



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2010-07-R1 (3/2012)

Date: March 29, 2012

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 561 Windsor St

Applicant Name: Laurence Slotnick, Taza Chocolate

Applicant Address: 561 Windsor St, Somerville, MA 02143

Property Owner Name: Bart Bussink, Miller's River Development

Property Owner Address: 561 Windsor St, Somerville MA 02143

Agent Name: Bart Bussink / Larry Slotnick, Taza Chocolate

Agent Address: 561 Windsor St, Somerville MA 02143

Alderman: Maryann Heuston

Legal Notice: Applicant, Laurence Slotnick, Taza Chocolate, and Owner, Bart Bussink, Miller's River Development, seek a revision under SZO §5.3.8 to Case PB 2010-07 to change approved signage and landscaping and add windows on the back of the building. The original permit included Special Permits under SZO §6.5.D.5 to alter the façade, signage and site plan.

Zoning District/Ward: TOD-135 / 2

Zoning Approval Sought: Revision to Special Permit

Date of Application: Mar 6, 2012

Dates of Public Hearing: Planning Board Apr 5, 2012

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is in Boynton Yards and is made up of three parcels with a total area of 27,481 sf and a building that is 74,000 sf. Internally, the building is divided down the middle such that one side contains five floors and the other side four floors even though the building is the same height throughout when viewed from the exterior. The structure on the site houses a mix of uses.



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The following Use Clusters currently occupy the building. A more detailed list can be found in the case file.

Use Clusters

- Office (total 18,611 sf)
- Small Retail and Service (total 1,972 sf)
- Educational/Recreational/Institutional (total 17,498 sf)
- Light Industrial (total 36,500 sf)

In 2001, the Zoning Board of Appeals issued a special permit to alter the existing non-conforming structure (S.Z.O. §4.4.1.), a special permit to park on a separate lot (S.Z.O. §9.13.d.), a special permit for floor area ratio (S.Z.O. §8.5.e.) and a special permit for height (S.Z.O. §8.5.f.). The ZBA also issued a special permit with site plan review to place 53,851 gsf of non-medical office space within the existing building (S.Z.O. §7.11.7.1.c). The plans were partially completed.

In February of 2010, the Planning Board issued a special permit to expand manufacturing space (SZO §7.13.H) in the building for the tenant Taza Chocolate.

In May of 2010, the Planning Board issued a special permit for façade and site plan alterations that were divided into three proposed phases.

The first phase included altering the façade of the first story of the building along Windsor Street and Windsor Place and the middle of the building for all of the stories. A metal screen was placed over the plywood along the first floor. The metal paneling system will also be located in the middle of the building to fill in the area that currently looks unfinished. New windows will also be placed in this location along with numbers to identify the building's address. The metal panels on the building will be perforated to create a design. The main entrance of the building will include a sculptural element to provide interest and provide a focal point for the building.

This phase also included creating a canopy and signage for Taza Chocolate and site work in front of the entrance to Taza. The entrance was approved to have a canopy and wooden structure projecting from the door to the sidewalk. Other signage included a free standing sign along the sidewalk, a round sign at the front of the structure, and large ghost mural (painted) signs for Taza on the sides of the building at the fourth floor height to increase visibility from Webster Avenue and Boynton Yards. Awnings were proposed above the three front windows, which are the only windows on the first floor of this façade. One parking space in the front of the building by the Taza entrance will be removed to allow for outdoor seating, the canopy and additional landscaping. The building will be protected with green graffiti coat before it is painted.

The metal screen at the first floor of the building has been installed but the rest of the work is not yet complete.

The second phase included replacing the windows and brick veneer on the western side of the building along Windsor Street. The new material will be stucco with grid lines and the windows will be larger and more proportional to the building's size. The Applicant explained that the cost of this phase is high due to removing the brick veneer and restoring the larger, original window openings. The stucco will match that on the south and west faces of the building.

The third phase includes the renovations described in phase two for the eastern side of the building along Windsor Street and the side of the building along Windsor Place.

2. Proposal: The proposal is to change the signage design and site design for Taza Chocolate as well as install windows in the back of the building for Taza's expanded office space. The office space is 4400 sf and will ultimately have an occupancy of 35 people. The windows will match those on the back of the building on floors one, three and five. Since the building is located just a few feet from the property line, the owner of the property is working to acquire 10 feet of the right of way behind the building that is currently under shared ownership. If the acquisition of land is not successful, the windows may need to be glass block to satisfy the building code.

The landscaped area in front the Taza store will include more hardscape than the previous version to allow for some outdoor events in this space. The landscape area will continue to be significantly planted with two large trees, evergreen shrubs, and perennials. There will be additional bike storage in this area that was not part of the original proposal.

In place of the large canopy will be a metal, aluminum and wood awning to define the entrance. There will also be a hanging sign near the sidewalk that hangs from a granite post. Two large banner signs will be posted on the western and southern sides of the building and these signs will not be lit. The banners will be approximately 18 feet by 24 feet. The material will be UV Nylon mesh which will be tightly secured to the building between the pilasters of the building. The UV Nylon is a nylon material with small holes in it to create a "softened" look from what might come from using a solid vinyl or plastic material. The Applicant does not want to use the painted, ghost mural concept that was originally approved for these signs because after further investigation it was determined that the condition of the brick would not sufficiently hold the paint. With the resurfacing project planned for the entire building, it did not make financial sense to refinish just the area behind the murals when the murals would have to be redone in the near future.

The remainder of phase 1 and phases 2 and 3 will proceed as originally approved.

The Applicant submitted the following narrative regarding the proposal:

In the almost two years since the Taza Chocolate Factory Store opened our business has grown in unexpected and exciting ways. Taza Chocolate is becoming known as the place to visit in Somerville for food-culture events and holiday celebrations. We invite many small and local food producer companies into our space to introduce their products to the Taza/Somerville community, and share in Taza's success.

Our needs have changed since our first storefront proposal in 2010. With the growth of our retail store, tours and events business, we have identified the need to create a sizeable outdoor space to allow us to host events that benefit the local community and businesses. This space needs to enable us to tailor the set up... depending on the event. We need the capability and flexibility to accommodate multiple tents, our authentic, Mexican choco-cycle, other vendors, and customers to sample and discover local products. While we intend to provide effective signage and beautiful

landscaping, we also need to ensure the space is functional for outdoor events. Also, pedestrian and bicycle accessibility are critical. Lombardi Design and Boston Sign have done an excellent job identifying the correct materials to that will enhance the Taza brand, and improve our store front, without making drastic changes that would alienate Taza from the rest of 561 Windsor Street building frontage and general environment.

**** Ultimately, Taza Chocolate is a factory. It is a factory located in a unique industrial enclave that is experiencing an entrepreneurial explosion energized by gritty vibrance. This area experiences constant automobile traffic and limited bicyclist and pedestrian use. We want to change that, but we don't want to distance ourselves from the surrounding businesses or the fact that we are proud to be a manufacturing company in Massachusetts.**** We do not want to hide the grit by covering up all of the rough edges in front of and abutting our storefront. Lombardi Design and Boston Sign have proposed using materials that reflect this, and will allow our improvements to compliment—rather than alienate—our surroundings. These materials are concrete, as seen on the floors of our store and factory, metal, representing our chocolate making machines and industrial vibe, and wood, which helps tie everything together and is used inside our factory store to reflect the natural and agricultural aspect of our product. The NStar transformer, for example, is an element that we appreciate for its industrial look.*

Landscape

Lombardi's landscape design plan creates a beautiful, low-maintenance, functional outdoor space. It utilizes a generous amount of concrete pavers installed in a geometric abstract contrasted with a generous amount of ground cover plantings (235 plants) to soften the overall look. They did not attempt to conceal the transformer. We don't want to call attention to it by planting an intentional looking "green screen." The NStar guidelines demand a large amount of clearance on all four side of this unit, and we wish to utilize our valuable storefront area for functional purposes. We are however, utilizing border and foundation plantings to soften as-built materials such as corrugated fencing and the building's lower cementitious board facia. The Lombardi plan places two Honeylocust (alt. Redbud) trees in the space, at different depths from the sidewalk, to create a transition from the horizontal plane to the vertical plane of the building face. Finally, the location and dimensioning of the sidewalk signage and the paver path are designed to create a physical connection to the Taza doorway.

Signage

The signage is the focal point of the new Taza front porch. Their design, material and placement will unify our facade project with a modern-industrial appearance. The dual-sided sidewalk sign is anchored by stone posts, with a metal and distressed wood sign. It will be lit from both sides. The doorway sign, also of a metal and distressed wood construction, mounts to the front face of an over-the-doorway aluminum-frame canopy structure. This sign will be front-lit. The canopy's dimensions are approximately 13 ft wide and 24 in deep. (This doorway already has an alcove with a depth of 18")

Banners - Wayfinding

The banners are designed with a graphic that serves to impart a sense of permanence to 561 Windsor Street as the home of Taza Chocolate. At the same time, they are way-finding banners with an old-school style that harks back to an earlier time. Way-finding is critical, because Taza attracts many locals and tourists who are unfamiliar with the area. These banners will be fabricated from an industrial nylon mesh material, and fastened with a grommet, shock-cord and frame system to create high-tension. They will appear permanent without ripples in the banner. The mesh material creates a sublimated appearance to the banners' graphics, creating an

impression similar to that of a ghost mural.

Windows - rear

The windows that we would like to install as infill units in large, previously-glazed openings are architectural-grade, aluminum frame, functional double-hung, insulated glass units that comprise approximately 43% of the rear, south-facing exterior side of 561 Windsor Street. The windows are an exact match to recently installed windows on other floors in the building on this same exterior side.

These windows fill large gaps in the poured-in-place concrete structure that we know—from historic photos—were filled with "factory windows" at one point. For our project, they are replacing what was primarily cinderblock fill, as well as two outdated and inefficient sliding windows.

Summary

As we are trying to demonstrate, Taza is planning to invest in this building with a scale and intentionality that one would expect from a tenant that has just made an eight-year lease commitment to the building and its neighborhood. We have an overarching aim to create value for ourselves, our landlord, the neighborhood, and for the City.

3. Nature of Application: Revisions to Special Permits may be sought before the final building permit signoff for a project that received a special permit under SZO §5.3.8. The special permit has been activated because phase I is underway but is not yet complete. The proposed revision is not deemed de minimis because it entails alterations that would be noticeable to persons generally familiar with the plans. Revisions that are not de minimis are subject to the full notice and hearing provisions of the Somerville Zoning Ordinance.
4. Surrounding Neighborhood: The surrounding area is commercial and industrial in nature. Nearby businesses include Royal Hospitality Laundry, Nissenbaum's Auto Parts, Green Cab, and several auto repair shops.
5. Impacts of Proposal:

Windows: The windows on the back of the building would improve the appearance of the building. The windows would be located where windows existing in the past and have since been filled in.

Site Plan: The change to the site plan in front of Taza would continue to provide an attractive entrance and meet Taza's needs to utilize this space. The canopy that visually connected the sidewalk to the front entrance is no longer part of the proposal; however, landscaped elements and signage were designed to achieve this goal.

Signage: The larger signs on the side and back of the building are preferably painted murals that give visibility to Taza in a way that is consistent with industrial painted signs that existed on this building and other buildings in the area. Understanding the limitations of painting on the current surface of the building, the Applicant worked to create a scheme that achieved Taza's goals while addressing Staff's concern that the signs look like billboards and are not pedestrian oriented. The choice of material and placement between the pilasters reduce the concern about the signs looking like billboards. Also, the area currently does not have a lot of pedestrian activity and those driving or biking to the site will find the larger signs useful.

6. Green Building Practices: Where possible, lighting will be CFL or LED and will be controlled by timers.

7. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Ward Alderman: Has been contacted but has not yet provided comments.

Design Review Committee: The Committee is supportive of the new proposed signage. They felt that the signs still give the feeling of an old painted sign on the side of the building and you can see the texture to it. They recommended a panel size that is a bit smaller to pull it away from the corners of the building. Doing this will house the banners a bit more and make them feel like they are more a part of the building. The signage crosses over the pilasters on each side of the elevations which makes it seem more like a billboard. If the Applicant can live with the banners being a little bit smaller this would make the signs feel more tied to the building and less projected. (This recommendation was incorporated into the plans before the Planning Board.)

The DRC also recommended having plantings that define the entry sequence in front of the building since the canopy that was no longer part of the proposal achieved this goal. In the renderings the plantings seemed to get diminished by the scale of the building and if there were an understory or lower level plantings, there would be a better vertical connection between the street and the entrance.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.3.8):

The following Special Permit findings are relevant to the proposed site revisions.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

With the approval of the changes to signage, installation of windows in the back of the building and site plan changes, the site will otherwise comply with the findings, approvals and conditions of case number PB 2010-07.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to conserving the value of land and buildings.

The proposal is consistent with the purpose of the Transit Oriented Districts. The districts promote a mix of uses within buildings including commercial and industrial uses. The redesigned retail portion would increase street-level activity, which is another purpose of the districts. A goal of the TOD-135 district is

to improve the commercial tax base and bring good quality jobs to the City. The improvement to the appearance of the building will further this goal.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses." The proposal is designed in a manner that is compatible with the building surrounding area and land uses as conditioned.

The changes to the building comply with the design guidelines for the Transit Oriented Districts. The following guidelines apply to the proposal.

- Commercial bays with independent entrances onto the street should be incorporated to create visual and pedestrian interest. The newly proposed Taza Chocolate retail entrance alters the building to further this goal.
- Varied architecture should be created using projected entryways, canopies, and awnings. The revised Taza entrance would help to define this entrance to the building while being complementary in material and industrial feel to the awning proposed but not yet installed at the main entrance to the building.
- Non-residential ground floor façades should have a minimum of 75 percent transparent material, and second floor facades should have a minimum of 40 percent transparent material. The building does not comply with this guideline; however, phases two and three further this goal by increasing the size of the window openings. The current revision will increase the amount of transparency on the second floor in the back of the building with the addition of windows.
- The exterior building materials would be high quality, durable and aesthetically appropriate. Materials of the signage include aluminum, wood, granite, wrought iron, and nylon mesh for the larger signs. These are high quality materials that are complementary to the industrial nature of the building.
- The rear and sides of the building will maintain the same character of the front façade, as they would include the same materials and design. The windows on the rear of the building will be the same as other windows on the building unless the building code dictates that they are glass block.
- The building will have a clearly expressed base with the unique, metal material to break up a monolithic appearance to the building.
- The existing on-site parking is in conflict with pedestrians. One space will be removed to slightly improve the situation; however, future action should be taken to remove or relocate the parking spaces.
- The improved space in front of the Taza entrance and updated signage will add visual interest to the building.
- The transformer will be screened with dense vegetative materials.

The proposed signage and awning design respects the buildings' context. The signage proposed on the side and rear of the building is in scale with the size of the building and more appropriate for this building than it would be in other locations considering the industrial nature and appearance of the building and content of the signs. The Taza signs include their symbol, a few words and are not cluttered.

The change to the site plan in front of Taza would continue to provide an attractive entrance and meet Taza's needs to utilize this space. The canopy that visually connected the sidewalk to the front entrance is no longer part of the proposal; however, landscaped elements and signage were designed to achieve this goal.

The windows on the back of the building would improve the appearance of the building. The windows would be located where windows existing in the past and have since been filled in.

III. RECOMMENDATION

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **REVISION**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

(Deletions ~~struck~~, additions underlined)

#	Condition	Timeframe for Compliance	Verified (initial)	Notes														
1	<p>Approval is for the alteration of the façade, signage and site plan in three phases.</p> <p>Phase 1 – altering the façade of the first story of the building along Windsor Street and Windsor Place and the middle of the building for all of stories, signage excluding the painted sign on the east elevation, and site plan</p> <p>Phase 2 - replacing the windows and brick veneer on the western side of the building along Windsor Place</p> <p>Phase 3 - replacing the windows and brick veneer on the eastern side of the building along Windsor Place and the side of the building along Windsor Street</p> <p>This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" data-bbox="246 871 886 1755"> <thead> <tr> <th data-bbox="246 871 566 905">Date (Stamp Date)</th> <th data-bbox="566 871 886 905">Submission</th> </tr> </thead> <tbody> <tr> <td data-bbox="246 905 566 1005">Mar 6, 2012</td> <td data-bbox="566 905 886 1005">Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td data-bbox="246 1005 566 1394">May 7, 2010</td> <td data-bbox="566 1005 886 1394">Modified plans submitted to OSPCD (A-1: proposed front elevation- phase 1, A-2: proposed left & right elevation- phase 1, A-3: proposed front elevation – phase 2, A-4: proposed front elevation – phase 3, A-5: proposed left elevation – phase 3, A-6 Taza entry, E-1: existing front elevation & site plan, E-2: existing elevations) <u>For Taza signage and site plan see revised plans.</u></td> </tr> <tr> <td data-bbox="246 1394 566 1446">(May 18, 2010)</td> <td data-bbox="566 1394 886 1446">Signage Plans (4 pages)</td> </tr> <tr> <td data-bbox="246 1446 566 1547"><u>Mar 29, 2012</u></td> <td data-bbox="566 1446 886 1547"><u>001a.v1.s1/e1 Sign Elevations and Details (4 pages)</u></td> </tr> <tr> <td data-bbox="246 1547 566 1648"><u>Mar 23, 2012</u></td> <td data-bbox="566 1547 886 1648"><u>Layout and Materials Plan L1.000</u></td> </tr> <tr> <td data-bbox="246 1648 566 1755"><u>Mar 30, 2012</u></td> <td data-bbox="566 1648 886 1755"><u>Rear window dimensions and rendering</u></td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	Mar 6, 2012	Initial application submitted to the City Clerk’s Office	May 7, 2010	Modified plans submitted to OSPCD (A-1: proposed front elevation- phase 1, A-2: proposed left & right elevation- phase 1, A-3: proposed front elevation – phase 2, A-4: proposed front elevation – phase 3, A-5: proposed left elevation – phase 3, A-6 Taza entry, E-1: existing front elevation & site plan, E-2: existing elevations) <u>For Taza signage and site plan see revised plans.</u>	(May 18, 2010)	Signage Plans (4 pages)	<u>Mar 29, 2012</u>	<u>001a.v1.s1/e1 Sign Elevations and Details (4 pages)</u>	<u>Mar 23, 2012</u>	<u>Layout and Materials Plan L1.000</u>	<u>Mar 30, 2012</u>	<u>Rear window dimensions and rendering</u>	BP/CO	Plng.	
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2	Phase 2 of the project shall be completed within two years of the opening of the MBTA Green Line transit station opening in Union Square.	2 years after Union Sq Green line opening	Plng.	
3	Phase 3 of the project shall be completed within five years of the opening of the MBTA Green Line transit station opening in Union Square.	5 years after Union Sq Green line opening	Plng.	
4	<u>If the Owner of the property cannot supply sufficient documentation to the Building Inspector to ensure that there is a sufficient setback to satisfy the Building Code, the proposed windows in the rear of the building can be glass block.</u>	<u>BP for windows</u>	<u>ISD/ Plng.</u>	
4	The Applicant/Owner shall not install the proposed signage on the east elevation.	Building Permit	Plng.	
5	The Applicant shall modify the proposed sign on the west elevation so that it does not overlap the vertical or top horizontal structural elements on the building and does not go below the height of the floor of the fourth story (i.e. the sign will be 2 stories).	Building Permit	Plng.	
6	The new entry canopy on the right side of the building shall be made of metal. Final details shall be submitted to Planning Staff for review and approval. Planning Staff will consult with the DRC to ensure that the design is consistent with the intent of the SP and respond with a determination within 30 days. If no determination has been made in 30 days, the Applicant may proceed with the submitted design.	Building Permit	Plng.	
7	The Applicant/Owner shall supply the final details of the sculptural element at the main entrance to the building to Planning Staff for review and approval. Planning Staff will consult with the DRC to ensure that the design is consistent with the intent of the SP and respond with a determination within 30 days. If no determination has been made in 30 days, the Applicant may proceed with the submitted design.	Building Permit for phase 1	Plng.	
8	The Applicant/Owner shall supply the final details and material samples of the perforated metal and means of attaching it to the façade to Planning Staff for review and approval. Planning Staff will consult with the DRC to ensure that the design is consistent with the intent of the SP and respond with a determination within 30 days. If no determination has been made in 30 days, the Applicant may proceed with the submitted design.	Building Permit for phase 1	Plng.	

9	The Applicant/Owner shall supply the final details and material samples of the façade material which is currently marked as stucco and window placement in phases 2 and 3 to Planning Staff for review and approval. Planning Staff will consult with the DRC to ensure that the design is consistent with the intent of the SP and respond with a determination within 30 days. If no determination has been made in 30 days, the Applicant may proceed with the submitted design.	Building Permit for phases 2 and 3	Plng.	
10	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	Final sign off	DPW	
11	The Applicant shall install 4 additional bicycle parking spaces for a total of 18 onsite.	Final sign off	Plng.	
12	The Applicant shall ensure that the vegetative material screens the transformer from the sidewalk.	Final sign off	Plng.	
13	The Applicant shall work with Planning Staff to improve the appearance of the loading docks on Windsor Place. This may include replacing asphalt with permeable pavers.	Final sign off	Plng.	
14	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
15	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Perpetual	ISD	
16	The Applicant shall make a best faith effort to reduce the number of loading docks along Windsor Place in the future as tenants change and/or the interior layout of the building is reconfigured. The Applicant may remove the additional loading docks without returning for a special permit if the material that replaces them matches the building façade. Plans shall be submitted for changes to the façade and landscaping to Planning Staff for approval.	Perpetual	Plng.	
17	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	

