



City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

145 Gorman Street, 3rd Floor, Annapolis, Maryland 21401

Annapolis 410-263-7961 • FAX 410-263-1129 • MD Relay (711)

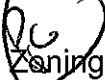
Chartered 1708

C. PETE GUTWALD, AICP
DIRECTOR

March 7, 2017

MEMORANDUM

TO: Board of Appeals

FROM: C. Pete Gutwald, AICP, 
Director of Planning and Zoning

RE: **SE2016-007:** Special Exception application by Anne Arundel County, property owner, for a new 32,500 square foot public library on the site of the existing Annapolis Regional Library and the adjacent vacant parcel location at 1410-1420 West Street.

★★★★★

Project Name: *Annapolis Public Library*
Applicant: Anne Arundel County (property owner)
Agent: Bay Engineering
c/o Terry Schuman
Location: 1410 and 1420 West Street
Tax Map 51B; Parcel 1892 and 1814
Zoning: R2, Single-Family Residence District and
R3-NC, General Residence District Neighborhood
Conservation
Critical Area: N/A
Existing Use: Public Library and Vacant Land
Proposed Use: Public Library
Total Site Area: 4.79± acres (208,986 sq.ft.)

PROJECT DESCRIPTION

Special Exception application with Site Design Plan Review and Adequate Public Facilities Review by Anne Arundel County, property owner, for a proposed new 32,500

sq. ft., one-story public library on the site of the existing Annapolis Regional Library and the adjacent vacant parcel located at 1410 – 1420 West Street.

The subject site for the proposed project consists of a total of 208,986 sq. ft. or 4.79 acres of land. The site is comprised of the existing regional library located on the parcel at 1410 West Street, and the adjacent vacant parcel at 1420 West Street. The existing library structure will be removed and a new one-story library structure constructed on the reconfigured parcels once consolidated into a single lot. The property will be enhanced with additional landscaping, sidewalks, and stormwater management facilities.

The existing library site, Tax Map 51B, Parcel 1892, contains a total of 172,664 sq. ft. or 3.964 acres and has 148' of frontage along West Street. Access into the site is mainly from West Street entrance drive. This parcel also has about 50' of frontage along Poplar Avenue with an additional entrance area to the library. The existing parcel will be consolidated with the adjacent undeveloped lot, Tax Map 51B, Parcel 1814. This lot is vacant and has 80' of frontage along West Street.

The proposed public library is considered a government related structure and use and requires a Special Exception in the R2, Single-family Residence and R3-NC, General Residence Neighborhood Conservation districts. Adequate parking to accommodate the employees and library users will be located on the premises.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The applicant states: The proposed uses are consistent with the 2009 *Annapolis Comprehensive Plan* dated 2009 as the subject property was assigned an "Institutional" land use classification on the Plan's Figure 3-3 "Generalized Proposed Land Use Map" (p. 22). This map shows the generalized land use pattern desired for Annapolis by 2030. As the proposed project continues its current use of a library, the use is consistent with the "Institutional" classification. The Plan discusses the low availability of vacant land in the City of Annapolis and that "by necessity future development in the city will consist of gradual redevelopment of existing properties" and simultaneously recognizes that "infill development will promote economic diversity and real estate vitality while respecting neighborhood character" (p.20). The Plan specifies that "infill development, redevelopment, and expansion...should be consistent with the character of the surrounding community" (pp. 22-34). The Annapolis Public Library is designed to upgrade the existing location in a manner that is consistent with the surrounding neighborhood, that achieve an appropriate transition between commercial and residential uses and this is in harmony with the objectives of the Plan.

The proposed project was reviewed by Sally Nash, Chief of Comprehensive Planning for consistency with the Comprehensive Plan. Per her review, the public library land use is Institutional and The 2009 *Annapolis Comprehensive Plan* states:

"Future library needs will have to consider growth in the Upper Annapolis neck area, not just from within Annapolis. Nevertheless, the anticipated City growth will increase library service requirements. The County completed the Annapolis Area Library Feasibility Study in 2008 to help determine the future size and strategic role of the Annapolis Library. The study recommended that the library be expanded from its current 20,000 square feet to 52,000 square feet. This Comprehensive Plan recommends that the library be expanded and remain at its existing site." (p. 77)

Therefore the project is consistent with the Comprehensive Plan as it consists of demolishing the existing 20,000 square foot library building and constructing a new 32,500 square foot library facility at the existing library location.

TRAFFIC IMPACT ANALYSIS

A traffic impact study was prepared by Lenhart Traffic Consulting, Inc. titled "*Traffic Impact Analysis for West Street Library Update*" and is dated November 22, 2016. The study indicates that based on the ITE Trip General Manual, 9th Edition, the 32,500 sq. ft. library project will generate 796 Net New Daily Trips. The traffic impact study includes, but is not limited to, analysis of physical characteristics, queuing, level of service, transit service, pedestrian and bicycle facilities, and safety. The traffic impact study concluded that the impact of the proposed library project will be minimal.

The Annapolis Department of Transportation (ADOT) has reviewed the Traffic Impact Analysis for the proposed new library project. Based on ADOT's review of the traffic impact study and its own analysis, ADOT certifies that the proposed library meets the requirement of the City of Annapolis Code of Ordinances, *Chapter 22.21 – Traffic Impact Analyses*.

The project was also reviewed by the State Highway Administration (SHA). Per their review letter of February 17, 2017, SHA concurs with the report findings for the project, does not require any additional analyses.

CODE REQUIREMENTS

The subject property is zoned R2, Single-Family Residence district and R3-NC General Residence District Neighborhood Conservation district. As per Section 21.48.010, the proposed library project zoning use category is "Other government and government-

related structures, facilities and uses." This use is allowed through Special Exception approval in the R2 and R3-NC districts.

Special exception uses are subject to the review criteria found in Section 21.26.050, Special Exceptions, which includes requirements for consistency with the Annapolis Comprehensive Plan, as well as with the specific site design plan review criteria for the zoning district in which the project is located.

The staff has carefully reviewed the applicant's exhibits with respect to the applicable code regulations and review criteria for special exceptions and site design plan review, which are outlined in the following sections.

COMPLIANCE WITH SPECIAL EXCEPTION STANDARDS

The proposed special exception has been reviewed for conformance with the standards set forth in Section 21.26.050, Special Exceptions. The applicant has responded to the standards, and the staff's analysis of them is as follows:

A. *The establishment, maintenance or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, convenience or general welfare;*

The new 32,500 sq. ft. public library to replace the 20,000 sq. ft library on the existing site and an adjacent vacant parcel will be a benefit not a detriment to or endanger the public health, safety, morals. The project will be constructed based on current building code, will include additional amenities, provide enhanced landscaping and provide stormwater management practices where there is currently none.

B. *The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood;*

The proposed library project calls for construction of an architecturally contemporary new library structure that will replace the existing outdated structure. The new building has been sited to provide buffers from the adjacent single-family dwellings. Modern materials and library programs will not be injurious to the use and enjoyment of other property in the immediate vicinity nor diminish or impair property values within the neighborhood. Design of the new facility has provides tree preservation areas and planted buffers along the boundaries with adjacent neighborhood homes and provides screening of loading and trash areas.

C. *The establishment of the special exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

The redevelopment of the library site will provide updated building materials, stormwater management devices, utilities, and amenities that will contribute to the normal and

orderly development and improvement of the surrounding property for uses permitted in the district.

D. *Adequate utilities, access roads, drainage and necessary facilities have been or are being provided;*

An Adequate Public Facilities Study was submitted with the Special Exception application. The project was reviewed by the appropriate City agencies under Title 22 and a Certificate of Adequate Public Facilities was issued by the Department of Planning and Zoning Director, Pete Gutwald.

E. *Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion in the public streets;*

The project has provided two access points into the site, one from West Street and one from Poplar Avenue. These ingress/egress connections and a drop off area/turn around circle have been designed to minimize traffic congestion. The traffic study reflects that the surrounding road network and intersections will operate at about the same levels of service as the current condition.

F. *The special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located, including any use provisions or standards set forth in Chapter 21.64 and be consistent with the Comprehensive Plan;*

The use of "Other Government and government related structures, facilities and uses" requires a Special Exception approval in the subject site's residential districts. The proposed use of a library is the existing use and the project conforms to all of the requirements of the R2 and R3-NC districts including setbacks, FAR, parking, buffering and landscaping.

G. *In the case of food service establishments, the following additional standards for review apply...*
Not applicable. The proposed library is not a food service establishment.

COMPLIANCE WITH SITE DESIGN STANDARDS

The proposed special exception has been reviewed for conformance with the site design standards set forth in Section 21.22.080 and Chapter 21.62. The applicant has responded to the standards, and the staff's analysis of them is as follows:

21.22.080 - Review criteria and findings.

The decision of the Planning and Zoning Director shall be based on findings with respect to the following:

A. *District Standards. The proposed design plan meets all of the requirements of the zoning district in which it is located, including but not limited to the site design standards set forth in Chapter 21.62.*

The subject property is zoned R2, Single-Family Residence District and R3-NC, General Residence District Neighborhood Conservation. As per Section 21.48.010, the

proposed library fits the zoning use category as an "Other government and government-related structures, facilities, and uses." This use is allowed by Special Exception in the R2 and R3-NC districts. The project conforms to all of the requirements of the R2 and R3-NC district including setbacks, FAR, parking, buffering and landscaping. The site plan and building design comply in all respects to the site design standards of Chapter 21.62.

B. Design. The proposed design is in harmony with the character of the surrounding neighborhood and the Comprehensive Plan and achieves a maximum of compatibility, safety, efficiency, and attractiveness.

As discussed above, the proposed *Annapolis Public Library* is consistent with the Comprehensive Plan. The design of the facility began with site evaluation and through a number of reiterations, the building location, access drives, entry drop off, and parking lot locations were determined for the site. The specimen trees in the southwest corner of the site are proposed to be retained and have been incorporated in to the building design to embrace the tree grove feature. Large amount of glazing on the building provide views of the structure within from West Street. A projecting frontispiece and arbor are proposed to attract the public to the entrance. A large plaza is proposed for gathering and activity space.

The building design developed from the interior function of the library including a large spine that will house the collections material and spaces for seating and gathering. The two building wings will house staff areas, meeting rooms, and the main entry area. The wings of the building are designed to step down in height from the main spine to transition to the residential development on the adjacent parcels. The contemporary design is predominantly brick but also uses familiar materials such as cast stone, glass and metal.

C. Compatibility. Each improvement, building and/or use is compatible with other uses and with existing and proposed developments on adjacent land.

The current use of the site is the existing public library and vacant lot. The project proposes to provide a new structure to expand the programs of the library. Adjacent uses are single-family dwellings. The new structure is compatible with the adjacent homes as it is a one-story structure that uses brick, cast stone and glass materials with sloped roof shapes and a massing that is respectful of the neighboring structures.

D. Minimize Adverse Impacts. The proposed structures are sited in order to minimize any adverse impact upon the surrounding area by reason of: building location, height, bulk, shadows; location, intensity, direction and times of use of outdoor lighting or other similar characteristics.

The proposed building is sited and massed in a manner that potential adverse impacts are minimized. The new building has been sited with a minimum of 41 feet to the closest boundary line. The height of the building ranges from 23 feet high on the building wings and slopes from 27'8" to 32'4" on the central bar section of the building.

Canopy trees are placed to buffer the site from neighboring properties. Site lighting is designed to safely illuminate the necessary pedestrian and vehicular areas while avoiding light pollution for adjacent properties.

E. Building Locations. The proposed locations of the buildings and structures, open spaces, landscape elements, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.

The new library structure and site has been specifically designed to provide safe and efficient pedestrian and vehicular circulation. Open spaces, landscape and streetscape elements have been designed to provide for the safety and convenience of the library users.

F. Natural Features. The proposed design results in minimal modification of existing geological and topographic features where practicable.

The site does not contain any forest; however, the site does contain several desirable trees greater than 30" in diameter. A public meeting was held on December 8, 2016 to present and discuss the proposed Forest Conservation Plan. The plan depicts three tree preservation areas along the northern and western boundaries of the site. In addition to preserving some trees on the site, the project proposes a substantial number of native canopy trees, understory trees, and shrubs.

G. Slopes and Soils. The proposed design minimizes degradation of unique or sensitive lands, such as steep slopes or highly erodible soils.

The site is primarily flat with no steep slopes. The soils are composed of Annapolis-Urban Land Complex and Donlonton Urban Land Complex primarily covered with impervious surfaces or lawn.

H. Critical Area. The proposed design minimizes adverse impacts to resources in the Critical Area Overlay District, such as streams, wetlands, areas of aquifer recharge and discharge, areas with a high water table, mature stands of trees and wildlife habitat.

Not applicable. The Property is not located within the Critical Area Overlay District.

21.62.020 - General design standards.

A. Relation of Buildings and Structures to the Surrounding Environment.

The proposed structure has been sited to integrate with the existing West Street corridor, the surrounding residential neighborhood and to address the needs of patrons arriving by foot, bicycle, automobile and public transportation. The proposed structure will be located closer to West Street than the existing structure to better interact with the West Street corridor.

B. Relation of Structures to Adjacent Development. The construction of new buildings shall look appropriate and compatible as part of their surroundings. In general, new development shall be human in scale, with building façade articulation (doors, windows and surface treatment and detailing) open spaces, and access systems designed to relate to and to welcome people on foot. Buildings also must

be sensitive to the character of the neighborhood in which they are located. (Height, Width and Façade, Proportion, Mass, Relationship to Street, Roof Forms, Composition, Rhythm, Proportion of Openings, Façade Materials, Color, Corner and Through Lots, Site Signage)

The proposed library structure is compatible with the adjacent existing neighborhood structures in terms of height, width, façade, proportion, mass, relationship to street, roof forms, composition, rhythm, proportion of openings, façade, materials and color.

The building height has a parts terminating at different elevations creating diversity across the facades and reducing the overall scale of the structure. The width of the facades relative to the public street reflects the characteristic of the residential context. The main element predominant on West Street is 50' and within character of the surrounding development. The elements of the building have proportions and shapes that reflect the neighboring community. While larger than the surrounding dwellings, the mass of the structure has been broken into a series of discrete elements within complement the existing street context.

As an important public institution, the building does not look like a residential structure. However, the compositions, rhythm, proportion of openings and façade materials have been chosen to harmonize with the surrounding neighborhood, the West Street corridor and Annapolis as a whole. Materials consist of brick, cast stone, glass and metal have been arranged to address the larger context.

21.62.030 - Design of open areas.

Usable outdoor spaces designed for public use will extend the existing park-like setting and extend the library's programs to the outdoors. The significant existing features of the grove of existing London Plane trees on the western side of the parcel and existing trees along the perimeters of the parcels will be preserved and enhanced. Three tree preservation areas are proposed in western and northern areas of the parcel. Planting mitigation will exceed required amounts and will consist of native species canopy and understory trees, along with shrubs and perennials. Buffer plantings will provide screening and green background for neighboring properties. The existing planting soil will be amended as needed to provide optimal growing conditions.

21.62.040 - Planting.

A landscape plan is provided in the associated plan set depicting sufficient landscaping along the front of the building, perimeter buffer yards, sidewalks, parking areas, and right-of-ways.

21.62.050 - Street trees.

A preliminary urban design/streetscape plan has been developed, which includes street trees along West Street.

21.62.060 - Scenic, historic, archaeological and landmark sites and views.

There are no known scenic, historic, or archaeological resources, or landmark sites or views associated with the Property.

21.62.070 - Transitional provisions for development adjoining residential districts.

A substantial planted buffer separates the proposed building from the adjacent single-family homes to the east, west and north of the property.

21.62.075 - School capacity.

Not applicable. The project will not provide non-aged restricted dwelling units. The proposed use is a public library.

21.62.080 - Surface water drainage.

Stormwater will be directed to multiple rain gardens and a planted bio-retention parking island. For large storm events, conveyance to existing storm drain networks will be provided for stormwater that cannot be contained by the proposed devices.

21.62.090 - Traffic impacts.

See response to Section 21.26.050(E) above.

21.62.100 - Driveway connections to public streets and rights-of-way.

The property has frontage on West Street and Poplar Avenue. There are two access points into the site, one from the southern portion of the site from West Street and one from the northern portion of the site from Poplar Avenue. A drop off/pick up area at the entrance of the facility has been designed to help with traffic flow and to accommodate students and book returns.

21.62.110 - Vehicular circulation.

The main entrance to the facility will be from West Street with a secondary entrance from Poplar Avenue. The vehicular traffic can freely move between the two access drives and through the parking lots. The drop-off entrance is a semi-circular area adjacent to the entry plaza.

21.62.120 - Parking and loading.

Sufficient parking is being provided for the library use. All required parking will be provided in the proposed parking lot areas located to the east and north of the proposed new structure.

21.62.130 - Pedestrian and bicycle circulation.

Sidewalks along West Street and the access drives provide pedestrian access into the site. A large entry plaza is provided for gathering space and programs. Bicycle racks that meet City standards will be located near the entrance to the library for safe access.

The existing bus shelter will be relocated along West Street and will be connected by sidewalks.

21.62.140 - Lighting.

Lighting will be designed to provide safe lighting at the entry plaza of the building and into the parking areas. Lighting will not be directed at neighboring residences and street fronts.

21.62.150 - Utility services.

The new library will be serviced with public water and sewer. The water and sewer will be extended from West Street. Fire hydrants are proposed as part of the water extension to meet City of Annapolis requirements. All water and sewer connections will be designed to meet City of Annapolis criteria.

21.62.160 - Waste disposal.

Dumpsters and trash collection areas will be screened by an enclosure and landscaping as part of the redevelopment. The parking lots, loading, and trash areas will be owned and maintained by the Anne Arundel County. All refuse will be picked up by a vendor licensed with Anne Arundel County.

21.62.170 - Noise.

The proposed use will not be detrimental in terms of noise generation. Noise levels will be compatible with the existing library use.

21.62.180 - Storage, loading, and service areas.

A loading area is provided on the western rear of the new structure and will be screened with a brick wall and perimeter plantings.

21.62.190 - Additional site design standards.

Additional site design standards for the R3-NC district are addressed below.

21.40.080(C)4a - Where new buildings, structures, structural alterations or structural rehabilitations, enlargements or reductions are proposed, their design shall be compatible with the historic character and design of the area and shall promote the existing spatial and visual qualities of the area, including height and scale of buildings, orientation, spacing, site coverage, and exterior features such as porches, roof pitch and direction and landscape elements.

The existing library structure built in the 1960's will be replaced with a new, larger, contemporary structure that has been designed to be in harmony with the surrounding neighborhood. The structure's site location, relationship of uses, architectural character and scale have been crafted to reflect and promote the existing spatial and visual qualities of the surrounding area including height and scale of buildings, orientation,

spacing, site coverage, exterior features and landscape elements. The height and scale are appropriate for the use and consistent with the character of the neighborhoods adjacent to the property. The building has been designed in parts terminating at various elevations to break down the overall scale of the structure.

21.40.80(C)4b - Every reasonable effort shall be made to minimize exterior changes to existing structures, the site and their environment.

The existing library was built in the 1960's and is deteriorating. This structure will be removed to provide a larger public library for the Annapolis region. The applicant has placed an emphasis on maintaining and enhancing the existing park-like setting for the new library by proposing adding over 80 canopy trees and over 50 understory trees to the site. The existing grove of trees on the southwest portion of the vacant lot will be retained and the building has been sited and designed to wrap and embrace this feature. The building rises towards the center and projects out toward West Street to engage the street and community. A projecting entrance piece and arbor is provided to invite the residents and users to experience the library. A large area of glazing provides views into the building and the activities within. An open courtyard has been provided at the main entry for outdoor programming space and a pedestrian plaza. The parking is predominantly screened by the building from West Street and from the surrounding residential neighborhoods through additional tree installation.

21.40.90(C)4c - Where specific design guidelines have been established and officially adopted for the R3-NC General Residence Neighborhood Conservation district or a portion thereof, any new construction, structural enlargement or reduction in floor area shall be in conformance with those guidelines.

No specific design guidelines have been established and officially adopted for the R3-NC General Residence Neighborhood Conservation district.

21.40.90(C)4d - Where a site plan for a new use of a site is proposed and submitted, consideration shall be given to the benefits that the proposed development would give to the R3-NC General Residence Neighborhood Conservation district over the preservation of existing buildings or structures.

The proposed use of the site as a public library is the same as the existing use and will continue to function as the home of the Annapolis Library.

FOREST CONSERVATION PLAN

A Forest Stand Delineation plan was approved in April 2016 for the property. The Forest Conservation Plan was reviewed by the Department of Planning and Zoning for conformance with the requirements of Chapter 21.71 of the City Code. The project

requires variances for the removal of two trees on the site. Staff recommends approval of the variances for the tree removal having determined that they meet the standards for variances. Section 21.71.170(F) requires that a variance in conjunction with a Special Exception application be approved by the Board of Appeals. The Staff recommendation is attached.

AGENCY REVIEW

In addition to the review by the Department of Planning & Zoning, the proposed Special Exception application was sent out for agency review and has been carefully reviewed by the departments of Fire, Police, Public Works, and Transportation. None of the reviewing agencies had any objections to the proposed Special Exception. However, further review will be required during the demolition, grading and building permit processes to insure that the construction is in compliance with all current building, fire and life safety codes.

NOTICE OF HEARING

Written notification has been sent by first class mail to all owners of properties within 200-feet of the subject property. Additionally, "Notice of Hearing" signs (one on West Street and one on Poplar Avenue) have been posted on the property and a legal ad was published in the newspaper.

PUBLIC COMMENTS

A letter was received from the Germantown-Homewood Community Association on January 27, 2017. This letter is attached to the document.

RECOMMENDATION

The applicant has provided plans and documents to support the Annapolis Public Library project. The Special Exception application includes review for Site Design Plan Review. As such, the approval of the Site Design Plan Review portion of the application will be granted with the approval of the Special Exception.

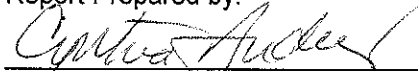
The Planning and Zoning staff has reviewed all of the applicant's exhibits and finds the development proposal to be consistent with goals and objectives of the *2009 Annapolis Comprehensive Plan*, as well as with the regulations of the Annapolis City Code. Based on its evaluation, the staff supports the Special Exception with Site Design Plan Review application subject to the following conditions:

1. Except as hereinafter provided, the project and site shall be developed, constructed and maintained in substantial accordance with the applicant's exhibits including the site design plans prepared by Bay Engineering, Inc. and Wheeler, Goodman Masek, entitled "*Annapolis Public Library*" sheets dated January 2017; and, the architectural plans prepared by Wheeler Goodman Masek, entitled "*Annapolis Public Library*".
2. Prior to the issuance of any permits for the project – lot consolidation plat, easements, agreements, etc. required by the City, in conjunction with the project, shall be executed and recorded in the Land Records of Anne Arundel County, Maryland and copies of the recorded documents shall be provided to the City.
3. Final site development plans shall be reviewed and approved by the Departments of Planning and Zoning, and Public Works prior to the issuance of demolition, grading or building permits.
4. The new West Street sidewalk is to increase from 4' to 6' in width and provide a 10' wide planting strip between street curb and sidewalk in lieu of the proposed 4' strip and must be approved by the Department of Planning and Zoning prior to issuance of the grading permit.
5. Details on the entrance plaza are to be provided and approved by the Department of Planning and Zoning prior to issuance of the grading permit. This includes showing the locations of the entrance Arbor on the site plan, proposed site furniture, and any plant installation locations, species, and counts.
6. All landscaping, including a schedule for the installation of plant materials, shall be shown on the final Landscape Plan which shall be reviewed and approved by the Department of Planning and Zoning prior to the issuance of grading or building permits. Landscaping shall be installed prior to the issuance of any use or occupancy permit, unless the time of year is inappropriate for planting. In that event, the applicant shall provide the City with security in such form as approved by the City Attorney and the Department of Planning and Zoning to secure the installation of all plantings approved on the final planting plan.
7. The applicant shall provide to the Department of Planning and Zoning for approval, prior to the issuance of grading permits, a Planting Soils Improvement Plan, sufficient to provide for the long term health of all plantings and that meets the principles and recommendations for soils for urban tree plantings outlined in "Architectural Graphic Standards 10th Edition", pages 178 through 182, published by John Wiley & Sons, 1998.
8. A Landscape Maintenance Agreement approved by the City Attorney and the Department of Planning and Zoning shall be executed by the applicant prior to the issuance of use or occupancy permits.
9. Site lighting shall be designed at appropriate levels to achieve public safety without creating excessive glare or high intensity. The Department of Planning and Zoning

reserves the right to require reduced intensity lighting after installation, if the Department determines that the lighting is too bright or creates excessive glare.

10. A signage program shall be reviewed and approved by the Department of Planning and Zoning prior to issuance of building permits.
11. All exterior signage for the establishment shall conform to the sign program approved by the Department of Planning and Zoning. No changes to the approved sign program, or additional signs, will be allowed without written approval from the Department of Planning and Zoning.
12. The use and operation of the special exception shall be in conformance with all applicable rules, regulations and Codes, including but not limited to building, fire health, State and Federal regulations.
13. If any of these conditions is found to be invalid or modified by any court of law, the special exception approval shall remain in effect subject to further review and the imposition of any other conditions by the Board of Appeals.
14. All references to "applicant" or "developer" shall include the owner, the applicant and any developer and their respective successor and/or assigns.

Report Prepared by:



Cynthia Gudenius, PLA, ASLA
Land Use & Development Planner