[redacted]

Design Guidelines Exceptions
Requested for Blocks MU 2 and MU 3

MU 2

1. **Build-To Zone, Building Placement (p. II-48, Table II-7; p. II-47, Figure II-133):** The building proposed for MU2 is seeking the same Build-To Zone exception that the City approved for SPAR #1. It has been designed to reinforce the block face along 28th Avenue and the overall 28th Avenue corridor, as will as for consistency with the architecture and structure of the underground parking garage beneath the building. For these reasons, it does not curve to follow the 28th Avenue property line and therefore does not have the specified minimum 80% of first-floor Build-To within 3' of the Setback Line along 28th Avenue.

   Additionally, along 28th Avenue and Derby Avenue, the building achieves the required 10' setback at ground level but becomes wider in its upper floors to provide efficient floor plan layouts and a clean and strong façade expression, while still preserving the pedestrian experience at grade. As a result, the upper floors encroach into the 10' setback zone.

2. **Building Massing (p. II-48, Figure 134):** The building's massing along West Kyne Street is designed to create a well-proportioned ground-level open space and allow for a visual connection through the building lobby, from West Kyne Street to Delaware Street. To meet these design objectives and avoid reading as an uninviting, narrow slot, this courtyard (which is encouraged but not required) exceeds the 50'-0" maximum width.

3. **Curb Cuts (p. II-48, Figure II-134):** The MU 2 office building is seeking the same kind of curb cut exception that office buildings were granted in SPAR #1. It is designed with one curb cut for parking access and another curb cut for loading dock access, located 25'6" apart. The location of these curb cuts meets the criteria for distance from the corner at West Kyne Street and pulls the western curb cut as far as possible from Delaware Street. It also allows maximum parking garage efficiency in order to meet project requirements and community expectations for the number of parking spaces provided. The two curb cuts cannot achieve the minimum 50' separation while also addressing these other design and programmatic objectives.

MU 3 – General

4. **GENERAL CRITERIA (p. II-50, paragraph 1; p. II-51, Figure II-144):** The MU 3 block is seeking the same kind of mid-block passage height exception that was granted in SPAR #1, as well as an exception related to the mid-block passage's width. The required mid-block pedestrian passage runs through the ground floors of the MU3 buildings and across an open-air mid-block courtyard. The passage is well-proportioned and comfortable relative to this width, and the visual connection from Delaware Street to Kyne Street is maintained. The portions of the passage that run through the two buildings have heights ranging from 11'0" to 13'0", compared with the required 15' minimum clearance above the sidewalk, in order to facilitate ADA ramping, maximize the number of units in the residential building, and achieve coherent building massing. The portion of the passage that runs through the office building has a width of 23'8", compared with a maximum of 20', to facilitate views through the passage.

MU 3 – Office

5. **Building Placement (p. II-51, Figure II-144):** Along Landing Avenue and Derby Avenue, the MU 3 office building achieves the required 10' setback at ground level but becomes wider in its upper floors to provide efficient floor plan layouts and a clean and strong façade expression, while still preserving the pedestrian experience at grade. As a result, the upper floors encroach into the 10' setback zone.

6. **Curb Cuts (p. II-51, Figure II-144):** The MU 3 office building is seeking the same kind of curb cut exception that office buildings were granted in SPAR #1. It is designed with one curb cut for parking access and another curb cut for loading dock access, located 25'6" apart. The location of these pull the curb cuts as far as possible from Delaware Street, while also maximizing parking garage efficiency in order to meet project requirements and community expectations for the number of parking spaces provided. The two curb cuts cannot achieve the minimum 50' separation while also addressing these other design and programmatic objectives.

MU3 – Residential

7. **GENERAL CRITERIA (p. II-17, item (4)):** The MU 3 residential building has a decorative metal awning that spans across the building lobby's glazing and the entry to the mid-block passage, highlighting the location of the mid-block passage and the architectural feature above it and reinforcing the visual hierarchy of the street facade. This awning projects the depth of the 10' setback, a depth that is in proportion to its width but exceeds the 6' allowance.