

04/18/23 PC AGENDA SHEET

WATER TREATMENT PLANT/
HAZARDOUS MATERIALS
(TITLE 30)

CACTUS AVE/BUFFALO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400016 (UC-0550-08)-USA:

USE PERMIT FOURTH EXTENSION OF TIME to commence the use of hazardous materials storage in conjunction with a water treatment facility.

DESIGN REVIEW for public facility structures (water treatment facility) on 20.0 acres in a P-F (Public Facility) Zone.

Generally located on the north and south sides of Cactus Avenue (alignment) and on the west side of Buffalo Drive within Enterprise. JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

176-28-801-001; 176-28-801-003; 176-33-601-001 ptn

LAND USE PLAN:

ENTERPRISE - OPEN LANDS

BACKGROUND:

Project Description

General Summary

- Site Address: 7912 W. Cactus Avenue
- Site Acreage: 20
- Project Type: Water treatment plant

History & Plans

This request is for an extension of time on a previously approved use permit to allow storage of hazardous materials in conjunction with a water treatment plant. The use permit was required due to the pumping station including indoor storage for 2,000 gallons of Sodium Hypochlorite for disinfection of the public water supply. Also within the building are mechanical pumps with electrical storage and maintenance rooms. The quantity of chemicals stored at the site exceeds the limits listed under the Fire Code; and therefore, requires a hazardous occupancy designation; however, the storage does not exceed the limits with NRS.

The plans show the entire site will be enclosed by a 10 foot high decorative screen wall along with appropriate street landscape buffers, with a gated entrance shown on Cactus Avenue. The facility is approximately 20 acres in size and consists of a pump building, mechanical yard, and 2 underground reservoir basins. Also shown on the plans is a 5 acre site that will be used for

temporary construction activities during the project's construction phase. The 5 acre site is just south of the water treatment plant, which is being leased by the Las Vegas Valley Water District from the Bureau of Land Management.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0550-08 (ET-0168-18):

Current Planning

- Until July 6, 2022 to commence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0550-08 (ET-0086-14):

Current Planning

- Until July 6, 2018 to commence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works - Development Review

- Compliance with previous conditions.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Listed below are the approved conditions for UC-0550-08 (ET-0082-10):

Current Planning

- Until July 6, 2014 to commence, and allow the same time limit for the temporary construction staging area;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0550-08:

Major Projects - Planning

- Allow 3 years for temporary construction staging area;
- Provide dust control measures required by the Clark County Air Quality Division;
- All applicable standard conditions for this application type.
- Applicant is advised that 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.

Major Projects - Engineering

- Right-of-way dedication to include 55 feet for Cactus Avenue and 55 feet for Buffalo Drive with additional right-of-way for right turn lane per USD-201.1;
- Drainage study and compliance;
- Have a queuing analysis approved by Clark County Civil Engineering prior to approval of improvement plans;
- 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;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Compliance with Fire Department requirements;
- Administrative waiver to address finish floor elevations.

Applicant's Justification

The applicant indicates that due to economic conditions and budget concerns, this project has been kept on hold over the years. Based on inquiries from the development community and growth in the area, the facility could be constructed in the near future. The facility consists of specialized components (pumps, surge tank, electrical equipment, and fabricated piping) that require custom fabrication and subsequently require a long construction period. Therefore, the applicant is requesting a 4 year extension of time.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0550-08 (ET-0168-18)	Third extension of time to allow hazardous materials storage for a public water treatment facility	Approved by PC	September 2018
UC-0550-08 (ET-0086-14)	Second extension of time to allow hazardous materials storage for a public water treatment facility	Approved by PC	September 2014
UC-0550-08 (ET-0082-10)	First extension of time to allow hazardous materials storage for a public water treatment facility	Approved by PC	July 2010

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0550-08	Original application to allow hazardous materials storage for a public water treatment facility	Approved by PC	July 2008
ZC-1313-02	Reclassified the water treatment facility site to P-F zoning	Approved by BCC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Open Land	P-F	Undeveloped
South	Open Land	R-2, R-E, & R-4	Undeveloped
East	Mid-Intensity Suburban (up to 8 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval on an extension of time application 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 at the subject site since the original approval. The applicant indicates the project has been delayed from the original schedule due to the economic conditions and budget concerns. The applicant intends to complete the project once the service area requires this facility to be constructed. Staff can support granting a fourth extension of time on this application and can support a 4 year extension. However, this is the last extension of time staff will support due to the significant amount of time that has passed and upcoming rewrite of Title 30.

Staff Recommendation

Approval.

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**

- Until July 6, 2026 to commence.

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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; 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

- 30 days to coordinate with Public Works - Construction Management Division for the Cactus Avenue improvement project;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval (Until July 6, 2027 to commence).

APPROVALS:

PROTEST:

APPLICANT: LAS VEGAS VALLEY WATER DISTRICT/SOUTHERN NEVADA WATER AUTHORITY

CONTACT: LAS VEGAS VALLEY WATER DISTRICT/SOUTHERN NEVADA WATER AUTHORITY, 1001 S. VALLEY VIEW BLVD., LAS VEGAS, NV 89153