

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: NOVEMBER 6, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - MSP-29350 -
APPLICANT/OWNER: CENTENNIAL DURANGO PARTNERS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 10/16/08, except as amended by conditions herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. Any future amendments to the approved signage within the Master Sign Plan, which are in conformance with the Town Center Development Standards Manual may be reviewed and approved administratively by the Planning and Development Department.
4. Any future signage proposed that is not covered by previous approved actions will be subject to the Town Center Development Standards via the permitting process and no additional amendments will be permitted to the Master Sign Plan.
5. Landscape material (i.e. trees and shrubs) removed to accommodate the monument sign is to be relocated within the same general area it was removed from to remain in compliance with Site Development Plan Review (SDR-9825).

Public Works

6. The proposed sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for the approval of a Major Amendment to an approved Master Sign Plan (ARC-26110). The applicant is requesting the approval of a 12-foot tall multi-tenant monument sign for the Shops at Town Center at 6403 North Durango Drive. The proposed monument sign would be located within the landscape buffer adjacent to Durango Drive at the northeast corner of the property. The applicant is also requesting Waivers from the Town Center Development Standards to allow for a 12-foot tall monument sign where eight feet is the maximum height allowed and to allow a zero-foot sign setback where five feet is the minimum setback required.

Due to the excessive size of the proposed monument sign and the Waivers necessary to accommodate a sign of this magnitude within Town Center, staff is recommending denial of this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/01/00	The City Council approved a request for a Site Development Plan Review [Z-0076-98(18)] for a proposed 8,144 square-foot Commercial Development (Convenience Store and Restaurant with Drive-Through); a Special Use Permit (U-0114-00) for Gasoline Sales in conjunction with a proposed Convenience Store; a Special Use Permit (U-0115-00) for the sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store; a Special Use Permit (U-0116-00) for a proposed Restaurant with Drive-Through; and a Special Use Permit (U-0161-00) to allow Gaming (Restricted) in conjunction with a proposed Convenience Store on 2.36 acres located at the northwest corner of the intersection of El Capitan Way and Centennial Parkway. The Planning Commission recommended approval.
04/12/01	The Planning Commission approved (final action) a request for a Tentative Map (TM-0011-01) for a One-Lot Commercial Subdivision on 1.98 acres on the northwest corner of Centennial parkway and El Capitan Way.
10/04/01	The Planning and Development Department Administratively approved a request for a Final Map Technical Review (FM-0051-01) at the northwest corner of El Capitan Way and Centennial Parkway. The Final Map was never recorded.
05/24/02	The Planning and Development Department Administratively approved a request for a Site Development Plan Review (SD-0023-02) for a Temporary Modular Trailer (Temporary Sales Office) on 1.93 acres located adjacent to the northwest corner of El Capitan Way and Centennial Parkway.

MSP-29350 - Staff Report Page Two
November 6, 2008 - Planning Commission Meeting

12/18/02	The City Council approved a request for an Extension of Time (EOT-1028) of an approved Site Development Plan Review [Z-0076-98(18)] which allowed an 8,144 square-foot Commercial Development; an Extension of Time (EOT-1036) of an approved Special Use Permit (U-0116-00) which allowed a Restaurant with Drive-Through; an Extension of Time (EOT-1037) of an approved Special Use Permit (U-0161-00) which allowed Restricted Gaming in conjunction with a Convenience Store; an Extension of Time (EOT-1038) of an approved Special Use Permit (U-0115-00) which allowed the sale of Packaged Liquor for Off-Premise Consumption in conjunction with a Convenience Store; and an Extension of Time (EOT-1039) of an approved Special Use Permit (U-0114-00) which allowed Fuel Pumps in conjunction with a Convenience Store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and El Capitan Way.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5436) of an approved Site Development Plan Review [Z-0076-98(18)] which allowed an 8,144 square-foot Commercial Development; an Extension of Time (EOT-5437) of an approved Special Use Permit (U-0116-00) which allowed a Restaurant with Drive-Through; an Extension of Time (EOT-5438) of an approved Special Use Permit (U-0161-00) which allowed Restricted Gaming in conjunction with a proposed Convenience Store; an Extension of Time (EOT-5439) of an approved Special Use Permit (U-0015-00) which allowed the sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store; and an Extension of Time (EOT-5440) of an approved Special Use Permit (U-0014-00) which allowed Fuel Pumps in conjunction with a proposed Convenience Store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
12/01/05	The Planning Commission approved (final action) a request for a Site Development Plan Review (SDR-9825) for a proposed 18,000 square-foot Retail Development and Waivers of the Town Center Development Standards for building placement and the parking lot and perimeter landscaping requirements on 1.92 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
02/14/05	Code Enforcement received a complaint of illegal signage (#25983) at the northwest corner of El Capitan Way and Centennial Parkway. The case was resolved on 04/19/05.
06/07/06	The City Council approved a petition to Vacate a U.S. Government Patent Easement (VAC-12542) generally located at the northwest corner of Durango Drive and Centennial Parkway. The Planning Commission recommended approval.
07/18/07	The City Council denied an appeal for a Special Use Permit (SUP-20608) for an Auto Title Loan Establishment and Financial Institution-Specified and a Waiver of the minimum square-footage requirement at 6441 North Durango Drive, Suite #120. The Planning Commission denied this application (final action).

MSP-29350 - Staff Report Page Three
November 6, 2008 - Planning Commission Meeting

11/21/07	The City Council approved a request for a Special Use Permit (SUP-23086) for a proposed 313 square-foot Massage Establishment within a 4,062 square-foot Day Spa with a Waiver to allow a distance separation of 350 feet from a residentially zoned property where 400 feet is required at 6461 North Durango Drive, Suite #110 through Suite #140. The Planning Commission recommended approval.
11/21/07	The City Council approved a request for a Variance (VAR-24502) to allow 102 parking spaces where 128 is the minimum required on 1.97 acres at the northwest corner of Centennial Parkway and Durango Drive. The Planning Commission recommended approval.
01/02/08	The Architectural Review Committee (CHARC-TC) approved a request for a Master Sign Plan (ARC-26110) and a Waiver of Town Center Development Standards Manual to allow Wall Signage on south elevation on building B to face residentially zoned property outside of Town Center boundary where no signage is allowed at 6401, 6441, and 6461 North Durango Drive.
09/25/08	The Planning Commission approved a request by the applicant to have a request for a Master Sign Plan (MSP-29350) for a Major Amendment to Master Sign Plan (ARC-26110) for a 12-foot Monument Sign and Waivers from the Town Center Development standards to allow a 12-foot Monument Sign where eight feet is the maximum height allowed, and to allow a two-foot sign setback where five feet is the minimum setback required on 2.03 acres at 6403 North Durango Drive to be held in abeyance until the 10/09/08 Planning Commission meeting.
10/09/08	The Planning Commission held in abeyance a request for a Major Amendment to Master Sign Plan (ARC-26110) for a 12-foot monument sign and Waivers from the Town Center Development Standards to allow a 12-foot monument sign where eight feet is the maximum height allowed, and to allow a two-foot sign setback where five feet is the minimum setback required on 2.03 acres at 6403 North Durango Drive. The abeyance was granted to allow the applicant to explore the feasibility of locating the proposed monument sign an additional 20 feet to the north of the current proposed location.
10/23/08	The Planning Commission held in abeyance a request for a Major Amendment to Master Sign Plan (ARC-26110) for a 12-foot monument sign and Waivers from the Town Center Development Standards to allow a 12-foot monument sign where eight feet is the maximum height allowed, and to allow a zero-foot sign setback where five feet is the minimum setback required on 2.03 acres at 6403 North Durango Drive. The abeyance was granted to allow the applicant to redesign the proposed location and include a request for a zero-foot setback.
<i>Related Building Permits/Business Licenses</i>	
12/29/06	A building permit (#6007540) was issued for onsite improvements at 6401 North Durango Drive. The permit was finalized on 12/21/07.

MSP-29350 - Staff Report Page Four
November 6, 2008 - Planning Commission Meeting

12/29/06	A building permit (#6007543) was issued for retail shell building A at 6441 North Durango Drive. The permit was finalized on 12/05/07.
12/29/06	A building permit (#6007539) was issued for retail shell building B at 6401 North Durango Drive. The permit was finalized on 12/05/07.
12/29/06	A building permit (#6007542) was issued for retail shell building C at 6461 North Durango Drive. The permit was finalized on 12/14/07.
02/07/07	A building permit (#81303) was issued for a 93-foot by six-foot retaining wall at 6441 North Durango Drive.
03/22/07	A building permit (#84235) was issued for a 134-foot by four-foot retaining wall at 6441 North Durango Drive.
04/16/07	A building permit (#7001259) was issued for a tenant improvement build-out for a certificate of occupancy at 6401 North Durango Drive, Suite #130. The permit was finalized on 12/05/07.
05/04/07	A building permit (#7001491) was issued for a tenant improvement build-out for a certificate of occupancy at 6401 North Durango Drive, Suite #110. The permit was finalized on 12/05/07.
05/04/07	A building permit (#7001490) was issued for a tenant improvement build-out for a certificate of occupancy at 6441 North Durango Drive, Suite #120. The permit was finalized on 12/05/07.
06/05/07	A building permit (#7001841) was issued for a tenant improvement build-out for a certificate of occupancy at 6401 North Durango Drive, Suite #160. The permit was finalized on 12/24/07.
06/29/07	A building permit (#7002115) was issued for a tenant improvement build-out for a certificate of occupancy at 6441 North Durango Drive, Suite #130. The permit was finalized on 12/12/07.
07/03/07	A building permit (#93001) was issued for a retaining wall at 6401 North Durango Drive.
08/29/07	A building permit (#96582) was issued for a retaining wall at 6441 North Durango Drive.
09/08/07	A building permit (#6007541) was issued for a trash enclosure with roof at 6401 North Durango Drive. The permit expired on 09/08/07.
09/20/07	A building permit (#7002720) was issued for a sign (tag# 10053) at 6403 North Durango Drive. The permit expired on 07/12/08.
10/15/07	A building permit (#94686) was issued for a tenant improvement certificate of occupancy at 6441 North Durango Drive, Suite #110. The permit was finalized on 01/10/08.
10/17/07	A business license (#B10-02450) was issued for a building supplies/hardware facility at 6401 North Durango Drive, Suite #110.
10/23/07	A building permit (#99076) was issued for a tenant improvement certificate of occupancy at 6401 North Durango Drive, Suite #120.
11/13/07	A business license (#M21-01056) was issued for a merchandise broker at 6401 North Durango Drive, Suite #120.

11/13/07	A business license (#T18-00779) was issued for miscellaneous telephone sales/service at 6401 North Durango Drive, Suite #120.
11/20/07	A building permit (#96730) was issued for a tenant improvement certificate of occupancy at 6441 North Durango, Suite #140. The permit was finalized on 02/05/08.
12/18/07	A business license (#104-03492) was issued for an insurance agent at 6401 North Durango Drive, Suite #130.
12/18/07	A business license (#K10-00280) was issued for an insurance firm at 6401 North Durango Drive, Suite #130.
01/04/08	A building permit (#105105) was issued for a non-work certificate of occupancy at 6441 North Durango Drive, Suite #130.
01/07/08	A business license (D10-00102) was issued for a dry cleaner at 6401 North Durango Drive, Suite #160.
01/16/08	A building permit (#7003409) was issued for a sign (tag# 10275) at 6441 North Durango Drive, Suite #110.
01/25/08	A building permit (#7003429) was issued for a single-faced electric sign (tag# 10290) at 6401 North Durango Drive, Suite #160. The permit expired on 07/26/08.
01/30/08	A business license (#M15-03535) was issued for computer sales and service at 6441 North Durango Drive, Suite #120.
01/31/08	A building permit (#7003436) was issued for two wall signs (tag# 10296) at 6401 North Durango Drive, suite #120.
02/01/08	A building permit (#106266) was issued for a tenant improvement certificate of occupancy at 6441 North Durango Drive, Suite #120.
02/04/08	A building permit (#7003440) was issued for a sign (tag# 10299) at 6441 North Durango Drive, Suite #120.
02/04/08	A business license (R07-00804) was issued for a restaurant seating under 45 at 6441 North Durango Drive, Suite #140.
02/07/08	A building permit (#7003446) was issued for a sign (tag# 10307) at 6441 North Durango Drive, Suite #140. The permit expired on 08/09/08.
03/11/08	A building permit (#105330) was issued for a tenant improvement at 6401 North Durango Drive, Suite #150.
03/13/08	A building permit (#8000017) was issued for a sign (tag# 10378) at 6401 North Durango Drive, Suite #110.
03/19/08	A building permit (#8000023) was issued for a sign (tag# 10383) at 6461 North Durango Drive.
04/02/08	A business license (#R05-00577) was issued for a restaurant seating under 45 at 6441 North Durango Drive, Suite #110.
04/18/08	A building permit (#8000102) was issued for a sign (tag# 10457) at 6401 North Durango Drive, Suite #150.
05/02/08	A business license (#B05-03096) was issued for a cosmetological establishment at 6461 North Durango Drive, Suite #130.

05/02/08	A business license (#B08-01275) was issued for beauty/cosmetics sales at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#M03-00172) was issued for a massage establishment at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#Q07-01502) was issued for a medical firm at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#Q24-00006) was issued for massage administration at 6461 North Durango Drive, Suite #130.
06/10/08	A building permit (#8000217) was issued for a sign channel letters, single faced, electric (tag# 10563) at 6401 North Durango Drive, suite #120.
07/09/08	A business license (#B02-00135) was issued for a bakery at 6401 North Durango Drive, Suite #150.

<i>Pre-Application Meeting</i>	
08/07/08	A pre-application meeting was held where the submittal requirements for a Master Sign Plan were discussed.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
08/19/08	Staff performed a routine field check where staff noted the trailing lantana has been allowed to die and not replaced in the landscape planter along Durango Drive and Centennial Boulevard. There were also approximately four (4) non-permitted temporary signs (banners) posted on the building and wall.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.03

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	T-C (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center) Special Land Use Designation]
North	I-215 Beltway	I-215 Beltway	I-215 Beltway
South	Vacant Land (Clark County)	ML [(Medium Low Density Residential) - Clark County]	R-E [(Rural Estates Residential District) - Clark County]

East	Shopping Center	T-C (Town Center)	T-C (Town Center) [SC-TC (Service Commercial Town Center) Special Land Use Designation]
West	Storage Facility	T-C (Town Center)	T-C (Town Center) [SC-TC (Service Commercial Town Center) Special Land Use Designation]

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
Centennial Hills Sector Plan	X		Y
Northwest Open Space Plan	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

DEVELOPMENT STANDARDS

Town Center Development Standards:

Monument Signs: One Multi-Tenant Monument Sign		
Standards	Allowed	Provided
Maximum Number	One sign per 300 lineal feet of street frontage. Parcels less than 300 lineal feet of street frontage are permitted one (1) sign per street frontage.	1 / Street frontage 1 total (Approximately 330 feet of Street Frontage Durango Drive)
Maximum Area	75 SF /Sign	46.69 SF
Maximum Height	8 Feet	12 Feet*
Minimum Setback	5 Feet	0 Feet*

Illumination	Must be designed so as to avoid any fugitive light. No exposed neon is permitted.	Internally illuminated with T-12 fluorescent lamps.
--------------	---	---

*The applicant is requesting Waivers from the Town Center Development Standards to allow for a 12-foot tall multi-tenant monument sign where eight feet is the maximum height allowed and to allow a zero-foot sign setback where five feet is the minimum setback required.

ANALYSIS

The applicant is requesting the approval of a Major Amendment to the approved Master Sign Plan (ARC-26110) for 6403 North Durango Drive, also known as the Shops at Town Center. The request for a Major Amendment to an approved Master Sign Plan is being submitted in accordance with Condition #13 of Site Development Plan Review (SDR-9825) which states, 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. Site Development Plan Review (SDR-9825) granted the approval of an 18,000 square-foot retail building on the subject property. The original Master Sign Plan (ARC-26110) approved wall signs only within the shopping center.

The applicant is proposing a 12-foot tall multi-tenant monument sign to be located within the landscape buffer adjacent to Durango Drive at the northeast corner of the property. The Shops at Town Center have approximately 330 feet of street frontage along Durango Drive thus meeting the minimum standard of 300 feet of street frontage for a monument sign. The applicant has proposed the removal of a required 25-foot Mexican Fan Palm along Durango Drive in order to accommodate the proposed sign.

A condition has been added for any landscape material removed to be relocated within the same general area it was removed from to remain in compliance with Site Development Plan Review (SDR-9825) and the Town Center Development Standards.

The proposed monument sign will be internally illuminated; as well as painted Sand Tex-Cote to match the existing shopping center.

The applicant is also requesting Waivers from the Town Center Development Standards to allow for a 12-foot tall monument sign where eight feet is the maximum height allowed and to allow a zero-foot sign setback where five feet is the minimum setback required. The percent of deviation from the Town Center Development Standards is noted in the chart below.

Town Center Development Standards : Monument Sign			
Standard	Allowed	Proposed	Deviation from Standard
Height	8 feet	12 feet	50%
Setback	5 feet	0 feet	100%

Staff is recommending denial of this application due to the excessive size of the proposed monument sign and the Waivers necessary to accommodate a sign of this magnitude within Town Center.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 125

APPROVALS 1

PROTESTS 2