

City of Las Vegas

AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: NOVEMBER 15, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: INDIGO PHARMACEUTICAL - OWNER: ICON
PAC NEVADA OWNER POOL 3 NEVADA, LLC**

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0438-ZON1	Staff recommends APPROVAL.	23-0438-GPA1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

25 (by City Clerk)

NOTICES MAILED 155

PROTESTS 0

APPROVALS 0

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Rezoning from T4-C (T4 Corridor) to T4-M (T4 Maker) to operate a pharmaceutical manufacturing facility within an existing commercial building at 270 South Martin Luther King Jr. Boulevard.

ISSUES

- The subject site is within the confines of the Vision 2045 Downtown Las Vegas Masterplan (Medical District).
- A Rezoning is requested to amend the subject 1.40-acre site's zoning from T4-C (T4 Corridor) to T4-M (T4 Maker). Staff recommends approval.
- The Light Manufacturing use is a conditionally allowed use in the T4-M (T4 Maker) zoning district.
- The subject site is located in Redevelopment Plan Area 1.

ANALYSIS

Adopted by the City Council in June 2016, the Vision 2045 Downtown Las Vegas Master Plan (Downtown Master Plan) is the policy document that provides an overall vision, policy direction, and implementation strategy in support of the ongoing recovery and revitalization in Downtown Las Vegas. The Downtown Master Plan envisions and encourages downtown Las Vegas to achieve a compact, vibrant urban environment, with a focus on higher-density mixed-use development around transit hubs and activity nodes. The Master Plan is intended to enable an energetic, urban way of life and a high-quality physical environment for locals and visitors alike.

The subject site is located within the Medical District of Downtown Las Vegas. The Vision 2045 Downtown Master Plan has a strong focus on diversifying and strengthening the Las Vegas economy with special attention given in the Medical District to certain sectors of the economy including medical support services, medical research and development, and medical supply manufacturing. The Medical District is anchored by the UNLV University Medical Center, the Kirk Kerkorian School of Medicine at UNLV, and Valley Hospital, and overall is a significant healthcare and office node for the city. The Downtown Master Plan's vision for the Medical District is consistent with the proposed petition to rezone to T4-M (T4 Maker) and thus allowing the site to operate as a pharmaceutical manufacturing facility.

Adopted under the requirements of the Las Vegas Municipal Code and other applicable laws, the Title 19.09 Form-Based Code establishes the new form-based standards for the

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area of the City included within the Downtown Las Vegas Overlay (DTLV-O). Eventually, the Form-Based Code will be applied to each of the twelve Downtown Districts within the Downtown Las Vegas Overlay District. The T4-M (T4 Maker) transect zone is consistent with the FBC (Form-Based Code) category of the General Plan.

Below is a brief description for the zones that appear in the Regulating Plan and are a part of this rezoning:

T4-C (T4 Corridor)

The intent of the T4-C (T4 Corridor) Zone is to enhance the City's existing corridors by allowing a wide variety of building types to accommodate a range of commercial, retail, office, and service uses in small to large footprint buildings along major arterial corridors carrying high volumes of vehicular traffic.

T4-M (T4 Maker)

The intent of the T4-M (T4 Maker) Zone is to maximize the opportunities created by medium intensity walkable urban environments. This zone is well connected to transportation infrastructure and accommodates a variety of new and repurposed building types that can host residential, retail, office, service, and agricultural uses while providing for centrally located employment sites. The diverse mix of uses supports active transportation commuting modes and a lively 24-hour neighborhood during work and non-work hours. Specialized uses in this zoning district can be categorized as downtown light industrial utilizing performance measures and conditions to ensure compatibility between the different use types.

Several adjacent properties are zoned to allow for similar uses, in the T5-M (T5 Maker) zoning district. Therefore, the proposed zoning change is not a case of spot-zoning, and the proposed zoning will be compatible with surrounding land uses and zoning districts. Staff is in support of the request to rezone as the proposed development furthers the goals, policies, and objectives identified in the 2050 Master Plan and Vision 2045 Downtown Master Plan for the area and city; and therefore recommends approval of this request.

City of Las Vegas 2050 Master Plan

The subject site is located within the Master Plan 2050 designated area of Downtown Las Vegas which is the City's civic, commercial, and cultural hub. Located in the center of the Las Vegas Valley, it functions as a primary regional center of Southern Nevada together with the Las Vegas Strip. Centered along Fremont Street, Downtown is the original home to local gaming and tourism. It continues to attract visitors looking for a historic and

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authentic Las Vegas experience. The Downtown of tomorrow is envisioned as a vibrant and livable urban environment and will continue to “Reinvent the Legend” through the complete implementation of the Vision 2045 Downtown Las Vegas Masterplan.

FINDINGS (23-0438-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed T4-M (T4 Maker) transect zoning district conforms to the FBC land use designation.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The uses allowed under the T4-M (T4 Maker) form-based zoning district are compatible with the surrounding land uses and zoning districts. The surrounding land uses include general retail stores, with a large grocer and gas station to the north, furniture stores to the west, and a furniture store to the south, as well as residential development to the east. The residential neighbors have vehicle access from Ransof Evans Court, and no access to Martin Luther King Jr. Boulevard.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

Based on future growth and development, this portion of the Martin Luther King Jr. Boulevard corridor has established itself to be suited for the economic development and diversification associated with the Medical District. As defined in the Vision 2045 Downtown Las Vegas Master Plan, the Martin Luther King Jr. Boulevard corridor is intended as a community service corridor, retaining a suburban quality and serving adjacent neighborhoods. The proposed rezoning classification will be consistent with neighboring and future development.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

The subject site is accessed exclusively off of Martin Luther King Jr. Boulevard. Martin Luther King Jr. Boulevard is classified as a 95-foot wide Major Collector street and is subject to the Master Plan of Streets and Highways. This street access is adequate in size to meet the needs of the proposed zoning district.

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BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.	
12/14/89	The Board of City Commissioners approved a Plot Plan and Building Elevation Review (Z-0005-63) for the existing building as an "Office Club" at 270 South Martin Luther King Jr. Boulevard.
12/05/18	General Plan Amendment (GPA-73548) to reclassify approximately 307 acres in the Medical District bound by U.S. Highway 95 to the north, Interstate 15 to the east, Charleston Boulevard to the south, and Rancho Drive to the west, to the Form-Based Code General Plan Land Use Designation, including 270 South Martin Luther King Jr. Boulevard.
01/16/19	Reclassification of Property (ZON-73549) to rezone approximately 307 acres in the Medical District bound by U.S. Highway 95 to the north, Interstate 15 to the east, Charleston Boulevard to the south, and Rancho Drive to the west, to several transect zoning districts, including 270 South Martin Luther King Jr. Boulevard rezoning from C-1 (Limited Commercial) to T4-C (T4 Corridor).
10/10/23	The Planning Commission voted (6-0) to recommend APPROVAL on a Land Use Entitlement project request FROM: T4-C (T4 CORRIDOR) TO: T4-M (T4 MAKER) on 1.40 acres at 270 South Martin L King Boulevard (APN 139-33-102-021), Ward 1 (Knudsen)

Most Recent Change of Ownership	
05/20/15	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/31/09	A business license (#B20-01673) was processed for a business support office. This business license went inactive on 6/12/14.
10/16/14	A building permit (#C-268829) was processed for a change of occupancy from warehouse to internet and catalogue sales and to install two overhead doors. This permit was finalized on 12/15/14.
12/10/14	A business license (#G62-04822) was processed for an internet and catalogue sales office was issued. This business license went inactive on 05/23/17.
12/13/17	A business license (#G65-08658) was processed for a real estate firm office was issued. This business license went inactive on 11/28/20.
03/01/18	A building permit (#C18-00138) was processed for a tenant improvement to add display walls to the showroom. This permit was finalized on 4/4/18.
9/6/18	A building permit (#C18-01589) was processed for a sign permit to add two new wall/roof signs. This permit was finalized on 9/20/18.
5/7/20	A business license (#G68-02646) was processed for a flooring contractor was issued. This business license went inactive on 12/1/21.

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Related Building Permits/Business Licenses	
7/28/22	A building permit (# C22-02362) was processed for an interior remodel of the existing building. This permit was issued on 07/28/22 and is active.
8/31/2023	A building permit (# C22-04922) was processed to add pre-manufactured Clean Room to existing tenant space. This permit was issued on 8/31/23 and is active.

Pre-Application Meeting	
08/15/23	A pre-application meeting was held to review the submittal requirements for a rezoning.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
08/30/23	During a routine site visit, staff found a big box store with nothing noted of concern.

Details of Application Request	
Site Area	
Gross Acres	1.40

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	General Retail Store, Other Than Listed	FBC (Form-Based Code)	T4-C (T4 Corridor)
North	General Retail Store, Other Than Listed	FBC (Form-Based Code)	T5-M (T5 Maker)
South	Private Road	M (Medium Density Residential)	RPD-11 (Residential Planned Development - 11 Units per Acre)
East	General Retail Store, Other Than Listed	FBC (Form-Based Code)	T5-M (T5 Maker)
	General Retail Store, Other Than Listed	FBC (Form-Based Code)	T4-C (T4 Corridor)

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
West	Single-Family, Detached Residences	M (Medium Density Residential)	RPD-11 (Residential Planned Development - 11 Units per Acre)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan: Las Vegas Medical District	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (175 Feet)	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 3 (Medical District)	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed
T4-C (T4 Corridor)	N/A - Two to five stories	N/A
Proposed Zoning	Permitted Density	Units Allowed
T4-M (T4 Maker)	N/A - Up to four stories	N/A

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Martin Luther King Jr. Boulevard	Major Collector	Master Plan of Streets and Highways	95	Y