

**NARRATIVE DESCRIPTION
JUSTIFICATION UNDER USDO, §375-5(F)(3)(d)**

The Applicant (196 Washington Ave., LLC) for adaptive reuse of the building on No. 299 South Allen Street (Mailing Address is 301 South Allen Street) requests that the Board of Zoning Appeals determines that the alternative use is in the same or a less intense land use category.

From USDO, §375-5(F)(3)(d):

(d) SUBSTITUTION

No nonconforming use may be converted to a different nonconforming use unless the Board of Zoning Appeals determines that the alternative use is in the same or a less intense land use category based on Table 375-3-1(Permitted Use Table).

The existing building is within the R-M Zoning District. All building dimensions and setbacks conform with the requirements of the R-M Zoning District. This building is nonconforming due to its use as an office building and the lack of required parking spaces. The existing building is entirely occupied by general office space. For 9,000 SF of office space, a minimum of 36 parking spaces would be required (subject to reduction of 20% due to the proximity to public transportation or a net parking of 29 spaces). Existing parking is 7 off-street parking spaces and 3 on-street parking spaces which will be maintained under the proposed plan.

The Applicant proposes to convert the ground and second floors to 5 apartments. Multi-family housing is a permitted use in the R-M Zoning District. The first floor will be used to accommodate the relocation of the St. Peter's Thrift Shop. Thrift Shops are not defined in USDO. Retail, General includes uses similar to the Thrift Shop:

RETAIL, GENERAL

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, including auction houses, that do not meet the definition of any other retail use, a restaurant use, or any other use listed in Table 375-3-1 (Permitted Use Table).

Two-thirds of the habitable space in the building will be in conformance with USDO. This proposed use is less intense than the existing nonconforming use for this portion of the occupancy.

Due to the small customer base for the thrift shop, parking demands will be minimal. Also, shared parking will result in parking from some of the residential units being available during the hours that the thrift shop is open. From the standpoint of parking and traffic this nonconforming use is less intense than the existing nonconforming use as general office.