

OFF-SITE IMPROVEMENTS
(TITLE 30)

BETTY LN/ALTO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0259-DMCH INVESTMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements adjacent to a materials recovery facility on 4.8 acres in an M-1 (Light Manufacturing) (AE-70, AE-75, & APZ-1) Zone.

Generally located on the east side of Betty Lane, 300 feet south of Alto Avenue within Sunrise Manor. MK/rr/syp (For possible action)

RELATED INFORMATION:

APN:

140-16-301-009

WAIVER OF DEVELOPMENT STANDARDS:

Waive full off-site improvements including reduced pavement width, curb, gutter, sidewalk, and streetlights adjacent to Betty Lane.

LAND USE PLAN:

SUNRISE MANOR - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 2715 Bledsoe Lane
- Site Acreage: 4.8
- Project Type: Materials recovery facility
- Number of Stories: 1
- Building Height (feet): 41
- Square Feet: 10,000 (material processing building)/720 (office)
- Parking Required/Provided: 17/33

Site Plan & History

The original application (UC-0133-13) consisted of a use permit and design review for a materials recovery facility consisting of a 10,000 square foot materials processing building and a 720 square foot office building with waivers of development standards for full off-site improvements and modified landscaping. The application was approved by the Board of County

Commissioners on May 8, 2013. Subsequently, a waiver of conditions UC-0133-13 (WC-0033-15) was approved by the Board of County Commissioners on June 17, 2015, which waived the street improvements for Betty Lane with a 5 year review. It was also required that a restrictive covenant (deed restrictions) for Betty Lane be executed. Full improvements were required to be completed on the Bledsoe Lane property frontage on the east side. Current plans show completed street improvements including curb, gutter, and sidewalk along Bledsoe Lane which abuts the east side of the subject site. There are also streetlights installed along Bledsoe Lane. Plans show the existing condition of Betty Lane which has a 60 foot wide right-of-way. Pavement width varies and has a minimum width of 24 feet adjacent to the subject site. Because the review did not occur, the previous waiver of conditions expired. The applicant is now requesting a waiver of development standards for all off-site improvements on Betty Lane.

Landscaping

The plans depict existing 10 foot wide landscape areas adjacent to Bledsoe Lane and Betty Lane in compliance with Figure 30.64-8.

Signage

Signage was not a part of the original application or the subsequent extensions of time.

Applicant's Justification

The applicant is requesting to waive Section 30.52.040 requiring full off-site improvements along Betty Lane. A waiver UC-0133-13 (WC-0033-15) of the street improvements for Betty Lane was approved by the Board of County Commissioners on June 17, 2015, with a 5 year review. However, because the review was never completed, another waiver is required. The applicant states that when Clark County proceeds with the construction of off-sites by a Special Improvement District (SID) or any other means, their client agrees to contribute their fair share for the improvements of Betty Lane.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0133-13 (ET-0146-17)	Fourth extension of time for a materials recovery facility and associated waivers and design review	Approved by BCC	December 2017
UC-0133-13 (ET-0161-16)	Third extension of time for a materials recovery facility and associated waivers and design review	Approved by BCC	January 2017
UC-0133-13 (ET-0055-16)	Second extension of time for a materials recovery facility and associated waivers and design review	Approved by BCC	June 2016
UC-0133-13 (WC-0033-15)	Waiver of conditions of a use permit to allow a painted block wall and 2 years to complete off-sites - expired	Approved by BCC	June 2015
UC-0133-13 (ET-0063-14)	First extension of time for a materials recovery facility and associated waivers and design review	Approved by BCC	July 2014
UC-0133-13	Materials recovery facility with associated waivers and design review	Approved by BCC	May 2013

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-2062-97	Reclassified to M-1 zoning to allow an office warehouse complex including a waiver of off-site paving	Approved by BCC	February 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Business Employment	M-1	Outside storage & undeveloped
East	Business Employment	M-2	Commercial & industrial buildings & uses
West	Business Employment	M-D	Commercial & industrial buildings & uses

STANDARDS FOR APPROVAL:

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

Analysis**Public Works - Development Review**

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.

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 and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

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:

- 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; 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

- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant shall agree to participate in a Special Improvement District (SID) for off-site improvements, including, but not limited to, paving, curb and gutter, streetlights, and fire hydrants.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CHAVEZ CONSTRUCTION CLEAN-UP

CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89118