

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 20, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-25343 - APPLICANT/OWNER: CRAIG P. AND ELLEN KAY KENNY**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezonings (ZON-25342 and ZON-25678) and Variances (VAR-25344 and VAR-25345) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 12/05/07, and building elevations, date stamped 10/29/07, except as amended by conditions herein.
4. A reversionary parcel map or administrative joining consolidating the three parcels designated for the office building shall be recorded prior to issuance of any building or grading permits.
5. An off-site parking agreement shall be recorded with the office of the County Recorder in accordance with LVMC 19.10.010 (H) (1) prior to issuance of any building or grading permits.
6. An Exception from LVMC 19.10.010 (J) (11) is hereby approved, to allow no parking lot landscape fingers in the on-site and off-site parking areas where at least two fingers with one, 24-inch box tree per finger would be required in each location.
7. An Exception from LVMC 19.12.040 (B) is hereby approved, to allow two trees within the perimeter landscape buffer of the off-site parking lot where at least 11, 24-inch box trees would be required.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

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9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The indicated trash enclosure shall meet all Title 19.08 requirements.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Bonneville/Clark One Way Couplet project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

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18. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
19. Dedicate a 25-foot radius on the southeast corner of Clark Avenue and 8th Street prior to the issuance of any permits.
20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. An off-site Geotechnical Pavement Design recommendation will be required for all asphalt pavement required for completion of this project.
21. Submit an application to the Land Development section of the Department of Public Works for a deviation for width and depth requirements per Standard Drawing #222a for the driveway accessing this site from 8th Street.
22. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
23. Landscape and maintain all unimproved rightofway, in any, adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
25. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a proposed four-story professional office building that has an employee amenity floor that includes a day care, workout area, theater, and half basketball court on 0.47 acres at the southeast corner of Clark Avenue and 8th Street. The project also includes an off-site parking lot on 0.15 acres adjacent to the east side of 8th Street, approximately 50 feet north of Bonneville Avenue.

The applicant has requested a Variance (VAR-25344) to allow a reduction in the required parking and a Variance (VAR-25345) to allow the proposed height of four stories. The proposed building will house amenities that are indicated as only for the use of the employees and therefore the applicant does not believe this space will increase the parking demand. Further, the inclusion of ground level parking and the amenity floor with a half basketball court contribute to the request for the four stories. While the office, other than listed and off-site parking lot uses are appropriate for the area and the proposed P-R (Professional Office and Parking) zoning district, the scale of the proposed development is not. Therefore, denial of this request is recommended.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--|--|
| 12/20/07 | Companion items for two Rezoning (ZON-25342 and ZON-25678) and two Variances (VAR-25344 and VAR-25345) will be heard concurrently with this item. |
| <i>Related Building Permits/Business Licenses</i> | |
| 04/18/07 | Three building permit applications, plan check OTC-86582, OTC-86584, and OTC-86585, were submitted for the site. These were for a plan check review for the demolition of the residential structures that were the subject site. These permits were reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted. These permits received a final inspection on 05/15/07. |
| <i>Pre-Application Meeting</i> | |
| 09/25/07 | A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, the Building and Safety Department went over the requirements for the placement of the accessible parking spaces and the Public Works Department went over the need to lengthen the space that load off of the alleyway. |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required for this application, nor was one held. | |

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| Field Check | |
|--------------------|---|
| 11/19/07 | The Department of Planning and Development conducted a site visit that found that this is an undeveloped site that has previously had improvements that have been removed. There is temporary, unscreened chain link fencing around the site of the proposed building. The site of the proposed off-site parking location is also undeveloped but there is no fencing around this site. |

| Details of Application Request | |
|---------------------------------------|--|
| Site Area | |
| Net Acres | 0.47 (Office Building Site) and 0.15 (Off-site Parking Lot Site) |

| Office Building (Parcels 139-34-710-054 through 056) | | | |
|---|---------------------------|-------------------------|---|
| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
| Subject Property | Undeveloped | MXU (Mixed Use) | R-1 (Single Family Residential) [Proposed: P-R (Professional Office and Parking)] |
| North | Public School, Secondary | PF (Public Facilities) | C-V (Civic) |
| South | Office, Other Than Listed | MXU (Mixed Use) | R-1 (Single Family Residential) |
| East | Office, Other Than Listed | MXU (Mixed Use) | R-1 (Single Family Residential) |
| | Office, Other Than Listed | MXU (Mixed Use) | R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking) |
| West | Office, Other Than Listed | MXU (Mixed Use) | P-R (Professional Office and Parking) |

| Off-site Parking Lot (Parcel 139-34-810-052) | | | |
|---|---------------------------|-------------------------|---|
| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
| Subject Property | Undeveloped | MXU (Mixed Use) | R-1 (Single Family Residential) [Proposed: P-R (Professional Office and Parking)] |
| North | Office, Other Than Listed | MXU (Mixed Use) | P-R (Professional Office and Parking) |
| South | Office, Other Than Listed | MXU (Mixed Use) | R-1 (Single Family Residential) |
| East | Office, Other Than Listed | MXU (Mixed Use) | R-1 (Single Family Residential) |

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| | | | |
|------|---------------------------|-----------------|---------------------------------------|
| West | Office, Other Than Listed | MXU (Mixed Use) | P-R (Professional Office and Parking) |
|------|---------------------------|-----------------|---------------------------------------|

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | | |
| Redevelopment Plan Area | X | | Y |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | | |
| Las Vegas High School Neighborhood District | X | | Y * |
| Live/Work Overlay District | X | | Y |
| Trails | | X | n/a |
| Rural Preservation Overlay District | | X | n/a |
| Development Impact Notification Assessment | | X | n/a |
| Project of Regional Significance | | X | n/a |

* Currently, no design standards or guidelines have been approved for this district to compare against the proposed project.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|----------------------------------|--|-----------------------|-------------------|
| Min. Lot Width | 60 Feet | 150 Feet | Y |
| Min. Setbacks | | | |
| • Front (8 th Street) | 20 Feet | 20 Feet | Y |
| • Side | 5 Feet | >5 Feet | Y |
| • Corner (Clark Avenue) | 15 Feet | 15 Feet | Y |
| • Rear | 15 Feet | >15 Feet | Y |
| Max. Lot Coverage | 50% | 47.6% | Y |
| Max. Building Height | 2 stories or 35 Feet (whichever is less) | 4 stories (73 Feet) | N * |
| Trash Enclosure | Screened and Gated | Screened and Gated ** | Y |
| Mech. Equipment | Screened | Screened | Y |

* If approved, a companion Variance (VAR-25345) would allow a height of four stories (73 feet) where two stories or 35 feet would be the maximum height allowed. This would grant relief from the city standard.

** There is a notation on the submitted site plan that indicates the location of the trash enclosure; however, there is no indication regarding whether the requirements for a trash enclosure are being met. A standard, if approved, condition is included that requires the trash enclosure to meet all design requirements of Title 19.

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Pursuant to Title 19.10 and 19.12, the following landscape standards apply:

| Landscaping and Open Space Standards | | | | |
|---|---|--------------|-------------------|-------------------|
| Standards | Required | | Provided | Compliance |
| | Ratio | Trees | | |
| Parking Area: | | | | |
| On-site | 1 Tree / 6 Spaces | 4 Trees * | 5 Trees | Y ** |
| Off-site | 1 Tree / 6 Spaces | 3 Trees | 2 Trees | N *** |
| Buffer: | | | | |
| Min. Trees On-site | 1 Tree / 30 Linear Feet | 14 Trees | 14 Trees | Y |
| Off-site | 1 Tree / 30 Linear Feet | 11 Trees | 2 Trees | N *** |
| TOTAL | | 32 Trees | 23 Trees | N *** |
| Min. Zone Width: | | | | |
| On-site | 5 Feet @ Interior P Ls 15 Feet @ P L @ ROW | | 5 Feet 15 Feet | Y Y |
| Off-site | 5 Feet @ Interior P Ls 15 Feet @ P L @ ROW | | 5 Feet 15 Feet | Y Y |

* Parking is provided for 32 vehicles on-site, but only 20 spaces are uncovered surface parking spaces. This calculation is based only on the open parking lot spaces.

** The on-site parking area provides greater landscaping at the parking off of the alleyway than within the parking lot. As a result, there are more parking area trees provided than required, but there is not the proper distribution within the parking area. An exception of Title 19.10.010 (J) (11), if approved, would grant relief from the city's standard.

*** While the perimeter buffers will have the some shrubs to screen the off-site parking lot, there are no trees indicated except at the front of the site on either side of the entryway. Further, there are only two trees within the parking area, located at the rear of the site at the exit to the alleyway. An exception of Title 19.10.010 (J) (11) and Title 19.12.040 (B), if approved, would grant relief from the city's standard.

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

| Parking Requirement - Downtown | | | | | | | |
|---------------------------------------|--|---------------------------------|----------------|-----------------|----------------|-------------------|--------------|
| Use | Gross Floor Area or Number of Units | Base Parking Requirement | | Provided | | Compliance | |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | | Handi-capped |
| Office, Other Than Listed | 22,400 SF | 1 Space / 300 SF GFA | 72 Spaces | 3 Spaces | 44 Spaces | 2 Space | N * |
| TOTAL (including handicap) | 22,400 SF | | 75 Spaces | | 46 Spaces ** | | N * |

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| | | | | |
|-------------------|--|--|-----------------|-----|
| Percent Deviation | | | 38.7% Reduction | N * |
|-------------------|--|--|-----------------|-----|

* A Variance (VAR-25344) has been requested that, if approved, will allow 46 total parking spaces (32 on-site and 14 off-site) to be provided where 75 spaces would otherwise be required.

** The applicant has proposed an off-site parking location to supplement the onsite parking for the proposed office building. Title 19.10.010 (H) (1) makes provisions for an alternative parking arrangement of this nature. An, if approved, condition has been added to this review that an off-site parking agreement must be recorded with the office of the County Recorder as outlined in Title 19.10.010 (H) (1).

| Exceptions | | |
|---|--|----------------------|
| Request | Requirement | Staff Recommendation |
| To allow a two landscape fingers within the off-site parking lot. | To provide a total of three landscape fingers within the off-site parking lot. | Denial |
| To allow no trees within the interior perimeter landscape buffer. | To provide nine trees within the interior perimeter landscape buffers. | Denial |

ANALYSIS

The subject site is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and is designated as MXU (Mixed Use). The MXU (Mixed Use) designation allow uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is compatible with this land use designation and the neighboring zoning districts, which are intended for higher intensity commercial uses.

There are two Rezoning (ZON-25342 and ZON-25678) proposed to change the zoning of the subject sites from a R-1 (Single Family Residential) zoning district to a P-R (Professional Office and Parking) zoning district. The proposed uses to be established at these locations are permissible in a P-R (Professional Office and Parking) zoning district which is compatible with the MXU (Mixed Use) General Plan designation.

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As previously noted, the parcels are within the boundaries of the Las Vegas Redevelopment Area, with a MXU (Mixed Use) land use designation. The proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City. The proposed development is in compliance with the MXU (Mixed Use) designation.

These sites are within the Live/Work Overlay district. The proposed professional office building will offer employment and employee amenities on-site, but no housing. The project does not include any live/work units as outlined in Title 19.06.130. Further, the four parcels that make up this project are within the Las Vegas High School Historic District, which is listed on the National Register of Historic Places.

The site encompasses three parcels with a proposed building built across the lot lines and a fourth parcel, approximately 150 feet to the south, where the off-site parking lot will be located. Should the parcels that comprise the building location in the future become separate developments the site will be placed out of conformance with the development standards established for the proposed P-R (Professional Office and Parking) zoning district. For this reason a condition has been added to this review that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating these three parcels be recorded.

- **Site Plan**

The site plan is not in compliance with the standards of the proposed P-R (Professional Office and Parking) zoning district due to the proposed height and exceptions needed for various elements of the proposed landscaping. The project is divided into two sites: one, three parcel site where the proposed office building will be sited and a single parcel 150 feet to the south where an off-site parking lot is proposed.

These sites are located on the east side of South 8th Street between Clark Avenue at the north and Bonneville Avenue on the south. The project area consists of four undeveloped parcels of land within the Las Vegas High School Historic District. The site plan illustrates a single office building that covers approximately 47.6 percent of the principle site. Due to the limited area available for on-site parking the applicant has proposed the secondary site to the south as the location of an off-site parking lot.

The site plan indicates that a total of 46 parking spaces will be provided between the on-site parking and the off-site parking lot. Specifically, there are 20 surface spaces and 12 garage spaces provided on-site for a total of 32 parking spaces. The off-site parking lot will provide an additional 14 spaces. The gross square-footage of the proposed building is indicated at 22,400 square feet, which requires a total of 75 parking spaces. A Variance (VAR-25344) has been requested and if approved will allow a 38.7 percent reduction in the required parking. The parking is accessed off of South 8th Street and the alleyway to the east of the sites.

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- **Las Vegas High School Historic District**

The National Register is the United States official list of historic places worthy of preservation because they are historically, architecturally, or archeologically significant. The National Register listing recognizes the significance of properties and districts within a community, and provides a limited degree of protection from the effects of federally funded, licensed, or permitted activities.

Properties listed on the National Register do not fall under the jurisdiction of the city of Las Vegas Historic Preservation Commission (HPC) design review process whereby the HPC approves or disapproves major changes that are planned for the district. However, because the district is listed on the National Register, the Planning and Development Department has worked with the HPC to identify the significant architectural and streetscape elements that define the unique character of the district. The typical character-defining elements include one-story, residential homes built from the early 1930s through the 1940s. The styles of the original homes are typically early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style examples.

The Las Vegas High School Historic District was surveyed in 1987. The survey was funded by a grant from the National Park Service, and completed by Dorothy Wright for the Nevada State Museum and Historical Society.

Recent reviews by the Nevada State Historic Preservation Office have suggested that the Las Vegas High School Historic District is at risk for losing its recognition by the National Register due to significant inappropriate new development. Because of this, the Planning Department and the Historic Preservation Officer (HPO) strongly encourage sensitive and contextual design within the neighborhood to preserve its historic character and integrity, with the priority being to preserve the original homes in their original state. When this is proven to be infeasible, the HPO recommends that the applicant maintain as much of the existing historic building façade as possible with any necessary additions built onto the rear of the existing structure, thereby keeping the one-story streetscape intact.

The historic homes located on these parcels have been demolished in anticipation of the construction of the proposed office building. The new design for these parcels has been determined by the City of Las Vegas Historic Preservation Officer to be incompatible with the historic neighborhood for the following reasons:

- The front facade of the building contains little or no variation in terms of noticeably recessed planes or architectural detail that would provide a more residential appearance.
- The stark, contemporary architectural style of the building does not reference any existing historic style of the Las Vegas High School neighborhood, and is completely incompatible with the existing historic residential context.

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- **Landscape Plan**

The landscape plan depicts various landscape buffers around the perimeter of this sites. An exception has been included as a part of this review to allow the number of trees to be reduced for a portion of the perimeter landscape buffers for the off-site parking lot site. There is also an exception included to allow a reduction in the amount of landscaping provided within the parking area on the off-site parking lot site.

The site where the new building is intended, the three parcels at the southeast corner of Clark Avenue and 8th Street, has adequate landscape buffers of 5 feet abutting the lot with the existing office to the south and 15 feet abutting the rights-of-way to the north and west. The site where the off-site parking lot is intended, on the east side of South 8th Street, 50 feet north of Bonneville Avenue, has adequate landscape buffers of 15 feet abutting the right-of-way to the west and five feet abutting the lots with the existing offices to the north and south. There is no perimeter buffer needed at the alleyway to the east of either site.

There is parking area landscaping provide for the parking off of the alleyway for the primary site that combines to provide more parking area trees than required; however, the distribution of the landscaped fingers/trees is not in conformance with the requirements of Title 19.10.010 (J). There is also deficient parking area landscaping provided in the parking area of the off-site parking lot. An exception of these requirements is discussed in the next section.

The perimeter landscape buffers are depicted as having a minimum 24-inch box tree planted approximately every 30 feet on center for the proposed building site. There are only two trees (indicated as 24-inch box trees) depicted for the perimeter landscape buffer for the off-site parking lot site. An exception of tree planting requirements is discussed in the next section for this location. Due to a portion of the on-site parking being within the building there is reduced parking lot landscaping on the principal building site.

- **Exceptions**

The landscape plan reflects that landscaping will be provided within the perimeter landscape buffers; however, there are no trees proposed within the buffer along the interior lot lines of the off-site parking lot location. An exception, if approved, will grant relief from the number of trees required in accordance with Title 19.12.040 (B). Further, the applicant is not providing adequate parking area landscaping for this parking lot. An exception, if approved, will allow two trees at the east end of each row of parking where a total of three, 24-inch trees would be required within the required landscape fingers or row caps and thus grant relief from the standards in accordance with Title 19.10.010 (J).

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- **Elevations/Floor Plan**

The elevations depict a four-story (73 feet) professional office building with ground level garage parking and an employee amenities level on the fourth floor above two floors of offices, conference rooms and support facilities. The building uses contemporary design elements including a geometric layout of lines emphasizing a grid patterned façade that works to break up the massing of the building. The employee amenity level (fourth floor) slopes upward from a height of 60 feet at the east and south ends of the building to 73 feet at the northwest corner of the building. This is to accommodate the internal half basketball court and draws the visual focus along the exterior of the building to the intersection of Clark Avenue and 8th Street. Aluminum column cladding, window framing, wall panels, and standing seam roofing is used to accent the glass and concrete façade.

The floor plans show that there will be a mix of offices and support facilities on the second and third floors with parking and public entrances on the ground level and an employee amenity area on the fourth floor. The ground floor will provide secured employee parking with entry from the alleyway on the east side of the building site and an entryway for clients oriented towards 8th Street that has an elevator up to the second and third floor offices. The amenity level will have a daycare, theater, workout space, locker rooms, and a half basketball court.

This site development plan review has been submitted in conjunction with applications for two Rezoning (ZON-25342 and ZON-25678) to change from R-1 to P-R (Professional Office and Parking) for these non-contiguous sites, a Variance (VAR-25344) to allow a deviation of the parking standards, and a Variance (VAR-25345) to allow a building height of four stories (73 feet) in the proposed P-R (Professional Office and Parking) district.

The proposed project is acceptable under the sites General Plan designation; however, the scale of the project is not appropriate for the proposed zoning district or area. The proposed office building is not compatible with the existing commercial and civic developments in the area as it will exceed the development standards for height and be out of scale with the surrounding present and future development within the Las Vegas High School Historic District. Therefore, due to the multiple deviations from standards and incompatibility with the area, staff is not in support of this site development plan review request.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

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The proposed professional office building is not compatible with existing adjacent development and development in the area, as it will provide a building that is greater in scale than those around it. Further, the design is unrelated to the architectural character of the existing buildings within the Las Vegas High School Historic District.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development is consistent with the existing MXU (Mixed Use) designation as listed under the Southeast Sector Plan of the General Plan, but is not consistent with the intent of the Title 19 design standards as two Variances (VAR-25344 and VAR-25345) have been requested. One is to allow a deviation from the height standard in the proposed P-R (Professional Office and Parking) zoning district and the other is for a reduction of the required parking. Further, the site of the off-site parking lot requires multiple exceptions due to non-compliance with regard to the amount of landscaping required within the perimeter landscape buffers and the parking area.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

South 8th Street, an 75-foot local street, will be the principal vehicular access point for both the building site and the off-site parking lot with egress to the alleyway to the east of the properties. These access points will not negatively impact adjacent roadways or neighborhood traffic.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed building and landscape materials are appropriate for the area and the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed building will provide a new contemporary building to the area that will provide a professional office location that will not be harmonious and compatible with development in the area due the scale and design characteristics. While the building is not unsightly or obnoxious in appearance, the building elevations depict a building that is not compatible with the surrounding office and civic developments and is therefore undesirable as it produces a very contemporary looking building which detracts from the historic character of the area.

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- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction of the building as well routine business license inspections of the office buildings occupants.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 213

APPROVALS 2

PROTESTS 1