

*City of Las Vegas*

**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: JANUARY 14, 2025**  
**DEPARTMENT: COMMUNITY DEVELOPMENT**  
**ITEM DESCRIPTION: APPLICANT/OWNER: STEWART PLAZA, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
24-0607-SDR1	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**            22

**NOTICES MAILED**                                    98

**PROTESTS**    0

**APPROVALS**     0

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**\*\* CONDITIONS \*\***

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**24-0607-SDR1 CONDITIONS**

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**Planning**

1. This approval shall be void two 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.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/21/24, except as amended by conditions herein.
3. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot landscape buffer width along the north property line where eight feet is required.
4. A Waiver from Title 19.08.070 is hereby approved, to allow a 10-foot landscape buffer width along the south property line where 15 feet is required.
5. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot landscape buffer width along a portion of the south property line where 15 feet is required.
6. An Exception from Title 19.08.110 is hereby approved, to allow 12 parking area trees where 27 trees are required.
7. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. Trash enclosures shall be provided in conformance with the provisions of Title 19.08.040.E.

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10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
  - All trees and planting materials shall be drought-tolerant and consistent with the Southern Nevada Water Authority and Southern Nevada Regional Planning Coalition Regional Plant List.
11. Prior to the submittal of a building permit application, the applicant shall meet with Department of Community Development staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. In accordance with code requirements of Title 13.56 and Section 2.2 of the City's Vision Zero Action Plan, remove all substandard offsite improvements and unused driveway cuts, if any, and replace with new improvements meeting Public Right-of-Way Accessibility Guidelines (PROWAG) to the satisfaction of the City Engineer concurrent with development of this site. Grant Pedestrian Access Easement(s) if necessary to comply with this requirement. All existing paving damaged or removed by this development shall be restored at its original location, width and depth concurrent with development of this site.
14. Coordinate sewer connection at a size, depth, and location acceptable to the Sanitary Sewer Engineering Section of the Department of Public Works.
15. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the Stewart Avenue Complete Streets project (MWB042) and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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17. Remove the left turn access from Mojave Road unless allowed to remain per the required Traffic Impact Analysis update.
18. An update to the previously approved Traffic Impact Analysis (#6063) must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development.
19. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage study update.

**Fire & Rescue**

20. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is proposing to develop three, three-story apartment buildings on a vacant portion of the site, adjacent to a convenience store development at the northwest corner of Stewart Avenue and Mojave Road. A total of 69 multi-family units are proposed as well as a mixed-use component with 2,601 square feet of commercial space.

**ISSUES**

- The Mixed-Use land use is a allowed conditionally in the C-1 (Limited Commercial) zoning district. The Multi-Family Residential component is conditional, while commercial uses are permitted, conditional or require a Special Use Permit as indicated in Title 19.12. All conditions of the use are met by the proposal.
- A Waiver from Title 19.08.070 is requested to allow a five-foot landscape buffer width along the north property line where eight feet is required. Staff supports the request.
- A Waiver from Title 19.08.070 is requested to allow a ten-foot landscape buffer width along the south property line where 15 feet is required. Staff supports the request.
- A Waiver from Title 19.08.070 is requested to allow a five-foot landscape buffer width along a portion of the south property line where 15 feet is required. Staff supports the request.
- An Exception from Title 19.08.110 is requested to allow 12 parking area trees where 27 trees are required. Staff supports the request.
- On August 3, 2022, the City Council approved a Site Development Plan Review (22-0228-SDR1) for this proposed development. This approval expired on August 3, 2024.

**ANALYSIS**

The subject site is zoned C-1 (Limited Commercial) with a SC (Service Commercial) General Plan Land Use Designation. The southeast portion of the site is developed with a convenience store with fuel pumps and canopy, as approved by Site Development Plan Review (SDR-72189). The applicant is proposing to construct a mixed-use development to infill the remainder of the site.

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Per Title 19.12, the Mixed-Use use is defined as, “The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof.” As depicted on the submitted site plan, Building C, which is the building nearest to Steward Avenue, is proposed to contain 2,601 square feet of commercial uses on the ground floor and multi-family residential units on the upper two floors. Buildings A and B do not face the public street and will only contain multi-family residential uses.

**The Conditional Use Regulations for this use include:**

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts are permitted as conditional uses within a C-1 or C-2 Zoning District.

*The proposed development will contain 69 multi-family residential units, which are permitted as of right in the R-3 (Medium Density Residential) and R-4 (High Density Residential) zoning districts, therefore are permitted as conditional uses in the C-1 (Limited Commercial) zoning district.*

2. Commercial uses or civic uses shall at a minimum be located at the ground level fronting the primary public rights-of-way and may extend beyond the ground floor. The principal entryway to access those uses, whether individually or collectively, shall be directly accessed from and oriented to the public sidewalk.

*This condition is met, as the proposed commercial uses are located at the ground level facing Stewart Avenue, with direct pedestrian access from Stewart Avenue.*

3. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion thereof that is located at the interior of the development site and does not front on an arterial or collector street.

*This condition is met, as residential units occurring on the ground floor of Buildings A and B do not front on public rights-of-way as these buildings are located on the interior of the site.*

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4. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).

*This condition is met, as the surface parking lot is located to the side and rear of the principal mixed-use building on the site.*

The submitted elevation plan depicts three, 41-foot tall three-story buildings with a similar painted stucco façade. The proposed painted stucco colors include gray, green and white to create visual interest. The proposed apartment buildings feature a flat roofline with a cornice element. Perimeter walls are proposed along the north, west and south property lines. The wall along the west property line is required to screen the street and adjacent properties from the parking area. The provided elevations show that the proposed walls would be painted a shade of green to match the apartment buildings. A standard condition of approval will require perimeter walls to be decorative and contain at least 20 percent contrasting material and/or color per Title 19.08.040 and 19.08.070.

Per the submitted landscape plan, adequate planting materials are provided within the perimeter landscape buffer areas and must comply with the recommendations of the Southern Nevada Regional Plant List. A Waiver is requested to allow reduced landscape buffer widths along the north, west and a portion of the south property lines. Additionally, an Exception is requested to allow 12 parking area trees where 27 trees are required. Staff recommends approval of the requested Waivers and Exceptions of required landscaping, as this will allow adequate parking to be provided and the reduced width will not have a negative effect on the visual appearance of the site.

The City Transportation Engineering Division has commented, "This project is expected to add an additional 792 trips per day on Stewart Avenue and Mojave Road. Currently, Stewart Avenue is at about 49 percent of capacity and Mojave Road is at about 44 percent of capacity. With this project, Stewart Avenue is expected to be at about 51 percent of capacity and Mojave Road is expected to be at about 47 percent of capacity. Based on peak hour use, this development will add into the area roughly 82 additional peak hour trips, or about four every three minutes."

The Clark County School District (CCSD) projects that approximately 20 additional primary and secondary school students will be generated by the proposed development on this site. Of the three schools serving the area (Sunrise Acres Elementary, Martin Middle School, and Desert Pines High School), only Desert Pines High School is over capacity for the 2024-2025 school year at approximately 124 percent over capacity.

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The proposed mixed-use development provides infill development in this area, and the location is appropriate near other multi-family residential uses, the I-515 freeway and various civic uses. The East Las Vegas Special Area Plan identifies mixed-use development and increasing landscaping as key strategies to guide the future of East Las Vegas. Sufficient parking is provided on-site as 132 total parking spaces are provided, which complies with the Mixed-Use Development Alternative Parking Requirement set forth in Title 19.18.030. Staff finds the requested Waivers and Exceptions to be minor in nature, therefore staff recommends approval of the requested Site Development Plan Review with conditions. If denied, permits could not be obtained to construct the proposed mixed-use development.

**FINDINGS (24-0607-SDR1)**

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with adjacent development in the surrounding area, which include four-plexes and a City of Las Vegas Recreation Center.

- 2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The proposed mixed-use development conforms to the General Plan, the East Las Vegas Special Area Plan and is generally consistent with Title 19 development standards. Staff recommends approval of the requested Waivers and Exceptions of landscaping requirements.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access from Stewart and Mojave road will adequately serve the proposed development and will not negatively impact adjacent roadways or traffic.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The proposed buildings feature painted stucco exteriors which are typical for commercial and residential buildings. The proposed landscape materials will comply with the Southern Nevada Regional Plant List.

- 5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building elevations create an orderly and aesthetically pleasing environment and will be harmonious and compatible with the existing convenience store development as well as existing surrounding development.

- 6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

Site development is subject to permit review and inspection, thereby protecting the public health, safety and general welfare.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
05/16/18	The City Council approved a request for a General Plan Amendment (GPA-72182) to amend the land use designation from M (Medium Density Residential) to SC (Service Commercial) on 2.83 acres at the northwest corner of Stewart Avenue and Mojave Road. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-72188) for a proposed 4,110 square-foot Beer/Wine/Cooler Off-Sale Establishment use within a proposed General Retail Store (Convenience Store) with a waiver to allow a 150-foot distance separation from a City park where 400 feet is required at the northwest corner of Stewart Avenue and Mojave Road. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Special Use Permit (SUP-72667) for a proposed Car Wash, Full Service or Auto Detailing use at the northwest corner of Stewart Avenue and Mojave Road. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-72189) for a proposed 4,110 square-foot General Retail Store (Convenience Store) with fuel pumps [canopy] and a 900 square-foot car wash with waivers to not orient the building to the corner where such is required and to allow the car wash bay to face the public right-of-way where such is not permitted on a portion of 2.83 acres at the northwest corner of Stewart Avenue and Mojave Road. The Planning Commission recommended approval; staff recommended denial.

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<b>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</b>	
03/23/22	The Department of Community Development - Building & Safety Division staff approved a License Agreement (L19- 00346-A003) for landscaping within the Mojave Road right-of-way in conjunction with an approved convenience store development at the northwest corner of Stewart Avenue and Mojave Road.
08/03/22	The City Council approved a Site Development Plan Review (22-0228-SDR1) for a proposed three-story mixed-use development with 69 multi-family residential units and 2,601 square feet of commercial floor area in conjunction with an existing 4,025 square-foot convenience store with fuel pumps, canopy and car wash with Waivers of the perimeter landscape buffer requirements on 2.78 acres at the northwest corner of Stewart Avenue and Mojave Road. The Planning Commission and staff recommended approval. This entitlement expired 08/03/24.

<b>Most Recent Change of Ownership</b>	
06/15/17	A deed was recorded for a change in ownership.

<b>Related Building Permits/Business Licenses</b>	
04/09/20	A building permit (C19-02728) was issued for a convenience store and car wash totaling 5,031 square feet at 321 North Mojave Road. A final inspection was approved 04/22/22.
04/09/20	A building permit (C19-02729) was issued for onsite improvements, hardscape and utilities at 321 North Mojave Road. A final inspection was approved 04/19/22.
04/09/20	A building permit (C19-02730) was issued for two-foot tall retaining walls at 321 North Mojave Road. A final inspection was approved 03/16/22.
02/27/23	A building package (PRC23-00024) processed for three-story mixed use apartments at 3060 Stewart Avenue. No permits have been issued.

<b>Pre-Application Meeting</b>	
11/14/24	A pre-application meeting was held with the applicant.

<b>Neighborhood Meeting</b>	
A neighborhood meeting was not required, nor was one held.	

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<b>Field Check</b>	
12/03/24	Staff conducted a routine field check and observed a developed convenience store development with an undeveloped portion of the subject property. No other issues were noted.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	2.78

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	General Retail Store, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
North	U.S. 95/I-515 Freeway	Right-of-Way	Right-of-Way
South	Government Facility	PF (Public Facility)	C-V (Civic)
East	Custodial Institution	PF (Public Facility)	C-V (Civic)
West	Residential, Multi-Family	M (Medium Density Residential)	R-3 (Medium Density Residential)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: East Las Vegas	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
No Applicable Special Area or Overlay Districts	N/A
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails - Shared Use Trail - Constructed adjacent to U.S. 95 freeway and W side of Mojave Road	Y
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

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### DEVELOPMENT STANDARDS

**Pursuant to Title 19.08, the following standards apply:**

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	N/A	121,097 SF	Y
Min. Lot Width	100 Feet	302 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> <li>• Front (Mojave Rd)</li> <li>• Front (30<sup>th</sup> St)</li> <li>• Side</li> <li>• Corner</li> </ul>	10 Feet 10 Feet 10 Feet 10 Feet	121 Feet 25 Feet 10 Feet 10 Feet	Y Y Y Y
Max. Lot Coverage	75 %	23 %	Y
Max. Building Height	10 Stories/ 150 Feet	3 Stories/ 41 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

**Pursuant to Title 19.08, the following standards apply:**

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees: <ul style="list-style-type: none"> <li>• North</li> <li>• South</li> <li>• West</li> </ul>	1 Tree / 20 Linear Feet 1 Tree / 20 Linear Feet 1 Tree / 20 Linear Feet	12 Trees 7 Trees 11 Trees	14 Trees 7 Trees 12 Trees	Y Y Y
<b>TOTAL PERIMETER TREES</b>		<b>30 Trees</b>	<b>33 Trees</b>	<b>Y</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	27 Trees	12 Trees	N*
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width <ul style="list-style-type: none"> <li>• North</li> <li>• South</li> <li>• West</li> </ul>	8 Feet 15 Feet 15 Feet		5 Feet 5 Feet 10 Feet	N** N** N**

\*An Exception is requested to allow a reduction in parking area trees.

\*\*Waivers are requested to allow a reduction in the perimeter landscape buffer widths.

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<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Stewart Avenue	Primary Arterial	Master Plan of Streets and Highways Map	100-124	Y
Mojave Road	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

**Pursuant to Title 19.08 and 19.12, the following parking standards apply:**

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Required</b>			<b>Provided</b>		<b>Compliance</b>
		<b>Parking Ratio</b>	<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed (previously approved)	4,025 SF	1 space per 175 SF GFA	23				
Residential, Multi-Family - 1 BR	47 units	1.25 spaces per unit	59				
Residential, Multi-Family - 2 BR	22 units	1.75 spaces per unit	39				
Guest Parking	69 units	1 space per 6 units	12				
General Retail Store, Other Than Listed (proposed)	2,601 SF	1 space per 175 SF GFA	15				
<b>TOTAL SPACES REQUIRED</b>			148		132		Y*
<b>Regular and Handicap Spaces Required</b>			144	4	128	4	Y*

\*Complies with Mixed-Use Development Alternative Parking Requirement. Due to the proposed mixed commercial and residential occupancies, one fewer handicap space is required than for a fully commercial property.

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<b>Mixed-Use Alternative Parking Requirement</b>							
<b>Use</b>	<b>Required Parking</b>	<b>Weekdays</b>			<b>Weekends</b>		
		Mid – 7AM	7AM – 6 PM	6PM – Mid	Mid – 7AM	7AM – 6PM	6PM - Mid
Retail & Personal Services	15	0%	100%	80%	0%	100%	60%
Residential - Studio/ 1 BR	59	100%	55%	85%	100%	65%	75%
Residential - 2 BR	39	100%	55%	85%	100%	65%	75%
Residential - Guest Parking	12	100%	55%	85%	100%	65%	75%
<b>Total Spaces Required</b>		<b>109</b>	75	105	<b>109</b>	86	91
<b>Total Mixed-Use Spaces Required</b>		<b>109</b>					
Previously approved commercial development		23					
<b>Total Parking Requirement</b>		<b>132</b>					

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Provide an eight-foot landscape buffer width along the north property line.	To allow a five-foot landscape buffer width along the north property line.	Approval
Provide a 15-foot landscape buffer width along the south property line.	To allow a five-foot landscape buffer width along a portion of the south property line.	Approval
Provide a 15-foot landscape buffer width along the south property line.	To allow a 10-foot landscape buffer width along the west property line.	Approval

<b>Exceptions</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Provide 27 parking area trees.	To allow 12 parking area trees.	Approval