

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-28512 - APPLICANT/OWNER: FIELD DEVELOPMENT, LLC**

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

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-28514) and Special Use Permit (SUP-28513) shall be required, if approved.
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 date stamped 07/10/08, and landscape plan and building elevations, date stamped 06/10/08 , except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot landscape buffer along a portion of the north, south, and west perimeters where eight feet is required.
5. An Exception from 19.10 is hereby approved, to allow one landscape islands within the parking lot and for 22 trees in the perimeter landscape buffer zones.
6. The existing trash enclosure is to be brought into compliance with Title 19 standards, and any newly constructed trash enclosure(s) are to be constructed in accordance with Title 19 standards.
7. A revised site plan and landscape plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit to reflect the changes herein.
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.
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 luminaires. 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. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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Public Works

18. Grant a pedestrian access easement over those portions of public sidewalk located outside of the Leon Avenue right-of-way and existing easement per document 20020124:01720. Otherwise provide proof, such as a survey, that shows the existing easement covers all public sidewalk located outside of right-of-way.
19. All landscaping and private improvements 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.
20. Landscape and maintain all unimproved right(s)-of-way, if any, on Leon Avenue adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping, if any, located in the Leon Avenue public right-of-way adjacent to this site prior to occupancy of this site.
22. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. 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.
24. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z010800 and all other subsequent site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review to construct a 4,500 square-foot Building Maintenance Service and Sales Facility adjacent to an existing 6,120 square-foot office building at 3920 Leon Avenue. The applicant is requesting Waivers to allow for a zero-foot landscape buffer along portions of the north, south, and west perimeters of the site where eight feet is required, and an exception to Title 19.10, to allow for one parking lot landscape island, where three are required.

Associated General Plan Amendment (GPA-28510), Rezoning (ZON-28511), Variance (VAR-28514), and Special Use Permit (SUP-28513) requests accompany this application. Due to the self-imposed hardship created by the intensity of the proposed use on the site, denial of this request, as well as the affiliated applications is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/07/01	The City Council approved a request for Rezoning (Z-0108-00) from: R-E (Residence Estates) and C-2 (General Commercial) to: C-1 (Limited Commercial) on 1.04 acres located at 3900 Leon Avenue. The Planning Commission recommended approval.
04/04/01	The City Council approved a request for a Site Development Plan Review [Z-0108-00(1)] for a 24,000 square-foot office building on approximately 1.04 acres located on the west side of Leon Avenue, approximately 400 feet south of Alexander Road. The Planning Commission recommended approval.
04/02/03	The City Council approved a request to amend portions of the Centennial Hills Sector Plan and the Southwest Sector Map (GPA-1363) from: GC (General Commercial), SC (Service Commercial) and DR (Desert Rural Density Residential) to: GC (General Commercial), O (Office), PF (Public Facilities), ML (Medium-Low Density Residential) and DR (Desert Rural Density Residential) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission recommended approval.
09/04/03	An encroachment agreement (#2705) was finalized for a meandering sidewalk on the west side of Leon Avenue along the property line and two planter areas approximately 5 feet wide and 14 feet long each consisting of decomposed granite, boulders, trees, shrubs, and ground cover to satisfy a condition of Z-0108-00(1).

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05/05/05	A code enforcement case (#29612) was opened for a complaint that the aesthetic appearance of a 2-story office building was visually offensive from Rancho Drive. The case was resolved on 05/16/05.
<i>Related Building Permits/Business Licenses</i>	
03/05/97	A business license (#C11-06288-B-074264) was issued for a contractor at 3920 Leon Avenue.
02/17/99	A business license (#C11-09503-B-083939) was issued for a contractor at 3920 Leon Avenue.
02/01/00	A business license (#C11-09009-B-089024) was issued for a contractor at 3920 Leon Avenue.
05/03/01	A business license (#C11-07897-E-098046) was issued for a contractor at 3920 Leon Avenue.
12/20/01	A building permit (#1022085) was issued for on-sites at 3920 Leon Avenue. The permit was finalized on 06/17/02.
12/20/01	A building permit (#1022086) was issued for a shell building certificate of completion. The permit was finalized on 02/19/03.
01/30/02	A building permit (#2001544) was issued for a temporary construction trailer at 3920 Leon Avenue. The permit expired on 08/10/02.
03/06/02	A building permit (#2003991) was issued for onsite water and sewer at 3920 Leon Avenue. The permit expired 03/22/03.
09/17/02	A building permit (#2016789) was issued to extend water and sewer at 3920 Leon Avenue. The permit expired on 03/22/03.
09/19/02	A building permit (#2017060) was issued for a block wall at 3920 Leon Avenue. The permit expired on 04/26/03.
02/26/03	A building permit (#3003886) was issued for a non-work certificate of occupancy at 3920 Leon Avenue, Suite #110. The permit expired on 08/30/03.
02/26/03	A building permit (#3003887) was issued for a non-work certificate of occupancy at 3920 Leon Avenue, Suite #150. The permit expired on 08/30/03.
05/16/03	A business license (#C11-07485-E-110105) was issued for a contractor at 3920 Leon Avenue. The license was marked out of business on 07/04/06.
05/27/05	A business license (#C11-10005-E-123058) was issued for a contractor at 3920 Leon Avenue.
07/27/05	A business license (#C11-07892-G-123430) was issued for a contractor at 3920 Leon Avenue.
08/25/05	A business license (#C11-07914-H-122891) was issued for a contractor at 3920 Leon Avenue. The license was marked out of business on 08/22/07.
11/16/05	A business license (#D06-00904-K-125704) was issued for a designer decorator at 3920 Leon Avenue, Suite #240. The license was marked out of business on 10/04/07.
06/02/06	A building permit (#66859) was issued for temporary power at 3920 Leon Avenue. The permit was finalized on 07/21/06.

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05/07/07	A business license (#C11-09120-D-133938) was issued for a contractor at 3920 Leon Avenue, Suite #140.
05/15/07	A business license (#C11-09156-D-133685) was issued for a contractor at 3920 Leon Avenue, Suite #240.
06/22/07	A business license (#C11-09270-F-134407) was issued for a contractor at 3920 Leon Avenue, Suite #140.
<i>Pre-Application Meeting</i>	
05/28/08	A pre-application meeting was held with staff to discuss the submittal requirements for a General Plan Amendment (GPA), Rezoning (ZON), Variance (VAR), Site Development Plan Review (SDR), and a Special Use Permit (SUP).
<i>Neighborhood Meeting</i>	
07/07/08	<p>A neighborhood meeting was held on Monday, July 7, 2008 at 6:00 p.m. at 5715 West Alexander Road, Suite 135, Las Vegas, Nevada 89130. The applicant and approximately 15 members of the public were in attendance. Staff was not in attendance at this meeting. Comments and concerns were the following:</p> <ul style="list-style-type: none"> Members of the public were concerned that if this particular use ever vacated, a C-1 (Limited Commercial) zoning could allow other more intense uses on the site. The members of the public wanted to know if there could be a condition placed upon the zoning restricting future uses.
<i>Field Check</i>	
06/17/08	<p>The following observations were made by staff during a routine field check:</p> <ul style="list-style-type: none"> The gate to the existing trash enclosure was off the hinges and needed to be repaired. It also did not have a roof or trellis over it. Existing perimeter CMU block wall was not to City design standards (20% contrasting material), nor did it have a cap. A commercial shipping container was noted on-site. Existing landscaping around meandering sidewalk was scarce. Existing office building was well maintained. A temporary power pole was noted on-site. The existing parking lot was in need of wheel stops to prevent vehicular traffic from traveling off of the designated drive aisle. Illegal, outdoor storage was observed on site, which is not permitted in an O (Office) zoned district.
07/03/08	A follow-up field check was performed where it was noted that all illegal, outdoor storage had been removed, as well as the commercial shipping container from 3920 Leon. The property to the south, 3910 Leon Avenue still had illegal outdoor storage.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.04

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	O (Office)	O (Office)
North	Vacant Land	O (Office)	O (Office)
South	Office / Outdoor Storage	O (Office)	O (Office)
East	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Vacant Land	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (105 feet)	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

Airport Overlay District

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 105-foot contour limitations and does not violate the height limitations. The proposed structure does not exceed the height limitation and is in compliance with the Airport Overlay District.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 ft.	109 ft.	Y
Min. Setbacks			
• Front	20 ft.	20 ft.	Y
• Side	10 ft.	10 ft.	Y
• Corner	15 ft.	20 ft.	Y
• Rear	20 ft.	10 ft.	*N
Min. Distance Between Buildings	10 ft.	14 ft.	Y

NE

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Max. Lot Coverage	50%	23.4%	Y
Max. Building Height	2 stories or 35 feet, whichever is less.	24 ft.	Y
Trash Enclosure	Enclosed	Not Enclosed	**N

**The applicant has submitted a related application for a Variance (VAR-28514) to allow for a 10-foot rear setback where 20 feet is required.*

***The applicant has an existing trash enclosure on-site that is not in compliance with Title 19.08 standards. A condition has been added requiring the existing trash enclosure and any additional trash enclosure(s) built on the site to be in compliance with Title 19.08 standards.*

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree per 6 Spaces	8 Trees	3 Trees	*N
Buffer:				
Min. Trees				
• North	1 Tree per 30 Linear Feet	10 Trees	7 Trees	**N
• South	1 Tree per 30 Linear Feet	10 Trees	4 Trees	
• East	1 Tree per 20 Linear Feet	7 Trees	8 Trees	
• West	1 Tree per 30 Linear Feet	7 Trees	3 Trees	
TOTAL		34 Trees	22 Trees	
Min. Zone Width				
• North		8 ft.	***Zero ft.	***N
• South		8 ft.	***Zero ft.	
• East		15 ft.	15 ft.	
• West		8 ft.	***Zero ft.	
Wall Height		6 to 8 ft.	6 ft.	Y

**The applicant has requested an Exception to Title 19.10 that requires interior landscape islands at the end of each row of parking spaces; either parallel to parking spaces, at a ration of one landscape island for every six parking spaces, or perpendicular to parking spaces, if located between abutting rows of parking spaces. The proposed site plan demonstrates three areas of 6 or more parking spaces where a landscape island is necessary. One of those landscape islands has been provided for leaving the site deficient two landscape islands.*

***The applicant has requested an Exception from Title 19.12 to provide 22 trees where 34 trees are required within the perimeter landscape buffer.*

****The applicant has requested a Waiver for zero-foot landscape buffers along portions of the north, south and west perimeters.*

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Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Building Maintenance Service and Sales (4,500 sq. ft.)	10,620 sq. ft.	1:300	34	2	41	2	Y
Office, Other than Listed (6,120 sq. ft.)							
TOTAL (including handicap)			36		43		

Waivers		
Request	Requirement	Staff Recommendation
Zero-foot landscape buffer along a portion of the south property line.	Eight-foot landscape buffer along south property line.	Denial
Zero-foot landscape buffer along a portion of the west property line.	Eight-foot landscape buffer along west property line.	Denial
Zero-foot landscape buffer along a portion of the north property line.	Eight-foot landscape buffer along north property line.	Denial

Exception		
Request	Requirement	Staff Recommendation
One landscape island in parking lot.	Three landscape islands in parking lot.	Denial
To provide a total of 22 trees within the perimeter landscape buffer areas.	34 Trees	Denial

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ANALYSIS

This is an existing office development that is proposing the addition of a 4,500 square-foot building and outdoor storage area. The property owner currently has a prospective buyer under contract to purchase the property contingent on the approval of the Site Development Plan Review (SDR-28512) for the addition of a 4,500 square-foot Building Maintenance Service and Sales Facility in addition to the existing 6,120 square-foot office building, as well as the related applications, General Plan Amendment (GPA-28510), Rezoning (ZON-28511), Variance (VAR-28514), and Special Use Permit (SUP-28513). Due to the self-imposed hardship created by the intensity of the proposed use on the site, denial of this request and all affiliated request is recommended.

- **Zoning**

The proposed Building Maintenance Service and Sales use facility is allowed with the approval of a Special Use Permit in the C-1 (Limited Commercial) zoning district. Building Maintenance Service and Sales is defined in Title 19 as a facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use. There is one base condition for approval of a Special Use Permit for a Building Maintenance Service and Sales use. The condition states that outside storage shall be screened from view from adjacent properties and streets.

Staff is recommending denial of this application due to the fact that staff has also recommended denial of the affiliated applications, General Plan Amendment (GPA-28510), Rezoning (ZON-28511), Variance (VAR-28514), and Special Use Permit (SUP-28513). A Building Maintenance Service and Sales use is not allowed in the current land use designation of O (Office), or in the currently zoned O (Office) district. The affiliated applications for a General Plan Amendment (GPA-28510) to amend the designation to a SC (Service Commercial) designation, and the Rezoning (ZON-28511) from an O (Office) district to a C-1 (Limited Commercial) district have been determined to be too land use intensive for the surrounding area that currently has land use designations of O (Office) and DR (Desert Rural), with respective zoning districts of O (Office) and R-E (Residential Estates). The rezoning of this property would create a spot zoning situation defined by Title 19 as the rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan. The Variance (VAR-28514) is for a rear building setback of 10 feet where 20 feet is required. Since the proposed building could be reduced in size to meet this requirement, staff has determined this to be a self imposed hardship and has recommended denial of this application as well. Due to the zoning incompatibility, staff has also recommended denial for Special Use Permit (SUP-28513).

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- **Site Plan**

The applicant is proposing to build a 4,500 square-foot Building Maintenance Service and Sales Facility on the undeveloped western portion of the parcel. This new building would be in addition to an existing 6,120 square-foot office building.

Access to the site is provided by Leon Avenue, a 60-foot wide collector street. Secondary access to the subject site is provided by a 20-foot wide public alley off of Duncan Drive and Alexander Road. A centrally located driveway that runs east and west through the subject site provides both egress and ingress to Leon Avenue and the public alley that intersects with both Duncan Drive and Alexander Road.

The proposed Building Maintenance Service and Sales use requires 15 parking spaces, one of which being handicap accessible. The existing Office requires 21 parking spaces with one of those being handicap accessible for a total of 36 spaces required for both uses. The submitted proposed site plan indicated 41 parking spaces and 2 handicap parking spaces, for a total of 43 spaces provided for both the proposed Building Maintenance Service and Sales use and the existing office space. The proposed site plan exceeds the parking requirements by seven spaces, thus meeting the Title 19 parking requirements.

- **Landscape Plan**

The applicant has requested a zero-foot Waiver of the required perimeter landscaping along the south and west perimeters of the proposed new construction area, and a zero-foot landscape Waiver along the north perimeter of the existing office building where eight feet is required. The south and west perimeter abuts an outdoor storage area. The applicant is able to reduce in size the asphalt outdoor storage area by eight feet and provide the necessary landscape buffer. The north side of the existing office building has a 9-foot landscape buffer with two existing pine trees. The applicant is able to provide the additional necessary plantings to the area in order to comply with Title 19.12 landscape buffer requirements.

The proposed parking lot is lacking the required landscape islands. Title 19.10 states, Interior landscape islands shall be provided for all parking lots as follows: (i) at the end of each row of parking spaces; (ii) either parallel to parking spaces, at a ratio of one landscape island for every six parking spaces, or perpendicular to parking spaces, if located between abutting rows of parking spaces. The proposed parking lot demonstrates three areas of six or more parking spaces that require a landscape island. One of the three required landscape islands has been provided. The parking lot shows parking for 43 automobiles where 37 parking spaces are required. The applicant is able to eliminate parking to accommodate the necessary landscape islands. The applicant has requested an Exception to provide for one landscape island where three are required.

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The proposed landscape plan depicts an existing office building with minimal existing landscaping and no landscaping being provided for along portions of the north, south, and west perimeter. The applicant is able to reduce the size of the outdoor storage area, as well as add the additional plantings necessary to the existing landscape buffers and planter areas in order to bring the existing landscaping into compliance with Title 19.12 standards. Since the landscape deficiencies are self imposed, staff is recommending denial of this application.

- **Waivers**

The applicant has requested a zero-foot Waiver of the required perimeter landscaping along the south and west perimeters of the proposed new construction area, and a zero-foot landscape Waiver along the north perimeter of the existing office building where eight feet is required. The south and west perimeter abuts an outdoor storage area. The applicant is able to reduce in size the asphalt outdoor storage area by eight feet and provide the necessary landscape buffer. The north side of the existing office building has a 9-foot landscape buffer with two existing pine trees. The applicant is able to provide the additional necessary plantings to the area in order to comply with Title 19.12 landscape buffer requirements. This is a self-imposed hardship and staff recommends denial.

- **Exception**

An Exception to the parking lot landscape islands required by Title 19.10 is being requested by the applicant. The proposed parking lot shows parking for 43 automobiles where 37 parking spaces are required. This parking lot demonstrates three areas of six or more parking spaces that require a landscape island. One of the three required landscape islands has been provided. The applicant is able to eliminate parking in order to accommodate the two additional required parking lot islands. This too is a self-imposed hardship and staff recommends denial.

- **Elevation**

The proposed elevation for the new Building Maintenance Service and Sales facility depicts a 24-foot, single-story structure with three bays. The three bays will have painted steel, roll-up doors that face south. The proposed structure will have a painted stucco finish and metal shade canopies over the windows and door. The proposed color for the new construction is not the same as the existing structure and does not promote a harmonious site.

- **Floor Plan**

The proposed floor plan for the new Building Maintenance Service and Sales building depicts a single-story storage facility with equipment storage shelves, sealed concrete flooring, a secured tool storage area, an office with room for two desks, and a single restroom facility. No floor plan for the existing office building was submitted with this application.

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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;**

The proposed increase in development intensity via General Plan Amendment (GPA-28510) from O (Office) to SC (Service Commercial) and the required Rezoning from O (Office) to C-1 (Limited Commercial) and the associated Variance (VAR-28514) demonstrate that this proposal is not compatible with the existing adjacent development of O (Office) and R-E (Residence Estates). The development of a Building Maintenance Service and Sales Facility in addition to the existing office building is not in compliance with City standards for zoning, landscaping, and rear building setback requirements.

- 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 not consistent with the current General Plan designation of O (Office) as listed under the Northwest Sector Plan of the Las Vegas 2020 Master Plan. A General Plan Amendment (GPA-28510) and a Rezoning (ZON-28511) application were submitted in conjunction with this Site Development Plan Review to request the current land use designation of O (Office) with an O (Office) zoning district to be changed to the land use designation of SC (Service Commercial) with a C-1 (Limited Commercial) zoning district. The proposed site is also not consistent with the intent of Title 19.08 design standards as a Variance (VAR-28514) has been requested to allow a rear building setback of 10 feet where 20 feet is required.

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

Adequate access to the site is provided by Leon Avenue, a 60-foot wide collector street. Secondary access to the subject site is provided by a 20-foot wide public alley off of Duncan Drive and Alexander Road. A centrally located driveway that runs east and west through the subject site provides both egress and ingress to Leon Avenue and the public alley which intersects with both Duncan Drive and Alexander Road.

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

The proposed building materials are appropriate for the area and for the City. The proposed landscaping does not meet Title 19 standards and is not appropriate for the city, nor the area. The applicant has asked for Waivers of the landscape buffer requirements and for an exception to the parking lot landscape island requirements as part of this application.

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 elevations, design characteristics and other architectural and aesthetic features for the new 4,500 square-foot Building Maintenance Service and Sales Facility are not unsightly, undesirable, or obnoxious in appearance. The existing office building is not compatible with the color palette proposed for the new 4,500 square-foot building maintenance and sales building. The two different building colors do not promote a harmonious and compatible site.

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

The proposed building maintenance service and sales building as well as the existing office building will be subject to inspection by regulatory agencies for business licensing and building construction and will not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 105

APPROVALS 0

PROTESTS 1