



Planning Commission Agenda Item

Date: August 11, 2021

Item No: 10.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Robert Eastman

SUBJECT: SUP-45-2021 MAVERIK CONVENIENCE STORE (Public Hearing).
Applicant: Maverick, Inc. - Joe Ann Terburg, P.E. / Sr. Mgr. Request: A special use permit in a C-2 (General Commercial District) to allow increased sign heights and sign areas for an approved convenience store. Location: Northeast corner of Interstate 15 and Tropical Parkway. (Ward 1).

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION: (APN 123-28-201-011)

The applicant is requesting approval for a special use permit to allow increased sign heights and sign areas for an approved convenience food store with gas pumps. The request is for two different signs at the approved convenience food store. The site is an 8.91 acre parcel located at the northeast corner of Interstate 15 and Tropical Parkway in a C-2, General Commercial District. The Comprehensive Master Plan Land Use designation for the subject site is Community Commercial.

BACKGROUND INFORMATION:

| Previous Action |
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| Planning Commission approved UN-68-19 on September 11, 2019 to allow a convenience food store with gas pumps. |

RELATED APPLICATIONS:

| Application # | Application Request |
|---------------|---------------------|
| N/A | |

GENERAL INFORMATION:

| | Land Use | Zoning | Existing Use |
|-------------------------|---|---|-------------------------------|
| Subject Property | Community Commercial | C-2, General Commercial District | Undeveloped |
| North | Right-of-Way | O-L, Open Land | Interstate 15 |
| South | Heavy Industrial | M-2, General Industrial District | Undeveloped and Warehouse |
| East | Heavy Industrial | M-2, General Industrial District | Undeveloped |
| West | Heavy Industrial, Community Commercial and Right-of-Way | C-2, General Commercial District and O-L, Open Land | Interstate 15 and Undeveloped |

DEPARTMENT COMMENTS:

| Department | Comments |
|--------------------------------------|-------------|
| Public Works: | No Comment. |
| Police: | No Comment. |
| Fire: | No Comment. |
| Clark County School District: | No Comment. |
| Clark County Department of Aviation: | No Comment. |

ANALYSIS

The applicant is requesting Planning Commission approval for a special use permit to allow an increased sign height and sign area for two (2) freestanding signs. The proposed signs will be located at the northeast corner of Interstate 15 and Tropical Parkway in a C-2, General Commercial District. The signs will be located at the entrance from Tropical Parkway and on the north side of the parcel adjacent to Interstate 15.

According to the applicant's letter of intent, the proposed signs are reasonable and appropriate for the proposed convenience food store with gas pumps at this new exit from the I-15/CC-215 interchange. The convenience food store is approximately 6,489 square feet with twelve (12) passenger vehicle and eight (8) truck fueling stations. The applicant states that due to the parcels unique geographic location there is lower visibility for the signs to be seen by motorists to exit for this facility. The sign height is

critical to the applicant as the business is dependent on travelers along the highway. The applicant has provided a rendering to support the request. The elevation depicts both a 60-foot and an 80-foot tall sign on the property. The 60-foot sign is obscured but the 80-foot sign is visible.

The proposed site plan indicates the freestanding signs will be located in the perimeter landscaping areas as required and is in compliance with that requirement. The applicant has submitted elevations which depict the proposed signs. The first proposed freestanding sign located adjacent to Tropical parkway is 26 feet tall with a sign area of 136 square feet. Title 17 allows a sign height of 18 feet and a sign area of 125 square feet. The sign has three (3) separate box signs located on a stone wall base with an aluminum pole cover that will be painted black and will have a wood looking texture. The three (3) signs indicate the company logo, gas pricing by an electronic graphic display and a restaurant. The electronic graphic display portion of the sign does not exceed 50% of the sign area. The allowable electronic graphic display area for this sign is approximately 68 square feet and the proposed electronic graphic display is approximately 63 square feet.

The second proposed freestanding sign, located adjacent to Interstate 15 is 80 feet in height with a sign area of 345 square feet. Title 17 allows a height of 60 feet and a sign area of 125 square feet. The electronic graphic display portion of the sign will not exceed 50%. The allowable electronic graphic display area for this sign is approximately 172 square feet and the proposed sign indicates approximately 172 square feet is designated for the electronic graphic display. The pole sign should have a decorative cover that is architecturally compatible with the principal structure and the other freestanding sign on the site. This is minor and can be corrected with the building permit.

Title 17 (17.24.150.E.4) allows a maximum height allowed of 60 feet, for signs located within 1,500 linear feet of the Craig Road interchange, Cheyenne Avenue interchange, Hollywood Boulevard interchange, Lamb Boulevard interchange, or the CC-215 interchange. In this case the parcel is adjacent to the CC-215 interchange and 735 feet from the exit ramp of the interchange and the Tropical Parkway.

Title 17 (17.24.150.I.5) also, allows modifications to existing off-premises signs (billboards) if they are impacted by a noise abatement or highway improvement project. The section of the code allows a billboard to be increased in height or angle to restore visibility of a sign. The maximum height of the sign shall not be more than 45 feet above the tallest point of the highway improvement project. The Tropical Parkway / CC-

215 overpass has an elevation of 2,056 feet at its highest point. Allowing 45 feet above the highest point on the overpass would allow an elevation of 2,101 feet.

While the above section of code is for billboards and not for on-premises signs, it does provide some guidance that can be used to help mitigate the impact of the overpass on businesses within the area. The elevation of the base of the sign is 1,992 feet. Using the standards described above would allow a height of 109 feet. The requested 80 foot tall sign will have an elevation of 2,072 and should be approximately 16 feet above the height of the overpass.

In general the sign size is partially determined by the elevation of the sign and the distance from I-15. Larger signs and letters are needed for readability because of distance and travel speed. The American Planning Association (APA) has determined that a 242 square foot sign is needed for traffic that is traveling 55 miles per hour (mph). The United States Sign Council (USSC) has determined that 378 square feet is needed at the same speed. The travel speed on the I-15 is posted at 65 mph. The USSC report also indicates that at 65 mph 639 square feet is needed for a sign; unfortunately the APA report does not have sizes for 65 mph. However, based on these two studies, the proposed 345 square feet seems reasonable.

Nellis Air Force Base has contacted staff to discuss the proposed sign height of 80-feet. The sign height and proximity to the Air Force Base will require the applicant to file an application with the FAA. Specifically, the applicant is required to file an FAA 7460-1 for the 80 foot tall sign.

Based on the unique location and circumstances of the site, staff has no objection to the requested increased sign heights and sign areas at this location and is recommending approval with conditions. Additionally, as the proposed signs are several miles away from any residential, there should not be a negative impact on the surrounding area.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;

3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

CONDITIONS:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A building permit shall be issued for the construction of the convenience food store with gas pumps prior to a building permit being issued for the two (2) freestanding signs.
3. The 80 foot high pole sign shall have a decorative cover that is architecturally complementary to the principal structure and the other requested freestanding sign on the site.

ATTACHMENTS:

Letter of Intent
Site Plan
Sign Elevations
Proposed Sign Height Photo
Clark County Assessor's Map
Location and Zoning Map