APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-0269-15 (AR-0106-17) – RHINE MARIANNE TRUST AGREEMENT:

DESIGN REVIEW FIRST APPLICATION FOR REVIEW of existing wall signs on the west, north, and east elevations of an existing adult use and on-premises consumption of alcohol establishment (Babes) on 1.9 acres in an M-1 (Light Manufacturing) Zone in the MUD-3 Overlay District.

Generally located on the south side of Emerald Avenue, 560 feet east of Stephanie Street within Whitney. JG/co/ja (For possible action)

RELATED INFORMATION:

APN:
161-27-403-004

LAND USE PLAN:
WHITNEY – INDUSTRIAL

BACKGROUND:
Project Description
General Summary
- Site Address: 5901 Emerald Avenue
- Site Acreage: 1.9
- Project Type: Wall signs
- Number of Stories: 1
- Building Height: 25 feet
- Square Feet: 12,000
- Parking Required/Provided: 87/133

Site Plans
The original plans depict an existing 12,000 square foot building with an adult use and bar/tavern (Babes) located on the northwest portion of the site. Vehicular access is provided by a single driveway from Emerald Avenue, and parking is provided on the east and south sides of the site.

Signage
The existing signs on the west, north, and east elevations were approved through design reviews that have subsequently expired. The previous design reviews had review dates and since no applications for review were submitted, the applications expired. The purpose of the design review approved in August 2015 was to re-establish approval of the previously approved wall signs, which are on file, and consist of the following:
West elevation contains eight, 24 square foot wall plex face picture cabinet signs;
West elevation also contains illuminated channel letters that spell “Cocktails” and “Gentlemen’s Club” below the roofline along the parapet wall;
North elevation contains four, 24 square foot wall plex face picture cabinet signs;
East elevation contains eight, 32 square foot signs and three, 24 square foot signs; and
East elevation also contains illuminated channel letters that spell “Cocktails” and “Gentlemen’s Club” below the roofline along the parapet wall.

The west elevation, which is oriented toward US Highway 95, has a total of 270 square feet of signage where 672 square feet is allowed. The east elevation has a total of 277 square feet of signage where 672 square feet is allowed. The north elevation contains 96 square feet of signage. No signage exists or is proposed on the south elevation.

Previous Conditions of Approval
Listed below are the approved conditions for DR-0269-15:

Current Planning
• 2 years to review;
• Per existing signage on the west, north, and east elevations with any future signage changes or design changes to be a public hearing before the Board of County Commissioners;
• Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
• Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Building/Fire Prevention
• Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code requirements.

Applicant’s Justification
The applicant states that the reason for the review condition was to ensure the business operated with the approved signage and without citations. The existing signage on the north, east, and west elevations have stayed the same since approval of the original design review in 2011. The applicant is requesting removal of the time limit since the signage has not changed since 2011.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>DR-0269-15</td>
<td>Design review for existing wall signs on the west, north, and east elevations of an existing adult use and on-premises consumption of alcohol establishment</td>
<td>Approved by BCC</td>
<td>August 2015</td>
</tr>
<tr>
<td>DR-0237-14</td>
<td>Wall signs on the east and west elevations - until February 20, 2015 to review – expired</td>
<td>Approved by BCC</td>
<td>August 2014</td>
</tr>
<tr>
<td>Application Number</td>
<td>Request</td>
<td>Action</td>
<td>Date</td>
</tr>
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<tr>
<td>DR-0677-12</td>
<td>First extension of time to review wall signs - until February 20, 2015 to review – expired</td>
<td>Approved by BCC</td>
<td>March 2014</td>
</tr>
<tr>
<td>WS-0071-14</td>
<td>Request to allow a rotating spotlight</td>
<td>Withdrawn without prejudice at BCC</td>
<td>March 2014</td>
</tr>
<tr>
<td>DR-1875-03 (WC-0129-12)</td>
<td>Request to waive conditions of a design review for no wall signs or other signs on the south side of the building or property line, and no signs to be oriented toward the park or place of worship</td>
<td>Withdrawn without prejudice at the BCC</td>
<td>February 2013</td>
</tr>
<tr>
<td>DR-0677-12</td>
<td>Design reviews for wall signs on the north, east, and west elevations of an existing building and to allow wall signs on the south elevation of an existing building - expired</td>
<td>Approved by BCC</td>
<td>February 2013</td>
</tr>
<tr>
<td>UC-0505-11</td>
<td>On-premises consumption of alcohol (bar/tavern) and a banquet facility in conjunction with an existing adult use</td>
<td>Approved by PC</td>
<td>December 2011</td>
</tr>
<tr>
<td>DR-0315-11</td>
<td>Re-face and relocate 15 existing wall signs and install 8 wall signs in conjunction with an existing adult use - expired</td>
<td>Approved by BCC</td>
<td>August 2011</td>
</tr>
<tr>
<td>UC-0045-10</td>
<td>On-premises consumption of alcohol (bar/tavern) in conjunction with an existing adult use</td>
<td>Approved by PC</td>
<td>March 2010</td>
</tr>
<tr>
<td>DR-1875-03</td>
<td>Exterior remodel of an existing adult use, review of signage for the adult use, and interior remodel for future expansion</td>
<td>Approved by BCC</td>
<td>January 2004</td>
</tr>
<tr>
<td>AU-0511-99</td>
<td>Allow an adult use on the site</td>
<td>Approved Administratively</td>
<td>July 1999</td>
</tr>
</tbody>
</table>

**Surrounding Land Use**

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North &amp; East Industrial</td>
<td>M-1</td>
<td>Industrial</td>
</tr>
<tr>
<td>South</td>
<td>Commercial General</td>
<td>M-2</td>
</tr>
<tr>
<td>West</td>
<td>Industrial</td>
<td>M-1</td>
</tr>
</tbody>
</table>

**STANDARDS FOR APPROVAL:**
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**
Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies.
affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. A portion of the building on this site was originally approved for an adult use in 1999. Since that time the building was expanded, remodeled, and a tavern and banquet facility were approved. In 2003, a design review was submitted for both an interior and exterior remodel of the existing building. Two conditions included with approval of the application state: “no wall signs or other signs on the south side of the building or property line; and no signs to be oriented toward the park or place of worship”. Since the original approval of the signs in 2003 there have been 3 applications (DR-0677-12, DR-0237-14, and DR-0269-15) to allow the existing signage on the north, east, and west sides of the existing building. Since approval of the original use permit for signage in 2003 the applicant has complied with the conditions of approval on previous applications not to add any signage to the south elevation. Therefore, staff recommends removal of the time limit.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
• Remove the time limit;
• Per existing signage on the west, north, and east elevations only;
• Any additional and future changes to signage or design to be a public hearing before the board of County Commissioners.

Public Works – Development Review
• No comment.

TAB/CAC: Whitney – approval.
APPROVALS:
PROTESTS:

APPLICANT: Two M. Inc.
CONTACT: Jay H. Brown, Ltd., Lora Dreja, 520 S. 4th Street, Las Vegas, NV  89101