

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400011 (NZC-19-0903)-LMG LAS VEGAS, LLC:**

**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 0.56 acres from an RS20 (Residential Single-Family 20) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; **2)** alternative driveway geometrics; and **3)** reduce the setback for a proposed gate.

**DESIGN REVIEW** for a proposed outside storage yard in conjunction with an existing distribution center 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 (description on file). MN/tpd/kh (For possible action)

---

RELATED INFORMATION:

**APN:**

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

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 82 spaces where 92 spaces are required per Table 30.60-1 (a 10.9% reduction).
2.
  - a. Reduce the driveway width to 32 feet from face of curb to face of curb where a minimum of 35 feet is required per Section 30.52.050 (an 8.6% reduction).
  - b. Reduce the driveway throat depths to 12 feet where 25 feet is the minimum required per Uniform Standard Drawing 222.1 (a 52% reduction).
3. Reduce the setback for a gate to 12 feet where 18 feet is required per Section 30.64.020 (a 33.3% reduction).

**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
- Wall Height (feet): Up to 8
- Parking Required/Provided: 82/92

### History & Request

There is an existing 64,113 square foot office/warehouse building centrally located on the eastern parcel with an existing outside storage yard and parking area located on the northern portion of the site. A 23,861 square foot expansion located on the south side of the existing building was approved in June 2018. The purpose of this request was to expand the storage yard and parking area on the northern portion of the eastern parcel into the undeveloped western parcel which was re-zoned with the original request.

### Site Plans

The approved plans depict a proposed outside storage yard located on the western parcel. The storage yard will have access to the existing distribution center on the adjacent parcel to the east and Windy Street. There are 2 parking spaces located on the northeastern portion of the parcel and the remaining parking is located on the eastern parcel. A security gate is located at the driveway onto Windy Street. The setback for the gate and the width of the driveway do not meet Code requirements. No changes are proposed to the development on the eastern parcel other than to provide cross access between the 2 parcels.

### Landscaping

The approved plans depict an existing 15 foot wide landscape area along Windy Street, and a 20 foot wide landscape area along Arby Avenue. Interior parking lot trees will be provided as required by Code. Landscape materials that match the existing landscaping will be provided in the area where the new driveway is located. Large trees are located adjacent to the I-15 to I-215 off ramp as required per Code. A screen wall between 6 feet and 8 feet in height will surround the outside storage yard.

### Elevations

The approved plans depict a 36 foot high existing building and the approved expansion is between 50 feet and 60 feet high. The expansion has a flat roof with parapet walls and the façade consisting of pre-cast concrete panels that match the existing building. Windows, including a storefront window, and door treatments are located on the southwest corner of the building.

### Floor Plans

The approved plans depict an existing building consisting of warehouse space, offices, a demo area for the audio equipment, and other accessory uses. The 23,861 square foot expansion includes additional warehouse space, loading dock, and an audio lighting demo area. A 2,461 square foot second floor mezzanine was also provided in the building expansion.

### Signage

Signage was not a part of the original request.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-23-400032 (NZC-19-0903):

#### Comprehensive Planning

- Until February 19, 2025 to commence.

- 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 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.

Listed below are the approved conditions for NZC-19-0903:

#### Current Planning

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Full off-site improvements.
- Applicant is advised that the required gate setback is measured from the property line pursuant to Title 30 so revised plans must show the correct measurement or additional land use applications will be required for the applicant to provide the correct numbers; and that the minimum required throat depth is not shown on the plans, and therefore, additional land use applications will be required if the standards are not met.

#### Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0685-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Applicant's Justification

The applicant states the approved zone boundary amendment is justified for many reasons. There has been a change in law, policies, trends, and/or facts after the adoption of this original application that makes the request appropriate. The approved density and intensity of the zone change is compatible with surrounding development in the area. The approved application will have no adverse impact on the public facilities surrounding the subject site. This zone change conforms with various goals and policies within Title 30. Furthermore, the applicant has encountered numerous financial hardships that have impeded their ability to commence the project as approved.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-23-400125 (WS-21-0525)	First application for review for the approved application	Approved by BCC	November 2023
ET-23-400032 (NZC-19-0903)	First extension of time for the approved application	Approved by BCC	June 2023
WS-21-0525	Waivers for landscaping in conjunction with an existing distribution center and outside storage - expired	Approved by BCC	November 2021
NZC-19-0903	Zone change, waivers, and design review for outside storage in conjunction with an existing distribution center	Approved by BCC	February 2020
VS-18-0849	Vacation of an access easement	Approved by PC	December 2018
WS-18-0627	Waivers 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	Waivers for increased building height, reduced throat depth for driveway, with a design review for expansion of an 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 patent easements	Approved by BCC	September 2004
ZC-1235-99	Reclassified the site from R-E and H-1 zoning to M-D zoning for an office/warehouse building	Approved by BCC	December 1999

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
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**

<b>Application Number</b>	<b>Request</b>
AR-25-400012 (WS-21-0525)	An application for review for a waiver of development standards for landscaping 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**

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Since approval of the zone change the site was graded and paved and has been used for outside storage. Staff finds that the applicant has worked towards completing the gate. Since their last extension of time, the applicant has completed the permit and inspection process for a building permit (BD24-05366). The permit was to replace a temporary chain-link fence along the northwest boundary line of APN 177-05-701-033 with a permanent wrought iron fence. The approved gates were not included on this building permit and were conditioned to be on a separate building permit. Staff finds that the applicant has been working to complete the project. Since some progress has been made and with this being the second extension of time, staff recommends approval of this request; however, this is the last extension of time that staff will support. Since the applicant received the necessary permit to grade the site, and it has been used for outside storage, staff finds the zoning appropriate for the area and recommends the zoning to be made permanent. However, staff is recommending denial of the related application for review of the landscaping, so if AR-25-400012 is denied the project must comply with Code requirements for landscaping.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**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, 2027 to commence or the waivers and design review will expire unless extended with approval of an extension of time;
- Staff to prepare an ordinance to adopt the zoning.

- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- 8 months to complete the off-site improvements along Arby Avenue per approved off-site plan;
- 1 year administrative review of off-site improvements.

**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](mailto: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