Misc., Page 132, Book 177 of Misc., Page 353, Book 248 of Misc., Page 425.

Parcel C: ALSO, All that part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 34, Township 29, Range 24 described as follows: Beginning at the Southeast corner of Block 4, Excelsior Addition to Minneapolis, according to the recorded plat thereof, thence South along the extension of the East line of said Block 4 to a point 100 feet North of the South line of said Northeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  of Southwest, thence West parallel with said South line of Northeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  to the intersection with extension South, of the West line of said Block 4, Excelsior Addition to

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Minneapolis, thence North along said extension line to the Southwest corner of said Block 4, thence East along the South line of said Block 4 to the point of beginning, according to the United States Government Survey, Hennepin County, Minnesota.

**Proposed Use:** 123-unit for-sale condominiums

**Concurrent Review:**

**Rezoning:** from R5 to R6

**Conditional use permit:** for 123 dwelling units

**Variance:** to reduce the south interior side yard setback from 11 feet to 8 inches for the building

**Site Plan Review**

**Applicable zoning code provisions:** Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations”, and Chapter 530, Site Plan Review.

**Background:** In March of 2004, the Planning Commission approved an application to allow the applicant to renovate the existing building located at 2848 Pleasant Avenue South. The development included 58 dwelling units and a 73-space surface parking lot on the north side of the site. As part of this approval, the existing alley that runs between the north south alley and Grand Avenue South was vacated and a new alley easement was approved. A new alley has not yet been constructed.

Due to unforeseen structural issues and limited room for enclosed parking within the existing building, the applicant is now proposing to demolish the existing building and construct a new 4-story, 123-unit for-sale condominium development with 2 levels of below ground parking. In the 2 levels of below ground parking there would be a total of 123 parking spaces. There would also be 27 parking spaces located in a surface parking lot on the north side of the site. These parking spaces would be for visitors. Surrounding the entire site there would be a 4-foot high decorative metal fence with brick piers.

The existing R5 zoning requires 900 square feet of lot area per dwelling unit. The lot size is 70,844 square feet. Given this, the applicant could construct up to 78 dwelling units on the site. In order to construct 123 dwelling units on the site the applicant is proposing to rezone the property to R6 zoning which requires 400 square feet of lot area per dwelling unit. If the applicant were to choose to maximize the density on the site a total of 177 dwelling units could be constructed on the site, with R6 zoning.

## **REZONING**

### **Findings as Required by the Minneapolis Zoning Code:**

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

The site is designated as light industrial in the comprehensive plan. In addition, the site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will grow by increasing its supply of housing (Policy 4.9).
- Improve the availability of housing options for its residents (Policy 4.11).
- Carefully identify project sites where housing redevelopment or housing revitalization are the appropriate responses to neighborhood conditions or market demand (Policy 4.15).
- Promote increased housing production in designated areas of the City in order to accommodate population growth (Policy 9.22).

Constructing a 123-unit for-sale condominium development on this site would be in conformance with the foregoing policies of the comprehensive plan. This development will contribute to the activity level along the Midtown Greenway and will support the commercial and retail activity found on West Lake Street and at the designated Lyn-Lake Activity Center which is within walking distance of the site.

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

The amendment will allow the applicant to construct a 123-unit, for-sale condominium development. City stakeholders have identified West Lake Street as a Commercial Corridor and the area around the Lyndale Avenue South and West Lake Street intersection as an Activity Center. Approving this rezoning supports the City's decision to add housing densities that support the activities of these two attributes.

#### **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 site is bordered by R2B zoning to the east, I2 zoning to the south, I1 zoning to the west and R5 zoning to the north. Adjacent uses include a mixture of dwelling units and commercial and industrial uses. Given the varying zoning classifications and the mixture of the adjacent land uses the proposed R6 zoning district is compatible with the immediately surrounding area.

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

There are reasonable uses of the property permitted under the R5 zoning district. The R5 zoning district is a multiple-family district. Permitted uses in the R5 district include, but are not limited to, the following:

- Multiple-family dwelling, three (3) and four (4) units
- Community residential facility serving six (6) or fewer persons
- Community garden
- Park, public

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

In the past few years there have been several multi-family residential developments approved and are either constructed or are in the process of being constructed nearby. Both the Bryant Village and Midtown Lofts developments, located between Aldrich and Colfax Avenues South and just north of the Midtown Greenway, were rezoned in the last year to R6. The developments contain 125 and 72 dwelling units respectively.

**CONDITIONAL USE PERMIT** - for 123 dwelling units

**Findings as Required by the Minneapolis Zoning Code:**

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

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

The Planning Division does not believe that 123 units of for-sale condominiums will be detrimental to the surrounding area. The proposed development compliments other uses in the area and the additional residential units will strengthen the owner-occupied base within the neighborhood. According to the 2000 Census, approximately 89 percent of the dwellings in the Whittier Neighborhood are rental. This project will add a stabilizing element to the neighborhood.

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

The Planning Division does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. Utilizing the site for a 123-unit for-sale condominium development would provide additional opportunities for housing within the neighborhood. A development such as this would increase the property's value,

contribute to the building of the city’s infrastructure and contribute to the city’s tax base.

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

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

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

The parking requirement for this development is 123 spaces. There will be 2 levels of below ground parking with a total of 123 parking spaces. In addition, there will be 27 parking spaces located in a surface parking lot on the north side of the site. These parking spaces would be for visitors. The parking area is accessed via a driveway off of both Pleasant Avenue South and Grand Avenue South.

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

The site is designated as light industrial in the comprehensive plan. In addition, the site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support the development of residential dwellings of appropriate form and density (Policy 9.5).
- Work with institutional partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area (Policy 9.7).
- Maintain and strengthen the character of the city’s various residential areas (Policy 9.8).

Constructing a 123-unit for-sale condominium development on this site would be in conformance with the foregoing policies of the comprehensive plan. The building will be located on the south side of the site, maintaining a 74-foot setback from the nearest adjacent residential building to the north. The fourth floor of the building has been set back from the edge of the building in order to give the appearance of a smaller building. And there will be enough parking spaces provided on the site for each dwelling unit to have one parking space plus there will be an additional 27 parking spaces for visitors.

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

With the approval of the rezoning, conditional use permit, variance and site plan review this development will meet the requirements of the R6 zoning district.

**VARIANCE** - to reduce the south interior side yard setback from 11 feet to 8 inches for the building

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

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**South interior side yard setback:** The applicant is seeking a variance to reduce the south interior side yard setback from 11 feet to 8 inches for the building. The applicant has indicated that the existing building encroaches over the property line by approximately 8 inches. In order to interact with the Midtown Greenway the building was designed to be located close to the south property line.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**South interior side yard setback:** The Midtown Greenway is an amenity that runs through Minneapolis. The Planning Division believes that it is reasonable to locate the new building 8 inches from the south property line in order to maintain a connectedness with the Midtown Greenway as the existing building does today.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**South interior side yard setback:** The granting of the setback variance will not significantly affect the essential character of the area given that the existing building encroaches over the property line by approximately 8 inches.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**South interior side yard setback:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

## **SITE PLAN REVIEW**

### **Findings as Required by the Minneapolis Zoning Code:**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

**Section A: Conformance with Chapter 530 of Zoning Code**

**BUILDING PLACEMENT AND FACADE**

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

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- The building does reinforce the street wall, maximizes natural surveillance and facilitates pedestrian access. The building is set close to the property lines, there are entrances and exits at street level that can be accessed by residents and guests and there are large windows where people can see in and out along all levels of the building.
- The required front yard setback in the R6 zoning district is 15 feet. The building will be located 15 feet from the front property lines along both Pleasant and Grand Avenues South. The area in between the building and the front property lines will be divided into individual yards for those dwelling units located on the first floor of the building.
- There are three principal entrances leading into and out of the building. One faces Pleasant Avenue South, one faces Grand Avenue South and the other one faces the north property line.
- The building is 4 stories tall when viewed from the east, west and north sides of the site. However, it is 6 stories tall when viewed from the south side of the site. The south side of the building appears massive in comparison to the other 3 sides of the building as there is not as much architectural detailing on this side of the building. The Planning Division is recommending that the applicant

work with staff to reduce the overall appearance of the south side of the building.

- The exterior material of the building will include a combination of brick, concrete block, stucco and metal. All four sides of the building are compatible with one another.
- The percentage of windows required for the first floor of the building that faces both Pleasant and Grand Avenues South is 20 percent. According to the submitted drawings, there will be over 20 percent windows on both the Pleasant and Grand Avenue South sides of the building.

#### **ACCESS AND CIRCULATION**

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

#### **COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- All three of the principal entrances that lead into and out of the building will be connected to the public sidewalk via a walkway.
- The Public Works Department has reviewed and approved the vehicular access and circulation plan provided by the applicant.
- During the winter months snow will be stored on the site. In order to be in compliance with the Public Works Department, snow cannot be stored in the grassy area on the north side of the alley. The note that references this area as a place to store snow needs to be removed.

#### **LANDSCAPING AND SCREENING**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - **A decorative fence.**
  - **A masonry wall.**
  - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**

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

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- According to the applicant, once the project is complete approximately 58 percent of the site not occupied by the building will be landscaped (please see the attached landscaping plan). The zoning code requires that there be at least 7 trees and 40 shrubs planted on the site. The applicant is proposing to have 42 trees and 306 shrubs on the site. The applicant is also proposing to have 1073 perennials on the site.
- The applicant is proposing to construct a 4 foot high decorative metal fence with brick piers around the east, west and north sides of the site. This fence meets the zoning code requirements.

**ADDITIONAL STANDARDS**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic**

**structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- The lighting plan conforms with the requirements of the zoning code.
- This development should not block views of important elements within the city.
- This development should not cast substantial shadows on surrounding properties.
- This development should not contribute to groundlevel winds.
- The Crime Prevention Specialist has reviewed the project in regard to crime prevention design elements. In order to be in compliance with the crime prevention design element regulations, proper lighting levels need to be maintained near all of the entrances and in the parking area and the two doors located on the greenway level of the building that lead directly into the building should not be emphasized for security reasons.
- This site is neither historic nor located in a historic district.

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

**ZONING CODE**

With the approval of the rezoning, conditional use permit, variance and site plan review this development will meet the requirements of the R6 zoning district.

**THE MINNEAPOLIS PLAN**

The site is designated as light industrial in the comprehensive plan. In addition, the site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support the development of residential dwellings of appropriate form and density (Policy 9.5).
- Work with institutional partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area (Policy 9.7).
- Maintain and strengthen the character of the city’s various residential areas (Policy 9.8).
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form (Policy 9.12).

The proposed site and building design would be in conformance with the foregoing policies of the comprehensive plan. The location, shape and scale of the building will be similar to the existing building on the site and the proposed materials are compatible with other buildings found in the surrounding area. In addition, the surface parking facility will be screened from the adjacent properties by a decorative metal fence and landscaping.

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

No small area plans for this area of Minneapolis have been adopted by the City Council. However, the Lake Street Midtown Greenway Corridor Framework Plan was written and approved by the City Planning Commission in 1999. For this particular area, the plan indicates that there are several redevelopment sites on the north side of the Midtown Greenway, this site being one of them. However, the plan does not say anything specifically for this site.

### **ALTERNATIVE COMPLIANCE**

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

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

### **COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- Alternative compliance is not warranted for this development.

### **RECOMMENDATIONS**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification of the properties located at 2848 Pleasant Avenue South and 2821 and 2825 Grand Avenue South from R5 to R6.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow a 123 dwelling units located at 2848 Pleasant Avenue South and 2821 and 2825 Grand Avenue South subject to the following conditions:

1. There shall be no more than 123 dwelling units within the building.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the south interior side yard setback from 11 feet to 8 inches for the building located at 2848 Pleasant Avenue South and 2821 and 2825 Grand Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for a 123-unit condominium development located at 2848 Pleasant Avenue South and 2821 and 2825 Grand Avenue South subject to the following conditions:

1. The applicant shall work with staff to reduce the overall appearance of the south side of the building.
2. Approval of the final site, landscaping and elevation plans by the Community Planning and Economic Development Department – Planning Division.
3. All site improvements shall be completed by March 28, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.

**Attachments:**

1. Statement of proposed use and description of the project
2. Rezoning, conditional use permit and variance findings
3. June 8, 2004, letter from Amy Lucas regarding the historic status of the building
4. February 10, 2005, letter to CM Dean Zimmerman and the Whittier Alliance
5. February 24, 2005, letter and worksheet to the Whittier Alliance

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6. Letters from surrounding property owners
7. Zoning Map
8. Site, elevation and floor plans
9. Photographs of the site and surrounding area