

12/18/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-24-0587-COUNTY OF CLARK (PUBLIC WORKS):

ZONE CHANGE to reclassify 1.25 acres from an IL (Industrial Light) Zone to a CU (Commercial Urban) Zone.

Generally located on the north side of Harmon Avenue and the west side of Polaris Avenue within Paradise (description on file). MN/jor (For possible action)

RELATED INFORMATION:

APN:

162-20-212-005

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4495 Polaris Avenue
- Site Acreage: 1.25
- Existing Land Use: Undeveloped

Applicant's Justification

Per the applicant, the request to reclassify the site to a CU zoning district would allow for a maximum building height of 200 feet, and the front and side setbacks of 10 feet. In addition, the CU zoning district would allow a multitude of the proposed uses such as but not limited to a recreational facility, restaurant, retail, live entertainment with approval of a special use permit, and a tutoring facility. Lastly, reclassifying the site to a CU zoning district supports the overall design of the project with minimal waivers and use permits and the project will bring an iconic design to the area.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0195-01	1 lot commercial subdivision	Approved by PC	July 2001
VS-0760-01	Vacated patent easements - recorded	Approved by PC	August 2001

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0687-96	7-up distribution center which included a 2 story, 45,080 square foot building with a 10,000 square foot office area - this complex no longer exists	Approved by PC	May 1996
VC-1053-95	Allowed a modular office building to be a permanent structure with a variance to allow temporary structure to be permanent and reduced the side street setback for the modular office building - this building no longer exists	Approved by PC	July 1995
VC-0496-94	Carports for an existing office warehouse complex, with a variance which reduced the front setback to 7 feet where 20 feet is required in an M-1 zone - these structures no longer exist	Approved by PC	May 1994
AC-0225-83	5,800 building addition to an existing 7,900 office building, approved new carports, a parking garage, and expansion of an outdoor storage yard - these structures no longer exist	Approved by PC	January 1984
AC-0111-80	Addition to an existing office building - this building no longer exists	Approved by PC	July 1980

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & South	Entertainment Mixed-Use	IL	Office warehouse buildings
East	Entertainment Mixed-Use	RS20	NV Energy substation
West	Entertainment Mixed-Use	IL	Right-of-way on-ramps

Related Applications

Application Number	Request
SDR-24-0588	A sign design review for proposed signage for a proposed recreational facility is a companion item on this agenda.
UC-24-0589	A use permit, waivers of development standards, and a design review for a proposed recreational facility is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. The proposed rezone is conforming to the Master Plan. Title 30 states that the purpose of the CU (Commercial Urban) zoning district is to establish and

accommodate a mix of retail, office, and commercial uses. This district also allows major employment centers similarly designed to support walkability and transit use. In addition, the proposed CU zoning supports Policy WP-3.1 which in part, encourages the repurpose and reinvention of vacant sites through adaptive reuse to promote reinvestment in the area and support sustainability initiatives. For these reasons, staff finds the request for CU is appropriate for this location.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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:

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0475-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MARK SHUNOCK

CONTACT: CARPENTER SELLERS DEL GATTO ARCHITECTS, 8882 SPANISH RIDGE AVENUE, LAS VEGAS, NV 89148