

SIGNAGE
(TITLE 30)

LAS VEGAS BLVD S/ELVIS PRESLEY BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0235-JD R OWNER, LLC:

USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Fontainebleau).

DEVIATIONS for the following: **1)** reduce height/setback ratio; **2)** increase projection of wall signs; **3)** increase the height of directional signs; **4)** increase the area of directional signs; **5)** reduce setback; **6)** allow temporary signs; and **7)** deviations as shown per plans on file.

WAIVER OF DEVELOPMENT STANDARDS to reduce setback from the right-of-way.

DESIGN REVIEW for a comprehensive sign package in conjunction with an approved resort hotel (Fontainebleau) on 22.7 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Elvis Presley Boulevard and the east side of Las Vegas Boulevard South within Winchester. TS/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-09-617-001; 162-09-617-002

DEVIATIONS:

1. Reduce height/setback ratio from an arterial street (Las Vegas Boulevard South) to 17 feet where 77 feet is required per Figure 30.56-4 (a 78% reduction).
2. Increase the projection of wall signs to 13 feet where wall signs may not project more than 3 feet from a building per Table 30.72-1 (a 333.3% increase).
3. Increase the height of directional signs to 15 feet where a maximum height of 9 feet is permitted per Table 30.72-1 (a 66.7% increase).
4. Increase the area of directional signs up to 335 square feet where a maximum area of 32 square feet is permitted (a 946.9% increase).
5.
 - a. Reduce the required special setback for Las Vegas Boulevard South to zero feet where 25 feet from the back of curb or 10 feet back of property line, whichever is greater, is required per Section 30.56.060 (a 100% reduction).
 - b. Reduce the front, interior side, side street (corner), and rear setbacks to zero feet where a minimum setback of 10 feet is required per Table 30.40-7 (a 100% reduction).
 - c. Reduce the setback for directional signs to zero feet where 10 feet from back of curb or 2 feet from the property line or future right-of-way, whichever is greater, is required per Table 30.72-1 (a 100% reduction).

- 6 Allow temporary signs including, but not limited to, construction signs, banners, and special attraction/promotion signs during construction and through the completion and opening of the resort hotel where maximum time limits between 10 to 15 days are permitted per Table 30.72-3.
7. All other deviations as depicted per plans on file.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the setback from the right-of-way (Las Vegas Boulevard South and Elvis Presley Boulevard) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).

DESIGN REVIEW:

1. Comprehensive sign package in conjunction with an approved resort hotel (Fontainebleau) including the following:
 - a. Increase wall sign area to 69,014 square feet where 75,075 was previously approved and a maximum of 37,500 is permitted per Table 30.72-1 (an 84.1% increase).
 - b. Increase the number of animated signs, including video units, to 17 where 15 were previously approved (a 13.3% increase) and a maximum of 1 message/video unit per street for a resort hotel is permitted per Table 30.72-1 (a 1600% increase).
 - c. Increase the area of animated signs to 70,942 square feet where 52,594 square feet was previously approved (a 34.9% increase).
 - d. Increase the area of projecting signs to 1,560 square feet (previously approved) where a maximum area of 32 square feet is permitted per Table 30.72-1 (a 4,775% increase).
 - e. Increase the number of projecting signs to 2 where a maximum of 1 projecting sign is permitted per Table 30.72-1 (a 100% increase).
 - f. Increase the area of directional signs to 535 square feet where a maximum area of 32 square feet is permitted per Table 30.72-1 (a 1,571.9% increase).
 - g. Increase the number of directional signs to 20 where a maximum of 2 signs per entrance/exit are permitted per Table 30.72-1 (a 900% increase).
 - h. Increase the average letter height for wall signs up to 168 feet where 40 feet was previously approved (a 320% increase) where a maximum average letter height of 10 feet is permitted for resort hotels per Table 30.72-1 (a 1,580% increase).
 - i. Increase the area of a hanging sign to 84 feet where a maximum area of 32 square feet is permitted per Table 30.72-1 (a 162.5% increase).
 - j. Allow a roof sign.
 - k. Increase the area of temporary signs to 21,868 square feet where 2,592 square feet was previously approved (a 743.7% increase) and a maximum area of 1,500 square feet is permitted per Table 30.72-1 (a 1,357.9% increase).
 - l. Increase the number of temporary signs to 26 where 1 temporary sign was previously approved (a 2,500% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2777 Las Vegas Boulevard South
- Site Acreage: 22.7
- Project Type: Comprehensive sign package

History & Request

UC-0932-06 was approved by the Board of County Commissioners (BCC) in October 2006 for a resort hotel (Fontainebleau) with various components and amenities, and included all associated accessory and incidental commercial uses, buildings, and structures. The project has been revised by subsequent applications, including UC-21-0726 and DR-19-0428 that were approved by the BCC in July 2019 and February 2022, respectively, for changes and modifications to the resort hotel. Construction of the resort hotel began in February 2007 but was stopped in 2009 during the economic recession when the project went into bankruptcy. The current owners of the site are working to complete the project. The current proposal consists of a comprehensive sign package, which includes previous approvals, additions, and revisions to replace the previously approved sign package, UC-0489-08, for the resort hotel.

Site Plans

The plans depict a partially constructed resort hotel (Fontainebleau) that was designed with a single tower elevated upon a podium level with varying heights on the west side of the site nearest to Las Vegas Boulevard South. The east side of the site is the location of the convention center and the above grade parking garage for the resort which has been incorporated into the building design, with the valet parking being provided below the podium level. Access to the site is provided from Las Vegas Boulevard South and Elvis Presley Boulevard.

Signage

This application is for a comprehensive sign package for a previously approved resort hotel (Fontainebleau) that will replace the previously approved sign package, UC-0489-08. The plans depict an assortment of proposed signs including, but not limited to, wall, directional, freestanding, projecting, animated, and temporary signs. The marquee sign of the development is a roof sign measuring 7,759.8 square feet in area located on top of the podium level along Las Vegas Boulevard South. A roof sign measuring 10,329.7 square feet was previously approved with the 2008 application. The roof sign is designed as part of the building and measures approximately 163 feet in height, with an overall height of 236 feet measured from grade to the top of the sign. The location of the roof sign necessitates a deviation to reduce the height/setback ratio from Las Vegas Boulevard South. The encroachment for the roof sign begins at a height of 75 feet. The predominant feature of the sign package are the animated signs (23,289.7) square feet) and video/LED signs (47,652.1) totaling 70,941.8 square feet. The animated and video signs complement a series of illuminated wall signs, measuring 69,013.5 square feet in area, where 75,075 square feet was previously approved. A total of 4 wall signs are proposed for the 735 foot high tower, and are depicted at the following locations: 1) 1 wall sign on the west elevation; 2) 1 wall sign on the north elevation; and 3) 2 wall signs on the south elevation. No wall signs, video units, or animated signs will face towards the existing residential development to the east, Turnberry Towers. The proposed freestanding sign, measuring 20 feet in height with

an area of 100 square feet, is located at the northwest corner of the site. The freestanding sign is set back zero feet from the property line; however, the sign will maintain a 36 foot setback from the back-of-curb adjacent to Las Vegas Boulevard South. A total of 2 overhead directional signs, each measuring 17 feet in height, are located at both the northeast and southeast corners of the site. A majority of the directional signs are located around the perimeter of the development, along Las Vegas Boulevard South, Elvis Presley Boulevard, and the north property line of the site. The projecting signs will be affixed to the northeast and southeast corners of the parking garage requiring deviations. The application also includes a request to allow 21,868 square feet of temporary signs (2,592 square feet previously approved), including, but not limited to, construction signs, banners, and special attraction/promotion signs during construction and through the completion and opening of the resort hotel.

Applicant's Justification

The applicant indicates a total of 12 freestanding signs were previously approved for the site with a total of 2,947.5 square feet. This request proposes one, 100 square foot freestanding sign located at grade along Las Vegas Boulevard South near the entry the driveway of the resort. The primary sign which is designed as a freestanding sign but is actually a roof sign located on the podium fronting Las Vegas Boulevard South. This roof sign is located on northwestern frontage of the site oriented in a north/south direction along the Las Vegas Boulevard South frontage and is a video unit. Three of the wall signs are existing and installed on the south façade of the site. The roof sign is the primary sign for the site and is designed as a freestanding sign located on the mid-rise podium and is a roof sign. This roof sign is almost completed and was permitted under the original 2008 approval. The previously approved signs and this proposed application are typical for resorts located on the Las Vegas Boulevard South "Strip". Most of the signage proposed was previously approved and are included in this package. This request is appropriate and compatible for the site, the resort, and this portion of "The Strip" and will enhance the existing designation of the resort corridor as a designated National Scenic Byway which is an internationally renowned iconic street.

The wall signs double as video units to enhance the site and the façade the buildings which is clad in glass. The location of the roof/freestanding sign (video unit) will not impact the pedestrian realm and or the Las Vegas Boulevard Street frontage because the sign is not at pedestrian level but is located on a mid-rise podium, 73.5 feet above grade and street level. These requests are necessary along the street frontages but will not impact the rights-of-way and pedestrian realms because; in the case of the temporary signs these are on the temporary fences or in areas that are not subject to pedestrian and vehicular traffic during construction or prior to the opening of the Resort. In the case of the directional signs, these signs are located in areas along the street frontages will not impact the site to provide directions to driveways and entries into the Resort. Additionally, these requests are typical for resorts along the Resort Corridor and do not impact the rights-of-way or pedestrian realms but eliminate confusion to the various entries and ingress/egress for both pedestrians and vehicular traffic into and from the Resort. This request will result in the kind of design aesthetics, synergy and characteristics expected for a resort on the Las Vegas Boulevard "Strip". The signage will also create an ambiance and provide additional lighting in the area for this northern portion of "The Strip". This coupled with the signage will for all intents and purposes achieve the intent of the signage that is approved along the resort corridor and for this site which will enhance this northern portion of "The Strip";

where the distinct signage is renown all over the world, is a designated scenic highway, and will create another distinctive signage for this portion of the Strip which has seen an upsurge in development within the last few years with the opening of Resorts World in 2021, with its distinctive signage and the opening of the expansion of the Las Vegas Convention Center a few years ago. Therefore, the application is appropriate for and compatible with the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0726	Nightclub and deviations as shown per plans on file, deviations for alternative landscaping and pedestrian realm, allowed primary means of access to a nightclub to not be through the interior of the resort hotel, reduced setback, and all other deviations as depicted per plans on file, waiver to reduce setback for structures (bollards) and a design review for changes and modifications to an approved resort hotel	Approved by BCC	February 2022
ET-21-400083 (UC-1515-06)	Third extension of time for alternative landscaping on the east property line	Approved by BCC	July 2021
ET-21-400084 (UC-1242-06)	Third extension of time to allow modular buildings during construction of the resort hotel	Approved by BCC	July 2021
ET-21-400080 (UC-0213-08)	Third extension of time to redesign east façade of parking garage/convention facility	Approved by BCC	July 2021
ET-21-400082 (UC-0698-07)	Third extension of time to increase building height and square footage of the project	Approved by BCC	July 2021
ET-21-400077 (UC-0489-08)	Third extension of time for deviations for roof signs and modified separation requirements	Approved by BCC	July 2021
ET-21-400078 (UC-0932-06)	Third extension of time for the resort hotel	Approved by BCC	July 2021
ET-21-400079 (UC-0233-07)	Third extension of time for a use permit to increase the number of resort condominiums with kitchens	Approved by BCC	July 2021
ET-21-400074 (DR-19-0428)	First extension of time for changes and modifications to an approved resort hotel	Approved by BCC	July 2021
ET-21-400075 (DR-0289-09)	Third extension of time for a redesign of a loading dock and cover	Approved by BCC	July 2021
DR-19-0428	Changes and modifications to an approved resort hotel	Approved by BCC	July 2019
ET-18-400040 (DR-0289-09)	Second extension of time for a redesign of a loading dock and cover	Approved by BCC	April 2018
ET-18-400042 (UC-0489-08)	Second extension of time for deviations for roof signs and modified separation requirements	Approved by BCC	April 2018
ET-18-400043 (UC-0932-06)	Second extension of time for the resort hotel	Approved by BCC	April 2018

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400044 (UC-0233-07)	Second extension of time for a use permit to increase the number of resort condominiums with kitchens	Approved by BCC	April 2018
ET-18-400045 (DR-0213-08)	Second extension of time to redesign east façade of parking garage/convention facility	Approved by BCC	April 2018
ET-18-400046 (UC-0698-07)	Second extension of time to increase building height and square footage of the project	Approved by BCC	April 2018
ET-18-400047 (UC-1515-06)	Second extension of time for alternative landscaping on the east property line	Approved by BCC	April 2018
ET-18-400048 (UC-1242-06)	Second extension of time to allow modular buildings during construction of the resort hotel	Approved by BCC	April 2018
DR-0213-08 (ADET-1371-17)	First extension of time to redesign east façade of parking garage/convention facility	Approved by ZA	December 2017
UC-0698-07 (ADET-1369-17)	First extension of time to increase building height and square footage of the project	Approved by ZA	December 2017
DR-0289-09 (ADET-1368-17)	First extension of time to redesign the loading dock area	Approved by ZA	December 2017
UC-0489-08 (ADET-1367-17)	First extension of time for roof signs and modified separation requirements	Approved by ZA	December 2017
UC-1515-06 (ADET-1366-17)	First extension of time for alternative landscaping on the east property line	Approved by ZA	December 2017
UC-0932-06 (ADET-1365-17)	First extension of time for the resort hotel	Approved by ZA	December 2017
UC-0233-07 (ADET-1364-17)	First extension of time to increase the number of resort condominiums with kitchens	Approved by ZA	December 2017
UC-1242-06 (ADET-1363-17)	First extension of time to allow modular buildings during construction of the resort hotel	Approved by ZA	December 2017
AG-0889-17	Consent to assignment and assumption of Fontainebleau Las Vegas Resort Development Agreement	Approved by BCC	August 2017
WS-0370-15	Extension to off-site bond improvements	Approved by BCC	November 2015
SC-0207-15	Renamed Riviera Boulevard to Elvis Presley Boulevard	Approved by PC	May 2015
WS-0214-11	Extension to off-site bond improvements	Approved by BCC	July 2011
DA-0311-09	Third amendment to Development Agreement	Approved by BCC	June 2009
DR-0289-09	Redesigned loading dock area	Approved by BCC	June 2009
SC-0288-09	Allowed an alternative floor/unit numbering system	Approved by PC	June 2009

Prior Land Use Requests

Application Number	Request	Action	Date
DA-0951-08	Second amendment to Development Agreement	Approved by BCC	November 2008
UC-0489-08	Deviations for roof signs and modified separation requirements	Approved by BCC	June 2008
DR-0213-08	Redesigned east façade of parking garage/convention facility	Approved by BCC	April 2008
DA-0949-07	First amendment to Development Agreement	Approved by BCC	August 2007
UC-0698-07	Increased building height and square footage of the project	Approved by BCC	July 2007
DA-0343-07	Development Agreement for the site	Approved by BCC	April 2007
UC-0233-07	Increased the number of resort condominiums with kitchens	Approved by PC	April 2007
UC-1515-06	Alternative landscaping on the east property line	Approved by BCC	December 2006
UC-0932-06 (WC-0334-06)	Waiver of conditions to amend the development agreement condition for early permits	Approved by BCC	December 2006
UC-1242-06	Allowed modular buildings during construction of the resort hotel	Approved by PC	October 2006
UC-0932-06	Resort hotel	Approved by BCC	October 2006
UC-1591-04	Temporary batch plant - expired	Approved by PC	October 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped (approved for a sports arena)
South	Entertainment Mixed-Use	P-F	Parking for the Las Vegas Convention Center
East	Entertainment Mixed-Use	H-1	Turnberry Place (residential high-rise)
West	Entertainment Mixed-Use	H-1 & U-V	Circus Circus Resort Hotel & The Sky mixed-use development

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Deviations #1 through #5 & #7, Waiver of Development Standards, & Design Reviews #1a through #1j

Code allows alternative sign standards for resort hotels if the alternative results in the development having a visual character compatible with adjacent developments. The proposed signs are consistent and compatible with the previous approval and are of similar design and scale as other resort hotels within the immediate area along Las Vegas Boulevard South. Staff can support the roof sign because it is not located at the highest point of the development. Although Title 30 prohibits roof signs, the placement of this sign on the podium of the project prevents the sign from being located within the pedestrian realm along Las Vegas Boulevard South. Furthermore, the encroachment for the roof sign begins at a height of 73 feet, with the roof sign being set back approximately 17.5 feet from the west property line and an additional 55 feet from the pavement within Las Vegas Boulevard South. Staff finds that although the amount of animated signage is large, the signs are integrated into the design of the building as a unified theme that incorporates the design elements of the resort. The wall signs located on the tower are oriented in a manner to minimize any potential visual impacts on adjacent developments, including the multiple family development to the east. Staff has no objection to the quantity of directional signs proposed throughout the development as they are integrated into the design of the site providing direction for the resort hotel. Therefore, staff recommends approval.

Deviation #6 & Design Reviews #1k & #1l

The previous application, UC-0489-08, approved a maximum temporary sign area of 2,592 square feet where the applicant is now requesting a maximum temporary sign area of 21,868 square feet, a 743.7 percent increase. Furthermore, the applicant is requesting to increase the previously approved number of temporary signs from 1 to 26, a 2,500 percent increase. Staff recognizes the necessity for temporary signs associated with resort hotels. However, staff is concerned with the significant increase to the area and number of the temporary signs associated with the resort hotel. Therefore, staff recommends denial of these requests.

Staff Recommendation

Approval of deviations #1 through #5, and #7, waiver of development standards, and design review #1a through #1j; denial of deviation #6, and design review #1k and #1l.

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:

- Expunge UC-0489-08.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SHERYL KASS

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