

05/17/23 BCC AGENDA SHEET

FINISHED GRADE  
(TITLE 30)

MOHAWK ST/PATRICK LN

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-23-0154-DIAMOND MOHAWK, LLC:**

**DESIGN REVIEW** for finished grade in conjunction with an approved office/warehouse facility on 2.5 acres in an M-D (Designed Manufacturing) (AE-65) Zone in the CMA Design Overlay District.

Generally located on the east side of Mohawk Street, 300 feet south of Patrick Lane within Spring Valley. MN/rk/syp (For possible action)

---

RELATED INFORMATION:

**APN:**  
163-36-701-009

**DESIGN REVIEW:**  
Increase finished grade to 69 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 92% increase).

**LAND USE PLAN:**  
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Finished grade for an office/warehouse site
- Number of Stories: 1
- Square Feet: 37,000 (office/warehouse)

Site Plans

The plans depict an approved 37,000 square foot office/warehouse building centrally located on a 2.5 acre parcel of undeveloped land. The plans for this request depict that the finished grade of the site will be increased over 5 feet along the central and northern portions of the site. The applicant is currently in the process of completing technical studies on the site.

Applicant’s Justification

The applicant indicates that the need for increased finished grade is due to the area in the north central portion of the site that is depressed a few feet from the rest of the surrounding properties. Proper development of the site will require that this area be filled in based on the design of the office/warehouse development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-21-0606	Reclassified this site to M-D zoning for an office/warehouse building	Approved by BCC	January 2022

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-E	Undeveloped
South	Business Employment	R-E	Undeveloped
East	Neighborhood Commercial	M-D	Office/warehouse complex
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

**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 30.48.120 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-65 (65 - 70 DNL) 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:**

### **Comprehensive Planning**

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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; 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; and that this application must commence within 2 years of approval date or it will expire.

### **Public Works - Development Review**

- Comply with approved drainage study PW22-16368;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

### **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 30.48 Part B 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; that the FAA's airspace determinations include expiration dates; 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.

**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 #0392-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Spring Valley - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DIAMOND MOHAWK LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BLVD. SUITE 110, LAS VEGAS, NV 89118