



City of Las Vegas

Agenda Item No.: 17.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2019**

DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT: BEYANCA - GPA-75109 - GENERAL PLANNING AMENDMENT - PUBLIC HEARING - APPLICATION: NORTH POINT DEVELOPMENT - OWNER: OMNI FAMILY, LP - For possible action on an request for a General Planning Amendment FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) ZONING (SERVICE COMMERCIAL) on 2.86 acres at the southeast corner of Buckskin Avenue & Rainbow Boulevard (APN 138-11-401-001), Ward 5 (Crear) [PRJ-75003]. Staff recommends DENIAL.

C.C.: 03/06/2019

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

17

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-75109, ZON-75110, VAR-75111, SUP-75112 and SDR-75114 [PRJ-75003]
3. Supporting Documentation - GPA-75109, ZON-75110, VAR-75111, SUP-75112 and SDR-75114 [PRJ-75003]
4. Photo(s) - GPA-75109, ZON-75110, VAR-75111, SUP-75112 and SDR-75114 [PRJ-75003]
5. Justification Letter - GPA-75109, ZON-75110, VAR-75111, SUP-75112 and SDR-75114 [PRJ-75003]
6. Protest Postcards for GPA-75109 and ZON-75110 and Protest Documentation Not Vetted Comment Forms (1)/ Telephone Log (1) for GPA-75109, ZON-75110, VAR-75111, SUP-75112 and SDR-75114 [PRJ-75003]
7. Submitted after Final Agenda - Protest/Support Postcards for GPA-75109 and ZON-75110 and Documentation Not Vetted - Altered Postcard (1) for GPA-75109 and ZON-75110 [PRJ-75003]
8. Submitted at Meeting - Support Letter from Castle Creek Trust by Tony Celeste for GPA-75109, ZON-75110, VAR-75111, SUP-75112 and SDR-75114 [PRJ-75003]

Motion made by LOUIS DE SALVIO to Approve (Subsequent to the meeting, the City Attorney's Office confirmed the motion for Approval failed due to lack of super majority vote, which is tantamount to Denial)

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Failed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1

DONNA TOUSSAINT, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, LOUIS DE SALVIO; (Against-CHRISTINA ROUSH, VICKI QUINN); (Abstain-None); (Did Not Vote-None); (Excused-BRENDA J. WILLIAMS)

NOTE: The video does not reflect the vote accurately. In that subsequent to the vote on Item 21, Commissioner Roush stated that her intent was to vote No and requested that her vote be reflected as such.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 17, 18, 20, and 21.

ERIC McCAMMOND, Sr. Management Analyst, reported that the applicant is requesting a General Plan Amendment from Desert Rural Density Residential to Service Commercial and a rezoning from Residence Estates to Limited Commercial. The subject parcel is surrounded by single family detached dwellings and is not adjacent to any commercial land use. The applicant is also requesting a Special Use Permit and Site Development Plan Review for a proposed 139,200 square foot mini storage facility with a water tower on the building to the corner where such is required. Because the proposed commercial use as a mini storage facility would create an island of commercial activity within a fully developed residential neighborhood, staff recommended denial of all associated applications. Additional protest and support letters were received after publication.

ATTORNEY TONY CELESTE appeared on behalf of the applicant, Northpoint Development. He stated that the site is approximately 1.5 acres, and he described its location. He informed the Commissioners that they held two neighborhood meetings, and he showed a map highlighting those who attended the meetings. MR. CELESTE noted that they answered the neighbors' questions and incorporated many of their suggestions, and he submitted a support letter as backup.

One of the biggest issues the neighbors had was regarding the height of the building. They submitted a revision to the height and will now have one level of the building below grade and a new height of 23 to 25 feet with an architectural element on the front of the building that is 29 feet high. They no longer need the Variance request (Item 19) because they are now meeting the setback requirements. MR. CELESTE showed a rendering of what the building would look like when driving north and south on Rainbow Boulevard noting that it blends in with the neighborhood and is not substantially taller than the other structures in the area. Another request was to limit the access to the secondary fire access on Buckskin Avenue. They are proposing a condition that requires them to work with Public Works and the Fire Department regarding the location to install a crash gate for emergency access only. This would help funnel traffic to Rainbow Boulevard and drastically reduce traffic going east on Buckskin Avenue. Neighbors had questions regarding home values, so they did some research and found that within three years of a newly constructed mini storage, there was no negative impact to home values.

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MR. CELESTE stated that this site is located near residential, and he showed a chart of traffic counts for residential, self-storage and commercial, which indicated that the self-storage is a low impact, low intense use for the area and does not have extreme traffic like other commercial uses do. He showed photos of the current site conditions noting that they would clean it up and make improvements.

MR. CELESTE stated that one of the Waivers is with respect to the building orientation. They are requesting to not orient the building to the corner because the locations of the driveways provide adequate queuing and circulation. Shifting the driveways would cause the inability to meet the distance separation requirements between the intersection and the driveway. They are also proposing a pedestrian-type plaza on the corner to adhere to the City's intent with respect to beautification of an area, and he believed this is a good faith attempt in lieu of positioning the building on the corner.

There was a comment in the staff report regarding other mini storages located within a mile or two of the site, so they did a market study and found that everything within a few miles of the subject site is at 90 percent or above capacity, which indicates this is not over saturating the market. MR. CELESTE noted that a wide spectrum of people use storage facilities. He pointed out that this project will have a porte-cochere where people can take into a protected area and take their items to their storage facility via the elevator. The doors are all internal and can be accessed from 6:00 a.m. to 10:00 p.m. via a key fob. Normal operating hours are Monday through Friday from 9:00 a.m. to 6:00 p.m., Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 11:00 a.m. to 4:00 p.m. There is no night time manager, and nobody lives on site.

The facility is located approximately 400 feet from the other commercial businesses. There are homes on the west side, but there will not be residential use developed on the subject infill parcel because of the way Rainbow Boulevard has been developed and has become a thoroughfare.

BRUCE HANBURG stated that he was opposed as the fire lane would be in their back yard. They also have homeless issues in the area, and this would provide a place for them to hide. He would like to see residential developed on the lot.

CHRISTINA ROBERTSON stated that her property is one street from the subject site, and the back yard is connected to another property that faces the proposed storage facility. She attended the first neighborhood meeting but was not aware of the second meeting. She and her husband oppose this project as there is a nearby school, and she was concerned about her property value, traffic, homelessness, drug use and crime. She would like the zoning to remain as Desert Rural and see homes developed on the property.

MR. CELESTE reiterated that they are requesting an additional condition to restrict access for emergency only access for the fire lane. He also opined that development of the property would get rid of the graffiti and other issues that currently exist.

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CHAIR CHERRY stated that when he first saw the three-story project, he was opposed; however, based on the changes, the intensity and the additional condition regarding the fire lane, he felt he could support this project.

In response to COMMISSIONER QUINN'S inquiry, MR. CELESTE reviewed the business hours and the timeframes the units could be accessed. COMMISSIONER QUINN expressed concern about people going in and out of the facility after the office was closed as she thought it was important to protect the neighborhood. MR. CELESTE explained that they have security measures, such as emergency call boxes, in place and there is no access from 10:00 p.m. to 6:00 a.m. COMMISSIONER QUINN did not see residential being developed on the site, and she did not want it to remain undeveloped. She asked about lighting on the site, and MR. CELESTE explained that they have to meet the City's code requirements, which mean the lighting will have to be downcast and shielded to prevent overflow or light pollution onto adjoining properties. The design orients the parking lot towards Rainbow Boulevard which already has street lights on it, and the building itself shields the light from going farther east into the neighborhood.

COMMISSIONER ROUSH felt that this is a quasi-industrial use as it is a monolithic, large industrial building in a low-intensity, rural residential neighborhood. There are four large lots in the cul-de-sac, and she did not think this project was logistically compatible or harmonious. She thought this location was too far north of the intersection and the intense use for the residential neighborhood. COMMISSIONER ROUSH was also concerned about the monolithic look of the building and argued that there were other uses that could go on this site. She could not support this project.

COMMISSIONER TOUSSAINT thought the building was beautiful and did not believe residential would be developed on the site. She also believed that the homeless issue would be resolved once this is built and parking was on the property.

COMMISSIONER DE SALVIO commended the applicant for working with the neighborhood. He thought this was harmonious and compatible with the neighborhood and felt it was a less intrusive use. He opined that it was a beautiful building, and he loved the box trees that would provide separation from the residences, the porte-cochere that would shield the neighbors from seeing people unloading their items and the idea of having a neighborhood aesthetic on the corner. He also thought it would mitigate the homeless issue, and he was in support of the applications.

Subsequent to the votes on Items 17-20, COMMISSIONER DE SALVIO asked about the condition for the fire lane. MR. McCAMMOND read the condition, and MR. CELESTE agreed to it. COMMISSIONER DE SALVIO also asked about conditioning the hours of operation, and ROBERT SUMMERFIELD, Director of Planning, replied that that condition should have been placed on SUP-75112. However, the items would be moving forward to the City Council, so if it was the will of the Planning Commission, staff would communicate that desire to the Council as part of their presentation. ASSISTANT CITY ATTORNEY BRYAN SCOTT asked about the hours being recommended, and COMMISSIONER DE SALVIO suggested that 9:00 a.m. to 6:00

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p.m. would be sufficient. When MR. CELESTE asked if it was 6:00 a.m. to 9:00 p.m., COMMISSIONER DE SALVIO stated that was correct.

See Items 18-21 for related backup.

CHAIR CHERRY declared the ~~Public Hearing closed for~~ Items 17, 18, 20 and 21.

