

AGENDA MEMO

DOWNTOWN DESIGN REVIEW COMMITTEE MEETING DATE: NOVEMBER 29, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: ARC-43816 – APPLICANT: OSCAR’S RESTAURANT – OWNER: T-UPR, LLC

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
ARC-43816	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

ARC-43816 CONDITIONS

Planning

1. Conformance to the sign elevations and documentation as submitted and date stamped 11/14/11 in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department. Temporary signage shall be removed unless a Temporary Sign Permit is approved by the Department of Planning.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Minor modifications may be approved by the Urban Design Coordinator of the Department of Planning.

Staff Report Page One
November 29, 2011 - Downtown Design Review Committee Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a signage design review for a proposed restaurant (Oscar's) to be located within an existing Hotel at 1 South Main Street. The property is located within the Downtown Casino Overlay District across from the west portal of the Fremont Street Experience.

One 45 square-foot wall sign is proposed on the east elevation of the domed porte cochere on the front façade where the restaurant will be located. The name of the establishment, "Oscar's," is spelled out in uppercase white open faced pan channel letters with steady burning white exposed neon. The exterior of the letters is colored black, providing visual relief. Underneath the name are the words "beef," "booze" and "broads" in a smaller, uppercase, non-serifed font but with the same colors and illumination. To the left of the establishment name is a stylized logo bearing the profile of former mayor Oscar B. Goodman in white exposed neon.

As the proposed sign is in conformance with all sign requirements (including the minimum neon illumination standard for the Downtown Casino Overlay Special Signage Sub-District) and it will both enhance the front plaza of the property and contribute to the character of the area, staff recommends approval of the request. If denied, the proposed signage will not be permitted. The applicant may appeal the board's decision or present redesigned sign plans for review at a future date. If approved, a building permit may be issued after 10 days, after which the appeal period will have expired.

ISSUES

- A banner announcing the pending opening of the restaurant that currently hangs in the proposed sign location must be removed unless a Temporary Sign Permit is approved by the Department of Planning.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/04/70	The Board of City Commissioners approved a Rezoning (Z-0001-70) from C-V (Civic) to C-2 (General Commercial) and M (Industrial) on 7.37 acres along the west side of Main Street from a point approximately 260 feet south of Ogden Avenue to approximately 180 feet north of Bridger Avenue. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
10/17/06	A deed was recorded for a change in ownership.

**Staff Report Page Two
November 29, 2011 - Downtown Design Review Committee Meeting**

<i>Related Building Permits/Business Licenses</i>	
06/26/09	A building permit (142371) was issued to replace an electronic message unit on an existing wall sign with neon letters at 1 South Main Street. A sign inspection was approved on 08/06/09.
10/13/11	An application (197365) for a building permit was submitted for a tenant improvement for a restaurant within an existing hotel at 1 South Main Street. The application is still under review and a permit has not been issued.
11/02/11	An application (198587) for a building permit was submitted for the subject wall sign at 1 South Main Street. The application was denied, pending review by the DDRC.

<i>Pre-Application Meeting</i>	
11/08/11	<p>A pre-application meeting was held with the applicant, where requirements for submittal of a Downtown Design Review were discussed. Other key points discussed included the following:</p> <ul style="list-style-type: none"> • The sign is subject to the sign criteria and review procedures contained within Title 19.10.100, based on its location in the buffer area for the Downtown Casino Overlay District Special Signage Area. • The applicant confirmed that the sign will be located on private property. • The applicant was informed that the existing temporary banner in the proposed sign location would require approval of a Temporary Sign Permit until an approved permanent sign could be attached to the building.

<i>Field Check</i>	
11/08/11	<p>A field check was conducted on the subject site. The following items were noted:</p> <ul style="list-style-type: none"> • The proposed location of the sign contains a black background that has been used to display previous signage • A banner sign similar to the proposed sign has been attached to the black background

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.49

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Hotel and Casino	C (Commercial)	C-2 (General Commercial) and M (Industrial)

Staff Report Page Three

November 29, 2011 - Downtown Design Review Committee Meeting

North	Hotel Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Hotel	C (Commercial)	C-2 (General Commercial) and M (Industrial)
East	Hotel and Casino	C (Commercial)	
	Fremont Street Experience	ROW (Right-of-Way)	C-2 (General Commercial)
West	Union Pacific Railroad	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Central Casino Core District)	X		Y
A-O (Airport Overlay) District (200 Feet)	X		N/A
Downtown Casino Overlay District	X		Y
Trails (Tortoise Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

SIGN STANDARDS

Wall Signs:

<i>Oscar's Sign</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Maximum Coverage	50% of eligible sign area	Less than 50% of eligible sign area	Y
Maximum Area	1,500 SF	45 SF	Y
Height above Sidewalk	10 feet	13 feet 8 inches	Y
Maximum Height	Up to 20 feet above parapet	Below roofline	Y
Maximum Projection	4 feet	3 inches	Y
Illumination	50% neon and/or animation (internal/external)	Approximately 90% neon No animation	Y

Staff Report Page Four
November 29, 2011 - Downtown Design Review Committee Meeting

ANALYSIS

The subject property is located within the Downtown Casino Overlay District, which contains properties having a rich heritage of innovative illuminated and animated signage, especially neon signage. Within this overlay district is a special signage sub-district, where, through regulation, neon and animated signage that promotes the image of Las Vegas is encouraged. The hotel is located on property that is within 125 feet of the Sub-District; per Title 19.10.100, signage within this buffer area is subject to the special sign standards, as well as those standards in 19.08 that are consistent with the special sign standards. The standards that apply pertain to sign coverage, placement height, sign area and sign height. At least 50 percent of the surface area of each sign must contain neon illumination, animation or a combination of neon and animation. The background table above indicates that these standards are met or exceeded by the proposed wall sign. The sign will be located wholly within private property and will not encroach into the Main Street right-of-way.

Although currently there is no permanent signage, wall signage has been previously approved in this location. Because the texture of the building façade is not flat, previous signage was attached to a smooth opaque surface that is already attached to the building face. This underlying black background is not part of the sign itself, but appears to detract from the aesthetics of the sign. Otherwise, the design, size and placement are compatible with other illuminated signage downtown and in the nearby Fremont Street Experience. As code requirements are met and the sign will both enhance the front plaza of the property and contribute to the character of the area, staff recommends approval with conditions ensuring proper permitting and inspection of the sign.