

07/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-24-400052 (WS-21-0082)-SJ NIXON 2004 IRREVOCABLE TRUST:**

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for modified commercial driveway design standards.

**DESIGN REVIEW** for a vehicle maintenance development on 5.0 acres in an IL (Industrial Light) Zone.

Generally located on the south side of Emerald Avenue, 1,070 feet west of Boulder Highway within Whitney. JG/my/ng (For possible action)

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RELATED INFORMATION:

**APN:**

161-27-403-009; 161-27-403-011

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase driveway width to 47 feet where 40 feet is the maximum per Uniform Standard Drawing 222 (an 18% increase).

**LAND USE PLAN:**

WHITNEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5.0
- Project Type: Vehicle maintenance
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 27,304
- Parking Required/Provided: 40/86

Site Plan

The approved plans depict a proposed vehicle maintenance use. The proposed project is located south of Emerald Avenue west of the Duck Creek channel. Access to the site is from Emerald Avenue. The plan shows 3 separate buildings on the parcel with parking along the west parcel line and throughout the parcels adjacent to each building. The buildings have incorporated pedestrian sidewalks around each building exterior, except in front of the roll-up doors.

### Landscaping

The approved plans depict landscaping along Emerald Avenue and along the Duck Creek channel. Parking lot landscaping is shown with finger islands as per Code. The adjacent properties to the west and south were zoned IL and IH; therefore, landscaping is not required adjacent to those properties. The landscaping materials include 24 inch box trees and various groundcover materials.

### Elevations

The approved plans depict 3 proposed buildings each 1 story, with a maximum height of up to 24 feet. The buildings show enhanced architectural elements and each building will utilize earth tone color schemes.

### Floor Plans

The approved plans depict an open floor plan with service areas, offices, and restrooms.

### Signage

Signage was not a part of the original request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0082:

#### Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any future on-site use may require additional parking prior to issuance of a corresponding permit license, or approval; 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.

### Applicant's Justification

The applicant states that the team leader suffered a personal loss that caused the delay of the project while he recovered.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-21-0082	Vehicle maintenance and accessory office buildings	Approved by PC	April 2021
UC-0470-13	Communication tower	Approved by PC	October 2013
UC-0960-08	Utility structures and eliminated setbacks	Approved by PC	November 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Business Employment	IL	Undeveloped
South	Corridor Mixed-Use	IH	Undeveloped
West	Business Employment	IL	Vehicle services

**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**

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that no building permits, off-site permits, or drainage studies have been submitted on the site as of the time of this report, which is to be expected due to the applicant's admission of personal loss. The applicant states that they are ready to proceed with all permits if the extension of time is granted. Staff can support the request since this is the first extension of time; however, if a subsequent extension of time is necessary and no or very little progress has been made, staff may not be able to support another request.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**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 April 20, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPROVALS:**

**PROTEST:**

**APPLICANT:** SJ NIXON 2004 IRREVOCABLE TRUST

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