



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JUNE 5, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: SIENA 66 HOLDING LIMITED PARTNERSHIP

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0194-EOT1	Staff recommends APPROVAL, subject to conditions:	
24-0194-EOT2	Staff recommends APPROVAL, subject to conditions:	24-0194-EOT1
24-0194-EOT3	Staff recommends APPROVAL, subject to conditions:	24-0194-EOT1 24-0194-EOT2

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED N/A (newspaper only)

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0194-EOT1 CONDITIONS

Planning

1. This approval shall expire on April 20, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Variance (21-0665-VAR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0194-EOT2 CONDITIONS

Planning

1. This approval shall expire on April 20, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Special Use Permit (21-0665-SUP1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0194-EOT3 CONDITIONS

Planning

1. This approval shall expire on April 20, 2026 unless another Extension of Time is approved by the City of Las Vegas.

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2. Conformance to the Conditions of Approval for Site Development Plan Review (21-0665-SDR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an Extension of Time request for entitlements approved for a proposed four-story, 224-unit multi-family residential development on 3.75 acres on the west side of Eastern Avenue, approximately 160 feet south of Sunrise Avenue.

ISSUES

- This is the first Extension of Time request for the approved Variance (21-0665-VAR1), Special Use Permit (21-0665-SUP1) and Site Development Plan Review (21-0665-SDR1) related to this project. The applicant is requesting three additional years for the approval in order to complete the required technical studies and coordinate this site with the adjacent proposed commercial subdivision.
- No permits have been issued for the new development, and no application has been made for building permit review. Civil improvement plans have been reviewed in tandem with those for the adjacent proposed commercial development.

ANALYSIS

The site is zoned C-1 (Limited Commercial), which conditionally allows for multi-family residential developments if they are part of a mixed-use development. In this case, only multi-family uses are proposed on this site, and therefore a related Special Use Permit (21-0665-SUP1) was approved. A Variance (21-0665-VAR1) was also approved for a reduction in the amount of required parking for this development.

Although not a mixed-use development, the subject multi-family residential development was approved at the same time as the adjacent commercial development at the northwest corner of Fremont Street and Eastern Avenue. Direct access is provided from this site to the commercial development. A bus turnout and right turn lane is required along Eastern Avenue as part of the offsite improvements.

No permits have been issued for the new development, nor has an application for a permit been submitted for review at this time. The applicant is requesting additional time for the Variance (21-0665-VAR1), Special Use Permit (21-0665-SUP1) and Site Development Plan Review (21-0665-SDR1) approvals in order to complete the required technical drainage and traffic studies. Civil improvement plans have been reviewed for the combined commercial and residential developments and are awaiting Final Mylar review.

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There have been recent code enforcement issues regarding homeless activity on the subject site, which are still ongoing. A recent field check confirmed there is a small encampment at the rear of the subject property. The site is otherwise vacant with some short weeds present.

FINDINGS (24-0194-EOT1)

Development conditions in the area have remained similar to those at the time of original approval of the Variance (21-0665-VAR1). The proposed multi-family residential development can still be compatible with the adjacent multi-family residential and commercial land uses. Staff therefore recommends approval of the Extension of Time request for an additional two years. If denied, the previously approved Variance (21-0665-VAR1) will be deemed to be expired as of April 20, 2024.

FINDINGS (24-0194-EOT2)

Land uses in the area have remained similar to those at the time of original approval of the Special Use Permit (21-0665-SUP1). The proposed multi-family residential development can still be compatible with the adjacent multi-family residential and commercial land uses. Staff therefore recommends approval of the Extension of Time request for an additional two years. If denied, the previously approved Site Development Plan Review (21-0665-SUP1) will be deemed to be expired as of April 20, 2024.

FINDINGS (24-0194-EOT3)

Development conditions in the area have remained similar to those at the time of original approval of the Site Development Plan Review (21-0665-SDR1). The proposed multi-family residential development can still be compatible with the existing and proposed adjacent multi-family residential and commercial land uses. Staff therefore recommends approval of the Extension of Time request for an additional two years. If denied, the previously approved Site Development Plan Review (21-0665-SDR1) will be deemed to be expired as of April 20, 2024.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/19/10	The City Council approved a request for a Rezoning (ZON-37469) from R-4 (High Density Residential) to C-1 (Limited Commercial) on 3.75 acres on the west of Eastern Avenue, approximately 160 feet south of Sunrise Avenue. The applicant had originally requested C-2 (General Commercial) zoning. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (SDR-37470) for a proposed 90,595 square-foot Shopping Center with Waivers of Downtown Centennial Plan setback standards and Title 19 Building Placement standards on 9.61 acres at the southwest and northwest corners of Fremont Street and Eastern Avenue. The applicant had originally requested C-2 (General Commercial) zoning. The Planning Commission and staff recommended approval. The approval expired 5/19/16.
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 General Plan of the City of Las Vegas 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), including the subject and adjacent properties. The Planning Commission and staff recommended approval.
04/20/22	The City Council approved a request for a Variance (21-0665-VAR1) to allow 163 parking spaces where 350 are required on 3.75 acres on the west side of Eastern Avenue, approximately 160 feet south of Sunrise Avenue. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Special Use Permit (21-0665-SUP1) for a Multi-Family Residential use on the west side of Eastern Avenue, approximately 160 feet south of Sunrise Avenue. The Planning Commission recommended approval; staff recommended denial.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
4/20/22	The City Council approved a request for a Site Development Plan Review (21-0665-SDR1) for a proposed four-story, 224-unit Multi-Family Residential development with Waivers of building placement and perimeter landscape buffer standards on 3.75 acres on the west side of Eastern Avenue, approximately 160 feet south of Sunrise Avenue. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a General Plan Amendment (21-0666-GPA1) from TOD-1 (Transit Oriented Development - High) to FBC (Form-Based Code) on 0.51 acres at the northwest corner of Fremont Street and Eastern Avenue. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Rezoning (21-0666-ZON1) from T5-MS (T5 Main Street) to T4-C (T4 Corridor) on 2.17 acres at the northwest corner of Fremont Street and Eastern Avenue. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (21-0666-SDR1) for a proposed 3,727 square-foot commercial development with Waivers of Title 19.09 Form-Based Code development standards on 2.17 acres at the northwest corner of Fremont Street and Eastern Avenue. The Planning Commission recommended approval; staff recommended denial.
07/19/22	A Code Enforcement Case (CE22-03688) was opened to investigate a claim regarding a homeless encampment on a vacant lot near 50 North 21st Street. The case was resolved 09/08/22.
08/14/23	A Code Enforcement Case (CE23-02000) was opened to investigate a claim regarding a homeless encampment, trash and debris on a vacant lot near the intersection of Sunrise Avenue and Eastern Avenue. The case was resolved 08/14/23.
10/24/23	A Code Enforcement Case (CE23-07695) was opened to investigate a complaint regarding advertising banners without permits on the perimeter fencing adjacent to a vacant lot on APN 139-35-804-002. The case was resolved 10/24/23.
11/06/23	A Code Enforcement Case (CE23-07976) was opened to investigate a claim regarding a homeless encampment on a vacant lot on APN 139-35-804-002. The case is ongoing and has not been resolved.

<i>Most Recent Change of Ownership</i>	
05/05/22	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses

08/14/23	Application was made for review of civil improvement plans (L23-01576) for a one-lot commercial subdivision and multi-family residential development at the northwest corner of Fremont Street and Eastern Avenue. A Final Mylar review is required.
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Pre-Application Meeting

A pre-application meeting was not required, nor was one held.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

05/02/24	The subject site is vacant with some weeds and debris present, and it is enclosed by chain link fencing. A small homeless encampment was observed along the rear wall adjacent to another multi-family residential development.
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Details of Application Request
Site Area

Net Acres	3.75
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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)
North	Residential, Multi-Family	MXU (Mixed Use)	R-4 (High Density Residential)
South	Undeveloped	TOD-1 (Transit Oriented Development - High)	T4-C (T4 Corridor)
	Residential, Single Family, Attached		R-TH (Single Family Attached)

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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>
East	Residential, Single Family, Attached	TOD-1 (Transit Oriented Development - High)	R-3 (Medium Density Residential)
	Office, Other Than Listed	NC (Neighborhood Commercial) - Clark County	CG (Commercial General) - Clark County
West	Multi-Family Residential	TOD-1 (Transit Oriented Development - High)	R-4 (High Density Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Rafael Riviera Walkable Community Plan	N
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
LW-O (Live/Work Overlay) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
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