

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-24-0100-CMR REALTY, LLC:

ZONE CHANGE to reclassify 7.1 acres from an Industrial Light (IL) Zone and a Commercial Resort (CR) Zone to a CG (Commercial General) Zone.

Generally located 135 feet south of Spring Mountain Road and the west side of Procyon Street within Paradise (description on file). JJ/md (For possible action)

RELATED INFORMATION:

APN:

162-17-201-003; 162-17-201-004; 162-17-201-006 through 162-17-201-010

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3525 through 3613 Procyon Street; 3588 through 3612 Valley View Boulevard
- Site Acreage: 7.1
- Existing Land Use: Undveloped, outside storage, and industrial buildings

Applicant’s Justification

The applicant states that the request to a Commercial General zone is appropriate as the project site is located in proximity to Spring Mountain Road, a highly intense corridor, with various high-density multi-family residential and commercial uses. The site is surrounded by various zoning designations, including Industrial Light, Commercial Resort and Commercial General. A shopping center with a request for Commercial General zoning, to the east across Procyon Street, was recently approved. Even more, directly to the east of that center is an approved, but not yet developed, Resort Hotel. The development of commercial on the site, rather than industrial as currently zoned, is a more appropriate use adjacent to the other commercial shopping center. The additional commercial uses will also bring the added community uses to support the existing and recently approved multi-family developments in the immediate area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0126	Monorail	Approved by BCC	May 2023

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0425-15	Expansion and modifications to an existing recycling center - expired	Approved by PC	August 2015
UC-0450-14	Recycling center - expunged	Approved by PC	July 2014
UC-0386-11	Recycling center - expunged	Approved by PC	November 2011
UC-0447-10	Light manufacturing with outside storage of pallets - expired	Approved by PC	October 2010
UC-0546-09	Recycling center - expunged	Approved by PC	October 2009
UC-1046-07	Recycling center – expired	Approved by PC	November 2007
ZC-0437-06	Reclassified a 2.1 acre portion of the project site to U-V (Urban Village) zoning for a mixed-use development – expired	Approved by BCC	May 2006
ZC-1416-05*	Reclassified a 2.3 acre portion of the project site from a C-2 zone to H-1 zone for a hotel condominium	Approved by BCC	November 2005
WS-0841-05*	Increase building height for a hotel condominium - expired	Approved by PC	July 2005
ZC-1883-04*	Reclassified a 2.3 acre portion of the project site from a C-2 zone and M-1 zone to a C-2 zone for a hotel	Approved by BCC	December 2004
NZC-1775-04	Reclassified a 5 acre portion of the project site to U-V zoning for a mixed-use development project - expired	Approved by BCC	February 2005
DR-1902-03*	Addition to an existing office/warehouse building including a new parking lot – expired	Approved by PC	January 2004

*These applications included only APNs 162-17-201-009 & 162-17-201-011.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	IL	Cannabis cultivation & production facility
South	Entertainment Mixed-Use	IL & CR	Outside storage & vacant commercial building
East	Entertainment Mixed-Use	IL	Industrial & warehouse buildings
West	Entertainment Mixed-Use	CG, IL, & RM32	Office/warehouse & shopping center complex, multiple family development, & restaurants

Related Applications

Application Number	Request
WS-24-0102	Waivers of development standards to increase building height and modified driveway design standards in conjunction with a shopping center is a companion item on this agenda.
TM-24-500027	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.
VS-24-0101	A request to vacate and abandon government 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

The intent of the Entertainment Mixed-Use land use category is to provide for a primary mix of land uses that include retail, restaurants, entertainment, gaming, lodging, and other tourist-oriented services, as well as office uses. The Commercial General zoning district is established to accommodate traditional, auto oriented commercial uses while allowing for the transition over time to a mix of retail, commercial, and mixed-use development. Staff finds the subject property is appropriate for commercial zoning, given its location to the previously approved commercial development (ZC-23-0868) to the east of the site across Procyon Street. The requested commercial zoning will also support the existing multiple family residential developments within the surrounding area, including the 226 unit multiple family development under construction at the southwest corner of Desert Inn Road and Polaris Avenue. Furthermore, this request complies with Goal WP-3 of the Master Plan which encourages the revitalization of established employment centers and commercial corridors in Winchester/Paradise. The applicant has demonstrated the proposed zoning district, Commercial General, is compatible with the surrounding area. For these reasons, staff finds the request for the Commercial General zone 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.

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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0121-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: 3500-3675 PROCYON, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, 650, LAS VEGAS, NV 89135