

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-24-0559-FRANLEN AIRPORT CENTER, LLC:

ZONE CHANGE to reclassify 3.44 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay.

Generally located on the south side of Sunset Road and the west side of Spencer Street within Paradise (description on file). JG/lm (For possible action)

RELATED INFORMATION:

APN:

177-02-102-008

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 1705 E. Sunset Road
- Site Acreage: 3.44
- Existing Land Use: Undeveloped

Applicant's Justification

The applicant indicates that the proposed use will accommodate a millwork and furniture manufacturing (light manufacturing) use with supporting offices and a restaurant. The proposed zoning is conforming to the Master Plan and is consistent with the Master Plan goals and policies. Additionally, the proposed IP zone will contribute to the balance of existing commercial and industrial uses, enhancing this neighborhoods services.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0596-11 (ET-0015-13)	First extension of time for waiver of parking lot landscaping and screening mechanical equipment for a modular office and retail building - expired	Approved by PC	April 2013
WS-0596-11	Waived parking lot landscaping and screening mechanical equipment for a modular office and retail building - expired	Approved by PC	February 2012

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1930-05	Reclassified the subject site to C-2 zoning for an office/retail development	Approved by BCC	January 2006

*Additional land use applications have been approved on this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	PF & CG (AE-70)	Harry Reid International Airport & retail with gas station
South	Business Employment	RS20 & IP (AE-65)	Undeveloped & office
East	Business Employment	IP (AE-65 & AE-70)	Undeveloped
West	Business Employment	CG (AE-65 & AE-70)	Shopping center

Related Applications

Application Number	Request
UC-24-0560	A use permit for a proposed restaurant and associated waivers for landscaping, detached sidewalk and modified commercial driveway standards in conjunction with an industrial development for millwork and furniture manufacturing 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 existing planned land use category for the subject site is Business Employment. The Master Plan states that the primary intended land uses for this category include warehouse flex spaces. In addition, the Master Plan also indicates that the uses within this land use category should be located near major transportation corridors. Staff finds that the IP zone at this location would be located near the regional airport, collector streets, and the Airport connector which lends to easy access to the resort corridor. In addition, the surrounding area, south of Sunset Road, is a mix of commercial and industrial uses between Surrey Street and Gilespe Street. The properties surrounding the site have been developing as industrial uses and can support the additional developing industrial uses. Lastly, staff finds that the proposed zone change to IP would also support Policies 5.1.3 and 5.5.1, which encourage the diversification of the economic base of the Las Vegas Valley and concentrating industrial and higher intensity uses within designated Business Employment areas. For these reasons, staff finds the request for IP is appropriate for this location and can support the zone change request.

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.

The property lies within the AE-70 (70-75 DNL) and the AE-65 (65-70) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that the Federal Aviation

Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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 #0460-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MICHAEL AUSTIN

CONTACT: CARON RICHARDSON, STAMPED & SIGNED, LLC, 341 SIMON BOLIVAR DRIVE, HENDERSON, NV 89014