

05/07/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-25-0238-PHO, LLC:**

**ZONE CHANGE** to reclassify 3.74 acres from an IL (Industrial Light) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay.

Generally located on south of Quail Avenue and west of Valley View Boulevard within Paradise (description on file). MN/gc (For possible action)

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RELATED INFORMATION:

**APN:**

162-31-505-003; 162-31-505-006; 162-31-505-008

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5845 & 5865 S. Valley View Boulevard
- Site Acreage: 3.74
- Existing Land Use: Warehouses & outside storage

Applicant's Justification

The applicant states the proposed IP zoning is still conforming to the Business Employment (BE) land use category, but will allow for additional uses that are oriented to the general public while being consistent with the intent and direction of the Stadium District. The IP zoning also provides a transition between the Entertainment Mixed-Use (EM) planned properties to the east of Valley View Boulevard and the more intense IL zoning to the west of the site.

**Prior Land Use Requests APN 162-31-505-003**

Application Number	Request	Action	Date
ADR-18-900473	Office/warehouse building addition with street landscape improvements along Valley View Boulevard - expired	Approved by ZA	September 2018
DR-0417-97	2 metal canopies in conjunction with an outdoor storage yard	Approved by PC	April 1997

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Business Employment	IL (AE-60)	Gas station, vehicle wash & industrial building with outside storage
South	Business Employment	IL (AE-65)	Warehouse complex
East	Entertainment Mixed-Use	IL (AE-60 & AE-65)	Warehouse & manufacturing buildings
West	Business Employment	IL (AE-60 & AE-65)	Warehouse buildings with outside storage

**Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-25-0240	Use permits, waivers of development standards, and design review for a hotel and related facilities is a companion item on this agenda.
VS-25-0239	A vacation and abandonment for portions of right-of-way and patent easements 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 IP zoning is conforming to the Business Employment (BE) land use category on the site and is compatible with the surrounding area. The proposed IP zoning on the subject site will allow for a transition from the abutting properties to the east across Valley View Boulevard that are planned for Entertainment Mixed-Use (EM) and the more intense industrial zoned category of IL to the west. IP zoning will also allow for more flexibility of uses on the site, and therefore, meets the intent of the Stadium District Plan that encourages a mix of uses within the built environment. Additionally, the request complies with Policy 1.4.4 of the Master Plan which encourages in-fill development and redevelopment in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. For these reasons, staff finds the request for IP zoning 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.

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.02.26B.2(i) of the Clark County Unified Development Code. Therefore, as required by Section 30.06.03D.7(iv) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that section 30.06.03D.7(iv) requires that the FAA Determination of No Hazard shall be submitted two weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see chapter 30.02.26B].)

### **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.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PRIMA DONNA DEVELOPMENT

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