



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-29440 - APPLICANT/OWNER: ECT HOLDINGS, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 19, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/bg/gt vote) recommends APPROVAL, subject to:

Planning and Development

1. Security lighting and fencing for the historic Huntridge Theatre structure, a plan for said shall be submitted to the Department of Planning and Development for approval and implemented within 60 days of final approval by the City Council and continuously maintained.
2. A plan for a trash facility, either an exterior trash enclosure pursuant to Title 19 or an interior trash room built into the pad at the corner of Charleston and Maryland, shall be submitted to the Department of Planning and Development for approval prior to issuance of any permits on the subject site.
3. Approval of and conformance to the Conditions of Approval for Variance (VAR-29443) and Variance (VAR-29494) shall be required, if approved.
4. 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.
5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/12/08, except as amended by conditions herein.
6. A Waiver from Title 19.12 Landscape and Buffer Standards to allow a 10-foot buffer along the north property line where 15 feet is required, to allow a five-foot buffer along the west property line where 15 feet is required and to allow a three-foot buffer along the east property line where eight feet is required, is hereby approved.
7. A Waiver from Title 19.08 Development Standards to allow the building to be oriented away from the corner lot where buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines is required, is hereby approved.

8. An Exception from Title 19.10 Parking, Loading and Traffic Standards, to allow less than one tree to be planted every six uncovered parking spaces and to allow less than one tree for each landscape island is required, is hereby approved.
9. 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.
10. 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.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. 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.
16. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. Dedicate additional right-of-way necessary for Uniform Standard Drawing 234.3 bus stop placement within an exclusive right turn lane for the driveway accessing Charleston Boulevard as shown, prior to the issuance of any permits. Construct bus turnout concurrent with development of this site.
19. Dedicate appropriate right-of-way for a total radius of 51 feet on the southeast corner of Charleston Boulevard and Maryland Parkway prior to the issuance of any permits.
20. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the ITS Communications Infrastructure Phase 1B project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
21. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
22. 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.
23. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. Landscape and maintain all unimproved rightofway, if any, adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
25. 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 public rightofway adjacent to this site.

26. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to remodel and add square-footage to the existing Huntridge Theatre. Two additional retail/restaurant pad buildings are also proposed. The site is located at the southeast corner of Charleston Boulevard and Maryland Parkway. The submitted site plan delineates the three buildings as; Building A, Building B and Building C. Building A is the Huntridge, Building B is the retail/restaurant building with a drive-thru and Building C is a retail building. The existing Huntridge Theatre consists of 25,100 square feet. The applicant is proposing to remodel the existing building and add a second floor office component. The revised Huntridge building will consist of both retail and office space, with a total proposed square-footage of 33,120 square feet. Two additional pad buildings are also being proposed to the subject site. The first of the two new pad buildings is proposed at 3,050 square feet. This building is divided into two uses, which are retail at 1,400 square feet and a restaurant drive-thru at 1,650 square feet. The second of the two pad buildings, is proposed at 3,250 square feet. This building is designated for retail uses. The total combined square-footage of all buildings on the subject site is proposed at 39,420 square feet. There is an existing Wireless Communication Facility, Non-Stealth Design with arrays, which is located on the southern portion of the subject site. The cellular facility was permitted in 1997 and is proposed to remain on the subject site. An Off-Premise Advertising (Billboard) Sign is also located on the northeast corner of the subject site. A condition of approval has been added, which requires the removal of the billboard.

The applicant has also requested two Variances. The first Variance (VAR-29443) is to allow 136 parking spaces where 158 are required, and to allow one loading space where two are required; and the second Variance (VAR-29494) to allow a 15-foot front building setback where 20 feet is required and to allow a zero-foot corner side setback where 15 feet is required. The Variance is required, as the setbacks for Building A and C do not comply with Title 19 requirements. The front setback is measured to Building C and the corner side setback is measured to Building A. The applicant is also requesting a Waiver from Title 19.12 Landscape and Buffer Requirements to allow a 10-foot buffer along the north property line where 15 feet is required, to allow a five-foot buffer along the west property line where 15 feet is required, and to allow a three-foot buffer along the east property line where eight feet is required. An Exception is also requested from Title 19.10 Parking, Loading and Traffic Standards, to allow less than one tree to be planted for every six uncovered parking spaces and to allow less than one tree for each landscape island. The proposed development does not conform to Title 19 requirements, as is evidenced by the number of associated Variances and Waivers. Therefore, staff is recommending denial of the subject application and the related cases.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/24/97	The Board of Zoning Adjustment approved a Special Use Permit (U-0001-97) to allow a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1208 E. Charleston Boulevard.
05/07/03	The City Council approved a Site Development Plan Review (SDR-1877) and a Waiver of the perimeter and parking lot landscape finger island requirements for an Entertainment Venue including a Restaurant and Tavern; a Special Use Permit (SUP-1875) for a Tavern and a Waiver of the minimum distance requirement from a Tavern and protected uses; and a Variance (VAR-1879) to allow 172 parking spaces where 187 parking spaces are required at 1208 East Charleston Boulevard. The Planning Commission and staff recommended approval on 04/10/03.
06/15/05	The City Council approved an Extension of Time (EOT-6677) for an approved Site Development Plan Review (SDR-1877) which allowed an Entertainment Venue including a Restaurant and Tavern; an Extension of Time (EOT-6678) for an approved Special Use Permit (SUP-1875) which allowed a Tavern; and an Extension of Time (EOT-6679) for an approved Variance (VAR-1879) which allowed 172 parking spaces where 187 parking spaces are required at 1208 East Charleston Boulevard.
11/01/06	The City Council approved a Required Five Year Review (RQR-15054) of an approved Variance (V-0068-90) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign 290 feet from an existing billboard where 300 feet is the minimum separation distance required at 1200 East Charleston Boulevard. The Planning Commission recommended approval on 08/24/06.
04/12/07	An Administrative Site Development Plan Review (SDR-19934) was approved to allow a co-location of antennas on an existing 45-foot wireless communication facility, non-stealth at 1208 E. Charleston Boulevard.
11/19/07	A Citation (#60000) was issued by Code Enforcement for trash and dumped items on the rear of the site at 1208 E. Charleston Boulevard. The issue was resolved on 11/29/07.
03/11/08	A Citation (#63186) was issued by Code Enforcement for temporary window signage at 1208 E. Charleston Boulevard. The issue was resolved on 03/18/08.
04/04/08	A Citation (#64160) was issued by Code Enforcement for graffiti at 1208 E. Charleston Boulevard. The issue was resolved on 04/15/08.
10/23/08	The Planning Commission recommended approval of companion items VAR-29443 and VAR-29494 concurrently with this application. The Planning Commission voted 5-2/bg/gt to recommend APPROVAL (PC Agenda Item #19/bts).

<i>Related Building Permits/Business Licenses</i>	
08/07/90	A Building Permit (#M-3364-90) was issued for an Off-Premise Advertising (Billboard) Sign at 1200 E. Charleston Boulevard. The permit expired on 02/07/91.
03/11/92	A Building Permit (#M-1245-92) was issued for a certificate of occupancy at 1208 E. Charleston Boulevard. The permit was finalized on 03/12/92.
08/20/96	A Building Permit (#C-0180-95) was issued for a tenant improvement at 1208 E. Charleston Boulevard. The permit was finalized on 05/20/97.
02/24/97	A Building Permit (#L-1106-97) was issued for a shelter and monopole at 1208 E. Charleston Boulevard. The permit was finalized on 03/17/97.
03/08/01	A Building Permit (#L-5335-00) was issued for a tenant improvement at 1208 E. Charleston Boulevard. The permit was finalized on 11/21/01.
08/14/02	A Business License (#D14-00027) was issued for a dance hall at 1208 E. Charleston Boulevard. The license was marked out on 12/14/07.
09/24/02	A Business License (#M18-02484) was issued for management or consulting at 1208 E. Charleston Boulevard. The license was marked out on 08/07/06.
09/25/02	A Business License (#B23-00009) was issued for a banquet facility at 1208 E. Charleston Boulevard. The license was marked out on 07/07/06.
01/02/03	A Business License (#L18-00021) was issued for a liquor caterer at 1208 E. Charleston Boulevard. The license was marked out on 12/01/05.
03/18/03	A Business License (#D14-00032) was issued for a dance hall at 1208 E. Charleston Boulevard. The license was marked out on 12/14/07.
05/01/03	A Business License (#T26-00053) was issued for a temporary event operator at 1208 E. Charleston Boulevard. The license was marked out on 04/18/07.
<i>Pre-Application Meeting</i>	
07/02/08	A pre-application meeting was held on the indicated date. The applicant indicated the proposed remodel and additions to the Huntridge site. The applicant was advised on the requirements for the subject Site Development Plan Review and related Variances needed for the proposal.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
08/21/08	The field check indicated the existing vacant Huntridge Theatre building. The field check also indicated the placement of the two proposed buildings along Charleston Boulevard and the proposed second floor addition on the existing Huntridge building. It should also be noted, that a cellular facility and an existing Off-Premise Advertising (Billboard) Sign are both located on the subject site. A condition of approval has been added, which requires the removal of the Off-Premise Advertising (Billboard) Sign prior to issuance of building permits.

Details of Application Request	
Site Area	
Net Acres	2.62

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Huntridge Theatre	C (Commercial)	C-2 (General Commercial)
North	General Retail and Restaurant with Drive-Through	C (Commercial)	C-2 (General Commercial)
South	Single-Family Residential and Office	SC (Service Commercial) and L (Low Density Residential)	C-D (Designed Commercial) and R-1 (Single Family Residential)
East	General Retail	C (Commercial)	C-2 (General Commercial)
West	General Retail and Restaurant with Drive-Through	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
H (Historic Designation)	X		Y*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Redevelopment Plan Area The subject site is located within the boundaries of the Las Vegas Redevelopment District. The proposed uses are in conformance with Redevelopment Plan goals and policies that encourage innovative, mixed use projects in this area of the City.

* **Huntridge Theatre** - The Huntridge Theater is not listed on the City of Las Vegas Historic Property Register; therefore, this project has not been reviewed by the City of Las Vegas Historic Preservation Commission. The project has been reviewed and approved by the State Historic Preservation Office. The Huntridge Theatre is listed on the state and National Register of Historic Places for its significant contribution to Las Vegas recreation and entertainment, and for its Streamline Moderne style of architecture. The theatre opened in 1944 as part of the Huntridge Neighborhood housing development, built in 1942. Designed by renowned theater architect S. Charles Lee, the Moderne style building was the premiere theater of the time. The building is one of the best and last remaining examples of Streamline Moderne in the City of Las Vegas.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	114,128 SF	N/A
Min. Lot Width	100 feet	300 feet	Y
Min. Setbacks • Front (north property line Building C) • Side (east property line Building C) • Corner (west property line Building A) • Rear (south property line Building A)	20 feet 10 feet 15 feet 20 feet	15 feet 51 feet 0 feet 49.5 feet	N* Y N* Y
Max. Lot Coverage	50%	35%	Y
Max. Building Height	N/A	75 feet	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

* The applicant has failed to meet the minimum development standards for setbacks. An associated Variance (VAR-29494) has been submitted, which addresses these deviations from Title 19.06.010 requirements. The submitted site plan delineates the three buildings as; Building A, Building B, and Building C. Building A is the Huntridge, Building B is the retail/restaurant building and Building C is the retail building. The Variance is required, as the setbacks for Building A and C do not comply with Title 19 requirements. The front setback is measured to Building C, which is 15 feet, where 20 feet is the minimum required. The corner side setback is measured to Building A, which is zero feet, where 15 feet is the minimum required.

Review the following from Title 19.08.060

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	99 feet	122 feet	Y*
Adjacent development matching setback	15 feet	49.5 feet	Y
Trash Enclosure	50 feet	122 feet	Y

* The maximum height of the existing Huntridge building will remain unchanged at 75 feet. This measurement is taken from the highest point of the building, which is the pylon sign that is incorporated into the building. 53.6 feet is the maximum height of the building that could include usable space. The applicant is proposing to increase the height of a portion of existing building at 28 feet. The proposed height is 33 feet, which is an increase of five feet. The proposed increase in height to the existing building does not have an impact on the single-family residences to the south, pursuant to Title 19.08.060. The existing overall building height is deemed as legal non-conforming pursuant to Title 19.16.040.

Pursuant to Title 19.12 the following development standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	23 Trees	22 Trees	N*
Buffer:				
Min. Trees				
Front: north property line	1 Tree/30 Linear Feet	10 Trees	8 Trees	N*
Rear: south property line	1 Tree/20 Linear Feet	15 Trees	11 Trees	N*
Corner: west property line	1 Tree/30 Linear Feet	13 Trees	7 Tees	N*
Side: east property line	1 Tree/30 Linear Feet	13 Trees	13 Trees	Y
TOTAL		74 Trees	61 Trees	N*
Min. Zone Width				
Front: north property line	15 Feet		10 Feet	N*
Rear: south property line	0 Feet		3 Feet	Y*
Corner: west property line	15 Feet		5 Feet	N*
Side: east property line	8 Feet		3 Feet	N*

* The applicant fails to meet Title 19.12 development standards for Landscaping and Open Space standards. A Waiver of these standards has been requested by the applicant. Additional landscaping is being added to the subject site, which was originally approved as the Huntridge Theatre.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	39,420 square feet	1 space per 250 square feet of gross floor area	158	6	136	5	N*
TOTAL			164		141		N*
Loading Spaces			2		1		N*

* The percent deviation for the required number of parking spaces is 14%. The percent deviation for the required number of loading zones is 50%. The required number of loading zones is based upon the retail/restaurant square-footage. Pursuant to Title 19.10 the applicant has failed to provide an adequate number of parking spaces for the proposed development. An associated Variance (VAR-29443) will be heard concurrently with the subject Site Development Plan Review.

Waivers		
Request	Requirement	Staff Recommendation
North property line: 10-foot landscape buffer West property line: 5-foot landscape buffer East property line: 3-foot landscape buffer	North property line: 15-foot landscape buffer West property line: 15-foot landscape buffer East property line: 8-foot landscape buffer	Denial
To allow the building to be oriented away from the corner lot.	Buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines.	Denial
Exception		
Request	Requirement	Staff Recommendation
To allow less than one parking finger for every six spaces	One parking finger every six spaces	Denial

ANALYSIS

The applicant is proposing two new pad buildings and adding 14,320 square feet of retail, restaurant and office space to an existing site. The site is located at the southeast corner of Charleston Boulevard and Maryland Parkway. The overall site plan depicts a total of three buildings. The Huntridge building is proposed at 33,120 square feet. Two retail pad buildings are proposed along Charleston Boulevard. One retail/restaurant building with a drive-thru is proposed near the southeast corner of Charleston Boulevard and Maryland Parkway at 3,050 square feet, while the other retail building is proposed at 3,250 square feet. There is an existing Wireless Communication Facility, Non-Stealth Design with arrays, which is located on the southern portion of the subject site. The cellular facility was permitted in 1997 and is proposed to remain on the subject site. An Off-Premise Advertising (Billboard) Sign is also located on the northeast corner of the subject site. A condition of approval has been added, which requires the removal of the billboard. Two associated Variances will be heard concurrently with the subject Site Development Plan Review. A Variance (VAR-29443) to allow 136 parking spaces where 158 are required; and Variance (VAR-29494) to allow a 15-foot front setback where 20 feet is required and to allow a zero-foot corner side setback where 15 feet is required.

- **Site Plan**

The site plan indicates a proposed remodel and addition to the existing Huntridge Building. Also, two additional pad buildings are proposed to be added to the subject site. The total square-footage of all three buildings is proposed at 39,420 square feet. The two proposed buildings and the addition to the existing Huntridge have necessitated the need for Variance (VAR-29443) and Variance (VAR-29494). The associated Variances are for parking and setbacks. The applicant is also seeking Waivers for landscaping. The proposed buildings are accessed from Charleston Boulevard, Maryland Parkway and an alley way. Both thoroughfares are defined as 100-foot Primary Arterials by the Master Plan of Streets and Highways.

- **Waivers and Exception**

The applicant is requesting two Waivers and an Exception as a part of the subject Site Development Plan Review. The Waivers and Exception cannot be supported by staff as they are self-imposed and can be better mitigated through better site design and adherence to Title 19 requirements.

- Waivers of Perimeter Landscape and Buffer Requirements to a 10-foot buffer along the north property line where 15 feet is required, to allow a five-foot buffer along the west property line where 15 feet is required and to allow a three-foot buffer along the east property line where eight feet is required.
- Waiver from Title 19.08 Development Standards to allow the building to be oriented away from the corner lot where buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines is required.
- Exception from Title 19.10 Parking, Loading and Traffic Standards, to allow less than one tree to be planted every six uncovered parking spaces and to allow less than one tree for each landscape island is required.

- **Landscape Plan**

The applicant is providing a 10-foot buffer along the north property line where 15 feet is required, a five-foot buffer along the west property line where 15 feet is required, and a three-foot buffer along the east property line where eight feet is required. There are no existing trees or shrubs, which will be utilized for the proposed site renovations and additions. The proposed site will contain new trees and shrubs. The applicant is providing 24-inch box trees which include; Museum Mesquite, Chitalpa, Honey Locust, Washingtonia Palm and Shoestring Acacia. A variety of ground cover is also being proposed. Overall, the site is lacking with respect to the number of required trees and landscape buffer width. The lack of landscaping has necessitated the need for the requested Waivers and Exception.

- **Elevation/Floor Plans**

The floor plans indicate a total of two floors for the Huntridge Building. The building is a combination of retail on the first floor and office space on the second floor. The two new proposed pad buildings located along Charleston are both single-story and consist of retail and restaurant space. Pedestrian and vehicular access are both, provided from Charleston Boulevard and Maryland Parkway.

The proposed building elevations maintain the integrity of the original architecture of the Huntridge Theatre, which is seen in all three buildings. The overall height of the Huntridge Theatre has remained unchanged at 75 feet, as measured to the top of the existing Huntridge sign. The applicant is proposing to add an additional five feet to the existing building, which will be utilized as office space. The height of proposed office space will increase to 33 feet. The two proposed pad buildings are proposed at a height of 32 and 35 feet. The proposed building materials consist of decorative metal panels, earth toned stucco, and aluminum storefront windows with insulated tinted glazing. Similar design characteristics are shared between the existing and proposed buildings such as; the pylon sign which is mimicked on a smaller scale on the two proposed buildings. Similar characteristics are also evidenced in the overall building design, color and materials used.

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 variety of proposed retail, restaurant and office uses are compatible with the surrounding area, but the proposed development is not compatible. The proposed development is overbuilt, which is evidenced by the number of associated Variances and Waivers that accompany the subject case.

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

The proposed development is inconsistent with Title 19.08 and 19.10. The associated Variance (VAR-29443) for parking and Variance (VAR-29494) for setbacks demonstrate this inconsistency. This is also seen by the number of Waivers of 19.12 Landscape and Buffer Standards requested as a part of this Site Development Plan Review.

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

Adequate site access is provided from Charleston Boulevard and Maryland Parkway. Both roadways are (100-foot) Primary Arterials as defined by the Master Plan of Streets and Highways. Access is also provided by an alley, which is adjacent to the southern portion of the existing site.

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

Building materials are appropriate, however; the landscape materials are not appropriate. This is evidenced by the number of Waivers of 19.10 Landscape and Buffer Standards. The applicant has provided a minimal amount of perimeter landscaping, with regard to buffer width and the overall tree quantity on the subject site.

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

The proposed rehabilitation of the Huntridge respects the historic architecture of the original building. The proposed designs for the new buildings are compatible with the historic architecture of the original Huntridge Theatre. The design elements reflect a Streamlined Moderne or mid-century modern aesthetic and are appropriate for this site and the surrounding mid-century neighborhood.

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to City inspections during construction of the addition as well routine business license inspections for any commercial activities.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 1 and 2 as shown. Staff had originally proposed removal of the off-site advertising (billboard) sign. The Planning Commission voted to remove the condition.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 317 by City Clerk

APPROVALS 2

PROTESTS 4