

50 S. Kalamath, 39 S. Kalamath, 1010 S. Santa Fe Dr., and 10 Lipan St., App. #2019I-0045

**Waiver**

1. The undersigned owner of the properties located at 50 S. Kalamath, 39 S. Kalamath, 101 S. Santa Fe Dr., and 10 Lipan St. hereby waives the provision in DZC 9.4.5.11.E.4(2) that "Where Zone Lot Size is greater than 18,750 square feet, or Zone Lot Width is greater than 150 feet, 70% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied only by Street level non-residential active uses as described in Section 9.4.5.11.F.3." and replaces with a provision that where Zone Lot Size is greater than 30,000 square feet, a cumulative total of 185 linear feet of the Street Level building frontage on all Primary Streets shall be occupied only by Street Level non-residential active uses as described in Section 9.4.5.11.F.3. For example, if on the Zone Lot bounded by South Kalamath Street, West Ellsworth Avenue, South Santa Fe Drive and West Bayaud Avenue, 100 linear feet of the Street Level building frontage on the South Kalamath Street Primary Street frontage is occupied by Street Level non-residential active uses, an additional 85 linear feet of Street Level building frontage on other Primary Streets on the same Zone Lot (such as West Ellsworth Avenue) would be required to be occupied only by Street Level non-residential active uses.
2. The undersigned owner of the properties located at 50 S. Kalamath, 39 S. Kalamath, 101 S. Santa Fe Dr., and 10 Lipan St. hereby waives the provision in DZC 9.4.5.11.E.4 District Specific Standards Within Overlay Zone District table that requires "Street Level Height (min): 16'" and replaces with a provision that requires a Street Level Height (min) of 14'.



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Andrew Klein, Authorized Signatory for ACM Kalamath VII, LLC