

ORDINANCE NO. Z-966-21

INTRODUCED BY: ALLEN-THOMAS, FRANK, GRIMES, GUARDIOLA, HURST,
HUSEMAN, MADERA, NOBLE, SMITH

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY AT 7190 COLORADO BOULEVARD FROM PUBLIC TO PLANNED UNIT DEVELOPMENT AND APPROVING A PUD ZONE DOCUMENT

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. The City Council of the City of Commerce City, Colorado, finds that notices of the public hearings concerning ordinance Z-966-21 rezoning of property at 7190 Colorado Boulevard, more specifically defined in Exhibit A and as further detailed in the proposed SP Crossing PUD Zone Document attached as Exhibit B, before the Planning Commission of the City of Commerce City on December 1, 2020, and the City Council to be held on December 21, 2020, respectively, were properly given as required by the Land Development Code, including by: publication on November 24, 2020, and December 8, 2020 in the Sentinel-Express, a legal newspaper of general circulation in the City of Commerce City; mailing on November 24, 2020, through the United States Postal Service in the manner required by the Land Development Code; and posting placards on the property that is the subject of the application on November 19, 2020 and December 11, 2020, in the manner and for the duration required by the Land Development Code.

SECTION 2. The City Council of the City of Commerce City, Colorado further finds that the public hearings concerning the proposed ordinance Z-966-21 and the rezoning of property described in Exhibit A before the Planning Commission of the City of Commerce City and the City Council were conducted in compliance with law.

SECTION 3. The City of Council finds, consistent with the Commerce City Land Development Code, Section 21-3251(3), as follows with regard to the proposed rezoning detailed in the SP Crossing PUD Zone Document:

- a. The proposed PUD Zone Document Amendment is consistent with all applicable City adopted plans;
- b. The PUD zone document is consistent with any previously reviewed PUD concept schematic, if any;
- c. The PUD addresses a unique situation, confers a substantial benefit and also incorporates creative site design such that it achieves the purposes of section 21-4370 of the LDC and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards;
- d. The PUD Zone Document will continue to comply with all applicable city standards;
- e. The Property has been integrated and connected with adjacent development;
- f. To the maximum extent feasible, the proposal mitigates any potential significant impacts on adjacent properties and on the general community;
- g. Sufficient public safety, transportation, and utility facilities and services are available to serve the Property, while maintain sufficient levels of service to existing

development; and

- h. The proposed changes to the PUD Zone Document could not be achieved through other techniques.

SECTION 4. The SP Crossing PUD Zone Document, which departs from the Land Development Code's straight zoning standards in order to create a mixed-use, transit-oriented development adjacent to the RTD 72nd Avenue N-Line Station, and Ordinance Z-966-21 is hereby approved. The zoning map of the City of Commerce City, Colorado, is hereby amended to reflect the rezoning approved by this ordinance.

SECTION 5. This ordinance shall be effective as set forth in Section 5.3 of the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 21ST DAY OF DECEMBER, 2020.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 4TH DAY OF JANUARY 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

Exhibit "A"
(Legal Description)
Case #Z-966-21

STATE OF

LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESETS THAT ADAMS TOWER NP CENTER LLC BEING THE (OWNER) OF THAT PART OF THE ENTIRE PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; TO WIT; BEGINNING AT BASIS OF BEARING: THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, AS NOTED ON THE "COLO CON SUBDIVISION" RECORDED OCTOBER 19, 1971 UNDER RECEPTION NO. 938931 OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE. COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 89°55'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 512.40 FEET TO A POINT THAT IS THE NORTHEAST CORNER OF PLOT 5 OF ADAMS COUNTY POULTRY FARMS, RECORDED MARCH 19, 1923 UNDER RECEPTION NO. 90239 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; THENCE SOUTH 00°02'30" EAST ALONG THE EAST LINE OF SAID PLOT 5, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT IS ALSO THE NORTHEAST CORNER OF COLO CON SUBDIVISION, A RESUBDIVISION OF SAID PLOT 5, RECORDED OCTOBER 19, 1971 UNDER RECEPTION NO. 938931 OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; THENCE SOUTH 00°02'30" EAST, CONTINUING ALONG SAID EAST LINE A DISTANCE OF 597.78 FEET TO A POINT THAT IS 664 FEET NORTH OF THE SOUTHEAST CORNER OF PLOT 7 AND ON THE EAST LINE OF PLOT 7 OF SAID ADAMS COUNTY POULTRY FARMS PLAT; THENCE SOUTH 89°55'00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID PLOT 7, A DISTANCE OF 257.80 FEET, TO A POINT THAT IS ON THE WEST LINE OF SAID PLOT 7 AND 664 FEET NORTH OF THE SOUTHWEST CORNER OF SAID PLOT 7; THENCE NORTH 00°02'30" WEST ALONG THE WEST LINE OF SAID PLOT 7, A DISTANCE OF 176.00 FEET, TO A POINT THAT IS THE NORTHWEST CORNER OF SAID PLOT 7; THENCE SOUTH 89°55'00" WEST, ALONG THE SOUTH LINE OF SAID PLOT 5 OF SAID ADAMS COUNTY POULTRY FARMS PLAT, A DISTANCE OF 214.32 FEET TO A POINT THAT IS ON THE EASTERLY RIGHT OF WAY OF STATE HIGHWAY NO. 2, AS STATED IN THE LEGAL DESCRIPTION OF SAID COLO CON SUBDIVISION; THENCE ALONG THE SAID RIGHT OF WAY AS NOTED ON SAID COLO CON SUBDIVISION THE FOLLOWING THREE COURSES:

- 1) NORTH 25°28'53" EAST, A DISTANCE OF 245.25 FEET;
- 2) NORTH 37°33'00" EAST, A DISTANCE OF 2.70 FEET TO A POINT OF NON-TANGENT CURVE;
- 3) ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 53°03'09" WEST, HAVING A DELTA OF 13°01'42", A RADIUS OF 1015.00 FEET, A DISTANCE OF 230.40 FEET TO A POINT THAT IS 30.00 FEET SOUTH, BY PERPENDICULAR MEASUREMENT, OF THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6; THENCE NORTH 89°55'00" EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 248.00 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO. CONTAINING 198,701 SQUARE FEET OR 4.562 ACRES OF LAND, MORE OR LESS.

[illegible]

SP CROSSING PUD ZONE DOCUMENT AT 7190 COLORADO BOULEVARD

TOWNSHIP 3 SOUTH, NORTHWEST QUARTER OF SECTION 6, RANGE 67 WEST OF THE 6TH P.M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

PROJECT INTENT

BRINSHORE DEVELOPMENT AND THE NEBBITT DEVELOPMENT GROUP ARE VERY EXCITED ABOUT THIS OPPORTUNITY IN PARTNERSHIP WITH THE URBAN LAND CONSERVANCY TO PROVIDE DEVELOPMENT EXPERTISE ON SP CROSSING - A TOD ENHANCED AFFORDABLE HOUSING PROJECT.

WE BELIEVE THAT THIS 4-STORY, 50 UNIT MIXED USE PROJECT ON 0.81 ACRES OF LAND WILL HAVE A SIGNIFICANT IMPACT ON THE ENTIRE CITY AND PROVIDE A CATALYST FOR REVITALIZATION SURROUNDING THE 72ND AND COLORADO BOULEVARD COMMUTER RAIL STOP.

THE 4-STORY PROJECT IS DESIGNED IN A 'U' SHAPE - WITH FLANKED HOUSING WINGS FRAMING AN INTERIOR LANDSCAPED SOUTH FACING COURTYARD ENHANCING THE PROJECT'S ABILITY TO PROVIDE DAYLIGHT PENETRATION TO ALL UNITS & COMMON AREAS.

THE 4-STORY LAYOUT INCLUDES A MIX OF ONE, TWO, AND THREE BEDROOM UNITS SERVING A VARIETY OF MODERATE INCOME RESIDENTS & FAMILIES. THE BUILDING'S AMENITIES INCLUDE APPROXIMATELY 5,000 SF OF COMMON AREAS ON TWO LEVELS OVERLOOKING THE SOUTH FACING COURTYARD. THESE AMENITIES INCLUDE A SECOND LEVEL COMMUNITY LOUNGE & RECREATION ROOM THAT OPENS OUT TO A DECK OVERLOOKING THE COURTYARD. THE PROPOSED OUTDOOR PATIO DECK IS LINKED TO THE SOUTH FACING LANDSCAPE COURTYARD BY AN ARCHITECTURAL STAIR LINKING BOTH LEVELS. THE MAIN LEVEL INCLUDES 40 TUCK UNDER PARKING SPACES WITHIN THE TWO FLANKED HOUSING WINGS AND A CENTRAL MAIN COMMONS ENTRY LOBBY WILL RECEIVE GUESTS FROM THE FRONT DROP-OFF AREA, A CHECK-IN DESK, A LEASING OFFICE, PATIO LOUNGE AT LEVEL ONE, A POSTAL FACILITY, AND BUSINESS CENTER ARE INCLUDED AS WELL. CO-LOCATED ON THIS 4.5-ACRE SITE IS A 70,000 SF OFFICE BUILDING THAT PROVIDES EMPLOYMENT FOR BOTH ADAMS COUNTY AND COMMERCE CITY - THE PROJECT WILL ACCOMMODATE AN ADDITIONAL 35 SPACES OF SHARED PARKING.

THIS NEW 50 UNIT BUILDING WILL BE ALL ABOUT ATTENTION TO DETAIL WITH A PLAN LAYOUT THAT PROVIDES FOR A VARIETY OF PANORAMA VIEWS, SAFETY AND PRIVACY. IT WILL BE A BUILDING THAT IS TARGETED TO SMALLER WORKING FAMILIES THAT ARE INTERESTED IN THE CONVENIENCE OF THIS TOD LOCATION. THE UNIT AMENITIES WILL INCLUDE AIR CONDITIONING, A WASHER & DRYER IN ALL UNITS, FULL-SERVICE KITCHENS, AND INTERNET/BROADBAND CONNECTIVITY THROUGHOUT.

COMPREHENSIVE PLAN GOALS AND POLICIES

MIXED-USE IS DEFINED AS A TYPE OF URBAN DEVELOPMENT, THAT BLENDS RESIDENTIAL, COMMERCIAL, CULTURAL, INSTITUTIONAL AND OFFICE, WHICH IS INTEGRATED TO A SUSTAINABLE ENVIRONMENT. BRING RESIDENTIAL TOGETHER ALONG AND ALMOST ADJACENT TO A TRANSIT STATION IS THE FRAMEWORK FOR CREATING AN URBAN ENVIRONMENT. IN REVIEW OF THE 2010 COMMERCE CITY C3 COMPREHENSIVE PLAN, THE INTERSECTION AT EAST 72ND AVENUE AND COLORADO BOULEVARD IS PLANNED FOR A MIXED-USE (TRANSIT/COMMERCIAL) CORRIDOR. THE SP CROSSING AT 7190 COLORADO BOULEVARD PROJECT IS A LAND USE THAT SATISFIES THE FUTURE PLANNING BY COMMERCE CITY. THE RESIDENTIAL LAND USE WITH THE CLOSE PROXIMITY WOULD MEET THE GOALS FOR THE C3 COMPREHENSIVE PLAN.

INTENT : ADAMS TOWER

WHEN THE ADMINISTRATION OF ADAMS COUNTY RELOCATED THE SERVICES IN THE FORMER ADAMS COUNTY HUMAN SERVICES BUILDING TO THEIR NEW LOCATION, APPROXIMATELY 7 MILES FARTHER NORTH IN THE COUNTY, IT LEFT A SIGNIFICANT SERVICE GAP IN THE COMMERCE CITY COMMUNITY. ULC'S CONCEPT FOR THE EXISTING PROPERTY IS TO FILL SOME OF THE VOID CREATED BY THE RELOCATION BY DEVELOPING A COMMUNITY SERVICES HUB THAT PROVIDES BELOW-MARKET RENT OFFICE SPACE TO NON-PROFITS AND OTHER SOCIAL ENTERPRISE COMPANIES. ULC IS PARTNERING WITH THE CITY OF COMMERCE CITY AS WELL AS WITH ADAMS COUNTY TO IDENTIFY POTENTIAL SERVICE PROVIDERS THAT WOULD BENEFIT FROM WORKING IN A COLLABORATIVE ENVIRONMENT WITH OTHER MISSION-ALIGNED ORGANIZATIONS TO CREATE A 'ONE-STOP-SHOP' AT A CONVENIENT LOCATION. CURRENT TENANTS INCLUDE YOUTH SERVICES, EDUCATIONAL SERVICES, EMPLOYMENT TRAINING, HEALTHCARE SERVICES AND MENTAL HEALTH SERVICES.

EXISTING CHALLENGES AND SITE OPPORTUNITIES

THE PROJECT'S SITE IS CHALLENGED BY ITS PERIMETER BOUNDARIES WITH A WEST FRONTAGE ON COLORADO BOULEVARD AND SURFACE PARKING FOR THE OFFICE BUILDING NORTH AND EAST OF OUR BUILDING. WITH THESE CONSTRAINTS LIES OPPORTUNITY FOR THE DESIGN TEAM TO PROPOSE AND UNIQUELY SHAPED BUILDING FOOTPRINT IN RESPONSE TO THE SITE'S CONSTRAINTS AND OPPORTUNITIES AS FOLLOWS:

- MAINTAIN THE SITE'S RIGHT-OF-WAY DECED LANE AND PRIMARY SITE ENTRY FROM COLORADO BOULEVARD. PROVIDE PARALLEL PARKING / AUTO DROP-OFF LANE FOR RESIDENTS & GUESTS JUST OFF THE PRIMARY EGRESS TO THE SITE.
- ENHANCE THE EXISTING COLORADO BOULEVARD FRONTAGE LANDSCAPE BUFFER OF APPROXIMATELY 20 FT WITH AN ADDITIONAL 15 FT OF LANDSCAPE BUFFER OR APPROXIMATELY 35 FT OF COMBINED LANDSCAPE AREA ALONG THIS FRONTAGE.
- WITH A SITE PERIMETER ENCOMPASSING 0.81 ACRES, WE DECIDED TO PROVIDE AN ADDITIONAL LANDSCAPE BUFFER OF APPROXIMATELY 25 FT IN ORDER TO ENHANCE THE RESIDENTIAL EXPERIENCE AND PROVIDE A BETTER LANDSCAPE SETBACK ADJACENT TO THE SHARED PARKING SURROUNDING THE SITE TO ITS EAST.
- VISIBILITY & IDENTITY TO SP CROSSINGS SITE IS ENHANCED FROM ITS COLORADO BOULEVARD FRONTAGE AND ITS PROXIMITY TO THE LIGHT RAIL STOP ACROSS THE STREET. WITH THESE TWO POSITIVE FORMS GIVES THE BUILDING ITS SHAPE AND ORIENTATION ENHANCES ITS STREET APPEAL TO THE COMMUNITY - YET PROVIDES A WELCOME PARTITION TO ITS OFFICE BUILDING NEIGHBOR. WITH STRONG SITE LINES AND A HIGH WALKABILITY SCORE TO THE TOD STATION, WE BELIEVE WE HAVE CREATED A WIN-WIN SITUATION FOR COMMERCE CITY.

UNIQUE FEATURES

THE 50 UNIT MULTI-FAMILY PROJECT IS PROPOSED AT A LOCATION THAT PROVIDES FOR EASY ACCESS ADJACENT TO RTD'S 72ND AND COLORADO LINE TRANSIT STATION. ADJACENT TO PUBLIC SCHOOLS AND ALONG A TRAIL SYSTEM THAT CONNECTS TO MULTIPLE LOCATIONS, AS A WITHDRAWAL PARCEL OF AN EXISTING 6 STORY OFFICE BUILDING, HERE IS AN OPPORTUNITY FOR ADDING HIGHER DENSITY IN A MORE SUBURBAN AREA OF MIXED RESIDENTIAL OFFICE, RETAIL, AND PUBLIC AMENITIES. THE USE OF SHARED PARKING IS AN ENRICHED WAY OF USING PARKING STALLS MORE EFFICIENTLY AS AN EFFECTIVE WAY TO PROVIDE SUSTAINABILITY IN DENSER PROJECT. THE PROPOSED AFFORDABLE HOUSING PROJECT IS LOCATED JUST TWO BLOCKS NORTH OF THE 72ND AVENUE COMMUTER RAIL STATION AT 72ND AVENUE. THE STATION CAN ALSO BE REACHED ALONG THE FERNALD TRAIL THAT CAN BE ACCESSED AT 72ND AVENUE.

EXISTING AMENITIES

THE MULTI-FAMILY PROJECT IS LOCATED WEST OF COLORADO BOULEVARD AND JUST SOUTH OF 72ND AVENUE. THE BRIGHTON DITCH RUNS ALONG THE WESTERLY SIDE OF COLORADO BOULEVARD, WITH A TRAIL HEAD FOR THE FERNALD TRAIL AT 72ND AVENUE. THE PROJECT IS LOCATED ALONG 2 MAJOR TRANSPORTATION CORRIDORS, AND A BUS STOP IS LOCATED AT 72ND AND COLORADO BOULEVARD INTERSECTION. A ELEMENTARY SCHOOL AND MIDDLE SCHOOL ARE LOCATED TO THE EAST OF THE PARCEL AND PROVIDES GREAT AMENITIES TO THE SURROUNDING NEIGHBORHOOD. BASED ON THE PROJECTS LAYOUT AND LOCATION, THERE WILL BE SUFFICIENT PUBLIC ACCESS, PEDESTRIAN SAFETY AND TRANSPORTATION OPTIONS THAT WILL PROVIDE FOR SUFFICIENT LEVEL OF SERVICE FOR THE PROJECT. THE SITE DRAINS FROM EAST TO WEST WITH AN INLET LOCATED ALONG COLORADO BOULEVARD. PUBLIC UTILITIES FOR STORMWATER, SANITARY SEWER, GAS/ELECTRIC ARE PROVIDED IN CLOSE PROXIMITY OF THE PROJECT. THE STUNNING VIEWS FROM THE SITE ACROSS THE SOUTH PLATTE RIVER TO THE FRONT RANGE FOOTHILLS IS UNENCUMBERED. THE PARCEL IS NOT LOCATED IN THE SOUTH PLATTE RIVER FLOODPLAIN.

Consultant

**WILSON
& COMPANY**

Wilson & Company
1675 Broadway, Suite 200
Denver, CO 80022
303.297.2976
kyle.godwin@wilsonco.com

Consultant

**CHRISTOPHER
CARVELL
ARCHITECTS**

PROFESSIONAL CORPORATION
3461 RINGSBY COURT #310
DENVER, COLORADO 80216 | 720.689.2333
WWW.CARVELLARCHITECTS.COM

Consultant



1015 California Street Suite 411, Denver 80202
landscape architecture urban design planning
phone: 303.636.2887 website: britinadsg.com

Owner

Mark S. Marshall
Adams Tower NP Center LLC
1600 Downing Street
Denver, CO 80218
303.585.0460

PUD ZONE DOCUMENT

DATE SUBMITTED

6/26/20

RESUBMITTALS

9/21/20
10/29/20

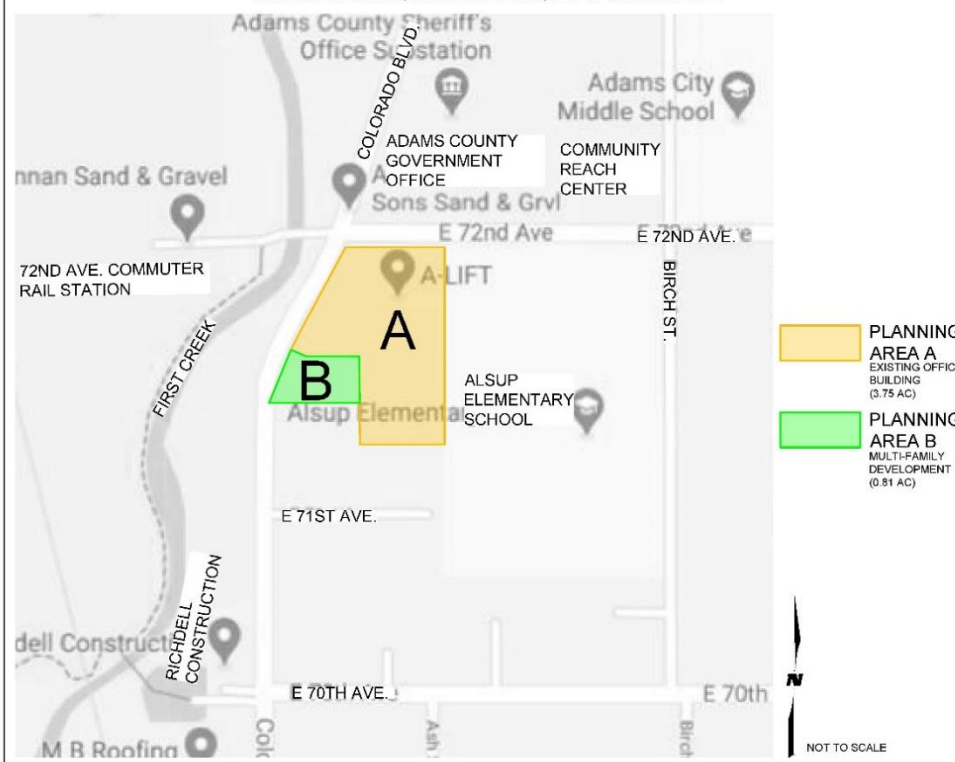
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SP CROSSING PUD ZONE DOCUMENT AT 7190 COLORADO BOULEVARD

TOWNSHIP 3 SOUTH, NORTHWEST QUARTER OF SECTION 6, RANGE 67 WEST OF THE 6TH P.M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY



Consultant

**WILSON
& COMPANY**

Wilson & Company
1675 Broadway, Suite 200
Denver, CO 80022
303.297.2976
kyle.godwin@wilsonco.com

Consultant

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DENVER, COLORADO 80216 | 720.689.2333
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STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

* R-3 ZONE DISTRICT WITH COMMERCIAL USES ALLOWED AS A USE BY RIGHT IN THE C-1 ZONE DISTRICT (MAX 25% OF FAR IN ANY BUILDING)
 ** A SHARED PARKING AGREEMENT FOR UP TO 35 SPACES WITH OFFICE BUILDING TO THE EAST IS ANTICIPATED FOR THIS PROJECT
 *** THE PLANNING AREA ACREAGES MAY BE ADMINISTRATIVELY VARIED BY 15% WITHOUT A PUD ZONE DOCUMENT AMENDMENT

* PLANNING AREA A OFFICE FAR EXCLUDES BASEMENT AREA OF 11,807 SF (0.27 AC).
* MAXIMUM BUILDING HEIGHT IS TO PARAPET AND DOES NOT INCLUDE THE ROOFTOP MECHANICAL EQUIPMENT, ELEVATOR OR STAIRWELL OVERRUN.

1. SPECIFIC BULK STANDARDS NOT ADDRESSED BY THIS PUD ZONE DOCUMENT SHALL BE GOVERNED BY THE COMMERCE CITY LAND DEVELOPMENT CODE AS THOSE STANDARDS MAY BE ADOPTED OR AMENDED.
2. ACCESS SHOWN IN THIS PUD ZONE DOCUMENT IS PRELIMINARY AND SUBJECT TO FINAL APPROVAL BY THE CITY'S PUBLIC WORKS DEPARTMENT.
3. ANY DRAINAGE AREAS CONTAINED IN THIS DEVELOPMENT ARE SUBJECT TO FINAL APPROVAL BY THE CITY'S PUBLIC WORKS DEPARTMENT.

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STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

R-3 Bulk Standard/ Requirement	Setback/Buffer Provided
Minimum Front Yard Setback: 20 FT	18 FT, With drop off entry
Minimum Side Yard Setback: 20 FT (E Colo. Blvd)	15 FT, with an additional 15 FT of ROW landscape or 30 FT landscape buffer
Minimum Side Yard Setback: 20 FT	7 FT to assumed property line + 18 FT of landscape & sidewalk buffer = a combined 25 FT buffer facing the shared surface parking to the east
Minimum Rear Yard Setback: 20 FT	20 FT @ east wing
Minimum Lot Frontage:	10 FT, 15 FT, 25 FT off west residential wing
	152 FT @ front yard

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