



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 20, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-28390 - APPLICANT/OWNER: SCOTT ASHJIAN, ET AL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1/se-1/rt vote) recommends APPROVAL.

Planning and Development

1. A revised site plan showing provision of required landscaping on the east and west property line shall be submitted prior to City Council.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-28392) and Vacation (VAC-28393) shall be required, if approved.
3. 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.
4. All development shall be in conformance with the site plan and landscape plan date stamped 07/02/08 and building elevations date stamped 05/30/08, except as amended by conditions herein.
5. A Waiver from Title 19.12.040(A) is hereby approved, to allow a zero-foot wide landscape buffer on a portion of the southern property line, extending west from the west edge of the Balsam Street alignment to the west perimeter, where eight feet is required.
6. A revised site 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: Handicapped parking spaces must be provided in accordance with LVMC Title 19.10 standards.
7. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan: Provide one, 24-inch box tree with four, five-gallon shrubs per tree spaced 20-feet on center within the north perimeter landscape buffer. Provide four, five-gallon trees for each required tree on site. Provide Parking Lot screening in accordance with the requirements of Title 19.10.010(J)(11).

8. 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.
9. Revised elevations 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 all four sides of the proposed and existing buildings, materials and colors used.
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. Trash enclosures provided shall meet the standards of Title 19.08.
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. 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.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. A Petition of Vacation for all rightofway in conflict with this site, such as VAC28393, shall record prior to the issuance of any permits or the recordation of a map for this site, whichever may occur first.

18. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
19. Construct all incomplete half-street improvements on Rainbow Boulevard and Balsam Street including the full culdesac terminus adjacent to this site concurrent with the first phase of development anywhere on this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rightsofway, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
21. Coordinate with the Collection System Planning section of the Department of Public Works to convert the existing office buildings from septic system to sewer. Provide public sewer easements for all public sewers not located within existing public street right-of-way, if any, prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
22. 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.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. Provide a copy of a recorded Emergency Access Agreement between the parcels that comprise this site and the adjacent site to the south prior to the issuance of any permits.
25. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 51,250 square-foot Warehouse Center with 18,100 square feet of Office with Waivers to allow a 10-foot landscape buffer on the eastern property line, where 15 feet is required and a zero-foot landscape buffer on the western and portions of the southern property line, where eight feet is required on 5.62 acres at 4505 and 4515 Balsam Street, 4491 North Rainbow Boulevard and 2.39 acres 300 feet south of Red Coach Avenue on Balsam Street.

In addition to this request, the applicant has submitted a General Plan Amendment (GPA-28388) to Amend a portion of the Northwest Sector of the Centennial Hills Master Plan from O (Office) to LI/R (Light Industrial/Research) and a request for a Rezoning (ZON-28389) from R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan designation] to M (Industrial) and C-PB (Planned Business Park) for the subject property. Additional companion items include a request for a Variance (VAR-28392) to allow a 4.62 acre C-PB (Planned Business Park) zoning district, where 20 acres is the minimum site area required and to allow a 10-foot side setback, where 50 feet is required for an M (Industrial) zoning district located adjacent to a residential district and a request for a Vacation (VAC-28393) to Vacate a 60-foot wide portion of Balsam Street located approximately 300 feet south of Red Coach Avenue.

The requests for the multiple Waivers and Variances are indications that the site is overbuilt and the proposed land use is inappropriate for the subject location; therefore staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/03/03	The City Council approved an Annexation (ANX-2874) of two parcels of land generally located on the west side of Rainbow Boulevard, 315 feet south of Red Coach Avenue, containing approximately 4.39 acres. The Planning Commission and staff recommend approval of this request.
01/20/05	A Code Enforcement complaint (#25305) was issued against the subject property (4491 North Rainbow Boulevard) for a vacant house with broken windows. This case was resolved 03/07/05.
05/17/05	A Code Enforcement complaint (#30040) was issued against the subject property (4491 North Rainbow Boulevard) for overgrown vegetation. This case was resolved 06/28/05.
10/05/05	A Code Enforcement complaint (#35122) was issued against the subject property (4491 North Rainbow Boulevard) for a vacant home. This case was resolved 03/02/07.

04/09/07	A Code Enforcement complaint (#52045) was issued against the subject property (4491 North Rainbow Boulevard) for a vacant house, broken fencing, an abandoned travel trailer on site, trash, debris and dead vegetation. This case was resolved 05/04/07.
12/19/07	The City Council approved an Annexation (ANX-23635) of property at 4505 Balsam Street, containing approximately 0.62 acres and an Annexation (ANX-23639) of property at 4515 Balsam Street, containing approximately 0.61 acres. The Planning Commission and staff recommended approval of these requests.
02/27/08	A Code Enforcement complaint (#62799) was issued against the subject property (4515 Balsam Street) from a citizen complaint regarding business activity at this property (paving business), trucks being parked on property and people coming and going from an R-E (Residence Estates) zoned property. This case is still open pending resolution.
03/18/08	A Code Enforcement complaint (#63537) was issued against the subject property (4515 Balsam Street) for running a paving business out of a single family home. Commercial tractor/trailers were noted to be parked in the back of the home. The zoning on the property was noted as being R-E (Residence Estates). This case was resolved 03/27/08.
07/24/08	The Planning Commission recommended approval of companion items GAP-28398, ZON-28389, VAR-28392 and VAC-28393 concurrently with this application. The Planning Commission voted 5-1/se-1/rt to recommend APPROVAL (PC Agenda Item #20/dc).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits associated with the subject properties.	
<i>Pre-Application Meeting</i>	
05/28/08	A pre-application meeting was held with the applicant where elements of a General Plan Amendment, Rezoning, Site Development Plan Review, Variance and Vacation were discussed.
<i>Neighborhood Meeting</i>	
06/30/08	A neighborhood meeting was held at the Mountain Crest Community Center, 4701 North Durango Drive at 6:40 PM. The applicant, one Planning and Development staff member, one Clark County Commission Liaison and six area residents were present. The following was discussed: The representative for the applicant briefly described the proposed project. Members of the public raised the following questions and concerns: • Residents were supportive of the plan to remove access from Balsam Avenue, so that all access would be from Rainbow. • Residents were supportive of the proposed perimeter wall around the property. • No issues were raised regarding the proposed 30' height of the structures.

Field Check	
06/17/08	A field check was performed by staff at the subject properties. 4505 & 4515 Balsam Street were observed to contain existing homes which have been converted to commercial use; however no business licenses or building permits exist for these homes. The front yards were noted as paved with asphalt; screened, chain link fence with barbed wire was noted at the rear of the properties. The undeveloped lot on the east side of Balsam Street and at 4491 North Rainbow Boulevard was noted as being relatively flat, graded with some weeds/dead landscape, a vacant single-family home and a temporary chain link construction fence around the perimeters.

Details of Application Request	
Site Area	
Gross Acres	5.62

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped; Vacant Single-Family Residence and Contractors Plant, Shop & Storage Yard	O (Office)	R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan designation]
North	Church/House of Worship; Undeveloped, Single-Family Residence and Contractors Plant, Shop & Storage Yard	O (Office)	U (Undeveloped) [O (Office) General Plan designation] and Clark County R-E (Rural Estates Residential)
South	Mini-Storage Facility and Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residential	M (Medium Density Residential)	R-CL (Single Family Compact-Lot)
West	U.S. 95	R.O.W. (Right of Way)	R.O.W. (Right of Way)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 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

* The subject property is located within the North Las Vegas Airport Overlay within the 175-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply for the west half of the property planned for the M (Industrial) zoning district:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	1.29 Acres	N/A
Min. Lot Width	100 Feet	169 Feet	Y
Min. Setbacks			
• Front	10 Feet	40 Feet	Y
• Side	50 Feet	10 Feet	N*
• Rear	Zero Feet	155 Feet	Y
Max. Lot Coverage	N/A	10.8%	N/A
Max. Building Height	N/A	>15 Feet	Y
Trash Enclosure	Screened, Enclosed	Screened	N**
Mech. Equipment	Screened	Not Screened	N***

* A Variance (VAR-28392) has been submitted to allow a 10-foot building setback where Title 19.08 requires a 50-foot setback from a residential use.

** The trash enclosures depicted on the elevations do not appear to contain a roof or trellis as outlined in Title 19.08. A condition has been added requiring all on-site trash enclosures trash enclosures to meet the standards of Title 19.08.

*** A condition has been added requiring all mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

Pursuant to Title 19.08, the following development standards apply for the east half of the property planned for the C-PB (Planned Business Park) zoning district:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20 Acres	4.62 Acres	N*
Min. Lot Width	100 Feet	339 Feet	Y
Min. Setbacks			
• Front	20 Feet	64 Feet	Y
• Side	10 Feet	20 Feet	Y
• Rear	15 Feet	54 Feet	Y

Max. Lot Coverage	50 %	31.4%	Y
Max. Building Height	85 Feet	30 Feet	Y
Trash Enclosure	Screened, Enclosed	Screened	N**
Mech. Equipment	Screened	Screened	Y

* The applicant has filed a Variance (VAR-28392) to allow a 4.62 acre C-PB (Planned Business Park) zoning district where 20 acres is the minimum site area required as a companion item to this Site Development Plan Review.

** The trash enclosures depicted on the elevations do not appear to contain a roof or trellis as outlined in Title 19.08. A condition has been added requiring all on-site trash enclosures trash enclosures to meet the standards of Title 19.08.

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	90 Feet	128 Feet	Y
Trash Enclosure	50 Feet From Residential Property	Not Shown for Existing Structures	N*

* A condition has been added requiring all on-site trash enclosures trash enclosures to meet the standards of Title 19.08.

Pursuant to Title 19.12, the following landscaping standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	20 Trees	23 Trees	Y
Buffer:				
Min. Trees				
North	1 Tree/20 Linear Feet	73 Trees	63 Trees	N*
South	1 Tree/30 Linear Feet	33 Trees	23 Trees	N**
East	1 Tree/20 Linear Feet	13 Trees	13 Trees	Y
West	1 Tree/20 Linear Feet	6 Trees	Zero Trees	N**
TOTAL		145 Trees	99 Trees	N

Min. Zone Width (North)	8 Feet	10 Feet	Y
(South)	8 Feet	10 Feet, Zero Feet	N***
(East)	15 Feet	10 Feet	N***
(West)	8 Feet	Zero Feet	N***
Wall Height	6-8 Feet	6 Feet	Y

* The site plan depicts a north/south drawing break which bisects the perimeter of the property. This has resulted in a lack of information provided on the plans and an area of landscaping not shown. A condition has been added requiring landscape along the north property line to provide one, 24-inch box tree with four, five-gallon shrubs per tree spaced 20-feet on center.

** The applicant has requested a Waiver to allow a zero-foot landscape buffer along the west perimeter and a portion of the south perimeter, which will result in zero trees being required along the west perimeter and a portion of the south perimeter.

*** The applicant has requested a Waiver to allow a 10-foot landscape buffer along the east perimeter, where 15 feet is required, and a zero-foot landscape buffer along the west perimeter and portions of the southern perimeter, where eight feet is required.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other than Listed (Proposed)	18,100 SF	1 space per 300 SF	58	3			
Warehouse / Distribution Center	51,250 SF	1 space per 1,000 SF	50	2			
SubTotal			108	5	104	12	
TOTAL			113 Spaces		116 Spaces		Y
Loading Spaces			4 Loading Spaces		6 Internal Loading Spaces		Y*

* The site plan indicates that each new building proposed on site will provide an internal loading zone, for a total of six loading spaces.

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
To allow a 10-foot landscape buffer on the east property line.	15-foot landscape buffer.	Denial
To allow a zero-foot landscape buffer along the western perimeter and portions of the southern perimeter.	Eight-foot landscape buffer.	Denial

ANALYSIS

- **Land Use and Zoning**

The subject properties are located within the Northwest Sector of the Centennial Hills Master Plan. A proposed General Plan Amendment (GPA-28388), if approved, would allow a LI/R (Light Industrial/Research) land use designation. The Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate.

The applicant has also requested a Rezoning (ZON-28389) to change the sites zoning from R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan designation] to M (Industrial) and C-PB (Planned Business Park). The M (Industrial) zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The C-PB (Planned Business Park) zoning district allows industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, research, development and testing laboratories; medical related uses and ancillary commercial uses in an Industrial Office Park setting; and mixed-use developments. The M (Industrial) and C-PB (Planned Business Park) zoning districts are consistent with the Light Industry/Research category of the General Plan.

- **Site Plan**

The site is located on the west side of Rainbow Boulevard approximately 150 feet south of Red Coach Avenue. There are a total of four parcels which extend west, across Balsam Street, to the U.S. 95 Freeway. The site plan indicates that six proposed office/industrial buildings and two existing structures totaling 69,350 square feet will be located on site. The six new proposed buildings will measure 30 feet in height while the two existing structures are less than 15 feet in height.

Access to the site will be provided from one centrally located driveway fronting Rainbow Boulevard. This point will serve as the only means of ingress/egress for the entire site. This entrance leads to a 40-foot wide drive aisle which centrally runs east/west through the site. A total of 116 parking spaces have been provided on site where 113 parking spaces are required. Of the 116 parking spaces provided, 12 are handicapped accessible. The handicap accessible parking spaces do not meet the standards of Title 19.10, as the access aisles are deficient and no stalls have been provided near the buildings on the western portion of the site; therefore a condition has been added requiring compliance with Title 19.10 standards.

- **Landscape Plan**

The landscape plan shows 24-inch box trees spaced at 20 feet on-center along the Rainbow Boulevard frontage adequately meeting the required spacing and required tree count. The site/landscape plan contains a break in the drawing towards the west end of the site. This has resulted in a lack of information provided on the plans and it is impossible to discern what takes place within the plan break. Based off of what information has been provided on the plans, a total of 63, 24-inch box trees have been provided along the north perimeter where 73, 24-inch box trees are required. A condition has been added requesting the applicant to provide one, 24-inch box tree with four, five-gallon shrubs per tree spaced 20-feet on center within the north perimeter landscape buffer.

The applicant has requested a Waiver to allow a zero-foot landscape buffer along the west perimeter of the subject property and along a portion of the southern perimeter. The western perimeter of the site parallels the U.S. 95 Freeway. The portion of the southern perimeter which will contain a zero-foot landscape buffer will be the southern perimeter west of the Balsam street alignment. The applicant has provided no justification or reason for this request, nor do the site plans indicate any structures, parking, or conflicting uses represented within these areas; therefore staff can not support this Waiver request.

The remainder of the site contains 24-inch box trees spread throughout the site, mainly along the central 40-foot wide driveway and near the new proposed buildings. Additionally, five-gallon shrubs will be provided, however the quantities in which they are provided do not meet the intent of Title 19.12; therefore a condition has been added requiring the applicant to provide four, five-gallon shrubs for each tree required on site. No screening has been noted or provided between the parking lot and adjoining streets. Title 19.10.010(J)(11) states that parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty-six inches, a solid living hedge with an approximate maximum height of thirty-six inches, or some other screening method that has been approved as part of a landscape plan and provides a continuous screen. A condition has been added requiring the parking lot landscaping and screening to comply with the requirements of Title 19.10.010(J)(11).

A six-foot block wall will be provided along the northern perimeter of the site. A block wall already exists along the northeast portion of the site, adjacent to the existing Church/House of Worship, and along the southern perimeter of the site, adjacent to the adjacent commercial uses. No indication has been made if a wall will be provided along the western perimeter of the subject property, adjacent to the existing freeway.

- **Elevations**

The elevations for the new buildings to be provided on site depict a 30-foot high building with a storefront glass doors at the front and an area for signage above the doorways. Signage will be permitted separately, and will not be part of this review. The elevations also depict the rear of the buildings which will feature a large roll-up door, a secondary exit door and trash enclosures. No elevations have been submitted for the sides of the buildings. A color and material page has been submitted, depicting stone veneer, a main field color and five accent colors, however the provided elevations do not indicate how or where these colors and materials will be used on the exterior of the building. In addition, no exterior finish material is noted on the elevations. What is depicted is a color banding at the bottom of each building, a color banding near the top and a cornice parapet concealing the roof and associated mechanical equipment.

Photographs have been submitted in lieu of elevations for the existing two structures on site. The two existing buildings are residential in character and were constructed in 1966 and 1972. Only front elevation photographs have been provided, and based off of the photographs provided, the rooftop mechanical equipment has not been screened. A condition has been added requiring all mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

- **Floor Plan**

The floor plans depict the proposed buildings on site to contain a small lobby and reception area, two offices, a custodial/storage closet, conference room and a restroom. Three windows will be located on the side of the building, in addition to the glass storefront doors. The dimensions and appearance of the three windows are unknown as elevations of the sides of the proposed buildings were not provided. The remainder of the interior space within the proposed buildings will be utilized for warehouse storage. In additional, any warehouse use proposed within the C-PB (Planned Business Park) zoning district will require the approval of a Special Use Permit.

The applicant has not provided floor plans for the existing structures on site. This project, if approved, would require the applicant to submit these floor plans to the Planning and Development prior to the issuance of building permits or a certificate of occupancy.

Complete construction drawings, including a revised site plan, landscape plan, elevations and floor plans will be required to be submitted for this project, if approved.

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 development is not compatible with adjacent residential development and development in the area. There are not currently any industrial uses on adjoining properties, nor are there any industrial zoned properties within three miles of the subject property. The nearest industrial zoned properties are located on Rancho Drive, south of Cheyenne Avenue. Additionally, immediately adjacent to the north of this development are established single-family residential homes on large lots.

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;

With the approval of the associated request for a General Plan Amendment (GPA-28388) to the LI/R (Light Industry/Research) General Plan designation for the site, the proposed development will be the only LI/R (Light Industry/Research) property within several miles surrounding the immediate area. Additionally the applicant has requested multiple Waivers and Variances from Title 19 standards which magnify the lack of compliance with city policy this development embraces.

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

The site is accessed from Rainbow Boulevard, an 80-foot Secondary Collector as classified by the Master Plan Streets and Highways, which can adequately support the proposed use. No access is provided from the site to Balsam Street or into the adjoining neighborhoods. Internal site circulation will be adequate with a central 40-foot wide drive aisle.

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

Not enough information has been provided to discern whether the building materials are appropriate for the area and for the City. The plants provided on the plant list appear to be adequate for the climate, however only low growing and slow growing shrubs, with the exception of Texas Rangers, have been provided. It is unclear how they will be used on site as specifics are not provided on the landscape plan, and it should be noted that with the plant palette chosen, the plant material will take an extremely long time to reach a mature look.

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 building elevations are relatively simple in character and have minimal articulation. The horizontal banding helps break up the façade of the proposed building and the cornice help the building achieve a finished look.

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.

PLANNING COMMISSION ACTION

The Planning Commission amended the conditions as shown. There were two speakers in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 280 by Planning Department

APPROVALS 1

PROTESTS 2