

03/19/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-25-400012 (WS-21-0525)-LMG LAS VEGAS, LLC:

WAIVER OF DEVELOPMENT STANDARDS SECOND APPLICATION FOR REVIEW

for landscaping in conjunction with an existing distribution facility and outside storage yard on 4.54 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay.

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

RELATED INFORMATION:

APN:

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

WAIVER OF DEVELOPMENT STANDARDS:

1.
 - a. Eliminate parking lot landscaping where required per Figure 30.64-14.
 - b. Eliminate street landscaping where required per Figure 30.64-13.
 - c. Eliminate the required landscaping and freeway buffer wall where required when adjacent to a freeway per Figure 30.64-4.

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 7060 Windy Street
- Site Acreage: 4.54
- 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

The project includes 2 parcels with 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. WS-21-0525, was previously approved to temporarily waive all Code required landscaping for the parcel to the west (APN 177-05-701-033).

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for AR-23-400125 (WS-21-0525):

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.

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.

Applicant's Justification

The applicant indicates a review was conditioned with AR-23-400125 (WS-21-0525) because Title 30 was under a rewrite at the time. The applicant had planted small 15 gallon trees instead

of planting medium 15 gallon trees. The trees have now grown to medium sized trees. Additionally, the applicant indicates they submitted a certificate of compliance for the approved landscaping and were told to apply for this application review by staff.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-23-400125 (WS-21-0525)	First extension of time for waivers for landscaping in conjunction with an existing distribution facility and 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
NZC-19-0903	Reclassified a portion of the project site, APN 177-05-701-033 (western parcel), from R-E to M-D 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	RS20 (AE-65 & AE-70)	I-15
South	Entertainment Mixed-Use	IP & CR (AE-65)	Undeveloped & office/warehouse
East	Entertainment Mixed-Use	CR (AE-70)	Undeveloped
West*	Entertainment Mixed-Use	RS20 (AE-65 & AE-70)	I-215

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

Related Applications

Application Number	Request
ET-25-400011 (NZC-19-0903)	An extension of time 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 is a related 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**

Photographs have been submitted to staff demonstrating the existing landscaping does not conform to the Development Code. The applicant has completed the permit and inspection process for BD24-05366 to replace a temporary chain link fence along the northwest property line of APN 177-05-701-033 with a permanent 8 foot high wrought iron fence where a freeway buffer wall is required. Furthermore, 1 large tree (15 gallon) is required every 50 or one, 24 inch box tree per 100 linear feet (24 inch box) inside of the buffer wall. In lieu of the required large trees, 6 medium 15 gallon trees have been planted 50 feet on center on the south side of the fence, within the boundaries of the project site. The required parking lot landscaping, located at the northeast corner of the site, has not been planted. The fence allows for vehicles traveling along the freeway to view commercial activities occurring within the subject site, which conflicts with Goal 6.2 of the Master Plan which seeks to enhance the quality of development in unincorporated Clark County. The subject site is adjacent to I-215 and I-15, which accommodate many vehicles on a daily basis. The applicant has not demonstrated compliance with the landscaping requirements established per Code. Furthermore, the previously approved plans for NZC-19-0903 depicted the required freeway buffer wall in conjunction with the required 24 inch box trees. Therefore, staff cannot support the request.

Staff Recommendation

Denial.

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**

If approved:

- Remove the time limit.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: DANTE AMATO

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