

03/16/21 PC AGENDA SHEET

GRAVEL PIT/BATCH PLANT
(TITLE 30)

I-15/SR 168
(MOAPA)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-21-400011 (UC-0114-09)-LEWIS FAMILY TR MARTL DEDUCT TR & LEWIS,
PATRICIA TRS:**

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: **1)** gravel pit; **2)** permanent batch plant; and **3)** reduce the separation from a gravel pit and batch plant to residential uses.

WAIVER OF DEVELOPMENT STANDARDS to exceed the maximum site disturbance in conjunction with a hillside development.

DESIGN REVIEWS for the following: **1)** gravel pit; **2)** permanent batch plant; and **3)** development within the Hillside and Foothills Transition Boundary Area on 193.7 acres in an R-U (Rural Open Land) Zone.

Generally located on the east side of I-15 and the south side of State Route 168 (alignment) within Moapa. MK/lm/jd (For possible action)

RELATED INFORMATION:

APN:

042-02-401-003; 042-02-701-001; 042-02-701-002; 042-02-801-001; 042-02-801-002

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA) - RESIDENTIAL RURAL (UP TO 0.5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1855 S. Dude Drive
- Site Acreage: 193.7
- Project Type: Gravel pit and permanent batch plant

History & Request

The gravel pit and operations provide sand and gravel throughout the Las Vegas Valley and Moapa areas. The original use permit (UC-0114-09) from June 2009 provided for an expansion that included a 100 percent disturbance of the slope area of an 8 acre portion of the site and hillside of parcel 042-02-401-003. Although 100 percent of the mining area will be disturbed, 42 percent of the remaining land will be left natural and will help lessen the impacts of the mining operations. A current batch plant (identified as processing in the plan on file) will not be moved and is currently located on the east half of parcel 042-02-801-001 and the west half of parcel

042-02-801-002. This site is located outside of the PM-10 non-attainment area. There are 193.7 acres of land, of which 92.7 acres (42 percent) of the land is being kept in its natural state. The gravel and batch plant are within 1,000 feet from a residential use on the northwest portion (610 feet) of the site and on the southeast portion (750 feet) of the site.

This application is to satisfy a Public Works condition requiring 1 year review to ensure compliance with Public Works conditions of approval. With this application, the applicant is also requesting to eliminate the Current Planning condition requiring 15 years to review as a public hearing.

Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400041 (UC-0114-09):

Current Planning

- 15 years to review as a public hearing.
- Applicant is advised that 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

- 1 year to review for compliance with Public Works conditions of approval;
- Apply for and have approved a vacation of unnamed right-of-way dedicated by document number 20060824:05494.
- Applicant is advised that the original conditions of approval that must be satisfied are, in brief, applying for an amendment to the Transportation Element and updating the drainage study.

Listed below are the approved conditions for UC-0114-09:

Current Planning

- 10 years to review as a public hearing for the gravel pit and batch plant;
- All applicable standard conditions for this application type.
- Applicant is advised that site restoration plan will be required per State of Nevada regulations when use is completed; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Civil Engineering

- Apply and have approved an amendment to the Master Transportation Element to remove the unnamed section line road and an unnamed off-alignment road;
- Coordinate the dedication and construction of an alternative 'frontage road' along I-15 with Clark County Public Works, Nevada Department of Transportation and the owners of APN's 042-02-301-014 & 042-02-401-002;
- Repair and improve Dude Road with the repairs and improvements to be approved by the Nevada Department of Transportation;
- Update drainage study to include additional parcels;

- Applicant to continue to maintain paved legal access.

Applicant’s Justification

The applicant requests the removal of the 15 years to review as a public hearing on their use permit. The applicant states that the use permit is to extract aggregates for landscaping and ready mix operations that have added value to the Las Vegas Valley, Moapa, and southern Utah markets for the past 21 years. The prior requirement for 1 year review for compliance with Public Works conditions of approval were not completed by the deadline as the operating company was in transition and the property owners are now in the process of satisfying the conditions and wish to move forward in good standing with Public Works.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-19-400041 (UC-0114-09)	First application for review for a gravel pit and permanent batch plant	Approved by BCC	May 2019
UC-0114-09	Gravel pit, permanent batch plant, and reduced the separation from a gravel pit and batch plant to residential uses	Approved by BCC	June 2009
UC-0163-99 (ET-0066-09)	Second extension of time to review a quarry and gravel pit	Approved by PC	June 2009
UC-0163-99 (ET-0081-04)	First extension of time for quarry/gravel pit	Approved by PC	June 2005
UC-0163-99	Quarry and gravel pit	Approved by PC	March 1999
UC-1823-93	Quarry and gravel pit - expired	Approved by PC	March 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Rural (up to 3 du/ac) & Commercial General	R-U	Undeveloped, further north across I-15 is the Glendale service station, convenience store & motel
South	Rural Residential (up to 3 du/ac) & Open Land	R-U	Undeveloped
East	Residential Agricultural (up to 1 du/ac) & Residential Rural (up to 3 du/ac)	R-A	Developed
West	Rural Residential (up to 3 du/ac) & Open Land	R-U	Undeveloped & I-15

Related Applications

Application Number	Request
VS-21-0028	A vacation and abandonment of 2 unnamed rights-of-way is a companion item on this agenda.

Related Applications

Application Number	Request
PA-20-700150	An amendment to the Transportation Element Map 4 is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current 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.

After verifying with Public Works' staff, it the property owners are in the process of complying with the majority of the Public Works' conditions of approval imposed by UC-0114-09 and no further reviews will be required. In addition, the applicant has requested the removal of the 15 year review period which, given this condition was just added May 2019, staff finds it is premature to remove this condition; therefore, cannot support this request.

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. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 21, 2021 at 9:00 a.m., unless otherwise announced.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Compliance with previous conditions.

Public Works - Development Review

- Remove the time limit;
- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: LEWIS FAMILY TRUST

CONTACT: CATHY DENMAN, DENMAN DEVELOPMENT SOLUTIONS, 7213 N. JONES BLVD., LAS VEGAS, NV 89131