

GRAVEL PIT
(TITLE 30)

UPDATE
I-15/LARSON LN
(SOUTH COUNTY)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0586-PATRIOT CONTRACTOR'S, LLC:

HOLDOVER USE PERMIT for a gravel pit with temporary construction storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback to any equipment from an existing occupied residential dwelling; **2)** reduce parking; and **3)** exceed the maximum site disturbance in conjunction with Hillside Development.

DESIGN REVIEWS for the following: **1)** a final grading plan in conjunction with a Hillside Development (slopes greater than 12%); and **2)** a gravel pit with temporary construction storage, including an accessory structure (truck scale with booth) on a 32.5 acre portion of a 33.1 acre site in an H-2 (General Highway Frontage) Zone and an R-U (Rural Open Land) Zone.

Generally located on the east side of I-15 and the south side of Larson Lane (alignment) within South County. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

191-17-501-007 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback to 505 feet where a minimum setback of 1,000 feet is required from any equipment to an existing occupied residential dwelling on any other property per Table 30.44-1 (a 49.5% reduction).
2. Reduce parking to 10 parking spaces where 28 parking spaces are required per Table 30.60-1 (a 64.3% reduction).
3. Permit a maximum 59.4% site disturbance for a gravel pit within a Hillside and Foothills Transition Boundary area where a maximum site disturbance of 35% is permitted for slopes exceeding 25% per Table 30.56-1.

LAND USE PLAN:

SOUTH COUNTY - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 32.5 (project site)/33.1 (overall)
- Project Type: Gravel pit with temporary construction storage

- Number of Stories: 1
- Building Height (feet): 9
- Square Feet: 100
- Parking Required/Provided: 28/10

Request

The applicant, Patriot Contractor's, intends to operate a gravel pit with temporary construction storage on a 32.5 acre portion of a 33.1 acre site. The applicant will process a portion of the existing hill for gravel, which will be exported from the site and used to support construction throughout the Las Vegas Valley by providing engineered fill, road base, and as a component of other products, such as concrete and asphalt. The gravel pit is intended as an interim project with the results being a developable property in the future. There are no future defined plans for this site and any future plans would require new land use applications. A portion of the site is currently zoned H-2, more specifically the southeast corner of the parcel that measures 27,000 square feet. This area will not be utilized for the operations of the gravel pit. This is a project of regional significance as defined by Title 30 as the development proposal is located within 500 feet of a local government's jurisdiction (City of Henderson). The City of Henderson has been notified of the request for the gravel pit with temporary construction storage.

Site Plans

The plans depict a gravel pit operation with temporary construction storage on a 32.5 acre portion of a 33.1 acre site. The gravel pit operation will occur on the north portion of the site, consisting of 20.5 acres. Approximately 19.6 acres of the north portion of the site features slopes in excess of 25%, necessitating a waiver of development standards to exceed the maximum site disturbance in conjunction with Hillside Development. This portion of the site will be "sheet graded" to ensure the property is suitable for future development. A design review for a final grading plan in conjunction with Hillside Development is also part of this request. The south portion of the site will remain undisturbed, with the exception of a paved parking lot for 10 vehicles and a truck scale (weigh station) with a small building located at the southwest corner. A temporary construction storage/staging area is located immediately to the east and north of the parking lot. The gravel pit requires 28 parking spaces where 10 parking spaces are provided, requiring a waiver of development standards to reduce parking. Access to the gravel pit is located at the northeast corner of the site, adjacent to the Larson Lane alignment. Circulation throughout the project site is provided through a paved surface/haul road measuring 24 feet in width. A third waiver of development standards is required to reduce the setback from equipment to the nearest occupied dwelling (Southern Highlands), which is located 505 feet away from the northwest corner of the site, across I-15 and to the west. A portion of the site is currently zoned H-2, more specifically the southeast corner of the parcel that measures 27,000 square feet. This area will not be utilized for the operations of the gravel pit.

Landscaping

Street and interior parking lot landscaping is not provided or required for this application.

Elevations

The plans depict a single story building measuring 9 feet in height with a pitched, asphalt shingle roof. The exterior of the building consists of wood siding and will be painted gray with white

trim. The south and west elevations feature a single window while the north elevation includes a door to the building.

Floor Plans

The plans depict a building measuring 100 square feet in area that will be utilized for the operations of the gravel pit, in addition to the truck scale.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant (Patriot Contractor's) intends to operate a gravel pit on the subject property. The applicant will process a portion of the existing hill for gravel, which will be exported from the site and support construction and jobs throughout the Valley by providing engineered fill, road base and as a component of other products, such as concrete and asphalt. This is intended as an interim project with the results being a developable property in the future. There are no future defined plans for this site and any future plans would require new land use applications.

Over a prolonged timeframe, approximately 5 years, the applicant desires to excavate their portion of the hill to a sheet graded elevation suitable for future development. The excavation and processing of the gravel would be performed during daylight hours. Typical earthmoving equipment would be used, such as bulldozers, excavators, loaders, rock trucks, and water trucks. It is estimated that up to 100 trucks per day would haul the gravel from the site. The equipment used to process the gravel is mobile and under a permit that allows it to be moved around. The hill to be processed is on the north end and middle portion of the site, no grading would occur in the south portion of the site, which has an existing wash, and is zoned R-U & H-2. Access will be along a new Larson Lane alignment (as provided by the City of Henderson) out to Las Vegas Boulevard South. This access will require a new Bureau of Land Management (BLM) right-of-way grant to cross BLM lands directly adjacent to the subject parcel's east boundary. The hours of operation will be from 6:00 a.m. until 6:00 p.m. No buildings or structures will exceed 35 feet in height. Staging for the processing equipment will be on-site and will avoid the wash areas. This site is not within the 100 year flood zone. It is anticipated that 10 to 18 employees on average would be at the site with only half of these employees driving themselves to the site and parking would be in the temporary construction staging area and would comply with Title 30 and Department of Air Quality and Environmental Management Requirements. There is no security fencing planned at this time.

The Hillside Development standards apply to the site as is, but once the site has been processed and sheet graded to make it suitable for future development, the new grades of the site will meet all standards. All transition areas from the finished graded site to natural surrounding grades will be at a minimum 3 to 1 slope. There are approximately 19.5 acres of the 33 acres overall (59% and 1.41 million cubic yards) that is being disturbed that has a slope greater than 25%. Only approximately 1 acre (3% and 72,000 cubic yards) is being disturbed where there is a slope between 12.01% and 25%, these areas are mostly at the peak of the hill and small area near the southwest corner of the hill.

While the nearest residential dwelling on the east side of I-15 is over 1,200 feet away, directly across I-15, the northwest corner of this property is approximately 505 feet from the closest residence in Southern Highlands. The applicant believes that due to the Interstate separating these properties, operations being limited to daylight hours and the requirement to satisfy Air Quality regulations, that the reduction of separation to 505 feet will have a minimal to no impact on the residential community. Additionally, the area that will be changing in grade to match the final sheet grade begins at an additional 130 feet within the property from I-15, placing the gravel pit operation at least 650 feet from the residential dwelling.

The parking requirement for the gravel pit calls for the entire gravel pit portion of the site to be used for the calculation resulting in 28 parking spaces. Unlike typical outside storage, only a small portion of the gravel pit will be actively in use at any one time. The only area where vehicles will be parked is within the temporary construction staging area, which represents less than 10% of the entire site and is 14% the size of the gravel pit. Therefore, a waiver of required parking down to 10 parking spaces (a 65% reduction), which represents the maximum number of employees that would drive to the site is being requested. There is no office trailer on-site, only a 100 square foot booth structure to be used with the weigh station.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Henderson & Open Lands	P-F	CCSD Transportation facility (school buses)
South	Entertainment Mixed-Use	C-1 & H-2	Undeveloped
East	City of Henderson & Entertainment Mixed-Use	N/A & C-2	Undeveloped, recreational vehicle sales, repair, & rental facility
West*	Open Lands & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-U & R-3	Undeveloped & single family residential (Southern Highlands)

*Immediately to the west of the project site is I-15.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit & Design Review #2

The project site, consisting of a total of 33.1 acres, has a planned land use designation of Entertainment Mixed-Use. This land use category encourages a mix of retail, restaurants, entertainment, gaming, lodging, and other tourist-oriented services, as well as office uses. While

the majority of the site is zoned for low-density residential development, the proposed gravel pit functions more as an industrial use, conflicting with the intent of the Entertainment Mixed-Use designation. The layout of the gravel pit, parking lot, and internal haul road is functional; however, staff finds the proposed use is incompatible with the abutting existing and future land uses. Furthermore, the gravel pit is immediately adjacent to the I-15 corridor that serves as the gateway to the Las Vegas Valley, and will be visible to motorists. Staff is also concerned the operations of the gravel pit will impact the residential development (Southern Highlands) to the west, across I-15. Therefore, staff recommends denial with an “if approved” condition to review the use permit, waivers of development standards, and design reviews within 1 year as a public hearing to determine if mitigation is needed for the gravel pit and its impact on the surrounding land uses.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

The intent of the required setback between equipment and an occupied dwelling is to mitigate any impact the operations of the gravel pit may have on existing residential development. Staff finds a 49% decrease in setback to the residential development to the west, across I-15, is significant and may potentially impact the single family residences. Therefore, staff recommends denial.

Waiver of Development Standards #2

Although the reduction to the required parking is significant, staff has no objection to the quantity of required parking spaces provided for the operations of the gravel pit. Furthermore, no modular office trailers are proposed for the site. However, since staff is not supporting the use permit, waivers of development standards, and design reviews, staff recommends denial of this request.

Waiver of Development Standards #3 & Design Review #1

Staff finds the proposed request to increase the amount of permissible slope disturbance excessive. The purpose of the Hillside Development restrictions is to provide for the reasonable, safe, and aesthetic use of the steep and inconsistent topography of natural hillsides within unincorporated Clark County. The existing hillside is a dominant feature of the I-15 corridor, visible to motorists entering and exiting the Las Vegas Valley. The existing hillside would be “sheet graded” resulting in a noticeably level site. The associated waiver of development standards and final grading plan conflict with the following design standards for Hillside Development: 1) minimize grading and site disturbance to maximize compatibility with the natural terrain; 2) preserve sensitive environments on the hillside; and 3) encourage the conservation of hillsides in areas with steep topography as visual resources. Therefore, staff recommends denial of these requests.

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:

- 1 year to review as a public hearing.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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; 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 this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Provide paved legal access.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC:

APPROVALS:

PROTESTS: 1 letter

COUNTY COMMISSION ACTION: October 18, 2023 – HELD – To 11/21/23 – per Commissioner Jones.

APPLICANT: PATRIOT CONTRACTOR'S

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