

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, two Variances, Site Plan Review
BZZ-2051

Date: November 22, 2004

Applicant: St. Anne's Community Development Corporation

Address of Property: 2300-14, 2320, 2324 and 2400 West Broadway and 2519, 2523, 2527 and 2531 Queen Avenue North

Contact Person and Phone: Lisa Kugler, on behalf of St. Anne's Community Development Corporation, (612) 827-2187

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

Date Application Deemed Complete: November 2, 2004

End of 60-Day Decision Period: January 1, 2005

End of 120-Day Decision Period: Not applicable

Ward: 3 **Neighborhood Organization:** West Broadway Area Coalition

Existing Zoning: C2 **Overlay Zoning:** Pedestrian Oriented

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 7

Legal Description: Not applicable for this application

Proposed Use: Mixed use building including 77 dwelling units and 3 commercial spaces

Concurrent Review:

Conditional Use Permit: for 77 dwelling units.

Variance: to increase the setback of the building along West Broadway Avenue, Queen Avenue North and 26th Avenue North for a distance greater than the maximum 8 feet that is required by the Pedestrian Oriented Overlay District.

Variance: to reduce the number of off-street parking spaces from 70 spaces to 52 spaces.

Site plan review.

Background: In June of this year the City Planning Commission approved a rezoning, a conditional use permit, two variances, site plan review and an alley vacation for a mixed-use development including 66 dwelling units, three commercial spaces and 57 parking spaces. Since then, the applicant has revised the development by decreasing the size of the building, increasing the number of dwelling units in the

building to 77, decreasing the number of parking spaces within the building to 52 and reducing the size of the commercial spaces.

The applicant is proposing to construct a mixed use building on the east portion of the block bounded by West Broadway Avenue, Queen Avenue North and 26th Avenue North. Within the building there will be 77 dwelling units that will be rented to independent seniors. There will be 36 one and 23 two bedroom units in the building. There will also be 18 efficiency units in the building. The dwelling units range in size from approximately 500 square feet to 1,200 square feet. There will also be one level of underground parking for the residents and a formal garden with structured seating areas along the Queen Avenue North side of the property. In addition, there will be three commercial spaces along the West Broadway Avenue side of the building. There will not be access to the commercial spaces from the residential portion of the building.

CONDITIONAL USE PERMIT – for 77 dwelling units

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – 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 77 dwelling units will be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The proposed development would add 77 dwelling units to a site located along a designated Commercial Corridor and near a designated Neighborhood Commercial Node. The 77 dwelling units will be marketed exclusively to independent seniors.

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 mixed-use building including 77 dwelling units would provide additional opportunities for housing within the neighborhood. There will be an on-site management service that will maintain the building and its grounds and therefore will help preserve the characteristics of this neighborhood. Adjacent uses include a mixture of single and multiple-family dwellings, commercial uses and institutional uses.

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 70 spaces. The applicant is providing a total of 52 parking stalls in one level of underground parking for the residents which is accessed off of a driveway via 26th Avenue North.

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

The parcels of land included in this project are designated as single-family and services-commercial in the comprehensive plan. In this area of the city, West Broadway Avenue is a designated Commercial Corridor. In addition, the site is located two blocks west of the designated Neighborhood Commercial Node at West Broadway Avenue and Penn Avenue North. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Improve the availability of housing options for its residents.
- Support the development of residential dwellings of appropriate form and density.
- Maintain and strengthen the character of the city's various residential areas.
- Infill development standards must reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- Encourage new development projects to incorporate open spaces and green spaces through land use regulations and other regulatory tools.
- Support a mix of uses on commercial corridors, such as retail sales, office, institutional, higher-density residential and clean low-impact industrial uses where compatible with the existing and desired character of the street.

Constructing a mixed-use building including 77 dwelling units and three commercial spaces on the site would be in conformance with the foregoing policies of the comprehensive plan. The site is located on a Commercial Corridor and within walking distance of a Neighborhood Commercial Node where the plan calls for mixed-use developments.

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

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

VARIANCE - to increase the setback of the building along West Broadway Avenue, Queen Avenue North and 26th Avenue North for a distance greater than the maximum 8 feet that is required by the Pedestrian Oriented Overlay District

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.**

Setbacks: The applicant is seeking a variance to increase the setback of the building along West Broadway Avenue, Queen Avenue North and 26th Avenue North for a distance greater than the maximum 8 feet that is required by the Pedestrian Oriented Overlay District. One of the purposes of the Pedestrian Oriented Overlay District is to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation.

The applicant has indicated that the entire property is being rezoned with the Pedestrian Oriented Overlay District in order to preclude undesirable uses from being allowed on the site. By rezoning the entire property with the Pedestrian Oriented Overlay District, West Broadway Avenue, Queen Avenue North and 26th Avenue North are all required to be constructed within eight feet of the property line because they are all considered front yards. The building is setback between 6 and 70 feet from West Broadway Avenue, between 22 and 87 feet from Queen Avenue North and between 64 and 78 feet from 26th Avenue North. In this situation, West Broadway Avenue truly functions as the commercial street whereas Queen Avenue North and 26th Avenue North are residential in character.

- 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.**

Setbacks: The fact that this property has three front yards and that two of them are residential in nature are unique circumstances that are not generally applicable to other parcels of land.

- 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.**

Setbacks: The granting of the variance to increase the setback of the building along West Broadway Avenue, Queen Avenue North and 26th Avenue North for a distance greater than the maximum 8 feet that is required by the Pedestrian Oriented Overlay District would not significantly affect the essential character of the area given that where the building is setback from the three streets for a distance greater than eight feet there is extensive landscaping and outdoor seating areas.

- 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.**

Setbacks: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setbacks be detrimental to welfare or public safety.

VARIANCE - to reduce the number of off-street parking spaces from 70 spaces to 52 spaces

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.

Parking reduction: The applicant is seeking a variance to reduce the number of off-street parking spaces from 70 spaces to 52 spaces. The parking requirement for this development is one parking space per dwelling unit and four parking spaces per commercial use. The applicant has indicated that a bicycle rack will be provided on the site which reduces the parking requirement by one space. This development also qualifies for two transit incentives. The first transit incentive is for constructing a multiple-family development within 300 feet of a transit stop with midday service headways of 30 minutes or less and the second transit incentive is for constructing a transit stop within the development. Both of the transit incentives reduce the parking requirement by ten percent. Given all of this, the parking requirement for this development is 70 spaces.

The applicant is providing a total of 52 parking stalls in one level of underground parking for the residents which is accessed off of a driveway via 26th Avenue North. The applicant has indicated that the design of the building limits the number of parking spaces that can be accommodated beneath the building and that if more parking spaces were added to the site they would have to be surface spaces. One of the purposes of the Pedestrian Oriented Overlay District is to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating accessory parking facilities. Accommodating a surface parking lot on the site would require removing the formal garden area along Queen Avenue North.

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.

Parking reduction: The design of the building and the fact that the site is located in a Pedestrian Oriented Overlay District are unique circumstances that are not generally applicable to other parcels of land.

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.

Parking reduction: The granting of the variance to reduce the parking requirement would not significantly affect the essential character of the area given that the site is located in a Pedestrian Oriented Overlay District where automobile use is discouraged. In addition, the residents in the building will be independent seniors. According to the applicant, 30 to 40 percent of the independent

seniors will need some assistance, including transportation assistance. Therefore not all of the residents will own a vehicle.

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.

Parking reduction: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed parking reduction 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 is setback between 6 and 70 feet from West Broadway Avenue, between 22 and 87 feet from Queen Avenue North and between 64 and 78 feet from 26th Avenue North. In the areas between the building and the three streets there is extensive landscaping and outdoor seating areas.
- On the first floor of the building there will be three commercial spaces, the residential lobby and community space and 12 dwelling units and on the upper there floors three will be dwelling units. The three commercial spaces have their own individual entrances facing West Broadway Avenue. The entrances are located between 35 and 55 feet from the property line. The residential entrance to the building is located on the 26th Avenue North side of the building and is located 64 feet from the property line. There will not be access to the commercial spaces from the residential portion of the building.
- The exterior materials of the building include stucco and brick. The percentage of windows required on the West Broadway Avenue side of the building is 30 percent and the percentage of windows required on the Queen Avenue North and 26th Avenue North sides of the building is 20 percent. According to the submitted drawings, all three sides of the building exceed the percentage of windows required.

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

- Sufficient walkways connect all of the building entrances to the adjacent public sidewalks.
- The proposed bus shelter is located in the southwest corner of the proeprty along West Broadway Avenue. The bus shelter has been designed using the same materials as the principal building, will be illuminated and will be heated.
- The Public Works Department has reviewed the vehicular access and circulation plan provided by the applicant. In order to meet the requirements of the Public Works Department, there shall be no

parking spaces located along the radial drive off of 26th Avenue North. The radial drive shall be as narrow as possible in order to maintain a reasonable distance between curb cuts on 26th Avenue North. The radial drive shall allow only one-way access and if there are columns supporting the canopy they shall be extended to the center landscape area or shall be removed.

- The applicant has indicated that snow will be stored on the southeast corner of the site. The Planning Division is recommending that the snow not be piled directly on the corner or so high as to obstruct the vehicular site triangle at the intersection of West Broadway Avenue and Queen Avenue North.

LANDSCAPING AND SCREENING

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant**

materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The applicant has indicated that approximately 77 percent of the site not occupied by the building will be landscaped. The landscaping requirement for this development is 10 trees and 48 shrubs. The applicant did not submit a plant schedule as part of the application but according to the site plan it appears that the tree and shrub requirement is being met. The Planning Division is recommending that a plant schedule be submitted as part of the final plans. The Planning Division is also recommending that the corner of West Broadway Avenue and Queen Avenue North be landscaped so as to create visual interest on the corner.
- The applicant is proposing to have a six-foot high decorative metal fence with brick pillars located around the formal garden area along Queen Avenue North and along the northwest property line. In addition, there is a four-foot high decorative metal fence with brick pillars located between the commercial spaces along West Broadway Avenue and the property line. The Planning Division is recommending that the fence height and type be indicated on the final plans.

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

- A lighting plan showing footcandles was not submitted as part of the application. The Planning Division is recommending that a lighting plan showing footcandles be submitted as part of the final plans.
- This development should not block views of important elements within the city.
- This development should not cast shadows on surrounding properties.
- This development should not contribute to the wind tunnel effect.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. To ensure the welfare of the residents, employees and patrons of the development and the residents of the area the Crime Prevention Specialist has asked that proper lighting be installed

above all entrances, that the retaining wall located between the commercial spaces along West Broadway Avenue and the property line be shorter than 18 inches to discourage loitering and that the plantings near the transit stop be kept manicured in order to allow views into and out of the windows.

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

ZONING CODE

See conditional use permit finding six.

THE MINNEAPOLIS PLAN

See conditional use permit finding five.

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

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

ALTERNATIVE COMPLIANCE

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

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- Alternative compliance is not warranted for this development.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow 77 dwelling units located at 2300-14, 2320, 2324 and 2400 West Broadway and 2519, 2523, 2527 and 2531 Queen Avenue North subject to the following conditions:

1. There shall be no more than 77 dwelling units located 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 above findings and **approve** the variance to increase the setback of the building along West Broadway Avenue, Queen Avenue North and 26th Avenue North for a distance greater than the maximum 8 feet that is required by the Pedestrian Oriented Overlay District for the property located at 2300-14, 2320, 2324 and 2400 West Broadway and 2519, 2523, 2527 and 2531 Queen Avenue subject to the following conditions:

1. The building shall be setback no further from the property lines along West Broadway Avenue, Queen Avenue North and 26th Avenue North than shown on the plans dated October 15, 2004.

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 above findings above and **approve** the variance to reduce the number of off-street parking spaces from 70 spaces to 52 spaces for 77 dwelling units and three commercial spaces for the property located at 2300-14, 2320, 2324 and 2400 West Broadway and 2519, 2523, 2527 and 2531 Queen Avenue North subject to the following conditions:

1. The applicant shall provide a bike rack on the site that can accommodate at least four bicycles. The location of the bike rack shall be indicated on the final site plan.

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 the

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properties located at 2300-14, 2320, 2324 and 2400 West Broadway and 2519, 2523, 2527 and 2531 Queen Avenue North subject to the following conditions:

1. There shall be no parking spaces located along the radial drive off of 26th Avenue North. The radial drive shall be as narrow as possible in order to maintain a reasonable distance between curb cuts on 26th Avenue North. The radial drive shall allow only one-way access and if there are columns supporting the canopy they shall be extended to the center landscape area or shall be removed
2. Snow shall not be piled directly on the corner or so high on the site as to obstruct the vehicular site triangle at the intersection of West Broadway Avenue and Queen Avenue North.
3. A plant schedule shall be submitted as part of the final plans.
4. The corner of West Broadway Avenue and Queen Avenue North shall be landscaped so as to create visual interest on the corner.
5. The fence height and type shall be indicated on the final plans.
6. A lighting plan showing footcandles shall be submitted as part of the final plans.
7. Proper lighting shall be installed above all entrances.
8. The retaining wall located between the commercial spaces along West Broadway Avenue and the property line shall be shorter than 18 inches to discourage loitering.
9. The plantings near the transit stop shall be kept manicured in order to allow views into and out of the windows.
10. The Community Planning and Economic Development Department – Planning Division shall approve the final site, landscaping and elevation plans.
11. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
12. All site improvements shall be completed by November 22, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
13. 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.

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Attachments:

1. Proposed use and description of the project
2. CUP and variance findings
3. Vacation 1436 information
4. April 13, 2004 letter from the City Attorney's Office verifying the rezoning petition
5. March 9, 2004 letter to Council Members Don Samuels, Barbara Johnson and Natalie Johnson Lee
6. September 11, 2003 letter from the Jordan Area Community Council
7. March 9, 2004 letter from the West Broadway Area Coalition
8. Zoning Map
9. Site, elevation and floor plans
10. Photographs of the site and surrounding area