

04/08/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0099-185 BCC, LLC:

USE PERMITS for the following: **1)** recreational and entertainment facility; and **2)** vehicle maintenance and repair.

WAIVER OF DEVELOPMENT STANDARDS to reduce buffering and screening.

DESIGN REVIEW for a retail and office development with outdoor activity area on 0.92 acres in a CG (Commercial General) Zone.

Generally located south of Windmill Lane and west of Gilespie Street within Enterprise. MN/bb/kh (For possible action)

RELATED INFORMATION:

APN:

177-16-102-029

WAIVER OF DEVELOPMENT STANDARDS:

Allow an existing 6 foot high decorative wall where an 8 foot high decorative screen wall is required per Section 30.04.02C (a 25% reduction).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 185 E. Windmill Lane
- Site Acreage: 0.92
- Project Type: Retail, office, recreational or entertainment facility (animal adoption, goat yoga, field trips)
- Number of Stories: 1
- Building Height (feet): 24 Building 1/24 Building 2/12 smog check/11 shade structures
- Square Feet: 4,798 retail / 6,025 office/80 smog check/390 each shade structure
- Parking Required/Provided: 29/31
- Sustainability Required/Provided: 7/8.5

Site Plan

Access to the site is from the north along Windmill Lane with a northern Building #1 for retail uses and a southern Building #2 for office uses. The buildings are located along the west side of the property with parking on the east side of the property. A smog check building with outdoor in ground dyno test rollers is located at the northeast corner of the parking lot and is

approximately 230 feet from the nearest RNP-NPO boundary. A sidewalk runs along the east and west sides of each building with a shared courtyard between the buildings. Bicycle parking, including electric bicycle parking, is located at the north end of the parking lot, adjacent to Building #1. The trash enclosure is located 63 feet north of the south property line and meets residential adjacency standards. The portion of the property located in the area immediately north of the buffer landscaping will include animal adoption facilities, including the 4 shade structures, animal pens, and accessible pad sites for pedestrian ADA access. The outdoor area will be used for goat yoga events and separately to educate adults and children visitors about animal adoptions. The in-ground dyno for the smog is considered a vehicle maintenance and repair and is not being store indoor, necessitating a use permit.

Landscaping

Street landscaping is provided along Windmill in areas outside the sight visibility zones. Parking lot landscaping is provided in landscape islands for every 6 spaces. A 6 foot wide area with decorative rock only is located along the east property line. A 15 foot wide area of landscaping with a double row of evergreen trees is shown along the south property line as a buffer to the single-family residences.

Elevations

The elevations depict 24 foot high stucco sided buildings with stained wood accent siding and flat roofs with 3 height variations in the top 8 feet of each structure. Aluminum storefront windows and doors are on the east façade and windows only are on the north and south facades of both buildings. Three foot deep metal awnings are located above each of the 9 emergency access doors along the west side of both buildings. The buildings are connected by façade treatments on the east and west side, creating a courtyard between the buildings.

Four, 11 foot high shade sails are located on the south side of the buildings.

The smog hut will match the stucco and color design of the buildings with a primary opening on the south side facing the dedicated dyno parking space.

Floor Plans

Building #1 includes 4 suites and Building #2 includes 5 suites. All suites range in size from 1,164 square feet to 1,245 square feet.

Applicant's Justification

The applicant is requesting a recreational/entertainment facility use permit to allow a future user of one of the proposed office spaces on site to operate temporary events for animal adoptions up to 10 times a month during the year between the hours of 6:00 AM and 10:00 PM. The adoption events would share the buffer landscaping area and include a shade structure and animal pens that are only used during daytime hours. Animals will be delivered to the property for daytime adoption events to be held in the landscaped areas south of the building. Remaining animals will be removed from the property after events. No household pets like dogs or cats will be included in the animal adoption events. Small mammals (rabbits, guinea pigs, ferrets, and chinchillas), reptiles and amphibians, avian and aquatic species, and a variety of livestock animals are included in the adoption events. No exotic or dangerous animals governed by Clark County

Code Chapter 10.04 are included in adoption events. Other events will include goat yoga and education of school kids and adult visitors about the adoption process.

Prior Land Use Requests

Application Number	Request	Action	Date
AC-15-901102	Administrative zoning compliance for a community residence - expired	Approved by ZA	November 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential
East	Neighborhood Commercial	CG & CP	Undeveloped
West	Neighborhood Commercial	CG	Undeveloped

Related Applications

Application Number	Request
ZC-26-0098	A zone change from RS20 to CG is a companion item on this agenda.
VS-26-0100	A vacation and abandonment for a portion of right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Use Permits #1

The use permit request is for recreation and entertainment events that take place during daytime hours and are limited to 10 times a month with all activity being removed at the end of each daily event. The landscape area south of the building includes the required 15 foot wide buffer area with a double row of evergreen trees as well as a drainage easement between the site and residence to the south, and provide an effective buffer from the proposed animal adoption use, goat yoga, adult and school visitors. Four shade structures are included in the south landscape

area for additional screening and shade. The animals being adopted include livestock and other small, medium, and large animals. Some of the livestock adoptions are for animals that are encouraged and protected in NPO areas. Staff supports the use permit.

Use Permits #2

The proposed dyno machine is in-ground at a dedicated smog parking space with a cover and will be locked when not in use, and meets the intent of the code by screening the dyno from view. Staff supports the use permit.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The existing 6 foot high CMU wall is adjacent to an existing 23 foot wide public drainage channel that has another screen wall on the south side of the easement north of the adjacent home to the south. The grade for the homes to the south of this site are approximately 2 feet higher than the subject property. The combination of the drainage channel and 2 screen walls will provide adequate buffering and meet the intent of the code for this property. Staff supports the waiver request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed buildings feature four-sided designs, enhanced facades, enhanced roof planes, and a large amount of aluminum storefront glass on the east, north, and south sides of the buildings to enhance the property. The vehicle maintenance smog facility is located on the north side of the property and will not create an unsightly or undesirable appearance. Staff supports 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Outdoor events, including but not limited to animal adoptions, goat yoga, and adoption visitors are limited to the hours of 6:00 a.m. to 10:00 p.m.;
- Limited to 10 outdoor events per month, which shall be tracked by the property owner or their designee;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that compliance with the above conditions is mandatory and violations may result in the revocation of the use permit; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Windmill Lane improvement project;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to show on-site fire lane, turning radius, and turnarounds.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is currently under plan review for a septic system conversion to the Clark County Water Reclamation District (CCWRD) sewer system; any future modifications to existing plumbing fixtures may require additional capacity and connection fees, which will need to be addressed at that time.

TAB/CAC: Enterprise - approval (add a surrounding attenuation wall around dyno machine to decrease noise levels).

APPROVALS:

PROTESTS:

APPLICANT: MARISSA FEHRMAN

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