

05/21/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

SDR-25-0269-WT ML WARM SPRINGS, LLC

SIGN DESIGN REVIEWS for the following: **1)** allow an electronic sign, animation; and **2)** modify residential adjacency standards for signage in conjunction with a previously approved cannabis retail store on 0.9 acres in a CG (Commercial General) Zone.

Generally located on the south side of Warm Springs Road, 450 feet east of Haven Street within Enterprise. MN/dd/cv (For possible action)

RELATED INFORMATION:

APN:

177-09-115-002

SIGN DESIGN REVIEWS:

1. Allow an electronic sign, animation for (chase lighting for Sign A) where not permissible per Section 30.05.02F.
2.
 - a. Increase the height of a proposed illuminated freestanding sign (Sign A) to 25 feet where 20 feet is the maximum height permissible per Section 30.04.06I (a 25% increase).
 - b. Allow illuminated signs to not be on a timer and to be active between the hours of 10:00 p.m. and 6:00 a.m. where not permissible per Section 30.04.06I.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 95 Warm Springs Road
- Site Acreage: 0.9
- Project Type: Proposed cannabis retail store signage
- Sign Height (feet): 25 (freestanding sign)
- Square Feet: 155.5 (freestanding sign (Sign A))/38.5 (Wall Sign C)/25.2 (Wall Signs D & E)/47.5 (canopy sign)

Site Plan

The plan depicts a cannabis retail store approved in 2020 by UC-20-0288 along with a proposed double-faced illuminated freestanding sign. The sign will be located west of the driveway from Warm Spring Road, on the northwest corner of the site. In addition, the sign faces will be oriented

east and west and the sign will be set back 10 feet from the north property line (adjacent to Warm Springs Road), 10 feet from the west property line, and 232 feet from the shared residential property line to the south.

Sign Plan

The proposed freestanding sign is designed to have 3 vertically aligned cabinets which contain various designs for the same business. The uppermost cabinet is 93 square feet and will mimic the historic ‘Welcome to Las Vegas’ sign. It will also feature the company’s logo and a chase of 190 chasing lightbulbs around the outside of the cabinet. The middle cabinet is 42.5 square feet and features LED channel letters displaying a static message, with other various decorative LED lights throughout. The bottom cabinet is 20 square feet, internally illuminated, and advertises a drive-thru for the business.

There are also 3 proposed wall signs, 1 canopy sign, and 3 small address number signs. All 3 of the wall signs are circular, feature the business logo, and will be located on the north, east, and west sides of the building. The wall sign on the east side of the building (Wall Sign C) is 38.5 square feet, while the wall signs (Wall Signs D & E) on the north and west sides of the building are both 25.2 square feet. The canopy sign is located above the main entrance on the west side of the building facing the parking lot. It consists of channel letters and is 47.5 square feet. Finally, the address number signs are depicted in 3 locations along the northern portion of the building. Each of these 3 signs feature the numerical address of the business (95) and are 1.5 square feet and consist of internally illuminated channel lettering.

Landscaping

No changes to the previously approved landscaping are proposed or required with this request.

Applicant’s Justification

The applicant states the signage for the business is appropriate due to the CG (Commercial General) zoning of the property. Additionally, the freestanding sign is located on the north side of the site, as far away from the residential district to the south as possible. Furthermore, the applicant states that because the business is located along Warm Springs Road that the signage should be allowed to remain illuminated 24-hours a day.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-24-400107 (UC-20-0288)	Second extension of time for a cannabis establishment (retail cannabis store)	Approved by BCC	November 2024
ADR-24-900631	Façade changes to modify previously approved elevations	Approved by ZA	October 2024
ADR-23-900676	Drive-thru in conjunction with a cannabis establishment (retail cannabis store)	Approved by ZA	January 2024
ET-22-400108 (UC-20-0288)	First extension of time for a cannabis establishment (retail cannabis store)	Approved by BCC	November 2022
ADR-20-900506	Drive-thru in conjunction with a cannabis establishment (retail cannabis store) - expired	Approved by ZA	December 2020

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0288	Retail cannabis establishment (retail cannabis store) and design review for new construction	Approved by BCC	August 2020
ADR-19-900698	Retail building on the same portion of the parcel as the subject application - expired	Approved by ZA	October 2019
TM-19-500171	Commercial subdivision	Approved by PC	October 2019
ZC-0176-08	Reclassified from R-E to C-1 zoning for a shopping center	Approved by BCC	March 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	PF (AE-60)	Harry Reid Airport rental car center
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
East	Neighborhood Commercial	CG	Office & retail development
West	Neighborhood Commercial	CG (AE-60)	Vehicle rental

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis**Comprehensive Planning**Sign Design Reviews

The proposed signage on the subject property is reviewed to determine 1) compatibility, in terms of scale and architectural features, with the site and surrounding area; 2) harmony with the character of the neighborhood; 3) impact on the surrounding land uses; and 4) the health, safety, and welfare of the inhabitants of the area.

Sign Design Review #1

The proposed chase lights around Sign A may be obtrusive to the residents to the south, especially if the lights are on 24-hours a day. Even though parking lot landscaping has been provided and there is 232 feet of distance between Sign A and the residences to the south, the chase lights may have a negative effect on neighboring residents. Additionally, the applicant did not provide adequate justification as to why the chase lights are appropriate. For these reasons, staff cannot support this request.

Sign Design Review #2

Staff does not normally support increases in freestanding sign height in areas subject to residential adjacency. However, with a minimal proposal of a 5 foot height increase, staff finds the 232 foot

setback from the freestanding sign to the nearest residentially zoned parcels to the south and the previously approved landscaping along the southern property line mitigate any potential negative effects that the increased height may have. In addition, except for the chasing lights on the freestanding sign, the non-animated, illuminated signage shall not impact the neighbors to the south as the signs are oriented east, north, and west. For these reasons, staff can support these requests.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

Staff Recommendation

Approval of sign design review #2; denial of sign design review #1.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Applicant is advised that signs are not permitted within the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered

before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: NEVADA MADE MARIJUANA

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