

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0753-MT SUNRISE VIEW LTD & GILBERT LADD & ADRIANE TRS:

HOLDOVER USE PERMIT to establish a heliport.

WAIVER OF DEVELOPMENT STANDARDS to eliminate landscaping in conjunction with an existing single family residence on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Red Coach Avenue and the east side of Grand Canyon Drive within Lone Mountain. RM/hw/syp (For possible action)

RELATED INFORMATION:

APN:

138-06-601-012

WAIVER OF DEVELOPMENT STANDARDS:

Eliminate perimeter landscaping in conjunction with a heliport adjacent to a less intensive use where landscaping per Figure 30.64-11 is required per Table 30.44-1 and Table 30.64-2.

LAND USE PLAN:

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 9585 Red Coach Avenue
- Site Acreage: 2
- Project Type: Private heliport (Helipad)
- Square Feet: 8,836 (overall heliport area)

Site Plan & Request

The site plan depicts an existing, approximately 12,500 square foot single family residence located at the southeast corner of Red Coach Avenue and Grand Canyon Drive. The plans show that a porte cochere is located to the northwest of the residence and a large pool and patio are located to the southeast of the residence. Presently to the south of the pool and patio area are hard surfaced (asphalt) play court areas. The site is accessed by 2 residential gated driveways along Red Coach Avenue and 1 residential gated driveway along Grand Canyon Drive.

The applicant is requesting to construct and maintain a personal heliport, that will exclusively consist of a single helipad, in the southeast corner of the property. The plans show that the helipad Touchdown and Liftoff area (TLOF) will be approximately 50 feet wide by 50 feet long

for a total of 2,500 square feet, and will be set back 24 feet from the eastern property line and 22 feet from the southern property line. The Final Approach and Take-Off (FATO) area is shown to extend an additional 20 feet beyond the edge of the helipad with an additional 12 foot safety area provided beyond the FATO area. The safety area is shown to extend up to the southern and eastern property lines of the site. The overall area of the heliport, including the helipad, FATO area, and safety area is a 94 foot by 94 foot area for a total of 8,836 square feet. No support facilities such as fueling and maintenance facilities are shown and no structures are proposed. The applicant has received a letter of no objections with conditions from the Federal Aviation Administration (FAA) regarding the proposed airspace and traffic pattern, and the site has received a letter of no objection from the Nevada Department of Transportation, Aviation Division after a safety review of the site. Form 740-1 "Notice of Landing Area Proposal" will still need to be submitted to the FAA.

Landscaping

The plans show that any existing landscaping on-site shall remain with no additional landscaping proposed. The applicant indicates that any landscaping within the heliport area will be removed for safety reasons. The existing landscaping on-site primarily consists of various shrubs placed within the front of the residence along Red Coach Avenue and Grand Canyon Drive, and within the backyard of the residence. The existing trees are primarily 13, thirty foot tall Date Palm (*Phoenix dactylifera*) trees spread across the site. A 6 foot high gabion wall is shown approximately 15 feet from the southern property line, and approximately 20 feet from the western property line with an approximately 10 foot high existing rock retaining wall placed along the southern property line and approximately 10 feet from the western property line.

Applicant's Justification

The applicant states that they are requesting this heliport for recreational purposes and that the proposed heliport will be for personal use only. The applicant also states that the heliport will only be active during daylight hours and will be used once per week and limited to one landing and take-off per day. The applicant indicates that all necessary approvals have been received from NDOT and the FAA. In their planning report, they state that there will be no environmental impacts on the site and all FAA flight regulations will be followed. The applicant states there will be no air traffic control tower on site and there should be no air traffic concerns due to the frequency of flights to the heliport. The report indicates that the aircraft on the site will be limited to one, 40 foot rotor diameter helicopter and operations will be limited to daylight hours with 1 take-off and landing per week. The applicant indicates in the report that the location of the helipad/TLOF has been carefully selected to reduce impacts to the surrounding area and the flight path has been designed to fly over as much open space as possible and to reduce flights over residential areas. The applicant states that noise will be abated by operation time and flight frequency, along with flight altitudes and paths that limit interactions with nearby residents. In addition, the applicant states the aircraft used will have rotor technology that reduces noise and the location of the helipad will be screened by the existing residence to the north and a 6 foot gabion wall to the east and south, which should limit sound spread. Finally, the applicant states that the required landscaping is not needed due to the existing gabion wall and a 20 foot drainage easement to the east of the site. In addition, the applicant states that the existing wall and landscaping should be sufficient and landscaping in direct proximity to the helipad could cause a safety issue.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|----------------|---------------|
| VC-528-89 | Mobile home as a temporary residence during construction of a residence beyond the 18 month time limit - expired | Approved by PC | November 1989 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|----------------------|---|---------------------------|---------------------------|
| North, South, & East | Ranch Estate Neighborhood (up to 2 du/ac) | R-E (RNP-I) | Undeveloped |
| West | Ranch Estate Neighborhood (up to 2 du/ac) | R-E (RNP-I) | Single family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that while the area adjacent to the proposed heliport is currently undeveloped, the lots to the east and south both have active land use applications for single family residential developments which would be greatly impacted by flights in and out of the proposed heliport. The heliport is also raised above the surrounding properties by about 10 feet, which would exacerbate any issues caused by the heliport operations on the site. Furthermore, the surrounding neighborhood is heavily residential with several subdivisions within a couple of miles of the proposed site. Staff finds that a heliport in such a heavily residential area would impart undue burdens on both existing residents, but also future residents. In addition, while there are several noise abatement strategies described to limit impacts, staff finds that these are insufficient, and several property owners would still be impacted given the weekly nature of flights into and out of the heliport. Finally, staff finds that approval of this use permit would be contradictory to the policies of Goal 1.5 of the Master Plan, which encourages proper and appropriate development within the Rural Neighborhood Preservation areas of the County. For these reasons, staff cannot support this use permit.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

While staff acknowledges that the existing 6 foot wall is per Figure 30.64-11 and would provide adequate screening, the purpose of landscape buffers for a use such as a heliport is not only for screening, but noise abatement. Staff finds that the addition of landscaping along the eastern and southern boundaries is necessary to screen the heliport, but most importantly to reduce noise impacts. Finally, while staff can understand the impacts such landscaping would have on flight operations, it seems that the helipad could have been placed on the site to allow the planting of this landscaping without impacting heliport operations. For these reasons, staff cannot support this waiver of development standards.

Department of Aviation

The community continues to express concerns regarding any type of helicopter overflight activity throughout the Las Vegas area. The heliport is not located at a Department of Aviation airport facility.

The Department of Aviation does not support helipads/heliports located in this residential neighborhood due to the noise, vibrations, dust, debris, and other issues that residents typically complain about regarding helicopter operations occurring in close proximity.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **March 6, 2024 at 9:00 a.m.**, unless otherwise announced.

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

If approved:

- 1 year to commence and review as a public hearing;
- The proposed heliport is to be used for private/personal use only and is not to be used for any commercial purposes;
- Any future proposed accessory aircraft buildings shall be reviewed as a public hearing;
- Aircraft operations are limited to daytime hours and one take-off and landing per week;
- No fueling or maintenance of aircraft is permitted on site.

- Applicant is advised the application must commence within the time specified or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Department of Aviation

- Applicant is required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157 and receive No Objection;
- Applicant must comply with all FAA requirements and recommendations;
- Applicant must comply with all heliport planning report requirements described in Table 30.44-1 "Heliport" of the Code.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS: 1 card

PROTESTS: 6 cards, 12 letters

PLANNING COMMISSION ACTION: January 2, 2024 – HELD – To 02/06/24 – per the applicant.

APPLICANT: LADD GILBERT

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