

07/16/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0358-FINDLAY FAMILY PROPERTIES LIMITED PARTNERSHIP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow on-site temporary construction activities; and **2)** waive full off-site improvements in conjunction with a temporary construction yard on 5.0 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located south of Maule Avenue and west of Bronco Street within Enterprise. MN/jam/syp (For possible action)

RELATED INFORMATION:

APN:

176-02-701-006; 176-02-701-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow on-site temporary construction activities without a building permit where on-site temporary construction activities are allowed in conjunction with a construction project with a valid building permit per Section 30.03.01E.
2. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Maule Avenue, Badura Avenue, and Bronco Street where required per Section 30.04.08C

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.0
- Project Type: Temporary construction activities
- Square Feet: 720 (1 jobsite trailer)/2,880 each (2 jobsite trailers)/2,160 each (3 jobsite trailers)

Site Plan

The plan shows 6 jobsite trailers; 1 is 720 square feet, 2 are 2,880 square feet each, and the other 3 are 2,160 square feet each. Perimeter fencing is shown along the street frontages, and an existing block wall is on the west property line. There are 8 proposed temporary power poles carrying power from the existing developed parcel located directly west to the jobsite trailers. The proposed temporary construction yard will be used for the data center project that is currently under construction across Maule Avenue to the north.

Landscaping

Landscaping is not provided or required.

Elevations

The construction trailers are standard temporary office and storage units with a flat roof, door, and windows.

Applicant's Justification

The applicant is proposing to operate a temporary construction yard which will be operated in support of a data center project. No permanent improvements and no impervious hard surfaces are proposed with the construction yard. There is no grading expected, and the site will comply with State and County dust control requirements.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IP	Data center - under construction
South	Compact Neighborhood	RM18	Multi-family residential
East	Business Employment	IP	Office/warehouse
West	Business Employment	IL	Office/warehouse

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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

Waivers 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.

Waiver of Development Standards #1

The use of the property will be limited to the coordination of construction activities in support of the construction of a data center which is located across the street to the north. The data center is being constructed across multiple parcels where there is limited available space to stage construction activities without hampering construction efforts. The use is temporary and will be concluded with the completion of the data center project. Therefore, staff supports this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support this request to not install full off-site improvements on Maule Avenue, Bronco Street and Badura Avenue when there are existing full improvements on the north, south, east and west sides of the street. Additionally, full width paving, curb, and gutter allows for better traffic flow and drainage control, and sidewalks on public streets provide safer pathways for pedestrians.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

Staff Recommendation

Approval of waiver of development standards #1; denial of waiver of development standards #2.

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:

- Applicant is advised 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; 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 with future development of the site;
- Full off-site improvements with future development of the site;
- Right-of-way dedication to include 30 feet for Maule Avenue, 30 feet for Bronco Street, 30 feet for Badura Avenue and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: EXTENDED POWER

CONTACT: EXTENDED POWER, 8977 S. BRONCO STREET, LAS VEGAS, NV 89139