

10/05/21 PC AGENDA SHEET

FREESTANDING SIGN  
(TITLE 30)

BELL DR/PARADISE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0427-LAS VEGAS AIRPORT CENTER, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increased sign area; **2)** increased animated sign (electronic message unit) area; and **3)** reduced setback.

**DESIGN REVIEW** for a proposed freestanding sign in conjunction with an existing commercial center on 2.8 acres in a C-2 (General Commercial) (AE-65 & AE-70) Zone.

Generally located on the south side of Bell Drive and the east side of Paradise Road within Paradise. JG/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-27-101-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the overall sign area of a proposed freestanding sign to 540 square feet where 368 square feet is permitted per Table 30.72-1 (a 47% increase).
2. Increase the animated (electronic message unit) sign area of a proposed freestanding sign to 134 square feet where 100 square feet is permitted per Table 30.72-1 (a 34% increase).
3. Reduce the setback of a proposed freestanding sign adjacent to the right-of-way (Paradise Road) to 5 feet where 10 feet is required per Table 30.72-1 and Section 30.56.040 (a 50% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5030 Paradise Road
- Site Acreage: 2.8
- Project Type: Freestanding sign
- Sign Height (feet): 36
- Square Feet: 540 (proposed overall sign area)/134 (electronic message unit (animated))

### Site Plan

The site plan depicts an existing commercial center on the southeast corner of Bell Drive and Paradise Road. Currently, there are 3 commercial buildings on the west half of the subject parcel and 1 on the northeast corner. Parking is located in between the buildings and along the east half of the site. Per the applicant, the entire commercial center is under renovation with modern exterior finishes and new landscaping. There is an existing freestanding sign along the west property line, approximately 75 feet south of the northwesternmost building. The applicant is requesting to demolish this existing sign and construct a new and more modern freestanding sign on the northwest corner of the site. The proposed freestanding sign will be set back 5 feet from the west property line (adjacent to Paradise Road) where 10 feet is required, 11 feet from the commercial building to the east, and 22 feet from the north property line (adjacent to Bell Drive).

### Signage

The submitted plans depict a freestanding sign with an overall height of 36 feet. The freestanding sign design includes a triangular airplane wing shaped panel with a designated logo at the top, and the animated sign (electronic message unit) area is located in the middle. Black, grey, and white square tubes constructed and fastened in an angled direction, support the sign. A small flush mounted panel for the site's address numbers is located below the animated sign (electronic message unit) area. Exterior finishes include wood cladding, internally illuminated pan channel letters, blue strip panels, and black metal framing.

The plans show that the overall sign area is 540 square feet where 368 square feet is permitted per Table 30.72-1. In addition, the freestanding sign includes an animated sign (electronic message unit) with an overall area of 134 square feet, where 100 square feet is the maximum allowed per Table 30.72-1.

### Applicant's Justification

Per the applicant, since the existing freestanding sign will be removed, the proposed sign will be placed closer to the front of the commercial complex. The sign will be positioned in the direction of vehicular traffic, and visibility would be limited if the sign were set back 10 feet from the west property line due to the existing powerlines and palm tree. Furthermore, increasing the overall sign area is warranted since the height of the sign is similar in height and scale of the existing buildings. In order to ensure visibility of the proposed sign, increasing the sign area will capture essential visibility by vehicles passing by. In addition, increasing the animated sign area by 34 square feet will allow for the promotion of businesses on-site and help to maximize the viability of the newly renovated commercial center. The proposed sign will match the newly renovated buildings which used to have tan painted CMU block walls with brown concrete tile roofing. The buildings now have new windows, new paint, new standing seam metal exterior panels, black railings, new black storefront and window systems, and new landscaping.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0408-14	Cannabis dispensary	Denied by BCC	December 2014
UC-1337-94	Minor training facility - expired	Approved by PC	September 1994
VC-0535-94	Allowed a 52 square foot electronic message panel on a freestanding sign in conjunction with a vehicle rental establishment	Approved by PC	May 1994
ZC-151-82	Reclassified the site from C-1 to C-2 zoning and allowed additional commercial uses within the complex	Approved by BCC	October 1982

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	General Commercial	C-2	Convenience store
South	General Commercial	M-D	Vehicle rental establishment
East	General Commercial	C-2 & R-4	Liquor store, multiple family residential, & transportation service and tour guide
West	Public Facility	P-F	McCarran International Airport

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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.

Waiver of Development Standards #1

Although staff does not typically support requests to increase the overall sign area of a freestanding sign, staff finds that the proposed design is compatible to the existing site, the surrounding commercial areas, and the proposed sign is similar in scale and design as the newly renovated buildings. There are existing billboards along Paradise Road and Tropicana Avenue that are twice the height and scale of the proposed sign; therefore, staff finds this request to be warranted.

### Waiver of Development Standards #2

Title 30 allows a maximum of 100 square feet for animated signs (electronic message unit), and the applicant is requesting to increase the animated sign (electronic message unit) area to 134 square feet. Staff finds that the request is minimal, and will not negatively impact the overall site, the new surrounding landscaping, or the newly renovated buildings. Staff can support this request.

### Waiver of Development Standards #3

The applicant is requesting to install a proposed freestanding sign on the northwest corner of the site with the following setbacks: 22 feet from the north property line (adjacent to Bell Drive) where 10 feet is required; 11 feet from the nearest existing building to the east; and 5 feet from the west property (adjacent to Paradise Road) where 10 feet is required per Code. In order to avoid the sign from interfering with new landscaping, existing palm trees, and the existing power poles, staff finds that the proposed 5 foot setback from the west property line is appropriate. Staff supports this request.

### Design Review

Since staff supports the waivers of development standards, staff also supports the design review. The proposed sign is aesthetically pleasing and will be a positive addition to the commercial center.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

### **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**

- 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.

### **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 30.48 Part B of the Clark County Unified Development Code;
- 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; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LAS VEGAS AIRPORT CENTER, LLC

**CONTACT:** JOHN CURRAN, DAPPER DEVELOPMENT, 985 WHITE DR STE 100, LAS VEGAS, NV 89119