



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 11, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-20496 APPLICANT/OWNER: CAROLINE'S COURT, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-20497), Special Use Permit (SUP-20498), and Special Use Permit (SUP-20499) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 04/18/07, and building elevations, date stamped 03/13/07 and 04/23/07, except as amended by conditions herein.
4. Any proposed building for which building elevations were not presented as a part of this review must be reviewed and approved by the Planning Department prior to the time application is made for a building permit for the subject building to ensure aesthetic compatible with the building elevations, date stamped 03/13/07 and 04/23/07, approved herein.
5. A Waiver from Town Center Development Standards is hereby approved, to allow a zero-foot wide perimeter landscape buffer along the required multi-use transportation trail at the north property line where eight feet is required and at the western property line where 15 feet is required.
6. A Waiver from Town Center Development Standards is hereby approved, to allow a six-foot wide landscape buffer at the interior property line that runs southerly along the eastern property line where eight feet is required.
7. A Waiver from Town Center Development Standards is hereby approved, to allow zero feet of additional landscape buffer at the Restaurant (with Drive-Through) use where ten additional feet are required and to allow a drive-through lane to wrap around three sides of the building where only two sides are permitted.

8. The proposed two-story office building as indicated on the site plan, date stamped 04/18/07, when designed may not exceed 29.5 feet in height or a variance for residential adjacency will need to be approved prior to the time application is made for a building permit for the subject building.
9. The retail and restaurant buildings that back towards the public right-of-way of either El Capitan Way or North Durango Drive (depicted as Proposed Retail A, C, D, G and Proposed Restaurant B on the site plan date stamped 04/18/07) shall maintain dual public frontage for all tenant spaces.
10. The 20-foot wide trail with sidewalks, lighting, screen and/or block wall, and landscaping along El Capitan Way and adjacent to the residential development of Pine Meadows on the north side shall be completed along with the initial construction of the project. Provide pedestrian walkway easements for all sidewalks not located within the public right-of-way.
11. 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.
12. 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.
13. 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).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
17. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.

18. 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.
19. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
20. 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.
21. Hours of operation for the Lowes and the most northern building shall be six a.m. to 10 p.m.
22. Property owner will maintain the southerly face of the existing block wall adjacent to the residential area.
23. Property owner agrees not to accept any deliveries between ten p.m. and six a.m. and will post a minimum of eight signs stating such.
24. The most northerly building adjacent to the existing residence will be limited to single story.
25. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

26. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
27. Construct all incomplete half-street improvements on El Capitan Way and Durango Drive adjacent to this site concurrent with development of this site.
28. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
29. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and meet the approval of the Nevada Department of Transportation.

30. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
31. Construct a public sewer stub to the southwest corner of this site at a size and location acceptable to the Collection Systems Planning Section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way 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.
32. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.
33. Landscape and maintain all unimproved rights-of-way, if any, on El Capitan Way and Durango Drive adjacent to this site.
34. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the El Capitan Way and Durango Drive public right of way adjacent to this site prior to the issuance of any permits.
35. A Traffic Impact Analysis 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 recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rightsofway required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of onsite development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rightsofway are not required and Traffic Control devices are or may be proposed at this site outside of the public rightofway, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

36. 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
37. Site development to comply with all applicable conditions of approval for Z-76-98, the Town Center Development Standards, and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 269,734 square foot commercial center on 23.62 acres located at the northwest corner of El Capitan Way and Durango Drive. The project site currently consists of three undeveloped parcels of land at the near the U.S. 95 Durango Drive Interchange.

The applicant is requesting a waiver of the Town Center Development Standards to allow a reduction of the perimeter landscape buffer requirements along the required multi-use transportation trail at the north and west property lines and along a portion of the south interior property line to allow a six-foot buffer width where eight feet is required. Further, the applicant requests that the additional landscape buffer at the Restaurant (with Drive-Through) use, also termed a Fast Food Restaurant, be waived where ten additional feet is required. Finally, the applicant requests a waiver of the Town Center Development Standards to allow a proposed Restaurant (with Drive-Through) use to have a drive-through lane that wraps around three sides of the structure where only two sides are allowed. This proposed development is in keeping with the objectives and goals of the SC-TC (Service Commercial Town Center) Special Land Use Designation and approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission and staff recommended approval.
05/10/07	The Planning Commission held this item in abeyance to allow the applicant time to hold a neighborhood meeting to discuss concerns raised at the public hearing.
06/14/07	The Planning Commission recommended approval of companion items SUP-20498, SUP-20499 and SDR-20496 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #32/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no active or pending building permits or business licenses for this site.	
<i>Pre-Application Meeting</i>	
02/28/07	A pre-application meeting was held and elements of this application were discussed. It was noted that signage would be done as a part of a master sign plan that would need to go through CHARC. Submittal requirements were discussed.

<i>Neighborhood Meeting</i>	
05/30/07	<p>A neighborhood meeting was held at Centennial Academy, 6610 Grand Montecito Parkway. Fifteen members of the public attended. There were a number of questions and concerns brought up by the attendees, including:</p> <ul style="list-style-type: none"> • Trail behind houses on north side of development site will result in people walking by houses; • Concern about the size of the trees to be planted along the trail alignment; <ul style="list-style-type: none"> ○ Applicant noted that there will be two types of trees planted in a staggered pattern in the landscape and amenity zones of the trail; • Concerns about traffic generated by the development; the El Capitan / Durango intersection is already one of the busiest in the northwest <ul style="list-style-type: none"> ○ Applicant noted that the traffic study has been completed and submitted to the city, and will probably require two right-turn lanes from El Capitan onto Durango as part of the mitigation strategy; • Will there be lighting along the trail? <ul style="list-style-type: none"> ○ Applicant noted that any trail lighting would be subject to and meet residential adjacency standard; • Height of the Lowe's building (49' to highest point, remainder of building at 30'); • Concerns about appearance of north elevation of the Lowe's building; • Concern about the hours of Lowe's and hours of the restaurants - residents don't want 24-hour restaurants; <ul style="list-style-type: none"> ○ Applicant noted that no tenants are identified for the restaurants, but that once one was that they would share the information with those at the meeting who provided an email address; • Will there be on-site security provided? • Will the developer enter into an agreement to eradicate graffiti along the trail route? <ul style="list-style-type: none"> ○ Applicant agreed to deal with graffiti along the trail route; • Will parking lot lights be on all night? • Will trail landscaping be irrigated? • Will drainage from the site impact homeowners to the north? • Residents want the off-site improvements installed (turn lanes onto Durango) prior to construction of any building on the site • What will be the delivery hours for Lowe's, and will the applicant agree to restrict the delivery hours? <ul style="list-style-type: none"> ○ Applicant stated that the would post delivery hours, but wouldn't agree to a restriction of hours; • What will the signage look like? • Will there be any liquor stores, taverns, pawn shops, payday loans? <p>The applicant will continue to work with NDOT and the City regarding all improvements within the right-of-ways.</p>

<i>Field Check</i>
No field check was conducted for this site.

Details of Application Request	
Site Area	
Gross Acres	23.62

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC-TC (Service Commercial Town Center)	TC (Town Center)
North	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
South	Undeveloped	SC-TC (Service Commercial Town Center)	TC (Town Center)
East	ROW (US 95)	ROW (US 95)	ROW (US 95)
West	Undeveloped	SC-TC (Service Commercial Town Center)	TC (Town Center)
	General Retail Store	SC-TC (Service Commercial Town Center)	TC (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		N *
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		N *
Trails	X		Y
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

* Various waivers have been requested to allow perimeter landscaping reductions and to allow the proposed Restaurant (with Drive-Through) use, also termed a Fast Food Restaurant, to have a drive-through lane that wraps around three sides of the building as a part of this review. If approved, the waivers would grant relief from the city's standard.

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	n/a	1,031,509 SF	Y
Min. Setbacks			
• Front	15 Feet	>15 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	20 Feet	>20 Feet	Y
Max. Lot Coverage	n/a	26%	Y
Max. Building Height	2 Stories	2 Stories	Y
Trash Enclosure	Enclosed	Enclosed	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08.060, the following residential adjacency standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	1-Foot of Setback for Each 3 Feet of Height	89 Feet (allows a height of 29.5 Feet)	Undetermined *
Adjacent development matching setback	10 Feet	89 Feet	Y
Trash Enclosure	50 Feet	50 Feet	Y

* The project proposes to site a two-story office building to the north of the designated Lowes location, but no elevations or designs have been yet been done or submitted for review; therefore, compliance with this standard can not be determined at this time. A condition has been added to this review that the proposed two-story office building, when designed, must not exceed 29.5 feet in height or a variance for residential adjacency will need to be approved prior to the application of building permits for the subject building.

Pursuant to Town Center Development Standards, the following landscape and open space standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	# of trees = (# of spaces/6) + (# of islands/2)	196 Trees	227 Trees	Y
Buffer: Min. Trees	1 Tree / 35 Linear Feet	107 Trees	125 Trees	Y
TOTAL		303 Trees	352 Trees	Y

Min. Zone Width	15 Feet along the ROW	15 Feet @ N. Durango Dr.	Y
		0 Feet @ El Capitan Way	N *
	Additional 10 Feet at the ROW adjacent to the Restaurant (with Drive-Through) use, also termed a Fast Food Restaurant	0 Feet @ El Capitan Way	N**
	8 Feet along the Interior Property Lines	6 Feet @ East/Southeast P/L	N *
		0 Feet @ North P/L	N *

* There is a multi-use transportation trail that runs along the west property line at the El Capitan Way right-of-way and along the interior property line to the north. There is a waiver request as a part of this review to allow zero additional landscaping between the developed site and the trail. The waiver also requests that a portion of the interior property line to the east running to the south be allowed to be six feet wide where eight feet is required. If approved, the waivers would grant relief from the city's standard.

** There is a waiver request as a part of this review to allow zero additional feet of landscape buffer where 10 additional feet are required adjacent to the proposed Restaurant (with Drive-Through) use, also termed a Fast Food Restaurant, at the perimeter of the site. If approved, the waiver would grant relief from the city's standard.

Pursuant to Town Center Development Standards, the following streetscape standards apply:

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Primary Arterial 100 (North Durango Drive)	Street trees in the Amenity Zones shall be 35 feet on-center, alternating pattern consisting of one shade tree and two palm trees with decomposed granite, Mojave Gold.	Street trees in the Amenity Zones shall be 35 feet on-center, alternating pattern consisting of one shade tree and two palm trees with decomposed granite, Mojave Gold.	Y
Multi-Use Transportation Trail (El Capitan Way)	20-Foot wide trail with 5-foot wide transition strip, 10-foot wide transportation trail path, and 5-foot wide landscape buffer.	20-Foot wide trail with 5-foot wide transition strip, 10-foot wide transportation trail path, and 5-foot wide landscape buffer.	Y

Pursuant to Town Center Development Standards; Title 19.04; and Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center (25,000 SF 350,000 SF GFA)	269,734 SF	1 Space / 250 SF GFA	1058 Spaces	21 Spaces	1,109 Spaces	28 Spaces	Y
TOTAL (including handicap)			1,079 Spaces		1,137 Spaces		Y
Loading Spaces	269,734 SF	3 + 1 for ea 100,000 SF over 50,000 SF	6 Spaces		7 Spaces (Plus trailer delivery areas at major retail spaces)		Y

* Under Title 19.04, a shopping center use is defined as Any structure or group of structures that: (1) House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses; (2) Have a minimum combined gross floor area of 25,000 square feet and a maximum combined gross floor area of 350,000 square feet; (3) Are located upon a single parcel of land or upon contiguous parcels of land; and (4) Have common vehicular access and parking facilities. This development is deemed a shopping center use and parking is calculated for the overall development not each individual use.

Waivers		
Request	Requirement	Staff Recommendation
To allow a 0-Foot wide landscape buffer at the multi-use trail	8 Feet at the North P L	Approval
	15 Feet at the ROW	Approval
To allow a 6-Foot wide landscape buffer at the interior P L that runs east to the south	8 Feet at the Interior P L	Approval

To allow 0 feet of additional landscape buffer adjacent to the proposed Restaurant (with Drive-Through) use at the perimeter of the site	10 Feet additional at the ROW	Approval
To allow a drive-through aisle to wrap around three sides of the proposed Restaurant (with Drive-Through) use	Drive-through aisle only 2 sides of the building max.	Approval

ANALYSIS

The subject property has a general plan designation of TC (Town Center). This is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; high-density residential uses; planned business, office and industrial parks; and recreational uses. The zoning of T-C (Town Center) with a SC-TC (Service Commercial-Town Center) special land use designation complies with this designation. Projects located within the Town Center area are subject to the Town Center Development Standards as well as Title 19. The development is permitted within the T-C (Town Center) zone but restricted by the Town Center Development Standards Manual as to specific land uses.

The proposed Restaurant (with Drive-Through) uses, Building and Landscape Material/Lumber Yard use with the accompanying Outdoor Storage, Accessory use are allowed within the SC-TC (Service Commercial-Town Center) special land use designation under the T-C (Town Center) zoning district with approval of a Special Use Permit. The proposed uses are appropriate for the area and will be an integral part of the proposed 269,734 square foot commercial shopping center. These uses are typical within the commercial areas of Town Center.

The site encompasses three parcels that will be combined into a commercial subdivision subsequent to the appropriate approvals, including this site development plan review.

- **Site Plan**

The site is located on the north side of North Durango Drive approximately 288 feet west of U.S. 95 interchange. This site consists of three undeveloped parcels of land in the city's Centennial Hills Town Center plan area.

The site plan is in general compliance with the standards of the SC-TC (Service Commercial - Town Center) district as contained within the Town Center Development Standards Manual. There are four waiver requests that staff is supporting. The first is to allow zero feet of perimeter landscape buffer along the interior portions of the required

trail at the north and west property lines. Additionally, there is a waiver request to allow a six-foot wide buffer where eight feet is required along a portion of the property line at the east that runs towards the south. Further, the applicant is requesting that the additional landscape buffer required at the drive-through lane adjacent to the perimeter be waived. Finally, there is a request to waive the requirement that a restaurant (with drive-through) use have a drive-through lane that wraps around no more than two sides; the proposed drive-through lane wraps around three sides.

The site plan illustrates seven buildings that are proposed for retail and restaurant tenants. The buildings are massed towards the southwestern corner of the site with a pedestrian plaza and clock tower at the corner of El Capitan Way and North Durango Drive. There is a proposed Lowes store as this developments anchor store that will be sited so it backs towards the highway. There is a proposed office building that will be setback approximately 89 feet and a retail building that will be setback from the residential subdivision towards the north. Finally, the site plan proposes to site a restaurant (with drive-through) uses near the sites principle entrance off of El Capitan Way.

- **Landscape Plan**

The open space provided at 22 percent for this project exceeds the requirements of the Town Center Development Standards and Title 19. The landscaping is generally in conformance with the Town Center Development Standards. As mentioned above there are two waiver requests regarding the landscape perimeter buffer standards that have been requested, staff is in support of those requests.

The landscape plan depicts the various landscape buffers around the perimeter of this site as well as the multi-use transportation trail at the north and west property lines. The streetscape and landscaping treatments required along the Town Center designated Primary Arterial (North Durango Drive) and Town Center Arterial (El Capitan Way) have been incorporated into the plan.

The streetscape amenity zones, perimeter landscape buffers, trail, and parking area islands are depicted as having the multiple tree species of the appropriate sizes to meet the Town Center Development Standards, Transportation Trails Element, and Title 19 requirements. The parking area landscaping has been provided in both islands at the ends of the parking rows and in alternating landscape blocks within the parking rows.

- **Elevations/Floor Plan**

The materials and design of the building exteriors will match through out the proposed commercial shopping center. The buildings have varying heights up to two-stories (35-feet) that use parapets and architectural articulation to vary the appearance of the building facades. The identified Lowes building is utilizing the colors and accents proposed for the rest of the commercial shopping center to incorporate a cohesive appearance through out the center. The proposed office building and restaurant (with drive-through) use do

not, at present, have elevations but a condition has been added that all development must be reviewed and approved as aesthetically compatible with the building elevations approved as a part of this review prior to the issuance of a building permit for that building.

The proposed two-story office building to the north of the designated Lowes location, has no building elevations or designs submitted for review; therefore, compliance with residential adjacency standards can not be determined at this time. A condition has been added to this review that the proposed two-story office building, when designed, must not exceed 29.5 feet in height or a variance for residential adjacency will need to be approved prior to the application of building permits for the subject building.

The floor plans show that there will be the potential for a variety of tenant space sizes that will be built out at the time those spaces are leased. The development at this time is producing shell buildings that will allow the tenants the freedom of doing tenant improvements tailored to their business. A condition has been added that the retail and restaurant buildings that back towards the public right-of-way of either El Capitan Way or North Durango Drive (depicted as Proposed Retail A, C, D, G and Proposed Restaurant B on the site plan date stamped 04/18/07) shall maintain dual public frontage for all tenant spaces. This condition will assure that the traditional back of the building maintains a storefront appearance thus not looking like the rear or service entrance to these spaces, which is not appropriate for this location.

- **Trail**

The Transportation Trails Element of the Master Plan calls for a Multi-Use Transportation Trail to run along the western and northern property lines of this project to connect other existing and future portions of the city's trails network. The plans as submitted depict a pedestrian oriented trail along the northern property line where the required transition strip transitions into the parking lot of the proposed commercial shopping center. The entire trail along the northern property line is within the subject site. The trail alignment that runs along the western property line abuts the El Capitan Way right-of-way and maintains the five-foot landscape buffer and the 10-foot sidewalk on the subject site with the five-foot transition strip being a part of the right-of-way. The proposed trail meets the requirements of the Master Plan.

The site development plan review has been submitted in conjunction with a proposed Special Use Permit (SUP-20497) to allow a Building and Landscape Material/Lumber Yard use; Special Use Permit (SUP-20498) to allow an Outdoor Storage, Accessory use; and Special Use Permit (SUP-20499) to allow a Restaurant (with Drive-Through) use.

The proposed commercial shopping center is appropriate for this area per the Town Center Development Standards including the uses that are proposed under the various special use permits. Due to the compatibility of this development with the surrounding present and future

land use designations, staff is recommending approval of this site development plan review request and the waiver requests.

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 will be consistent with the existing and proposed development around the site.

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

The proposed site plan conforms to both the General Plan and the Town Center land use designations for the site. The proposed site plan conforms to other city policies and standards.

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

Staff finds access to the development is via El Capitan Way, (an 80-foot Town Center Arterial). The development should not have an adverse effect on the capacity of the street

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

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

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

The building elevations, design characteristics and other architectural and aesthetic features are attractive and compatible with development in the area.

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

The project will be subject to permit review and inspections; therefore, appropriate measures will be taken to protect public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 401 by Planning Department

APPROVALS 0

PROTESTS 2