

11/17/21 BCC AGENDA SHEET

OFF-SITES & LANDSCAPING
(TITLE 30)

BETTY LN/CARTIER AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400149 (WS-0415-10)-DIS & DAT, INC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS FIFTH EXTENSION OF TIME to complete and review the following: **1)** off-site improvements (excluding paving); and **2)** landscaping in conjunction with an automobile dismantling facility and outside storage yard on 4.4 acres in an M-2 (Industrial) (AE-70 & APZ-1) Zone and an M-2 (Industrial) (AE-70) Zone.

Generally located on the east side of Betty Lane and the north side of Cartier Avenue (alignment) within Sunrise Manor. MK/nr/jo (For possible action)

RELATED INFORMATION:

APN:

140-16-301-021; 140-16-301-022

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive full off-site improvements (excluding paving) along Betty Lane.
2. Waive street landscaping along Betty Lane and Bledsoe Lane where landscaping per Figure 30.64-13 is required (a 100% reduction).

LAND USE PLAN:

SUNRISE MANOR - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2635 Bledsoe Lane
- Site Acreage: 4.4
- Project Type: Off-sites and landscaping

Site Plan & History

The original application, approved in October 2010, was for a waiver of off-site improvements and landscaping along Betty Lane and Bledsoe Lane in conjunction with an automobile dismantling and parts storage yard. The applicant made the request to defer off-site improvements and landscaping to allow time for construction of the City of North Las Vegas wastewater plant to be completed. The facility is now operational. The application was approved by the Planning Commission (PC) with a condition of until December 31, 2012 to commence and review and a condition of landscaping per plans on file. A first extension of

time, WS-0415-10 (ET-0158-12), was approved in June 2013, and a second extension of time, WS-0415-10 (ET-0135-14), was approved in January 2015. WS-0415-10 (ET-0187-16) was approved for a third extension of time in February 2017 for an additional 3 years to complete and review. The applicant has completed the off-sites and landscaping on Bledsoe Lane; however, the off-site improvements and landscaping have not been installed along Betty Lane. A Fourth extension of time ET-20-400003 (WS-0415-10) for waivers for full off-site improvements (excluding paving) and landscaping was approved in May 2020.

Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400003 (WS-0415-10):

Current Planning

- 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

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

Listed below are the approved conditions for WS-0415-10 (ET-0187-16):

Current Planning

- 3 years to complete and review.
- 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; 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.

Building/Fire Prevention

- Applicant is advised to comply with previously noted requirements; off-site improvements are indicated; and to contact the Department of Building and Fire Prevention at (702) 455-7316, if off-site improvements include Fire Code issues.

Listed below are the approved conditions for WS-0415-10 (ET-0135-14):

Current Planning

- Until December 31, 2016 to commence and review.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Building/Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that that the property is already connected to the CCWRD sewer system.

Listed below are the approved conditions for WS-0415-10 (ET-0158-12):

Current Planning

- Until December 31, 2014 to commence and review.
- 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

- Until December 31, 2014 to commence off-sites.

Listed below are the approved conditions for WS-0415-10:

Current Planning

- Until December 31, 2012 to commence and review;
- Landscaping per plans on file;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- 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.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates that he is in the process of organizing a Special Improvement District with other property owners and landlords in the area in order to fully develop the off-sites for the area and provide landscaping. The applicant requests an extension of time to complete the off-sites and landscaping along Betty Lane.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400003 (WS-0415-10)	Fourth extension of time for waivers for full off-site improvements (excluding paving) and landscaping	Approved by BCC	May 2020
WS-0415-10 (ET-0187-16)	Third extension of time for waivers for full off-site improvements (excluding paving) and landscaping	Approved by BCC	February 2017
WS-0415-10 (ET-0135-14)	Second extension of time for waivers for full off-site improvements (excluding paving) and landscaping	Approved by BCC	January 2015
WS-0415-10 (ET-0158-12)	First extension of time for waivers for full off-site improvements (excluding paving) and landscaping	Approved by BCC	June 2013
WS-0415-10	Waivers for full off-site improvements (excluding paving) and landscaping	Approved by PC	October 2010
UC-0745-93 (ET-0101-10)	Seventh extension of time to review an automobile dismantling and used parts storage facility - remove time limit	Approved by PC	October 2010

Prior Land Use Requests

Application Number	Request	Action	Date
WS-1125-06 (ET-0260-08)	First extension of time for full off-sites and landscaping - expired	Approved by BCC	November 2008
UC-0256-07	Automobile dismantling and materials recovery facility - expired	Approved by PC	April 2007
WS-1125-06	Waivers for full off-sites and landscaping - expired	Approved by BCC	October 2006
UC-0745-93 (ET-0231-04)	Sixth extension of time for automobile dismantling facility	Approved by PC	October 2004
VS-0105-02	Vacated and abandoned a portion of Cartier Avenue	Approved by PC	March 2002
UC-0745-93 (ET-0367-01)	Fifth extension of time for automobile dismantling facility	Approved by PC	November 2001
UC-0745-93 (ET-0307-00)	Fourth extension of time for automobile dismantling facility	Approved by PC	September 2000
UC-0063-00	Auto repair	Approved by PC	June 2000
UC-0788-99	Storage and sales of fireworks - expired	Approved by PC	June 1999
UC-0745-93 (ET-0280-98)	Third extension of time for automobile dismantling facility	Approved by PC	September 1998
WT-1728-98	Waiver of title for streetlights - expired	Approved by PC	November 1998
UC-0745-93	Second extension of time for automobile dismantling facility	Approved by BCC	September 1996
ZC-101-92	First extension of time on zone change	Approved by BCC	August 1996
UC-0745-93	First extension of time on use permit for automobile dismantling facility	Approved by BCC	September 1994
UC-0745-93	Automobile dismantling facility	Approved by BCC	August 1993
ZC-101-92	Reclassified the property from R-E to M-2 zoning for an automobile dismantling and used parts storage yard	Approved by BCC	August 1992

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	M-1	Undeveloped
South	Industrial	M-1	City of North Las Vegas Wastewater Treatment Plant
East	Industrial	M-2	Industrial
West	Industrial	M-D & M-1	Industrial

STANDARDS FOR APPROVAL:

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

Analysis

Current 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.

Waiver of Development Standards #2

Staff finds that the City of North Las Vegas wastewater treatment facility has been completed for many years. The construction and completion of this facility was originally the reasoning behind deferring the landscaping. Since, the facility is completed staff can no longer support more delays in construction of the required off-sites or landscaping. Staff recommends denial of this extension of time.

Public Works - Development Review

Waiver of Development Standards #1

As mentioned in the extension of time from 2012, 2015, 2017 and again from 2020, the applicant's justification to defer off-sites on Betty Lane was to allow the North Las Vegas water treatment plant to be completed prior to installing the improvements. The plant has been completed and operational for over 10 years. Staff finds that circumstances have changed over the past 10 years and therefore, staff cannot support this extension of time.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Until December 31, 2022 to complete and review waiver of development standards #2.
- 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 and application for review; 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

- Off-site improvement permits shall be submitted to Public Works within 1 year.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - approval (2 years to review).

APPROVALS:

PROTEST:

COUNTY COMMISSION ACTION: November 3, 2021 – HELD – To 11/17/21 – per the applicant.

APPLICANT: DAT NGUYEN

CONTACT: DAT NGUYEN, DIS & DAT, INC., 2635 BLEDSOE LANE, LAS VEGAS, NV 89156