



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: SOUTHERN NV RENTAL HOLDINGS, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0592-DIR1	Staff recommends APPROVAL.	23-0567-GPA1 23-0591-ZON1 23-0591-SUP1 23-0591-VAC1 23-0591-TMP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED Newspaper Only

PROTESTS 0

APPROVALS 0

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend the approved Vegas Rising Development Agreement and the associated exhibits. This amendment constitutes the first amendment and restatement to the originally approved Development Agreement, which encompasses approximately 17.99 acres bounded by Richfield Boulevard to the west, Wilmington Way to the north, and Wyandotte Street to the east.

ISSUES

- This application is in conjunction with applications 23-0567 and 23-0591.
- This is the first amendment and restatement of the Vegas Rising Development Agreement.
- This Development Agreement intends to provide for an orderly and consistent plan of redevelopment for the 17.99-acre subject site with up to 1,356 residential units (75.37 units per acre); this construes an increase of 15 residential units from the original adoption of Vegas Rising.
- The Vegas Rising Development Standards governs the development of the subject site and is included as Exhibit J of the document. Where the development standards are silent, the development will defer to Exhibit K, a static version of the Unified Development Code from September 2022.
- The subject site is located in the Charleston Area of the 2050 Master Plan and Redevelopment Plan Area 2.
- The Development Agreement has been updated to include a holdout property that was not affiliated with the original entitlement requests. In addition, minor revisions to the site configuration have been proposed.
- The corresponding exhibits have been revised based on the inclusion of the additional property and subsequent site adjustments.
- Staff recommends approval of the first amendment and restatement of the Vegas Rising Development Agreement.

ANALYSIS

On December 21st, 2022, the City Council adopted the Vegas Rising Development Agreement. Through this Development Agreement, the subject site was approved for a proposed 1,341-unit mixed-use development on the 17.87-acre site generally bounded by Richfield Boulevard to the west, Wilmington Way to the north, and Wyandotte Street to the east.

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The purpose of this action, in conjunction with applications 23-0567 and 23-0591, is for the first amendment and restatement of the Vegas Rising Development Agreement between the City of Las Vegas and the Master Developer. At the time of the initial adoption, there was one holdout property at 2813 Milo Way that was not associated with these requests. Following the adoption of the Vegas Rising Development Agreement, the holdout property was eventually acquired by the applicant.

With the addition of this additional holdout property, the overall unit count has been increased to 1,356 residential units (75.37 units per acre); which construes an increase of 15 residential units from the original adoption of Vegas Rising;

As part of the Development Agreement amendment, various but minor exhibit changes are proposed. Based on the amended site plan, Exhibit E which covers the Open Space Elements has been amended reducing the open space elements from 2.83 acres to 2.72 acres. As the overall redevelopment has progressed a year since the initial adoption, the amended Development Agreement provides updated drainage, traffic, and sanitary sewer master studies.

Through the accompanying application 23-0591-VAC1, the applicant is proposing to shift the Milo Way right-of-way by vacating the public alleyway; this street was originally intended to connect to Richfield Boulevard. With the revised exhibit Richfield Boulevard is still accessible through emergency vehicular access. As a result, the location of parking has shifted further south along Rigel Avenue with parking garage access to the northern end.

Similarly, the phasing map has also been amended. Labeled as Parcel E on the amended Phasing Map this portion of the site has been amended from Phase 2 to Phase 1. Conversely, Parcel A and Parcel D were amended from Phase 1 to Phase 2. Each of the phasing parcels has been amended in terms of acreage.

Old Name	New Name	Old Acreage	New Acreage	Old Phase	New Phase
Phase 1A	Parcel A	2.85	2.75	Phase 1	Phase 2
Phase 1B	Parcel B	3.16	3.12		Phase 1
Phase 1C	Parcel C	0.48	0.66		
Phase 1D	Parcel D	0.96	2.17		Phase 2
Phase 1E		0.45			
Phase 2	Parcel E	3.93	3.53	Phase 2	Phase 1
Phase 3	Parcel F1	3.22	3.03	Phase 3	Phase 3
Phase 4A	Parcel F2	0.98	0.74	Phase 4	Phase 4
Phase 4B	Parcel G	1.11	1.07		
Phase 4 C	Parcel H	0.85	1.13		

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Generally speaking, the proposed development is consistent with the prior approval. To maintain harmony with the existing residential adjacency considerations, the proposed building heights remain consistent with the prior approval.

DEVELOPMENT AGREEMENT - MODIFICATIONS TO THE EXISTING LANGUAGE

The proposed Development Agreement amendment constitutes several language changes that affect the future development of the subject site. The primary changes made to the Development Agreement language are identified below. Staff accepts all of the proposed changes and recommends approval of the amended development agreement language.

Vegas Rising Development Agreement			
Section	Existing Vegas Rising Development Agreement Language	Changes Proposed for Development Agreement Amendment	Staff Recommendation
1	Unified Development Code Exhibit K	Unified Development Code Exhibit J	Approval
	Urban Project Streets Exhibit I	Urban Project Streets Exhibit D	Approval
	Vegas Rising Development Standards Exhibit J	Vegas Rising Development Standards Exhibit I	Approval
3.02	The maximum height of structures within Phase 1B and 1C shall be 50 feet	The maximum height of structures within Parcel B and Parcel C shall be 50 feet	Approval
	The maximum height of structures within Phase 1A shall be limited to 80 feet	The maximum height of structures within Parcel A shall be limited to 80 feet	Approval

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Vegas Rising Development Agreement			
Section	Existing Vegas Rising Development Agreement Language	Changes Proposed for Development Agreement Amendment	Staff Recommendation
3.03(c)	The Project shall be developed in four Phases to be sequenced generally in accordance with the Phasing Map.	The Project shall be developed in four Phases to be sequenced generally in accordance with the Phasing Map., <u>subject to adjustment for the residential market demands in accordance with Section 3.03(b).</u>	Approval
3.03(b)(vi)	N/A	<u>Changes to the Phasing Plan, if not resolved through coordination with the Director of the City's Department of Community Development and the Director of Public Works in accordance with Section 3.03(b).</u>	Approval
3.19	Employment Plan Agreement. The Parties will work together to enter into an employment plan agreement that requires the Master Developer to use its best efforts to hire up to 15% of all contractors, subcontractors vendors, workers, and suppliers, that are bona fide residents of the Las Vegas Valley Area, with an emphasis towards advertising and recruiting in zip codes located within Wards 1, 3, and 5 of the City of Las Vegas (such zip codes will be further defined in the Employment Plan Agreement)	Employment Plan Agreement. The Parties will work together to enter <u>have entered</u> into an employment plan agreement that requires the Master Developer to use its best efforts <u>Employment Plan Agreement for Vegas Rising dated July 11,</u>	Approval

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Vegas Rising Development Agreement			
Section	Existing Vegas Rising Development Agreement Language	Changes Proposed for Development Agreement Amendment	Staff Recommendation
3.19	The Parties acknowledge and agree that Master Developer's obligations and responsibilities in the Employment Plan Agreement are "aspirational goals." The Employment Plan Agreement shall be drafted and executed within 60 days from the Effective Date of this Agreement. The Parties may extend the timeline for drafting and executing the Employment Plan Agreement if the Parties agree in writing.	obligations and responsibilities in the Employment Plan Agreement are "aspirational goals." The Employment Plan Agreement shall be drafted and executed within 60 days from the Effective Date of this Agreement. The Parties may extend the timeline for drafting and executing the Employment Plan Agreement if the Parties agree in writing, <u>being further defined in the Employment Plan Agreement).</u>	Approval
6.03	Open Space Element		Approval

CITY OF LAS VEGAS 2050 MASTER PLAN

The subject site is located within the Master Plan 2050 designated area of Charleston. The Charleston and Sahara Boulevard corridors are two of the City's major east-west links between Downtown Las Vegas and its western suburbs. Comprised of both the City's earliest inner-ring suburbs and new suburban neighborhoods, this area has a high potential for transit-oriented development and new place types along multiple corridors with the introduction of high-capacity transit over the next thirty years.

As the population increases, and the supply of land decreases the city recognizes the need to shift to a strategy of infill and redevelopment in order to meet the housing needs of the community. The lack of diverse housing types inadvertently creates too many single-family homes and not enough "missing middle" attached housing types. Higher-density developments consume less water than single-family homes, and more walkable corridors will better support multi-modal transportation.

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New innovative development models will be utilized to provide a mix of housing types for residents. The previous neighborhood depended on passenger vehicles to get around. Transforming, and improving walkability in mixed-use neighborhoods allows greater participation in active transportation between jobs, amenities, education, and services. Additionally, focused developments in infill and redevelopment areas improve the quality of districts and neighborhoods, promoting a vibrant sense of place.

To implement the goals and objectives outlined in the 2050 Master Plan, measurable implementation strategies have been called out describing the actions, tools, and timeframe necessary for achievement. The proposed infill redevelopment will help push the City closer to reaching these goals. With the proposed development located in Redevelopment Area 2, the project will support the Master Plan's goal of having at least 60 percent of new residential and non-residential development occurring in designated place types, infill, and redevelopment areas by 2050. By utilizing native and adaptive drought-tolerant 36-inch box tree species, the project will improve the tree canopy, to achieve a 20 percent increase by 2035 and 25 percent by 2050. Lastly, the project will increase the amount of new commercial, residential, and mixed-use development that occurs within Redevelopment Areas 1, 2, and other designated infill or redevelopment areas.

REDEVELOPMENT AREA

The subject sites are located within Redevelopment Area 2 of the City of Las Vegas Redevelopment Plan. Staff finds that the proposed development generally furthers the goals and intent of the Redevelopment Area 2. In general, the goals and objectives of the redevelopment program in Redevelopment Area 2 are as follows:

1. To eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation, and redevelopment of Redevelopment Area 2 in accordance with the Master Plan, the Redevelopment Plan, local codes, and ordinances.
2. To achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for the attainment of the objectives of the Redevelopment Plan.
3. To minimize unplanned growth by guiding revitalization activities and new development in such fashion as to meet the needs of Redevelopment Area 2, the City, and its citizens.

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4. To retain existing businesses by means of redevelopment and rehabilitation activities and by encouraging cooperation and participation of owners, businesses, and public agencies in the revitalization of Redevelopment Area 2.
5. To encourage investment by the private sector in the development and redevelopment of Redevelopment Area 2 by eliminating impediments to such development and redevelopment.
6. To encourage maximum participation of residents, businesspersons, property owners, and community organizations in the redevelopment of Redevelopment Area 2.
7. To replan, redesign, and develop areas which are stagnant or improperly used.
8. To insure adequate utility capacity to accommodate redevelopment and new development.

Redevelopment of Redevelopment Area 2 pursuant to this Redevelopment Plan and the above goals and objectives will attain the purposes of the Nevada Revised Statutes Chapter 279 by:

1. Elimination of areas suffering from economic dislocation, and disuse in affected areas;
2. Protection and promotion of sound development and redevelopment of blighted areas and the general welfare of the citizens of the City by remedying such injurious conditions through the employment of appropriate means;
3. Installation of new, or replacement of existing public improvements, facilities, and utilities in areas which are currently inadequately served with regard to such improvement, facilities, and utilities; and
4. Other means as determined appropriate.

FINDINGS (23-0592-DIR1)

The proposed Development Agreement conforms to the requirements of NRS 278 regarding the content of development agreements. Through the proposed development and design standards, the mixed-use development is compatible with the surrounding area. Furthermore, the development as proposed would be consistent with the goals, objectives, and policies of the City of Las Vegas 2050 Master Plan on infill redevelopment and quality neighborhoods. Lastly, the proposed redevelopment supports the goals of Redevelopment Plan Area 2 by encouraging investment by the private sector redevelopment in order to create an urban environment with a high level of concern for architectural, landscape, and urban design and land use principles. Staff, therefore, recommends approval of the proposed Development Agreement.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
04/18/12	The City Council approved a General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and change the future land use designation on various parcels within the redevelopment area to C (Commercial) or MXU (Mixed Use). The Planning Commission and staff recommended approval.
06/02/21	The City Council approved a General Plan Amendment (21-0029-GPA1) to adopt the City of Las Vegas 2050 Master Plan and amend the City of Las Vegas general plan from: various categories to: TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), or NMUX (Neighborhood Center Mixed Use) within the City of Las Vegas. The Planning Commission and staff recommended approval.
08/18/21	The City Council approved a General Plan Amendment (21-0326-GPA1) from: C (Commercial), MXU (Mixed-Use), L (Low Density Residential), and LI/R (Light Industry/Research) to: TOD-2 (Transit Oriented Development-2) on 91.10 acres generally bounded by Rancho Drive to the east, Desert Inn Road to the south, Teddy Drive to the north, and Richfield Boulevard to the west. The Planning Commission and staff recommended approval.
12/21/22	The City Council approved a General Plan Amendment (22-0441-GPA1) from TOD-2 (Transit Oriented Development) to GC (General Commercial) on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.
	The City Council approved a Rezoning (22-0442-ZON1) from R-1 (Single-Family Residential) to C-2 (General Commercial) on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.
	The City Council approved a Special Use Permit (22-0442-SUP1) for a proposed 200-foot tall building within the 175-foot Airport Overlay District on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.
01/09/24	The Planning Commission voted (7-0) to recommend APPROVAL for possible action on a Land Use Entitlement project request regarding the first amendment and restatement of the Vegas Rising Development Agreement on approximately 16.97 acres at the southeast corner of Richfield Boulevard and Wilmington Way (APNs Multiple), Ward 3 (Diaz).

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
12/21/22	The City Council approved a Special Use Permit (22-0442-SUP2) for a proposed mixed-use development on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.
	The City Council approved a Petition to Vacate (22-0442-VAC1) public right-of-way on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.
	The City Council approved a Tentative Map (22-0442-TMP1) for Vegas Rising, a proposed four-lot commercial subdivision on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.
	The City Council adopted the Vegas Rising Development Agreement (22-0450-DIR1) on approximately 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way. The Planning Commission and Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
09/22/20	Multiple deeds were recorded for a change in ownership.
02/09/23	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1963	The Richfield Village subdivision was constructed.
08/04/22	Building Permits (R22-12442, R22-12445, R22-12450, and R22-12452) were issued for the demolition of the Richfield Village subdivision. The demolitions were tentatively scheduled to occur between 08/08/22 through 11/08/22.

<i>Pre-Application Meeting</i>	
08/28/23 through 11/06/23	A variety of preliminary meetings were conducted with the applicant to discuss the project and Development Agreement.

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Neighborhood Meeting	
11/27/23	A neighborhood meeting was held at the Palace Station Hotel and Casino Grand Ballroom, at 2411 West Sahara Avenue at 6:00 PM. The meeting was attended by three representatives for the applicant, one representative from the Council Ward 3 Office, two Department of Community Development staff members, and one member of the public. There were no issues raised as the member of the public was interested in general information regarding the project. The meeting was concluded by 6:30 PM.

Field Check	
12/13/23	A routine field check was conducted by staff; staff found an undeveloped site that was previously used as a residential subdivision prior to demolition. The existing right-of-ways were intact with the parcels enclosed with a temporary construction fence. Nothing of concern was noted.

Details of Application Request	
Site Area	
Net Acres	17.99

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	TOD-2 (Transit Oriented Development)	R-1 (Single Family Residential)
		GC (General Commercial)	C-2 (General Commercial)
North	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)
	Multi-Family Residential	TOD-2 (Transit Oriented Development)	R-3 (Medium Density Residential)
South	Office, Other than Listed	LI/R (Light Industrial/Research)	R-1 (Single Family Residential)
		TOD-2 (Transit Oriented Development)	M (Industrial)
East	Multi-Family Residential		R-4 (High Density Residential)
	Individual Care Center Banquet Facility General Personal Service Commercial Recreational (Indoor)	GC (General Commercial)	C-1 (Limited Commercial)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Charleston	Y or N
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 2	Y
Interlocal Agreement	N/A
Project of Significant Impact	N/A
Project of Regional Significance	N/A

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Wilmington Way	Local Street	Title 13	60	Y
Richfield Boulevard	Local Street	Title 13	60	Y
Wyandotte Street	Local Street	Title 13	50	Y