



AGENDA MEMO - PLANNING

DOWNTOWN DESIGN REVIEW COMMITTEE MEETING DATE: DECEMBER 18, 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: ARC-47631 – APPLICANT: 601 FREMONT, LLC - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
ARC-47631	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

ARC-47631 CONDITIONS

Planning

1. The previous Sign Design Review (ARC-43659) for Sign “BG-1” shall be expunged upon final approval of this request.
2. A Waiver from Title 19.10.100 to allow vertical clearance of nine feet from the elevation of the Fremont Street and Sixth Street sidewalks where a minimum of 10 feet is required for Sign “BG-3” is hereby approved.
3. Conformance to the site plan date stamped 12/03/12 and the sign elevations and documentation as submitted date stamped 11/27/12 in conjunction with this request, except as modified herein.
4. All signage, including temporary signage, shall have proper permits obtained through the Department of Building and Safety prior to installation of any proposed signage.
5. An encroachment permit approved by the Department of Public Works shall be required for all signage that encroaches into the public right-of-way prior to installation of such signage.
6. Minor modifications may be approved by the Department of Planning.

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7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One**December 18, 2012 - Downtown Design Review Committee Meeting****** STAFF REPORT ******PROJECT DESCRIPTION**

The applicant is requesting to replace a previously approved (yet not constructed) projecting sign (through ARC-43659) with a slightly larger projecting sign at 601 Fremont Street, which is located within the Downtown Entertainment Overlay District. The sign is intended to advertise the Tavern-Limited Establishment “Fremont Country Club” approved for the site. The approved sign “BG-1” will be modified to contain a wider cabinet that projects eight feet from the building where six feet two inches was previously approved. The design concept and illumination will be similar with several specific changes: the channel letters will be larger and will be bordered in pink neon rather than white; the word “Fremont” will be in a serifed font and extend horizontally across the sign (perpendicular to the building face) instead of vertically; and a printed logo will be added to the bottom of the sign with the initials “FCC” arranged around the image of an animal skull.

The applicant would also like to add, as part of this application, a wall sign (Sign “BG-3”) to be placed on the existing bronze aluminum fascia extending the length of the north face of the building and wrapping around the corner entrance to the west side of the building. The sign would be backlit by fluorescent bulbs so that changeable copy letters could be displayed, much the same as on older theaters. The words “Fremont Country Club” would be displayed along the east side of the sign along the Fremont Street frontage. The border of this sign would contain three rows of white bulbs on the lower edge and one row of white bulbs on the upper edge illuminated to give the appearance of animation.

The proposed signs are in substantial conformance with Title 19.10.100 standards and meet the intent of the Downtown Entertainment Overlay District. Staff therefore recommends approval with conditions. If this request is denied, the signage as proposed will not be permitted. The applicant may appeal the Committee’s decision or present a redesigned sign at a future date. If approved, a permit cannot be issued for 10 days, after which the appeal period will have expired.

ISSUES

- A Waiver of Title 19.10.100 is required to allow a wall sign (Sign “BG-3”) to be located nine feet above the height of the finished sidewalk along Fremont Street and Sixth Street where 10 feet is required. Staff supports this request, as the existing aluminum fascia to which Sign “BG-3” would be attached is nine feet from the sidewalk at its lowest point.
- Sign “BG-3” is in conformance with Title 19 minimum signage requirements for the Downtown Entertainment Overlay District. The series of backlit panels may display any on-premise content as long as the sign remains in conformance with Title 19.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/15/06	The Downtown Entertainment Overlay District Design Review Committee (DEOD-DRC) approved a request for a Master Sign Plan and Exterior Elevation Review (ARC-15449) for four proposed projecting signs and a wall sign at a proposed Tavern-Limited Establishment, with waivers to allow four projecting signs where two are allowed at 601 Fremont Street. Staff recommended approval. This approval has expired.
09/20/06	The City Council approved a request for a Special Use Permit (SUP-15037) for a proposed Tavern-Limited Establishment at 601 Fremont Street. The Planning Commission and staff recommended approval.
09/05/07	The DEOD-DRC approved a request for a Master Sign Plan and Exterior Elevation Review (ARC-23943) for one proposed projecting sign, two wall signs and three canopy (wall) signs at a proposed Tavern-Limited Establishment, with waivers to allow a projecting sign to exceed 32 square feet, to allow a sign to encroach 12.5 feet into public right-of-way where 8 feet is allowed and to allow no neon and/or animation where 50 percent is required at 601 Fremont Street. Staff recommended approval. This approval has expired.
03/11/08	The DEOD-DRC approved a request for a Master Sign Plan and Exterior Elevation Review (ARC-27073) for a proposed projecting marquee sign, two electronic message units and border neon, at an approved Tavern-Limited Establishment, with a waiver to allow projection of 11.5 feet where 8 feet is allowed at 601 Fremont Street. Staff recommended approval. This approval has expired.
11/07/07	The City Council approved an Extension of Time (EOT-24712) of an approved Special Use Permit (SUP-15037) for a proposed Tavern-Limited Establishment at 601 Fremont Street. The Planning Department staff recommended approval.
10/07/09	The City Council approved an Extension of Time (EOT-35796) of an approved Special Use Permit (SUP-15037) for a proposed Tavern-Limited Establishment at 601 Fremont Street. The Planning Department staff recommended approval.
06/28/11	Department of Planning staff administratively approved a Minor Amendment (SUP-41937) of a previously approved Special Use Permit (SUP-15037) for the addition of 2,700 square feet of floor area to a proposed 11,085 square-foot Tavern-Limited Establishment at 601 Fremont Street.
11/15/11	The Downtown Design Review Committee (DDRC) approved a sign design review (ARC-43659) for a projecting sign for an approved Tavern-Limited Establishment at 601 Fremont Street. Staff recommended approval.
04/17/12	The DDRC approved a sign design review (ARC-44579) for a 441 square-foot projecting marquee sign at an approved Tavern-Limited Establishment at 601 Fremont Street. Staff recommended approval.

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11/13/12	The Department of Planning approved a Minor Amendment to an approved Sign Design Review (ARC-44579) to change the color, logo and lettering styles on an approved projecting marquee sign at 601 Fremont Street.
12/05/12	The City Council approved an encroachment request for private improvements (signs) within the Fremont Street and Sixth Street rights-of-way adjacent to 601 Fremont Street.

<i>Most Recent Change of Ownership</i>	
12/12/05	A deed was recorded for a change in ownership.

<i>Related Building Permits</i>	
08/16/12	A building permit (217835) was issued for a tenant improvement remodel at 601 Fremont Street. A final inspection has not been completed.
11/20/12	A building permit (223309) was issued for a marquee sign at 601 Fremont Street. Final inspection is pending approval of an encroachment agreement.

<i>Pre-Application Meeting</i>	
11/14/12	A pre-application meeting was held with the applicant to discuss submittal requirements for a sign design review. Adjustments to the plans were discussed that would bring the proposed projecting sign and marquee sign into conformance with Title 19 requirements. Specifically, the marquee sign does not show how it will be illuminated/animated, and several panels appear to be blank or missing.

<i>Field Check</i>	
11/29/12	The subject building is under renovation for the opening of the approved Tavern-Limited Establishment. An existing metal marquee extends along the north and west sides of the building. A previously approved sign was being installed at the northwest corner of the building, and a banner sign announcing the opening has been hung on the west elevation of the existing marquee.

<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	Tavern-Limited Establishment (approved)	C (Commercial)	C-2 (General Commercial)

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North	Hotel	C (Commercial)	C-2 (General Commercial)
	Gaming Establishment, Non-restricted		
South	Multi-Family Residential	C (Commercial)	C-2 (General Commercial)
East	General Retail Store	C (Commercial)	C-2 (General Commercial)
	Hotel		
	Parking Facility		
West	Tavern-Limited Establishments	C (Commercial)	C-2 (General Commercial)
	Restaurant		

Master Plan Areas	Compliance
Downtown Centennial Plan	Y
Special Purpose and Overlay Districts	Compliance
DCP-O (Downtown Centennial Plan Overlay District)	Y
DE-O (Downtown Entertainment Overlay District)	N
Other Plans or Special Requirements	Compliance
Las Vegas Redevelopment Plan Area	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.120, 19.10.100 and 19.10.120, the following standards apply:

Projecting Signs [Sign BG-1]			
Standards	Allowed	Provided	Compliance
Maximum Number	1 per sign entrance	1 at northeast entrance	Y
Maximum Area	1,500 SF	52 SF	Y
Maximum Height	< 20 feet above parapet	4 feet below parapet	Y
Maximum Coverage	50% of wall area above 10 feet from sidewalk	Less than 50% coverage of eligible wall area	Y
Maximum Projection	8-foot encroachment into ROW	8-foot encroachment into ROW	Y
Minimum Clearance	10 vertical feet from bottom of sign to sidewalk	18 vertical feet from sidewalk	Y
Other	Cannot be located on same property as a freestanding sign	No freestanding signs on subject property	Y

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Illumination	Internal/external/EMU; 50% neon and/or animation	75% neon/animation	Y
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Wall Signs [Sign BG-3]			
Standards	Allowed	Provided	Compliance
Maximum Coverage	50% of wall area above 10 feet from sidewalk	Less than 50% coverage of eligible wall areas	Y
Maximum Area	1,500 SF	723 SF	Y
Maximum Height	< 20 feet above parapet	33 feet below parapet	Y
Maximum Projection	4 feet	2 feet	Y
Minimum Clearance	10 vertical feet from bottom of sign to sidewalk	9 vertical feet from sidewalk	N
Illumination	Internal/external/EMU; 50% neon and/or animation	50% animation only	Y

Waivers		
Requirement	Request	Staff Recommendation
Wall-mounted signs shall be a minimum of 10 vertical feet above the height of the finished sidewalk along public ROW	Sign "BG-3" to be 9 vertical feet above the sidewalk along Fremont and Sixth Streets	Approval

ANALYSIS

The subject property is located within the Fremont East District of the Downtown Centennial Plan Overlay District (DCP-O). Design, installation and maintenance of all signage within the Fremont East District are subject to the standards contained in Title 19.10.100, in addition to the standards required by other overlay districts as described below.

The property is located within the Downtown Entertainment Overlay District (DE-O). The DE-O District is intended to encourage the restoration of downtown Las Vegas as a dynamic, vibrant center for the Las Vegas Valley. Development within the overlay is subject to special standards in addition to those for the DCP-O and current zoning district, such as liquor establishment separation distance, parking and signage, which are contained in Title 19.10.120. Proposed signs within the DE-O are required to contain exposed neon and/or LED illumination and animation, or a combination thereof, for at least 50 percent of the total surface area of the signage. Approximately 75 percent of Sign "BG-1" contains exposed neon and animation and about 50 percent of Sign "BG-2" contains animated clear bulb lighting in conformance with the standard.

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Title 19.10.100 allows proposed signage to encroach up to eight feet into the public right-of-way without a waiver. Sign “BG-1” would encroach eight feet into the Fremont right-of-way, as there is no building setback. Sign “BG-3” would encroach two feet into both the Fremont Street and Sixth Street rights-of-way. Because Sign “BG-3” would be attached to the existing aluminum fascia that is located nine feet above the height of the existing sidewalks, it does not conform to the minimum clearance requirement for large signs (above 65 square feet) in the Entertainment Overlay District, which require a minimum clearance of 10 feet above the sidewalk. However, staff supports the associated waiver request, as the sign would be attached to the existing fascia. Both signs have adequate vertical clearance from the sidewalk and should not pose a threat to public health, safety or welfare. An encroachment permit must be approved and obtained prior to installation of any sign that encroaches into the right-of-way.

FINDINGS

As the sign design meets the intent of the Downtown Entertainment Overlay District and the signs are in substantial conformance with Title 19 requirements, staff recommends approval of the request with conditions and approval of the minor waiver. The previous sign design approval for Sign “BG-1” (ARC-43659) will be expunged.