

11/17/21 BCC AGENDA SHEET

RESTAURANT/SIGNAGE/LIGHTING  
(TITLE 30)

FORT APACHE RD/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0536-JO FAM PROPERTY, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for signage.

**DESIGN REVIEWS** for the following: **1)** restaurant; **2)** signage; and **3)** lighting on a portion of 4.3 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Maule Avenue and the east side of Fort Apache Road within Spring Valley. JJ/ja/jo (For possible action)

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RELATED INFORMATION:

**APN:**

176-05-226-005 ptn

**WAIVER OF DEVELOPMENT STANDARDS**

1. a. Allow a monument sign to advertise businesses which are not located on the same pad site where not permitted per Table 30.72-1.
- b. Allow a wall sign to project 4 feet from the building where a maximum of 3 feet is allowed per Table 30.72-1 (a 33% increase).
- c. Allow a wall sign to face residential development where not permitted per Table 30.72-1.

**DESIGN REVIEWS:**

1. Restaurant building (Proposed Restaurant B).
2. Signage for 3 retail/restaurant buildings (Proposed Restaurant B, Restaurant A, and Retail A).
3. Lighting (Proposed Restaurant B).

**LAND USE PLAN:**

SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6870 Fort Apache Road
- Site Acreage: 4.3 (portion)
- Project Type: Restaurant/signage (3 pads)/lighting (Proposed Restaurant B)

- Building Height (feet): 22
- Square Feet: 4,100
- Parking Required/Provided: 168/159 (approved via WS-20-0580)

### Request

There are 3 components of this request. First, is a design review for a pad site within an approved shopping center on the northeast corner of Fort Apache Road and Maule Avenue. The proposed restaurant is located on the northwestern portion of the site (Proposed Restaurant B). Second, is a design review for lighting for the proposed restaurant building. Third, signage is being reviewed for the restaurant, the previously approved restaurant (McDonalds) located south of the proposed restaurant, and the future retail building along the eastern property line.

### Site Plan

The plan depicts an approved shopping center consisting of an existing daycare facility with outdoor play area at the northeast corner of the site, and a convenience store with gasoline station on the southwest corner of the site. A future retail building is shown on the southeast portion of the site, adjacent to the multiple family residential development to the east. Access to the site is from an existing driveway entrance on Maule Avenue and 2 existing driveway entrances on Fort Apache Road. Per WS-20-0580, the northerly driveway entrance along Fort Apache Road was redesigned to accommodate the McDonald's pad and drive-thru lanes located on the north and west sides of the building. Dual drive-thru lanes run along the north of the building with a pick-up window along the west side, as well as a pass through lane.

The proposed restaurant building (Proposed Restaurant B) is located on the northwestern portion of the site, between Fort Apache Road and the daycare facility. The pad site is surrounded by a drive aisle, with parking along the western elevation.

### Landscaping

The plans depict existing 20 foot wide landscape areas along the street frontages that will not be impacted by the proposed construction. There is additional required existing landscaping along the east property line per prior conditions of approval of WC-18-400196 (UC-0667-17). Parking lot landscaping is provided throughout the parking lot. Landscaping is also shown around the restaurant. No other changes to the approved landscaping plan have been proposed.

### Elevations

The plans for the proposed restaurant building depict a 22 foot tall building with a flat roof surrounded by parapet walls. Varied rooflines break-up the mass of the building, along with stone and wood accent elements over the white and grey concrete facades. Storefront windows and doors are located along the west and northern elevations. Elevations for the future retail building on the eastern property line, as well as the McDonalds on the western side of the site have already been approved. LED downlight module light fixtures used on the convenience store and daycare will also be located on the restaurant.

### Floor Plans

The plans depict a 4,100 square foot open floor plan for future tenant improvement.

Signage

Signage for the proposed restaurant (Proposed Restaurant B), the McDonalds and retail building are part of this request.

- 1) Proposed restaurant: Wall signs are located along the western elevation, above the windows, which may also be for future tenants. The signs consist of channel letters, both facelit or reverse lit. The signs range in area up to 50 square feet per sign. The wall signs are well within the maximum area allowed by Code.
- 2) Future retail building (eastern side of the site): Wall signs similar in size to the proposed restaurant are shown on the north, south, and west elevations. No signage is proposed for the eastern elevation.
- 3) McDonalds: The standard franchise signage is shown around the building, such as wall signs, menu boards, drive-thru and freestanding. On both the west and south elevations the letters are attached to a raceway, which extends 4 feet from the wall, necessitating the waiver request. These signs are approximately 34 square feet each. In addition, the plans show 3 illuminated “arch” signs, approximately 4 foot wide by 3.5 feet tall, 1 on the north elevation, 1 on the south elevation and 1 on the eastern elevation. The sign on the eastern elevation is facing residential, which necessitates the waiver request. Finally, a freestanding sign for McDonalds is located to the northwest of the pad, near the northernmost driveway to the shopping center and set back 21 feet from Fort Apache Road. The pole sign stands 22 feet tall with the top 8 feet being the McDonald’s “arch.” The decorative pole cover is painted in grey tones to match the buildings within the shopping center.
- 4) Monument sign: A 60 square foot monument sign is at the southernmost driveway to the shopping center from Fort Apache Road, between the McDonalds and existing convenience store pad site. The monument sign contains tenant panels, which are not located on the same pad as the sign, necessitating the waiver request. The sign is painted grey to match the buildings within the center.

Existing monument signs for the convenience store are located on the corner of Fort Apache Road and Maule Avenue, and farther east on Maule Avenue.

Applicant’s Justification

The applicant indicates the design of the proposed restaurant is consistent with the remainder of the shopping center, as is the light fixture. The monument sign is appropriate being that it is located at the driveway to the commercial center, which has cross access to all the parcels. The signs are compatible with the site and are an asset to the community.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-20-0580	Drive-thru restaurant with reduced parking and driveway modifications and design review for lighting	Approved by BCC	February 2021

### Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0581	Vacated and abandoned easement	Approved by BCC	February 2021
DR-19-0600	Signage in conjunction with a convenience store with gasoline station	Approved by BCC	October 2019
WS-18-0655	Allowed alternative landscaping with design review for proposed lighting, signage (wall signs for The Learning Experience), and modified landscaping in conjunction with a shopping center	Approved by BCC	October 2018
WC-18-400196 (UC-0667-17)	Waived conditions of a use permit regarding phasing of construction and landscaping	Approved by BCC	October 2018
WS-1003-17	Allowed modified driveway design standards in conjunction with a shopping center	Approved by BCC	January 2018
VS-1004-17	Vacated and abandoned a portion of right-of-way	Approved by BCC	January 2018
TM-0198-17	1 lot commercial subdivision	Approved by BCC	January 2018
UC-0667-17	Shopping center with convenience store, gasoline station, daycare facility, and future restaurants, reduced the separation between a convenience store and a residential use and reduced the separation between a gasoline station and a residential use	Approved by BCC	September 2017
ZC-0017-01	Reclassified the site to C-2 zoning for a proposed shopping center	Approved by BCC	March 2001

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	C-P	Developing office complex
South	Major Development Project	R-2 & P-F	Single family residential development & Faiss Middle School
East	Residential High (8 to 18 du/ac)	R-3	Multiple family residential
West	Commercial Neighborhood	R-2	Single family residential

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

#### Waiver 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 #1a

The proposed monument sign is the overall sign for the shopping center, which will advertise all tenants on site. This sign is not competing with other signs in the shopping center, which is why the restriction to limit advertising to only those tenants on the same pad site is in place. If the proposed pole sign was not included in the request, this monument sign would be permitted. The monument sign is compatible with the shopping center. Staff recommends approval.

#### Waiver of Development Standards #1b & #1c

The proposed signage is the typical franchise signage associated with the restaurant (McDonalds). The extension of the sign 4 feet from the wall is intended to provide a decorative element to the sign and building. The signs will be facing the streets and will not have an impact to the neighborhood. The sign on the east elevation of the approved restaurant, facing the residential is approximately 12 square feet. The redesign of the pad site has set the building farther to the west than originally planned, approximately 200 feet from the residential development. In addition, a majority of the sign will be facing the drive aisle of the residential development to the east. Staff does not find that these signs will have a negative impact on the surrounding area; therefore, staff recommends approval.

#### Design Reviews #1 & #3

The proposed restaurant and related lighting are appropriate in scale and the elevations are decorative and compatible with the other buildings within the shopping center. Staff recommends approval.

#### Design Review #2

Staff finds that the proposed wall signs and monument sign are compatible with the shopping center and will not have a negative impact on the surrounding area. Staff recommends approval of the design review.

#### **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**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- 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**

- Comply with approved drainage study PW17-56783;
- Coordinate with Public Works - Design Division for the Fort Apache Road improvement project;
- Dedicate any right-of-way and easements required for the Fort Apache Road improvement project;
- 30 days to submit a Separate Document to the Map Team for any required right-of-way dedications and any corresponding easements for the Fort Apache Road improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for the Fort Apache Road improvement project.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:** Spring Valley - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JO FAM PROPERTY, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BLDG 3 STE 577, LAS VEGAS, NV 89134