

TOWING SERVICES  
(TITLE 30)

OLETA AVE/MANN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400136 (ZC-1254-06)-MTL TRUST:**

**WAIVERS OF CONDITIONS** of a zone change requiring the following: **1)** right-of-way dedication to include 30 feet for Mann Street and associated spandrels; and **2)** construct full off-site improvements in conjunction with a towing services yard with ancillary office and storage building on 4.3 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Oleta Avenue, 328 feet east of Torrey Pines Drive within Enterprise. JJ/sd/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

176-23-601-001; 176-23-601-007

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 4.3
- Project Type: Towing services yard
- Building Height: 17 (feet)
- Square Feet: 1,800 (ancillary office)/1,200 (ancillary storage)
- Parking Required/Provided: 14/14

**Site Plan & History**

The original request was a conforming zone change from H-2 to M-1 zoning with no plans submitted at that time. The applicant has now applied for a proposed towing services yard with an ancillary building on undeveloped parcels along Blue Diamond Road. Both parcels are zoned M-1 where towing services is a permitted use. Access to the parcels will be from Oleta Avenue and will be secured by a 36 foot wide security gate. No access is proposed from Blue Diamond Road. This application is to waive approved conditions under ZC-1254-06, whereby the applicant is required to provide full off-site improvements and right-of-way dedication for Mann Street.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-1254-06:

#### Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing before the Board of County Commissioners on final plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- All applicable standard conditions for this application type.

#### Civil Engineering

- Right-of-way dedication to include 30 feet for Mann Street, and associated spandrels;
- Drainage study and compliance;
- Traffic study and compliance;
- Project may qualify for an exception to the traffic analysis with Civil Engineering Division approval;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards;
- Construct full off-sites;
- If the sidewalk is detached, dedication to be to back of curb and grant necessary pedestrian access, streetlight and traffic control easements, which may require a vacation of excess right-of-way;
- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal;
- Nevada Department of Transportation approval.

### Applicant's Justification

The applicant states the request to waive the approved conditions of approval for ZC-1254-06 include dedication of 30 feet of Mann Street and full off-site improvements. According to the applicant, Mann Street alignment, north of Oleta Avenue dead-ends at Blue Diamond Road and is not expected to have access to Blue Diamond Road (Nevada Department of Transportation (NDOT) right-of-way) due to the elevational difference and due to the NDOT access separation regulations. Vacating Mann Street will not landlock any adjacent parcels. Full off-site improvements currently on Oleta Avenue with a paved access road, which dead-ends at Torrey Pines Drive to the west and El Camino Road to the east. There is no municipal water or sewer on Oleta Avenue. The closest water line is across Blue Diamond Road. Given the industrial nature of the whole area and undeveloped Bureau of Land Management parcels, the applicant would like to waive the requirement for full off-sites.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-0418-17	Vacated and abandoned easements and right-of-way being Mann Street	Approved by PC	October 2017
UC-0030-16	Retail sale of landscape materials with waivers for design standards for a temporary modular structure, street landscape requirements, eliminated parking lot landscaping, eliminated loading space, eliminated trash enclosure, on-site paving, and full off-site improvements with a design review for landscape materials for retail/wholesale and storage facility including modular building - expired	Approved by BCC	April 2016
UC-0118-13	Private recreation facility (zoo), included several waivers and a design review - expired	Approved by BCC	May 2013
UC-0355-09	Swap meet with related storage units - expired	Approved by BCC	July 2009
UC-0227-09	Swap meet and included waivers, design review, and waivers of conditions (design review was denied) - expired	Approved by BCC	May 2009
UC-1204-07	Recreational facility (paintball fields) and included a design review and waivers for reduced parking, landscaping, alternative exterior materials, and reduced setbacks - expired	Approved by PC	November 2007
ZC-1254-06	Reclassified 176-23-601-001 from H-2 to M-1 zoning for a future development	Approved by BCC	October 2006

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, West, & East	Business Employment	H-2	Undeveloped
South	Business Employment	M-1	Undeveloped & outside storage

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-23-0597	A waiver of development standards for street and parking lot landscaping and to permit a pan driveway where a commercial driveway is required and design review for towing services yard with ancillary office is a companion item on this agenda.
VS-23-0598	A vacation and abandonment of patent easements and right-of-way 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****Public Works - Development Review**Waiver of Conditions #1

Staff has no objection to the waiver of condition to dedicate Mann Street and associated spandrels as Mann Street will never connect to Blue Diamond Road. Blue Diamond Road has a significant grade separation at the proposed location of Mann Street.

Waiver of Conditions #2

Staff cannot support the request to waive the off-site improvements condition. Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians.

**Staff Recommendation**

Approval of waiver of conditions #1; denial of waiver of conditions #2.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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:****Clark County Water Reclamation District (CCWRD)**

If approved:

- 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 #0201-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** MTL TRUST

**CONTACT:** PETYA BALOVA, BALOVA ENGINEERING, 7495 W. AZURE DRIVE SUITE 140-C, LAS VEGAS, NV 89130