



City of Las Vegas

Agenda Item No.: 27.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

ABEYANNA - SUP-74656 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT/OWNER: 2800 FREMONT LLC - For possible action on a request for a Special
Use Permit for a MULTI-FAMILY RESIDENTIAL USE at the northeast corner of Oakey
Boulevard and Century Street (APNs 162-01-201-006 and 007), C-2 (General Commercial) Zone,
Ward 3 (Coffin) [PRJ-74513]. Staff recommends DENIAL.

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

Planning Commission Mtg.

2

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - SUP-74656 and SDR-74657 [PRJ-74513]
2. Conditions and Staff Report - SUP-74656 and SDR-74657 [PRJ-74513]
3. Supporting Documentation
4. Photo(s) - SUP-74656 and SDR-74657 [PRJ-74513]
5. Justification Letter - SUP-74656 and SDR-74657 [PRJ-74513]
6. Protest/Support Postcards for SUP-74656 and SUP-74781 [PRJ-74513]
7. Documentation Not Vetted - Protest (2) Comment Forms for SUP-74656, SUP-74781 and SDR-74657 [PRJ-74513]

Motion made by TRINITY HAVEN SCHLOTTMAN to Approve subject to conditions and amending Condition 2 as follows:

2. This approval shall be void three years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 27-29.

STEVE GEBEKE, Planning Supervisor, reported that the applicant is proposing a mixture of commercial and residential development that includes a grocery store, offices, restaurant with a drive-through, and a mini-storage facility with a truck rental and RV storage along the Fremont Street right-of-way. A Waiver is requested to allow the buildings along Fremont Street to not be oriented to the frontage, with parking areas located to the side and rear. Multi-family apartments are proposed behind the commercial uses with access from Fremont Street. The proposed development does not qualify as a Mixed-Use Development as there is no vertical integration of uses as required. All of the proposed uses are permitted within the existing C-2 (General Commercial) zoning district; however, the requested Package Liquor Off-Sale Establishment to be located within the grocery store and the Multi-family development does not qualify as mixed-use, both require approval of Special Use Permits. Staff is recommending denial of the Site Review due to the lack of integration between the residential and commercial uses and the requested waiver to allow buildings to not be located adjacent to the public Right-of-Way, as well as the associated Special Use Permits.

ATTORNEY JAY BROWN, on behalf of the applicant, Rodius GERALD STURLEY, Architect for Pliris Design Studio.

MR. BROWN discussed the proposal, which includes multi-family residential use and a package liquor use in a general retail store. The project is on 25 acres located on the northeast corner of Oakey Boulevard and Fremont Street with commercial frontage along Fremont Street in a C-2 zone. The project consists of 17 multi-family residential units with 12 two-story buildings; a 132,544 square-foot commercial development consisting of a one-story 13,651 square-foot general retail store with gas pumps and a car bay; a one-story 2,000 square-foot freestanding restaurant; an approximately 25,000 square-foot medical and/or dental office building, and a two-story 20,000 square-foot mini-storage warehouse facility with accessory truck rental and recreational vehicle storage.

A portion of this site is within the City's redevelopment area, and the project is technically proposed as a mixed-use consisting of residential and commercial uses. However, staff determined that since the development is not vertically integrated, as required by code, the use cannot be considered mixed-use and necessitates a Special Use Permit for the residential portion. The project includes several waivers and exceptions, which MR. BROWN listed as follows: 1) the applicant is requesting a Waiver to allow the commercial buildings along Fremont Street to be setback from the minimum setback line to allow for parking on both sides of the commercial buildings. He pointed out that this is especially necessary for the medical and dental buildings since suites will be located on both sides of the building; 2) the applicant is requesting a waiver to allow a seven-foot-wide perimeter landscape buffer along portions of the south and west property lines due to the existing block walls in the area, which will remain. New walls in other areas will include wrought iron fences; 3) the applicants would like an exception not to provide the required 447 square-foot common plaza area; 4) staff is requiring 11 additional trees along

PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018

Fremont Street and the north side of the property. The applicant agrees to meet code, and if the code shows that they are deficient, they will not ask for a waiver; 5) the applicant would like to reduce the number of trees in the residential parking lot; 6) the applicant would like to increase the package liquor area to 13 percent where 10 percent is required; 7) the applicant would like an exception to provide one less loading area, as two are provided on the side adjacent to the medical building and the mini storage facility does not need one, and finally, 8) due to the size of this project, the applicant would like to have three years to commence the project.

MR. SHURLEY stated that because of the way their site is designed, the commercial area is pushed up against the Fremont Street thoroughfare and the multi-family residential area is pushed back to the rear of the site. The commercial area then provides a buffer between the Fremont Street thoroughfare and the multi-family space. He explained that they are proposing three points of entry into the site, noting that there is an existing traffic light at the Lowe's Home Improvement store which they plan to utilize. There will also be a right-in and right-out at the central entryway, as well as a left-in, left-out and right-out at the third entry. He shared that they have designed the buildings to be contiguous and provide patrons an easy way to traverse the site.

Individuals speaking in opposition to this item were MR. GANSON, NORM WILLIAMS, EFRAIN GONZALES and RICHARD STEVENS.

MR. GANSON felt that the establishment should not be selling single containers. Additionally, he shared that the John S. Park community has a problem with a storage facility near them, as quite a few people are living in it.

MR. WILLIAMS stated that they live just a few blocks from this property and that his home has been in his family for 50 years. He is concerned that five to ten years after the 340 unit apartment complex goes in, this area will become an extension of East Charleston because East Charleston from Fremont Street to Palm Avenue is a terrible neighborhood. Additionally, he felt this would add to the high density and crime that is already there.

MR. GONZALES explained that he is an owner of one of the smaller complexes on Wengert Avenue, and they usually have about five to ten percent vacancy. For several years, he has been working to get the complex up to rentable condition with some success. He is concerned that if the apartments are placed across the street from them, this will be devastating to his business. Additionally, he did not feel that it was good for the neighborhood.

MR. STEVENS stated that his family owns the property on the corner of Oakey Boulevard and Fremont Street, which has been in his family for 65 years. He believes the homeless situation has gotten terrible in this area over the last year, and he was concerned that homeless individuals would be stealing from the construction site. Additionally, he wondered what would be done about security after the apartments are built.

PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018

MR. BROWN affirmed that security would be at the construction site, as well as provided for the apartments after completion. MR. BROWN noted that they will be using StorageOne, who will always have a manager on duty to ensure no one is living in the units and that the site is monitored for inappropriate activity. As for selling singles, he felt that this needed to be addressed by the Business Licensing Department. In response to MR. GONZALES' concern about the new apartments affecting his business, MR. BROWN thought that revitalizing this area would benefit him, and the three-year completion request would allow him time to address his vacancy issues.

CHAIR CHERRY expressed that MR. GANSON'S story about residents living in the storage facility resonated with him and felt this was a significant concern. He noted for the public that he, along with his colleagues, have all built housing in very difficult neighborhoods with the same conditions as those stated for this parcel. He felt that in doing so, this raised the area by providing a better product than what was there before.

COMMISSIONER ROUSH expressed that she is in favor of this project and feels the area needs it. She believes that with more development, it will take away the blighted areas and limit the opportunity for tent cities. She hoped that the building would have natural and physical buffers that prevent kids from drifting into the convenience stores and trash areas.

COMMISSIONER TONSAINT liked the project and felt that this was precisely what the community needed to bring it back up to where it was years ago.

COMMISSIONER SCHLOTTERER believed this property had been vacant since 2005. He shared a story about one of his projects and helped to revitalize an area around 11th Street and Carson Avenue. He believes that if good projects keep being built, this will demand higher rents. With respect to selling singles, he wondered if this should be addressed through Business Licensing. MR. GEBKE confirmed that this was not a condition that staff puts on as a standard condition, as it is usually through the request of either the Planning Commission or City Council. MR. BROWN agreed to the amended conditions for Items 27-29.

See Items 28 and 29 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 27-29.