

DISTRIBUTION FACILITY
(TITLE 30)

OQUENDO RD/TOPAZ ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
AR-23-400066 (ZC-21-0442)-A & AR, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: **1)** recreational facility (indoor sports facility); **2)** restaurant; **3)** on-premises consumption of alcohol (a lounge); and **4)** allow alternative landscaping where landscaping per Figure 30.64-12 is required.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** departure distance; **2)** reduce bicycle parking; **3)** reduce setbacks; **4)** reduce loading spaces; and **5)** reduce height/setback ratio.

DESIGN REVIEW for a distribution center on 3.3 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the south side of Oquendo Road and the west side of Topaz Street within Paradise (description on file). JG/dd/syp (For possible action)

RELATED INFORMATION:

APN:

162-36-202-004; 162-36-202-028

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the departure distance for a driveway on Topaz Street to 79 feet 6 inches where 190 feet is required per Uniform Standard Drawing 222.1 (a 58% reduction).
2. Reduce the required bicycle spaces for a recreational facility to 4 spaces where 40 spaces are required per Table 30.60-2 (a 90% reduction).
3. Reduce the corner side yard setback to 10 feet where 20 feet is the minimum required per Table 30.40-4 (a 50% reduction).
4. Reduce loading spaces to 2 spaces where 3 spaces are required per Table 30.60-6 (a 33% reduction).
5. Reduce the height/setback ratio to a residential use to 22 feet where 72 feet is required per Section 30.56-10 (a 69.4% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 5975 Topaz Street

- Site Acreage: 3.3
- Project Type: Recreational facility/distribution center
- Number of Stories: 1
- Building Height (feet): 40
- Square Feet: 79,254
- Parking Required/Provided: 80/88

History

The original request was to allow an existing recreational facility (indoor sports facility) with an ancillary restaurant and lounge to operate on a temporary basis while a distribution facility prepared to take over operation of the site. No changes were proposed to the exterior of the building in relation to the conversion to a distribution center; however, a new parking area was to be added in the northeast corner of the site.

Site Plan

The approved plans show the existing building as being located on the southern portion of the project with parking located to the north of the building. There are 88 parking spaces being provided where 80 parking spaces are required. Access to the site is provided by an existing driveway from Oquendo Road and a proposed driveway from Topaz Street. The existing trash enclosure is to be removed and a new trash enclosure will be provided in front of the building.

Landscaping

The approved plan depicts 10 foot wide landscape planters around the perimeter of the site with the exception of the south perimeter, which is up to 31 feet in width with attached sidewalks on both Oquendo Road and Topaz Street. Additional landscaping is shown within the parking area and adjacent to the building. The landscaping along the street frontages is comprised of 24 inch box Arizona Ash and California Fan Palm trees with 5 gallon shrubs and groundcover. Along the southern property line are 24 inch box Japanese Blueberry trees with 5 gallon shrubs, and groundcover. The parking areas display 24 inch box California Fan Palm trees with shrubs and groundcover.

Elevations

The existing building is 1 story and 40 feet in height. The building is constructed of metal and painted in earth tone colors.

Floor Plan

The existing building has an area of approximately 80,000 square feet and consists of 10 indoor tennis courts, with 5 courts each within the northern and southern portions of the building. The center of the building, in an atrium area is where the accessory commercial uses are located. Locker rooms, offices, and storage areas are located in the western portion of the building. The previously approved plan indicates the restaurant and lounge area occupy approximately 4,000 square feet of the atrium area.

The approved plans show that with the conversion of the building to a distribution facility the floor plans would become open, with offices and restrooms along the western edge.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-21-0442:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 1 year to review the transition process;
- 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 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; and that the use permits, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Full off-site improvements.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

Applicant's Justification

The applicant states that the transition process being reviewed is still ongoing, and the improvement plans for the new parking area and the associated utilities have been approved by Public Works. The applicant also states that all the conditions from the previous approval have been met and that there have been no adverse impacts to the area as a result of the original approval.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0442	Reclassified to M-D zoning for a distribution center with use permits for on-premises consumption of alcohol and alternative landscaping	Approved by BCC	October 2021
AR-20-400108 (UC-19-0582)	Application review of a restaurant and on-premises consumption of alcohol in conjunction with a recreational facility (indoor sports facility)	Approved by PC	November 2020
UC-19-0582	Restaurant and on-premises consumption of alcohol in conjunction with a recreational facility (indoor sports facility)	Approved by PC	September 2019
WS-0729-13	Reduced setbacks for an awning attached to the front of the building	Approved by PC	December 2013
WS-0986-05	Reduced the front setback for a previously approved tennis court facility building	Approved by PC	August 2005
UC-1544-04	Decorative metal recreational facility consisting of 10 indoor tennis courts and reduced the front setback to 18 feet along Topaz Street	Approved by PC	November 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	Cannon Middle School
South	Business Employment	R-E & M-D	Vacant
East	Business Employment	R-E & M-D	Undeveloped, single family residential, & office/warehouse
West	Business Employment	R-E & M-D	Undeveloped, single family residential, & financial service

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.

According to the applicant, their parking area improvement plans and the plans for the utilities related to the project have been approved by Public Works. Since the transition is still ongoing,

and the recreational facility is still operating, staff can support this request with a condition to review the transition process in another 2 years (from the original review due date).

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this application for 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

- Until October 6, 2024 to review the transition process.
- 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 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

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: A & AR, LLC

CONTACT: GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118