

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-25-0375-SOLOMON PLEDGER & MICHELLE FAMILY TRUST & SOLOMON PLEDGER & MICHELE TRS:

ZONE CHANGE to reclassify 3.92 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone.

Generally located on the southwest corner of Cottonwood Avenue (alignment) and Cooper Street within Moapa Valley (description on file). MK/gc (For possible action)

RELATED INFORMATION:

APN:

070-12-501-003; 070-12-501-004

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 1245 & 1255 Cooper Street
- Site Acreage: 3.92
- Existing Land Use: Undeveloped

Applicant's Justification

The applicant states that the request for IL zoning is appropriate since there are other IL zoned properties in the area and the request conforms to the Business Employment (BE) land use category designated on the site.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|----------------|----------|
| SC-22-0134 | Renamed a street alignment to Cooper Street | Approved by PC | May 2022 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|--------------|---------------------------|---------------------------|-------------------------|
| North & East | Public Use | PF | Overton Airport |
| South | Business Employment | IL | Mini-warehouse facility |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|------|---|----------------------------------|--------------------------|
| West | Outlying Neighborhood (up to 0.5 du/ac) | RS80 | Manufactured home |

Related Applications

| Application Number | Request |
|---------------------------|---|
| UC-25-0376 | A use permit, waivers of development standards, and a design review for a mini-warehouse 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 request for IL zoning is conforming to the Business Employment (BE) land use category on the site and is compatible with the surrounding area. The adjacent property to the south is already zoned IL. Industrial zoning categories are also appropriate near airport uses, as Overton Airport is located to the north and east. The request complies with Policy 5.5.1 of the Master Plan which promotes designating and supporting the development of industrial and employment uses in areas that are proximate to air, rail, and highway facilities, and Policy NE-4.1 which encourages development patterns and standards compatible with the continuing operation of Perkins Field - Overton Airport. For these reasons, staff finds the request for IL zoning is appropriate for this location.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Overton-Perkins Field Airport (U08). 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.

FAA Advisory Circular 150/5200-33C, "Hazardous Wildlife Attractants On or Near Airports," states that birds and other hazardous wildlife have caused major damage to aircraft and have affected flight operations at airports, and therefore can be a hazard to air navigation. Wildlife attractants can include landscaping, improper waste disposal, and other factors. For airports like Overton-Perkins Field Airport, the advisory circular recommends that hazardous wildlife attractants be mitigated to ensure the safety of airport operations. The property is approximately 500 feet from the runway for Overton-Perkins Field Airport.

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 Clark County Department of Aviation (CCDOA);
- 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;
- Utilize non-wildlife attractant landscaping plants and vegetation in compliance with FAA AC 150/5200-33C and the associated documents therein. Contact CCDOA at 702-261-5024 with questions regarding compatible plants and vegetation;
- All outside dumpsters and trash cans must remain closed with a properly fitting lid to prevent debris from the receptacles from blowing onto the airfield east of Airport Rd. and to prevent the attraction of hazardous wildlife.
- 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.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 070-12-501-004; and to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Moapa Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: PLEDGER SOLOMON

CONTACT: GEORGE ROGERS, GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118