

LANDSCAPING
(TITLE 30)

WINDY ST/ARBY AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
AR-23-400125 (WS-21-0525)-LMG LAS VEGAS, LLC:

WAIVER OF DEVELOPMENT STANDARDS APPLICATION FOR REVIEW for landscaping in conjunction with an existing distribution facility and outside storage yard on 4.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the east and west sides of Windy Street and the north side of Arby Avenue within Enterprise. MN/rp/syp (For possible action)

RELATED INFORMATION:

APN:

177-05-701-031; 177-05-701-033

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 7060 Windy Street
- Site Acreage: 4.6
- Project Type: Outside storage yard in conjunction with an existing distribution center
- Number of Stories: 2
- Building Height (feet): 60
- Square Feet: 87,974
- Parking Required/Provided: 82/92

Site Plan & History

The project includes 2 parcels; an existing 87,974 square foot distribution center located on the eastern parcel (APN 177-05-701-031) and an outside storage yard located on the western parcel (APN 177-05-701-033). The storage yard has access to the distribution center from the adjacent parcel to the east and Windy Street. Two parking spaces are located on the parcel to the west and the remaining parking is located on the eastern parcel. Access to the distribution center is granted via an existing commercial driveway adjacent to Windy Street.

Landscaping

Per Code requirements, the previously approved landscape plan for NZC-19-0903 (APN 177-05-701-033) featuring the outside storage yard depicted a freeway buffer wall with landscaping,

parking lot landscaping, and street landscaping. The applicant was approved to temporarily waive all Code required landscaping for the parcel to the west (APN 177-05-701-033).

Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0525:

Current Planning

- Until February 1, 2023 to review;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the subject property will be in violation of the Development Code if the installation of landscaping and the construction of the freeway buffer wall are not completed by February 1, 2023; NZC-21-0903 is subject to a resolution of intent to complete in 3 years by February 19, 2023; 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 and application for review; and that 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.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that approval of waiver of development standards to waive landscaping has had no issues or impact to the public or neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-23-400032 (NZC-19-0903)	First extension of time for a zone change to M-D zoning for outside storage in conjunction with an existing distribution center, waivers for reduced parking, alternative driveway geometrics, gate setback, and a design review for an outside storage yard	Approved by BCC	June 2023
WS-21-0525	Waivers for landscaping in conjunction with an existing distribution facility and outside storage yard	Approved by BCC	November 2021

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-0903	Reclassified a portion of the project site, APN 177-05-701-033 (western parcel), from R-E to M-D zoning for outside storage in conjunction with an existing distribution center, waivers for reduced parking, alternative driveway geometrics, gate setback, and a design review for an outside storage yard	Approved by BCC	February 2020
VS-18-0849	Vacated and abandoned an access easement	Approved by PC	December 2018
WS-18-0627	Waiver for water commitment requirement, off-site improvements, and drainage study in conjunction with a minor subdivision parcel map	Approved by BCC	October 2018
WS-18-0215	Waiver for increased building height, reduced throat depth for driveway with a design review for expansion of existing distribution center	Approved by BCC	June 2018
WS-1497-04	Distribution center for a stage and lighting facility	Approved by BCC	September 2004
VS-1498-04	Vacated and abandoned patent easements	Approved by BCC	September 2004
ZC-1235-99	Reclassified the site from R-E and H-1 to M-D zoning for an office/warehouse building	Approved by BCC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North*	Entertainment Mixed-Use	C-2	Retail
South	Entertainment Mixed-Use	R-E, M-D, & H-1	Undeveloped & office/warehouse
East	Entertainment Mixed-Use	H-1	Undeveloped
West*	Entertainment Mixed-Use	M-D	I-215

*Immediately to the north and west is the interchange for the I-215 and the I-15.

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval.

Staff is not aware of any complaints from the public about the waiver to eliminate parking lot, street landscaping, and freeway buffer. The request is temporary; therefore, staff can support the request. However, staff wants to ensure landscaping will be installed per Code and recommends a time limit commensurate with the related zone change, NZC-19-0903, to review the landscaping.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until February 19, 2025 to review landscaping.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time or applications for review, 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 and application for review; and that 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.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: DANTE AMATO

CONTACT: CHAMPION RESOURCE GROUP, LLC, 4310 PLUMERIA MIST STREET,
LAS VEGAS, NV 89129