



City of Las Vegas

Agenda Item No.: 30.

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

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

ABEYANAYAKA - SDR-74296 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: 3280 SPRING MOUNTAIN TRUST - For possible action on a request
for a Major Amendment to previously approved Site Development Plan Review (SDR-71783)
FOR A PROPOSED 1900 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH
WITH A WAIVER OF THE INTERIM DOWNTOWN LAS VEGAS SETBACK STANDARDS
on 1.24 acres at 1141 South Las Vegas Boulevard (APN 162-03-112-021), C-2 (General
Commercial) Zone, Ward 3 (Coffin) [PRJ-74200]. Staff recommends DENIAL.

C.C.: 1/16/2019

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Traffic Notes Submitted by the City of Las Vegas Department of Public Works Traffic Engineering Division
7. Protest Postcards
8. Documentation Not Vetted - Protest (5)/Support (1) Comment Forms

Motion made by TRINITY HAVEN SCHLOTTMAN to Deny

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

NOTE: CHAIR CHERRY disclosed that he lives within the notification area; however, he did not feel that this would affect his decision one way or another and would be voting on the item.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the applicant is proposing to add a restaurant with a drive-through to a previously approved commercial center. The site is located in the Las Vegas Boulevard Scenic Byway and the Gateway District of Area 1 of the Downtown Master Plan. The applicant is requesting Waivers of the Plan for the building to requirement to allow the building to be set back for the drive-through and for parking to allow 37 spaces where 91 would normally be required. This application was last heard at the November 13, 2018, Planning Commission meeting, but was abeyed to allow the applicant to work with staff to limit traffic access from the site to the adjacent residential neighborhoods. The applicant is proposing to provide pavement marking, signage and break-away bollards for one-way ingress at the southern driveway. Egress from the site would be from the driveway along Las Vegas Boulevard. Staff is recommending denial as the Waivers are self-imposed and do not further the Master Plan goals of creating a strong, pedestrian-friendly neighborhood. In addition, the intensification of the use and the limited parking proposed to accommodate it could negatively impact the adjacent residential development in the east.

ALAN JENNEY, on behalf of the applicant, stated that they listened to the recommendations from the last meeting and met with the Public Works Department, staff, and COUNCILMAN COFFIN. Referencing the site map, he pointed out where the pavement marking, signage and break-away bollards for the one-way ingress at the southern driveway would be placed.

Those speaking in opposition included neighbors MIKE GANSON, MIA ROSE, DAVYID FIGLER, President of the John S. Park Neighborhood Association, and CATHY RICCIARDI.

MR. GANSON, a neighbor, felt this was a good plan; however, he thought Public Works needed to take a look at on-street parking along Park Paseo, as he thought it should be eliminated due to Mansion 54.

MS. ROSE stated that she was not convinced that the one-way and do-not-enter signage locations would work since people usually do not pay attention to signs. She was also in support of MR. GANSON'S suggestion for no on-street parking on Park Paseo, and she suggested that the curbs could be painted red.

MR. FIGLER provided some history on why the neighborhood is against the drive-through restaurant, as it was not part of the original site plan. He noted that the drive-through was not anticipated as the intensity is incompatible with the historic neighborhood and in direct conflict with the John S. Park Neighborhood plan. He conveyed that there are already two other drive-through restaurants near their community, and he contacted the Las Vegas Metropolitan Police Department for the crime statistics at these locations. He noted that they are criminal clubhouses

PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018

where illegal activity happens daily and that there is no way to police the crime. He shared that they have documentation of homeless individuals living on the property while the property was under construction with a security guard on the premises. There was also graffiti, trash, and numerous fights. MR. FIGLER voiced concern as to the increased traffic, and he felt a neighborhood meeting should be held because their community could not sustain the plan as it is. MS. RICCIARDI also spoke in opposition to the drive-through restaurant and the increased traffic; she voiced concern about the homeless population picking through the trash, as well as the odor from the fast-food restaurant.

MR. JESKEY thought the majority of the traffic would be using the entrance on Las Vegas Boulevard unless it was neighborhood traffic. He noted that the existing 5,000 square foot structure that is currently on the property will be replaced by a building that is just under 3,000 square feet.

CHAIR WHERRELL recalled that the old site plan showed a building but did not indicate that it was for a drive-through at that time. He opined that he had seen several commercial developments around town where the developer did not anticipate the intensity in driving to that location, which resulted in chopped up parking lots and increasing work for the traffic. He conveyed that he was struggling with the building, and the request for the drive-through.

COMMISSIONER ROUGH expressed that MR. JESKEY builds a quality product; however, this did not negate the fact that the use is invasive to the neighborhood. As a possible solution, she wondered if the neighbors could be asked about any barricading that would stop traffic from coming into the community. Her questions stated and because of the complications to the neighborhood, she expressed that she was leaning towards denial.

COMMISSIONER TOUSSAINT stated that she was not in favor of the drive-through and felt that this was not harmonious or compatible with the John S. Park neighborhood's vision.

COMMISSIONER DE SALVIO wondered if it was possible to put in a median along Park Paseo so that only the people in the neighborhood could access the entrance off of Park Paso. MR. JESKEY thought he would get the Public Works Department's input, as he was unsure of how this would affect the nearby residents and businesses. COMMISSIONER DE SALVIO thought another option might be flexible bollards, which would allow emergency vehicle access. MR. JESKEY discussed some of his concerns and noted that before this plan, two driveways had been designed to come out on Park Paseo; however, now there will be only one with beautiful landscaping. COMMISSIONER DE SALVIO asked staff if the entrance could be converted to a crash style entrance so that it would only be used in emergency situations. LUCIEN PAET, Engineering Project Manager, noted that the Fire Marshals were not present. However, he thought it seemed logical that the entrance could be blocked off completely, which would force everything to go on to Las Vegas Boulevard. He shared that the current plan was set up as an ingress only, as this was considered to be the least amount of impact on the neighborhood while still allowing access through Park Paseo. He requested that they work with the Fire and Rescue Department to come up with a condition for the crash gate.

PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018

CHAIR CHERRY pointed out that if this application does not get approved by the Planning Commission, the applicant still has an opportunity to go before City Council, which would allow them time to work with the appropriate City staff and the neighborhood on these concerns.

COMMISSIONER SCHLOTTMAN noted this street is at 4 to 5 percent capacity and this plan would boost it up to approximately 14 percent. He felt the bigger issue was the drive-through, odor and other concerns. He recalled his understanding of the original site plan, noting that he thought the drive-through would be much smaller to something like a Starbucks and not a full fast food restaurant. He explained that since the Planning Commission can only hold an item for 30 days, this item would most likely be moving on to City Council. He expressed that he was not opposed to development and suggested that MR. JESKEY hold a neighborhood meeting, as well as speak with the Public Works and Fire and Rescue Departments before the City Council meeting.

CHAIR CHERRY declared the Public Hearing closed.

