



City of Culver City

Staff Report Details (With Text)

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Title: PC - PUBLIC HEARING: Consideration of a Comprehensive Plan Amendment (P2021-0174-CPA) to allow a Three-Story, 7,022 Square Foot Community Center, Six Dwelling Units, a Reconfigured Community Garden, and Associated Site Improvements at 10808-10860 Culver Boulevard (Project).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 21-11-10_ATT No 1_Draft PC Reso No 2021-P012 and Exhibits.pdf, 2. 21-11-10_ATT No 2_Vicinity Map.pdf, 3. 21-11-10_ATT No 3_Comprehensive Plan Amendment P2021-0174-CPA.pdf, 4. 21-11-10_ATT No 4_Categorical Exemption Report.pdf, 5. 21-11-10_ATT No 5_Parking Demand Study.pdf, 6. 21-11-10_ATT No 6_Preliminary Construction Management Plan.pdf, 7. 21-11-10_ATT No 7_Community Meeting Summaries.pdf

Date	Ver.	Action By	Action	Result
11/10/2021	1	PLANNING COMMISSION		
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PC - PUBLIC HEARING: Consideration of a Comprehensive Plan Amendment (P2021-0174-CPA) to allow a Three-Story, 7,022 Square Foot Community Center, Six Dwelling Units, a Reconfigured Community Garden, and Associated Site Improvements at 10808-10860 Culver Boulevard (Project).

Meeting Date: November 10, 2021

Contact Person/Dept: Gabriela Silva, Associate Planner
 Jeff Anderson, Contract Planning Manager
 Sol Blumenfeld, Community Development Director

Phone Number: (310) 253-5736 / (310) 253-5727

Fiscal Impact: Yes No **General Fund:** Yes No

Public Hearing: **Action Item:** **Attachments:**

City Council Action Required: Yes No **Date:** TBD

Public Notification: (Mailed) Property owners and occupants within a 500-foot radius and extended (10/20/2021); (Email) Master Public Notification List (10/20/2021), Meetings and Agendas - Planning Commission (11/4/2020); (Posted) City website (10/20/2021), Onsite Sign (10/20/2021); (Published) in Culver City News (10/21/2021).

Department Approval: Sol Blumenfeld, Community Development Director (11/4/2021)

RECOMMENDATION

Staff recommends that the Planning Commission Recommend to the City Council Adoption of a Class 32 Categorical Exemption, pursuant to California Environmental Quality Act Section 15332 In-Fill Development Projects, and approval of a Comprehensive Plan Amendment (P2021-0174-CPA), subject to the Conditions of Approval as stated in Resolution No. 2021-P012 (Attachment No. 1).

PROCEDURES

1. Chair calls on staff for a brief staff report and Planning Commission poses questions to staff as desired.
2. Chair opens the public hearing, providing the applicant the first opportunity to speak, followed by the general public.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Planning Commission discusses the matter and arrives at its decision.

BACKGROUND

Project Site/Existing Conditions

The Project site (Site) is located at 10808-10860 Culver Boulevard, on the south side of Culver Boulevard, west of Coombs Avenue and east of Elenda Street, and is bound to the south by a 20-ft wide public alley (see Vicinity Map, Attachment No. 2). The Site is a portion of land consisting of 49,572 square feet, located within one (1) parcel that is comprised of thirty (30) lots tied together measuring 67,700 square feet (1.55 acres). It is generally flat in topography and rectangular in shape. The overall parcel is owned by the City and the portions comprising the Project site (22 of the thirty 30 lots) will be leased to the Project operator (Wende) for 99 years. The development permit will include an indemnity, both for the land lease and all related entitlements.

The Site (Lots 9-30) is improved with one (1) single-story, 14,023 sq. ft., non-residential structure housing the Wende Museum, a two-story, 4,120 sq. ft. meeting and event facility building (formerly American Veteran Post 2; aka AmVets), a 4,507 sq. ft. community garden space, and other associated site improvements, including landscape, fencing, and sculpture garden. On the remainder of the subject parcel (Lots 1-8), which are not part of the Project, are located the Scout House, Rock and Mineral Club, and paddle tennis courts. Public surface parking abuts the Site along the northerly perimeter, serving the Site and uses on overall parcel, as well as uses in the adjacent Veterans Memorial Park. Vehicular access to the Site occurs only along the alley side where seven (7) off-street parallel parking spaces are provided and near the midpoint of the northerly edge where there is an existing driveway accessing the existing sculpture garden area for loading purposes. Existing two-way (Culver Blvd., Coombs Ave.) and one-way (Elenda St.) driveway aprons at surrounding streets provide access to the abutting public parking. The existing streetscape along the subject frontage consists of a 10-foot-wide sidewalk, and abutting parking lot; a wide landscaped strip with mature vegetation abuts the parking lot along the northerly edge abutting Culver Boulevard.

The Land Use Element of the City's General Plan designates this site as Open Space, which is consistent with the site's zoning designation of Open Space (OS). Surrounding properties along Culver Boulevard are designated Low Density Single Family, Medium Density Multiple Family, and Open Space, and properties south of the Site are designated Low Density Single Family, consistent with their corresponding zoning designations. The Project Site represents a unique condition in the surrounding neighborhood in terms of size

and uses, though it complements the uses at the adjacent Veterans Memorial Park. Properties to the north, south, and west are also flat, and are generally rectangular in shape as is typical for residential properties.

The surrounding zoning and land uses are as listed below.

- North: Residential Single Family-Residential Zero Setback Overlay (R1-RZ) Zone (two-story single family residential neighborhood, known as Studio Estates, across Culver Boulevard)
- South: Residential Single Family (R1) Zone (one- and two-story single family residential uses, across public alley)
- East: Open Space (OS) Zone (Veterans Memorial Park, including Veterans Memorial Complex, the Teen Center and The Plunge Municipal Swimming Pool, across Coombs Avenue)
- West: Residential Medium Density Multiple Family (RMD) Zone (one- and two-story single- and multi-family dwellings, across Elenda Street)

Site and Project History

On April 28, 2014, the City Council adopted Ordinance No. 2014-001, to rezone the subject parcel from Commercial Neighborhood (CN) to Open Space (OS) Zone and to approve a Comprehensive Plan for the project area within the subject parcel. By adopting the ordinance and approving the Comprehensive Plan, the City allowed the adaptive reuse of the former National Guard Armory Building for the Wende Museum, as well as the continued use of the AmVets Post 2 facility for meetings and events. The approved Comprehensive Plan was implemented by the Wende Museum; however, no improvements had been planned at the AmVets Post 2 building. This building has required significant life-safety repairs and has been vacated by the former tenant.

Public discussions regarding the future of the former AmVets building have occurred over the past few years and have included consideration of affordable housing. Accordingly, the Applicant worked with the City to craft a proposal that incorporates a creative community center that will complement the existing Wende Museum and other site improvements to provide a new community garden and six affordable housing units. As part of the lease agreement with Wende Museum, the proposed Comprehensive Plan Amendment (Attachment No. 3) is required to create a mixed-use site by incorporating a six-unit affordable housing project. Further, it was determined that to accommodate additional uses, such as affordable housing, a reconfiguration of existing improvements involving the community garden, would be necessary.

In accordance with the provisions of Zoning Code Section 17.250.030 and 17.560.025, the Parks, Recreation, and Community Services Commission and Planning Commission provide respective recommendations to the City Council regarding approval of Comprehensive Plans and major Comprehensive Plan Amendments (CPA) in the Open Space (OS) Zone. The subject CPA was presented to the PRCS Commission on November 2, 2021, at which time the PRCS Commission recommended that the City Council approve the proposed Comprehensive Plan Amendment. Accordingly, the Planning Commission is asked to provide a recommendation to the City Council regarding the subject CPA.

Request

On June 30, 2021, an application was submitted by AUX Architecture (the Applicant) to amend the existing Comprehensive Plan to allow the following:

- Demolition of an existing two-story, 2,200 sq. ft., portion of non-residential structure (American Veteran Post 2 (AmVets) meeting and event facility), leaving a one-story, 1,920 sq. ft. portion of the existing non-residential structure);
- Construction of a 5,102 sq. ft. addition to the remaining one-story building, to create a three-story,

7,022 sq. ft., creative community center;

- Development of six (6), one-story, affordable (low-income) dwelling units; and
- Reconfiguration of the existing 4,507 sq. ft. community garden.

As further described below, the Project will also include certain airspace encroachments in the northerly abutting sidewalk (between the subject parcel and the abutting parking lot area), to allow improved articulation and enhanced architectural aesthetics by incorporation of a landscaped building overhang.

Project Description

The applicant proposes to maintain the Wende Museum building and implement two (2) new phases of development as illustrated in the amended Comprehensive Plan (Attachment No. 3). The existing museum development is identified as Phase 1 in the CPA which also includes Phase 2 and Phase 3; similarly, the project site area is organized into three (3) areas (Area 1, Area 2, and Area 3) corresponding to each phase. Phase 2 includes the demolition of a portion (2,200 sq. ft.) of the existing AmVets building and construction of a three-story, 39'-4"-high (5,102 sq. ft.) addition, resulting in a net increase of 2,902 square feet. The building will also include rooftop projections, such as stairs and elevator, consistent with allowances in the Zoning Code, for an overall maximum height of 54'-6". Horizontal projections will include landscaped overhangs at the front of the building, which will be allowed through the applicable process from the Public Works Department Engineering Division, and decorative screen feature at the rear of the building. The use of the building will continue to be a community center, including meetings and events, with an additional focus on creative, cultural, and educational programming, and thus referred to as the Creative Community Center. This center will also accommodate the residents of the proposed housing units in Phase 3.

Phase 3 includes the development of six (6) supportive housing units for low-income artists. The dwelling units will be modular, single-story structures, and each will measure 325 square feet in floor area. These units are proposed to be placed in part of a reconfigured community garden. The garden in its current location will be resized to 1,780 sq. ft. and the remaining 2,731 square feet will be relocated to an adjacent parking area, for a total of 4,511 square feet so that there is no loss of community garden space. Reconfiguration of the community garden will result in a loss of parking; in conjunction with improvements proposed for accessible parking and drop-off area, the total reduction in parking will be 21 spaces, reducing the shared pool of parking to a total of 284 spaces in the six (6) public off-street lots associated with the park properties. These lots will continue to serve the project site; no additional parking is required for the proposed project based on the associated parking demand study and the low-income housing units will not have required parking. Associated project improvements will include landscape and site fencing, including fencing around the reconfigured community garden spaces. Wende is proposed to share in the overall cost to develop and operate the affordable housing and a number of agreements between the City and Wende will be required to implement the affordable housing component of the project.

ANALYSIS/DISCUSSION:

As an Open Space (OS) Zone parcel, the Zoning Code does not provide specific development standards, rather the development program is established through the Comprehensive Plan, and any amendments. Further, a Comprehensive Plan may include deviations from standard City land uses, rules, or regulations when warranted by the design and amenities incorporated in the Comprehensive Plan, and desired by the City Council. Accordingly, the proposed CPA incorporates uses and development that are unique and tailored to the specific context and desired objectives of the site. Given the unique nature of the Zoning and General Plan designations, as well as of the existing uses, some deviations from code established development standards are warranted by the design and amenities incorporated in the Comprehensive Plan. For example, as indicated below, the residential component is allowed in the OS Zone when in combination with a commercial use (i.e., museum and community center) by Section 17.400.065 - Mixed Use Development Standards; however, due to the constrained site size and geometrics, the Project does not strictly follow the standards of Table 4-2 of that section since the site is not located in any of the commercial zones listed in that

table. Further, the building is still designed to provide height and setbacks that are compatible and sensitive to the surrounding development, including adjacent residential, while creating a design that serves the needs of the intended use and that provides desirable design features. Similarly, the units will be 325 sq. ft. modular units, rather than the minimum 350 sq. ft. and will not be provided with a separate designated 100 sq. ft. of common open space. The units are proposed accordingly due to cost and site size constraints, and consideration of the immediate proximity to open space and park amenities, as well as to preserve as much of the community garden amenity within the same location and to maintain the mass and scale of the building design to a minimum to minimize potential visibility from adjacent residential properties. The community center building incorporates proposed projections into certain setback areas, such as the architectural screen (non-habitable) feature at the rear of the community center building. The building also incorporates a rooftop trellis that is designed to conform to the Zoning Code allowable projections for architectural features, although as a trellis it is not strictly an architectural feature. The proposed uses are desirable to enhance the community-oriented nature of the site, while also addressing important housing needs in the City. Accordingly, and in compliance with the Zoning Code, such deviations may be allowed as part of the Comprehensive Plan, as they are warranted by the design and amenities incorporated in the project, and as approved by the City Council.

Land Use

As a Comprehensive Plan, the uses and development standards for the Project and Site are uniquely tailored, thus being more restrictive or more flexible than the Zoning Code. The CPA includes a land use table that outlines allowable uses for each of the three (3) phases/areas of the project site. The existing Wende Museum will remain as a museum and event space with ancillary office and storage areas and will continue the use of the outdoor sculpture garden. The AmVets building (Phase/Area 2) will be allowed to continue as a meeting and event space, including performances, and will expand on the community services, which were previously focused on veterans, to include services and programs with a creative, cultural, and educational focus. Therefore, the uses for Phases/Areas 1 and 2 will be consistent with the Zoning and General Plan as determined in the original Comprehensive Plan.

The Land Use Table (Attachment No. 3, page 45) indicates allowable uses in Phase/Area 3 will be single- and multi-family dwellings, supportive housing, and transitional housing, subject to a Conformance Review before the Planning Commission. Once the dwelling units are constructed, home occupations will be allowed as a principally permitted use, in compliance with Zoning Code standards as referenced, and the community garden will also be principally permitted. The supportive affordable housing is also consistent with the Zoning designation, as this component is allowed in combination with a commercial use (i.e., museum and community center) in the Open Space (OS) Zone by Zoning Code Section 17.400.065 - Mixed Use Development Standards.

Architectural Design

The proposed community center structure is characterized by a modern architectural style, incorporating straight, select angled features, with a combination of steeply pitched roof and flat roof with guardrail walls. The building is asymmetrical in shape and incorporates significant articulation at the front façade and throughout the building. The three-story structure will incorporate concrete and painted stucco walls in tones of grey, with anodized aluminum and composite wood for trim and select architectural features in grey and wood tone colors. The rooftop deck will incorporate landscaping as will several projecting overhangs along the northerly edge of the building and will also include projecting features for access, and a trellis for passive use. The color palette consists primarily of grey and earth tones in a subdued contemporary style. The proposed housing final design is still under consideration and will be subject to further City review but will follow a similar color and material palette. The housing units are proposed as one story, one-bedroom individual modular units occupying a portion of the current community garden site.

The overall project design is consistent with the character of new development throughout the City and scaled away from the residential uses to the south to be compatible with the surrounding neighborhood.

Landscaping

Due to the building footprint and site size, as well as necessary allocations for walkways, there are limited opportunities for new additional landscaping. The existing sculpture garden between the museum and the proposed community center will remain as is, while new landscape will primarily occur along the northerly edge of the site, between the community center building and the abutting sidewalk. In addition, the building design has incorporated landscape at each of the upper levels, including the roof, in the form of a green roof feature. Ground floor planting will include a combination of trees (e.g. palms and podocarpus) and various shrubs and ground cover. Landscape on levels two and three will be limited to shrubs and ground cover. Two (2) desert museum trees and various shrubs and ground cover will be provided on the roof level. Planting selections will complement existing landscape and will include variation to enhance the quality of the Project. Preliminary landscape information is included in the CPA document made part of this report (Attachment No. 3); final landscape and irrigation plans will be submitted for review during the plan check process.

Traffic, Parking, Mobility and Circulation

Culver Boulevard was deemed by the Mobility and Traffic Engineering Division to be of adequate width to serve the site and the proposed development; no dedications or other similar right-of-way improvements are required. Based on the scope and size of the Project, a traffic study and Vehicle Miles Travel (VMT) or Level of Service (LOS) traffic analysis are not required. A Transportation Analysis was prepared by Crain and Associates outlining this conclusion (Attachment B of Attachment No. 4).

The Zoning Code requires, one (1) space for each 5 fixed seats, and one (1) space per 35 square feet of assembly or seating area with no fixed seats, plus required spaces for ancillary uses (e.g., restaurant), as well as 0.5 space per unit and one (1) guest space for every four (4) dwellings. Given the proposed area distribution of the 7,022 sq. ft. creative community center and the number of dwellings, the Project would be required to provide a total of eighteen (18) spaces for the assembly space of the community center and four (4) parking spaces for the residential. The Zoning Code parking requirement for the existing museum is one space per 350 sq. ft., for a total of 40 parking spaces. In accordance with the methodology established by the original CP, a Parking Demand Study (by Crain and Associates; Attachment No. 5) was prepared for the Project, demonstrating the proposed demand based on project area and operations will be met by the pool of public parking within the off-street lots.

The Site, as well as other onsite uses and the adjacent Veteran Park, all currently share a pool of public parking located on various lots, including four (4) lots along Culver Boulevard, between Overland Avenue and Elenda Street. These public lots provide a combined total of 305 parking spaces, which will be reduced to 284 spaces during implementation of Phase 3. Seven (7) onsite parallel parking spaces provided for the Wende Museum during Phase 1, located along the public alley, will remain. As indicated in the study, the pool of parking will be sufficient. Operations shall be restricted to prohibit simultaneous large events at the community center and museum, as well as simultaneous use of the assembly area and upper levels (e.g. office, classroom space) within the community center. All parking will remain under the jurisdiction of Parks, Recreation, and Community Services (PRCS). To the extent that the Project requires reserved spaces, approval must occur through the PRCS process, which may require a rental fee for such parking spaces.

Vehicular access will continue to be from the existing driveways along Culver Boulevard, Coombs Avenue, and Elenda Street. There are no proposed changes to vehicular access. Pedestrian access will be along the public sidewalk to the north; disabled access will be provided by access ramps and by elevator.

The Wende Museum currently includes 6 bicycle parking spaces; additional bicycle parking will be provided for the community center and the proposed housing, including a total of 10 long term spaces and 12 short-term spaces.

Construction Management

In order to minimize the potential for disruptions resulting from the construction related activities for the project, the applicant will be required to submit a final Comprehensive Construction Management Plan, including Pedestrian Protection Plan and Construction Traffic Management Plan. Per the Conditions of Approval, said plans will incorporate measures for noise reduction and dust control, and will specify detailed construction phases and timelines, construction and crew vehicle parking, on-site staging areas, pedestrian path of travel and coordination of construction deliveries.

A preliminary construction management plan was prepared by the applicant, indicating every effort will be made to minimize the need for lane closures. Should lane closures be required, stakeholders will be notified in advance, and such event will be coordinated with neighboring construction projects. Prior to lane closures, a site-specific traffic control plan will be submitted to the Engineering Division of the Public Works Department for review, approval, and permitting. Pedestrian protection will be provided when the area abutting the project site is in use for specific construction activities. During this time, the contractor will provide a Pedestrian Protection and Diversion Plan as required by the Engineering Division. The contractor will assess the site conditions to determine the best method for pedestrian diversion and protection during any necessary sidewalk closure. At all times of construction, a temporary fencing system will be installed at the perimeter of the site to ensure construction activities and materials do not encroach into the public right-of-way or abutting properties. In addition, the developer will ensure all construction and crew vehicles are parked within the project site or at designated off-site locations with applicable City approvals as a Condition of Approval.

PUBLIC OUTREACH

As part of the review process, two (2) community meetings were held virtually for the project. The first meeting was held on Thursday, December 10, 2020, 6:00 pm, during the preliminary review phase, and the second meeting was held Tuesday, June 1, 2021, 6:00 pm, during the application review phase of the process (Attachment No. 7). The applicant sent invitations two weeks before each meeting, to property owners and occupants within a 500-foot radius and extended area from the site, inviting interested persons to learn about the development project, provide comments and feedback, as well as to share any concerns regarding the proposed Project.

Community Meeting 1 - December 10, 2020, 6:00 pm (18 attendees)

Topics of discussion:

- Overview of project and its evolution, including consideration of prior feedback from community meetings unrelated to the Project
- Questions centered on construction timelines, operation of the community center, type of housing, tenant selection, what specific changes were proposed to the community garden, if any changes were proposed to the Scout House
- Concerns included: building scale (3-stories versus 2), opposition to affordable housing at this location and consideration of alternative sites, opposition to reconfiguring the community garden space

Community Meeting 2 - June 1, 2021, 6:00 pm (9 attendees)

Topics of discussion:

- Overview of project and expected next steps
- Questions centered on construction timelines, implementation of Phase 3, operation of housing component, uses and programming of the community center, and proposed operations of the reconfigured community garden

Attendees of the meeting appeared to be primarily nearby residents. Based on the comments and questions there was initially concern about Phase 3, specifically regarding compatibility of affordable housing in this area of the City and the preservation of the community garden. Community reception of the project seemed to

have evolved to a more favorable view at the time of the second community meeting though there are neighbors who still oppose the housing portion of the project.

Comments Received During Public Comment Period

As of the writing of this report, staff has not received any comments in response to the public notification of the public hearing for this item.

FINANCIAL ANALYSIS

There are no applicable fiscal considerations associated with the Commission's action on the proposed Resolution.

CONCLUSION/SUMMARY

The proposed CPA will rehabilitate the remaining portion of the existing meeting/event facility (formerly AmVets Post 2) to allow for continuation of the building's previously allowed purpose of serving as a community resource. By allowing for the development of affordable housing, the project will address an important component of the City's land use mix. The reconfigured community garden will allow the continuation of an existing community resource. Accordingly, the project is consistent with the proposed Zoning and current General Plan Land Use designations.

The addition of housing in this area is consistent with the City's revitalization planning goals for the area and good planning practice. The 3-story building is designed in a modern style with a minimalist material and color palette, incorporating balconies and landscaped overhangs to articulate the building planes. Various features, such as railings, screens, and the asymmetrical shape of the building provide variation and a break in the building bulk and mass. Based on the proposed CPA document, and recommended conditions of approval, staff considers the project will provide a layout, architectural design, and landscape consistent with applicable standards and guidelines, with adequate public facilities, and consistent with the Culver City General Plan and the requirements of the Zoning Code. Staff believes the findings for Comprehensive Plan Amendment, P2021-0174-CPA, can be made as outlined in Resolution No. 2021-P012 (Attachment No. 1).

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, initial review of the project by staff established that there are no potentially significant adverse impacts on the environment and the proposed project has been determined to be a Class 32 Categorical Exemption as an "In-Fill Development Project" (Section 15332), as further detailed in the Technical Memorandum (Attachment No. 4). As outlined herein, the project involves the construction of one (1) three-story structure containing 7,022 square feet of floor area for a community center, six (6) dwelling units, a reconfigured community garden, as well as additional site improvements and amenities (e.g. landscape, bicycle parking, etc.). Further, the proposed project is consistent with the General Plan Land Use Designation of Open Space and with the corresponding OS Zone; located within Culver City surrounded by urban uses, and has no value as a habitat for endangered, rare, or threatened species as it is currently developed with a two-story commercial structure (meeting and event space), community garden, paved vehicle circulation and walkways, and vegetation consistent with adjacent non-residential and residential development. Based on the scope and size of the development, the Project will not have significant traffic impacts or peak hour vehicle trips exceeding established thresholds; as a multi-use development surrounded by a mix of non-residential and residential development, noise and air quality impacts generated by the project will be within established thresholds; implementation of public works storm water run-off standards will result in less than significant impacts to water quality; and the project can be adequately served by utilities and public services.

ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Recommend the City Council approve the proposed project with the recommended conditions of approval if the applications are deemed to meet the required findings.
2. Recommend the City Council approve the proposed project with additional and/or different conditions of approval, if deemed necessary to meet the required findings and mitigate any new project impacts identified at the meeting.
3. Recommend the City Council disapprove the proposed project if the applications do not meet the required findings.

ATTACHMENTS:

1. Draft Planning Commission Resolution No. 2021-P012 with Exhibit A: Conditions of Approval and Exhibit B: Standard Code Requirements
2. Vicinity Map
3. Comprehensive Plan Amendment dated October 2021
4. Technical Memorandum (including Transportation Analysis)
5. Parking Demand Study
6. Preliminary Construction Management Plan
7. Community Meeting Summaries

MOTION

That the Planning Commission:

Recommend to the City Council Adoption of a Class 32 CEQA Categorical Exemption, and Approval of a Comprehensive Plan Amendment, for a 3-story, 7,022 Square Foot Community Center, Six Dwelling Units, a Reconfigured Community Garden, and Associated Site Improvements, subject to the Conditions of Approval per the proposed Resolution.