

OUTSIDE STORAGE
(TITLE 30)

BETTY LN/ALTO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400130 (WS-19-0825)-PJA, LLC:

WAIVERS OF CONDITIONS of waivers of development standards requiring the following:
1) off-site improvements required limited to additional pavement, curb, and gutter (no sidewalk or streetlights); **2)** drainage study and compliance in conjunction with an outside storage yard on 2.1 acres in an M-1 (Light Manufacturing) (AE-70 & APZ-1) Zone.

Generally located on the east side of Betty Lane, 700 feet south of Alto Avenue within Sunrise Manor. MK/jor/jo (For possible action)

RELATED INFORMATION:

APN:

140-16-301-017

LAND USE PLAN:

SUNRISE MANOR - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2670 Betty Lane
- Site Acreage: 2.1
- Project Type: Outside storage
- Parking Required/Provided: 8/9

History & Site Plan

The previously approved application (ZC-0251-08) requested a reclassification of the property to an M-1 zoning district without plans and required a design review as a public hearing for future plans.

WS-19-0825 was previously approved on this site for an outside storage yard. A companion item to WS-19-0825, was WC-19-400141 (ZC-0251-08), a waiver of conditions of a zone change requiring full-off-sites and a drainage study. This application along with WS-19-0825 was approved by the Board of County Commissioners with conditions for off-site improvements which was limited to additional pavement, curb, and gutter (no sidewalk or streetlights), and a drainage study.

Today, the applicant is requesting another waiver of conditions to eliminate required off-site improvements all together and avoid any required drainage study conditioned by both WS-19-0825 and ZC-0251-08.

The site plan shows that access to the site is from 2 gated entrances along Betty Lane which is partially paved with no other off-sites in place. At the northeast corner of the site there is an unpaved area, that will be utilized for tracked equipment parking. The site plan also shows that conditions of approval from WS-19-0825 were added to the site. For example, decorative rock boulders have been placed along the street frontage, a dumpster was also placed adjacent to the west property line, the Department of Air Quality approved paving on a portion of the site, there are also no on-site residential uses. Paved parking will be provided along the west property line along with required bicycle parking spaces. The submitted photos show that the applicant is allowing outside storage on-site, prior to completion of required technical studies, business license approval, and site construction.

Landscaping & Screening

The plans depict 10 foot wide landscape buffer along Betty Lane with an 8 foot high decorative block wall, and an 8 foot high metal panel fence along the north and east property lines. The plans depict a xeriscape design with no live plants. There is an existing 8 foot high metal panel fence along the south property line.

Previous Conditions of Approval

Listed below are the approved conditions for WS-19-0825:

Current Planning

- Xeriscape consisting only of decorative rock and boulders must be installed along road frontage;
- 5 years to review for the water and sewer connection;
- Dumpster must be placed on-site;
- Subject to the Department of Air Quality approval for the waived portion of paving;
- No on-site living on property;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- 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; 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

- Off-site improvements required limited to additional pavement, curb, and gutter (no sidewalk or streetlights);
- Work with staff on commercial driveway design;
- Drainage study and compliance.

Building Department - Fire Prevention

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there are two active septic permits on APN 140-16-301-017; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Applicant's Justification

Per the applicant, during the drainage study preparation, the engineer determined that in order to install any off-sites the vertical alignment of Betty Lane has to be changed to eliminate the existing low-spot in front of the subject parcel. The street would need to be raised 12 inches to 18 inches to achieve the minimum required slope of 0.4%, which will also affect the adjacent properties to the west. Furthermore, a 150 foot transitions will also be required to the north and to the south. Waiving the off-site improvements is required due to drainage issues. No changes to the existing paving in the street and keeping the existing flow pattern means that the accepting the off-site flow can still be directed to a dry well along the south property line. There is a recorded drainage easement to the south, but it cannot be used at its present condition.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0827	Vacated a 30 foot wide portion of right-of-way being a portion of an "unnamed" street located between Betty Lane and Bledsoe Lane	Approved by BCC	December 2019
WC-19-400141 (ZC-0251-08)	Waiver of conditions of a zone change to construct full off-sites and for a drainage study and compliance – off-sites limited to additional pavement, curb, and gutter (no sidewalk and streetlights) and drainage study still required	Approved by BCC	December 2019
WS-19-0825	Waived landscaping, trash enclosure, connection to public water and sewer, a portion of on-site paving, reduced throat depth for an outside storage yard	Approved by BCC	December 2019
ZC-0251-08	Reclassified 2.4 acres from R-E to M-1 zoning for future industrial development	Approved by BCC	May 2008
ZC-018-70	Reclassified 2.4 acres from M-D to R-E zoning for a kennel and residence	Approved by BCC	April 1970

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	M-1	Warehouse with outside storage
South & East	Industrial	M-2	Outside storage

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Industrial	M-1 & M-D	Outside storage

Related Applications

Application Number	Request
WC-21-400126 (ZC-0251-08)	Waivers of conditions of a zone change 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

Off-site improvements are important in drainage control by ensuring there is a safe and reliable way to convey water. Additionally, the North Las Vegas water treatment plant has been completed and is operational, and funding has been identified for the County to complete the improvements adjacent to the plant once all right-of-way is acquired. With those improvements and with the need to provide fully improved streets in this area, staff cannot support this waiver of conditions.

Waiver of Conditions #2

The proposed pavement on the site will change the surface flows, which may lead to drainage issues on the adjacent properties. Therefore, staff cannot support this waiver of conditions.

Staff Recommendation

Denial.

Approval of the waivers 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

If approved:

- Applicant is advised that WS-19-0825 expires on December 4, 2021, and to apply for any necessary extension of time application; that existing outside storage of vehicles, materials, and other related items stored on-site to be removed until site construction, business license, and technical studies have been completed; 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 is only for WS-19-0825 and does not apply to future land use applications.

Public Works - Development Review

- Off-site permits shall be submitted to Public Works within 1 year and 18 months to construct off-sites;
- Drainage Study shall be submitted to Public Works within 1 year.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs to contact the City of North Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PJA, LLC

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