UPDATE
CARTIER AVE/MARCO ST

RECYCLING CENTER
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0162-13 – RU INVESTMENTS, LLC:

HOLDOVER USE PERMITS for the following: 1) recycling center in an APZ-2 zone; and 2) reduced setback requirements between a recycling center and a non-industrial use.
WAIVER OF DEVELOPMENT STANDARDS to waive the wall enclosed trash enclosure.
DESIGN REVIEW for a recycling center with an outside storage and fuel tank storage yard and ancillary uses and structures on 1.7 acres in an M-1 (AE-70) (APZ-2) Zone.

Generally located on the north side of Cartier Avenue, 150 feet west of Marco Street (alignment) within Sunrise Manor. TC/dg/ml (For possible action)

RELATED INFORMATION:

APN:
140-17-701-004

USE PERMITS:
1. Allow a recycling center in an APZ-2 zone.
2. Reduce the setback between a recycling center and a non-industrial use to 400 feet where 600 feet is required (a 33% reduction).

LAND USE PLAN:
SUNRISE MANOR – BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description
General Summary
- Site Acreage: 1.7
- Project Type: Recycling center and outside storage
- Number of Stories: 1
- Building Height/Structure Height: 10 to 16 feet/12 to 50 feet (distillation and fuel tank storage containers)
- Parking Required/Provided: 19/19

Site Plan
The plans depict a developed site with an existing 6,000 square foot office/warehouse building that will be occupied by a proposed recycling center that uses a waste to fuel conversion process. The site is fully improved with street landscaping along Cartier Avenue, paved areas, driveway with sliding gate, and fully enclosed with a 10 foot high security fence. The security fence will be screened. The existing building is located within the southwest portion of the site with
provided parking to the south and east of the building. Within the parking area, there are also existing landscape areas. Access to the site is from a single 36 foot wide driveway on Cartier Avenue.

As part of the recycling center, a new shade structure is proposed within the northwest portion of the site which will cover process equipment structures (extruder, chamber, and furnace) that are part of the recycling process and employee work areas. Adjacent to the shade structures are additional structures (silos and distillation columns) that are also integral to the recycling center. All outside storage areas and employee work areas near the process equipment structures will be screened from view. To the east of the proposed shade structure and process equipment structures, the site depicts eight, 20 foot high fuel storage tanks. Since many of the process equipment structures are not enclosed within a building, the outside storage component of this use is depicted at approximately 67,600 square feet. According to the applicant, the stored outdoor material will not exceed the height of the screened fence and will not exceed 3,000 cubic yards at any time, as allowed by Title 30.

Any outside storage area that is intended for parking, maneuvering, and storing of motor vehicles, equipment and materials will be paved.

**Landscaping**
The site currently has street landscaping along Cartier Avenue and within portions of the site where the parking area is located. No new landscaping is proposed or required with this request.

**Elevations**
The existing building ranges in height from 10 to 16 feet. The materials consist of metal siding with decorative banding for the warehouse portion while the office consists of stucco siding with decorative enhancements to the door and windows. The east elevation of the warehouse building contains 5 overhead roll-up doors.

**Floor Plans**
The 6,000 square foot office/warehouse building contains an open area for the warehouse, a break room, offices, and restrooms.

**Applicant’s Justification**
The applicant indicates the proposed facility will use a waste to fuel conversion process known as pyrolysis. Pyrolysis involves the use of heat to thermally decompose carbon based material in the absence of oxygen. The main products are a mixture of gaseous products, liquid products (typically oils of various kinds), and solids (char). The products that are produced from this process are as follows: 1) diesel (70% of the liquid); 2) kerosene (20% of the liquid); 3) gasoline (10% of the liquid); 4) char (pure carbon) 8% to 10% by weight; and 5) propane. The char produced will be collected into 55 gallon drums that will be shipped to its final destination for reuse.

The material that is proposed to be decomposed in the above process is plastics. The plastics will be shredded and fed into the processing vessels. The applicant has met with the Clark County Fire Department, and as proposed, the facility will not contain any hazardous materials, as defined by Nevada Revised Statutes (NRS). The facility owner and operator will obtain all the necessary permits and approvals by the Clark County Fire Department. Additionally, the
applicant has met with representatives of the Southern Nevada Health District and Nellis Air Force Base (NAFB) regarding this facility.

Finally, the applicant indicates the reduced setback to a non-industrial use (manufactured home park) will not adversely impact the manufactured home park since the recycling center only accepts presorted material and the materials accepted for recycling will not include hazardous, organic, or putrescible waste. The proposed process is a closed loop system with the only byproduct being black char. The production process will not cause any air pollution.

**Prior Land Use Requests**

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC-221-85</td>
<td>Architectural supervision to construct a 6,000 square foot office/warehouse building for a food distribution facility</td>
<td>Approved by PC</td>
<td>January 1986</td>
</tr>
</tbody>
</table>

**Surrounding Land Use**

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North &amp; West</td>
<td>Business and Design/Research Park</td>
<td>M-1</td>
</tr>
<tr>
<td>East</td>
<td>Business and Design/Research Park</td>
<td>M-1</td>
</tr>
<tr>
<td>South</td>
<td>Business and Design/Research Park</td>
<td>M-1</td>
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</table>

**STANDARDS FOR APPROVAL:**
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

**Use Permits**

This request is compliant and consistent with the Sunrise Manor Land Use Plan, which is planned for Business and Design/Research Park development. This site and the immediate area are impacted by the NAFB Airport Environs Overlay District. The Overlay District was established to provide for a range of uses compatible with airport accident hazards, the handling and transport of live ordnance, noise exposure areas, and to prohibit uses that are incompatible with NAFB operations. One of the sub-districts impacting this site is the APZ-2. Accident Potential Zones are sub-districts of the Overlay District and areas potentially affected by accidents and arriving/departing aircraft. In the sub-district APZ-2, the regulations generally permit requests for low occupancy industrial and commercial land uses. Staff finds the use permit requests are consistent with the intent and purpose of the Overlay District regulations.

The proposed use is also consistent with land uses in the surrounding area as similar requests and uses including recycling centers, construction companies, and outside storage yards have been approved and are in operation in the immediate area. Staff can also support the use permits for a recycling center since Policy 4 of the Solid Waste Management section of the Comprehensive Plan encourages businesses that recycle materials to locate in Clark County. Recycling
businesses comply with the Clark County Sustainability initiatives. The use is not anticipated to negatively impact the area since the immediate area consists of industrial uses.

Additionally, the proposed use in the APZ-2 zone complies with Policy 2.10 of the Sunrise Manor Land Use Plan which encourages land uses inside the Airport Environ Overlay District that are compatible with the air and ground operations of NAFB. The recycling center will not contain concentrations of people that exceed the established standards to operate in an APZ-2 zone. The applicant has had several meetings with representatives from NAFB regarding this proposed use. Therefore, staff can support use permit #1.

Finally, the reduction in setback to a non-industrial use will not have an adverse effect on the immediate area or non-industrial uses since the entire area is planned for both Business and Design/Research Park or Industrial land uses consistent with the NAFB Airport Environ Overlay District. The setback reduction is measured from the property line of this use to the property line of the non-industrial use. However, if the measurement is taken from the location on the site where the recycling and storage of materials are being conducted and the actual building footprint of the non-industrial use, the setback would actually be approximately 580 feet. Additionally, there are parcels that act as transitional space buffers between this parcel and any other non-industrial use. Therefore, staff can also support use permit #2.

Waiver of Development Standards
The applicant shall have the burden of proof to establish that the waivers of development standards are appropriate for this location. One of several criteria that must be addressed is the use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner. The applicant is requesting to waive the wall enclosure for the trash dumpster. Since the site will be screened and most of the byproducts of the recycling process will actually be stored within secure containers, staff can support the waiver request.

Design Review
The site design, location of storage of materials, screening and landscaping, and development parameters are established and dependent on consideration of the use permit, thereby requiring contingent consideration of the design review. Staff finds the site design and corresponding design review are appropriate and compatible with the NAFB Overlay District. Therefore, staff finds the applicant has established that the plans satisfy the following criteria for a design review: 1) the proposed development is compatible with adjacent development; 2) the proposed development is consistent with the applicable land use plan and Title 30; and 3) is harmonious and compatible with development in the area.

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 Comprehensive Plan, Title 30, and/or the Nevada Revised Statutes.
PRELIMINARY STAFF CONDITIONS:

Current Planning
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a use permit; approval of this application does not constitute or imply approval of Federal, State, or any other County issued permit, license, or approval; 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.

Public Works – Development Review
- No comment.

Fire Department
- Permits are required for this facility.
- Fire/emergency vehicle access must comply with the fire code with local amendments.

Southern Nevada Health District (SNHD) – Septic
- Applicant is advised that there is an active commercial septic system located on the property; a Commercial Change of Ownership must be completed for the proposed use of the existing septic system; and that if there are any questions, please call the SNHD Septic System Program at 759-0660.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that existing sewer is located within 400 feet of the parcel; at time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection; at time of development, the applicant is required to meet with CCWRD Customer Service department and Pretreatment Coordinator; and that applicant shall follow current CCWRD pretreatment resolutions and any applicable portions of 40 CFR as part of their proposed recycling center in conjunction with a waste to fuel conversion process, called pyrolysis.

TAB/CAC:  Sunrise Manor Town Board – approval (adding shade structure not being canvas; and bird management)
APPROVALS:  None
PROTESTS:  1 card

PLANNING COMMISSION ACTION:  May 21, 2013 – HELD – To 06/04/13 – per the applicant.

APPLICANT:  MB Technologies, LLC
CONTACT:  Petya Balova, 6130 Elton Avenue, Suite 104, Las Vegas, NV 89107