

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JUNE 25, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - MSP-34174 - APPLICANT/OWNER:
CAROLINE'S COURT, 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 06/17/09 and 04/14/09, 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.

Public Works

5. The proposed signs shall not be located within the public right-ofway or interfere with Site Visibility Restriction Zones. The proposed ground mounted bases shall not be located within existing or proposed public sewer or drainage easements.

MSP-34174 - Staff Report Page One
June 25, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Master Sign Plan for a commercial development approved through Site Development Plan Review (SDR-20496) and located at the northwest corner of El Capitan Way and Durango Drive, within the Town Center Master Plan area. A Master Sign Plan is required for the site as a result of Condition of Approval #17 of the approved Site Development Plan Review (SDR-20496). As part of this request, the applicant is requesting several Waivers of the Town Center Sign Standards, including the maximum area of freestanding signage allowed, the maximum height allowed for a pylon sign, the number of monument signs allowed, and to allow wall signage to face an existing residential development that is located outside the limits of the Town Center area. Staff is recommending denial of the request due to the number of Waivers requested.

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 Special Plan area. The Planning Commission and staff recommended approval of this request.
07/11/07	The City Council approved a Site Development Plan Review (SDR-20496) for a proposed 269,860 square-foot Commercial Center with Waivers from the Town Center Development Standards to allow a six-foot wide landscape buffer on the south property line where eight feet is required and to allow zero feet of perimeter landscape buffer adjacent to the Multi-Use Transportation Trail along the north and west property lines where 15 feet is required, to allow zero feet of perimeter landscape buffer adjacent to a drive-through aisle where 10 additional feet are required and to allow a drive-through aisle on three sides of a Fast Food building where only two sides are allowed, a Special Use Permit (SUP-20497) for a Building and Landscape Material/Lumber Yard, a Special Use Permit (SUP-20498) for Outdoor Storage, Accessory and a Special Use Permit (SUP-20499) for a Restaurant with Drive-Through on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.

MSP-34174 - Staff Report Page Two
June 25, 2009 - Planning Commission Meeting

02/06/08	The City Council accepted a withdrawal without prejudice of a Variance (VAR-25403) to allow a retaining wall height of 15 feet where the maximum retaining wall height is six feet on the west property line, and to allow a total height of 23 feet where the maximum total height of retaining and screening walls is 12 feet. The Planning Commission and staff recommended approval of this request.
03/05/08	The City Council accepted a withdrawal without prejudice of a Tentative Map (TMP-25075) for a one-lot commercial subdivision on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of this request.
04/28/08	The Planning and Development Department administratively approved a request for a Final Map (FMP-27577) for a one-lot commercial subdivision on 23.62 acres adjacent to the southwest corner El Capitan Way and North Durango Drive.
07/17/08	Civil Improvement Plans (#107y4969) of the Carolines Court development were approved by the City of Las Vegas.
04/23/09	The Planning Commission approved a request for a Waiver (WVR-33758) of Town Center Development Standards to allow no amenity zone along a 233-foot portion of Durango Drive where a 2.5-foot amenity zone is required adjacent to the northwest corner of Durango Drive and El Capitan Way. Staff recommended denial.
05/28/09	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to hold a neighborhood meeting.

Related Building Permits/Business Licenses

There are no building permits or business licenses associated with this development.

Pre-Application Meeting

03/13/09	A pre-application meeting was held for a Master Sign Plan where the following issues were discussed: • Town Center sign standards. • Required Waivers of the Town Center sign standards. • Calculation of the sign area for a three-sided sign using the largest two sides. • The designation of elevation drawings must match the location of the elevation on the site plan. • Exposed neon, including clear acrylic channel letters illuminated by neon, is not allowed. Signs with internal neon illumination must have an opaque cover.
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MSP-34174 - Staff Report Page Three
June 25, 2009 - Planning Commission Meeting

<i>Neighborhood Meeting</i>	
06/16/09	A neighborhood meeting was held on Tuesday June 16, 2009 from 6:35 to 7:45 pm at the YMCA Centennial Hills Community Center, Room #4, located at 6601 N. Buffalo Drive Las Vegas, Nevada 89131. In attendance were 14 members of the public, two members of the development team, one member of City Council Office and one member of Planning and Development Department. Issues and concerns included: • No walls sign with lights that face residents. • Some opposed to the height at 80 feet some in support.

<i>Field Check</i>	
04/21/09	A field check was conducted by staff. Grading of the subject site for a commercial development is underway, per approved civil plans.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	23.62

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Under Construction [Approved 269,860 SF Commercial Center (SDR-20496)]	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center) Special Land Use designation]
North	Single-Family Residences	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Undeveloped [Approved 139-room five-story Hotel and 64,700 square-foot Retail Development (SDR-28535)]	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center) Special Land Use designation] and [GC-TC (General Commercial Town Center) Special Land Use designation]
East	Retail Development	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center) Special Land Use designation]
West	U.S. 95	R.O.W.	R.O.W

MSP-34174 - Staff Report Page Four
June 25, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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

DEVELOPMENT STANDARDS

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

Freestanding Signs:	Allowed	Provided	Compliance
Maximum Combined Area of All Freestanding Signs (Pylon and Monument Signs)	1 SF Signage / 150 SF of proposed GFA; 1,506 SF of signage allowed for 226,000 GSF	1,774 SF of Signage (18% Deviation)	N
Pylon Sign Standards	Allowed	Provided	Compliance
Maximum Number	1 Sign / Street frontage 1 total	1 Sign / Durango Drive 1 total	Y
Maximum Height	53 Feet	80 Feet (51% Deviation)	N
Minimum Setback	5 Feet	5 Feet	Y
Illumination	Must be designed to avoid fugitive light; No exposed neon is permitted	Internal illumination (halogen lamps); no animation.	Y
Other	- Advertises multiple tenants. - Advertises at least one tenant with at least 20,000 SF of GFA. - No reader board signs are permitted.	- Advertises multiple tenants. - Advertises at least one tenant with at least 20,000 SF of GFA. - No reader board signs.	Y
Monument Sign Standards	Allowed	Provided	Compliance
Maximum Number	1 Sign / 300 feet of lineal street frontage	2 Signs on Durango Drive (640 Feet); 3 signs on El Capitan Way (820 Feet) 5 total	N

Maximum Height	8 Feet	8 Feet	Y
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MSP-34174 - Staff Report Page Five**June 25, 2009 - Planning Commission Meeting**

Maximum Area (Per Sign)	75 SF	30 Feet	Y
Minimum Setback	5 Feet	5 Feet	Y
Illumination	Must be designed to avoid fugitive light; No exposed neon is permitted.	Internal illumination (fluorescent lamps); no animation.	Y
Other	- Must be compatible with architecture and scale of buildings. - No reader board signs are permitted.	- Compatible with architecture and scale of buildings. - No reader board signs.	Y

Wall Signs:			
Standards	Allowed	Provided	Compliance
Maximum Area	Total area of all signs per building elevation shall not exceed 15% of the total area of each elevation.	Total area of all signs per building elevation does not exceed 15% of the total area of each elevation.	Y
Illumination	Prefer internal. External illumination allowed provided it is architecturally integrated within the building design. No exposed neon is permitted.	Internal Illumination to be 30 milliamp neon, LEDs or T-8s (fluorescent lamps). No exposed neon is permitted.	Y
Other	No wall sign that faces existing residential development outside the limits of Town Center shall be permitted.	Wall signs face an existing residential development to the north, outside the limits of Town Center.	N
	Colors shall be compatible with other signs on the building and on the parcel.	Colors are compatible with other signs on the building and on the parcel.	Y

Waivers		
Requirement	Request	Staff Recommendation
1 SF Freestanding Signage / 150 SF of Gross Floor Area. For the proposed 226,000 SF of GFA, 1,506 SF of freestanding signage allowed.	1,774 SF of freestanding signage. (18% Deviation)	

MSP-34174 - Staff Report Page Six
June 25, 2009 - Planning Commission Meeting

Where abutting the 215 or 95 right-of-way height is 24-foot from the elevation of the finished road surface, or 53 feet at the proposed location. A stamped official survey is required to verify the elevation of the finished road surface.	Pylon sign at 80 feet in height. (51% Deviation)	
1 Monument sign allowed / 300 feet of lineal street frontage.	3 signs on El Capitan Way (820 Feet)	
No wall sign that faces existing residential development outside the limits of Town Center shall be permitted.	Wall signs face an existing residential development to the north, outside the limits of Town Center.	

ANALYSIS

There are three types of signage proposed for the site, including one freestanding (pylon) sign, five freestanding (monument) signs and various wall signs. In addition to the plans and elevations of the proposed signage, the applicant has also submitted criteria for the development signage, including requirements for the approval of signage by the landlord prior to submittal for permits to the City of Las Vegas, general sign construction requirements and specifications, and provisions for maintenance of approved signage. The criteria is in conformance with the Town Center Development Standards Manual, including provisions that specifically prohibit the use of signage with messages that are flashing, animated or audible in nature, as well as the use of exposed neon.

The subject site has a Town Center land use designation of Service Commercial. The applicant has requested several Waivers of the Town Center Sign Standards for the Service Commercial land use plan, including the maximum area of freestanding signage allowed, the maximum height allowed for a pylon sign, the number of monument signs allowed, and to allow wall signage to face an existing residential development that is located outside the limits of the Town Center area. Within the Service Commercial land use designation, the combined area of all freestanding signage allowed is one square-foot of signage per 150 square feet of gross floor area. For the subject site, this equates to 1,506 square feet of freestanding signage allowed. The applicant is proposing one pylon sign and five monument signs with a combined total of 1,774 square feet of sign area, or an 18% deviation over the maximum amount of signage permitted.

The applicant is proposing a pylon sign, located at the southeast corner of the site. Pursuant to the Town Center Sign Standards, the height of a pylon sign is limited to 24 feet, or, where abutting the 215 or 95 right-of-way, 24 feet from the elevation of the finished road surface. The applicant has provided a stamped survey to verify that the finished road elevation is 2,612 feet,

MSP-34174 - Staff Report Page Seven
June 25, 2009 - Planning Commission Meeting

with the elevation of the sign location shown as approximately 2,583 feet. Therefore, with the 29-foot difference in elevation, the actual sign height allowed would be 53 feet. The proposed height of 80 feet is a 51% deviation over the maximum height permitted.

There are five monument signs that are proposed for the development, including two along Durango Drive and three along El Capitan Way. One monument sign is allowed for every 300 lineal feet of street frontage. The development has 640 feet of frontage along Durango Drive, allowing the two proposed monument signs, but only 820 feet of frontage along El Capitan Way, which allows only two monument signs where the applicant is proposing three signs.

The final Waiver request is to allow wall signage to face an existing residential development outside the limits of Town Center. Two of the buildings approved by Site Development Plan Review (SDR-20496), including the north (front) elevation of the major retail tenant and the northwest elevation of Building G will have illuminated wall signage that will face an existing residential development to the north.

FINDINGS

Due to the request for multiple Waivers of the Town Center Sign Standards, staff is recommending denial of this request for a Master Sign Plan as the proposed signage could be reduced in size, number and scale to meet the standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

26

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 539

APPROVALS 2

PROTESTS 16