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Councilman Brian Knudsen (Ward 1)
Councilwoman Victoria Seaman (Ward 2)
Councilwoman Olivia Diaz (Ward 3)
Councilman Cedric Crear (Ward 5)
Councilwoman Michele Fiore (Ward 6)



Commissioner Trinity Haven Schlottman, Chair
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Commissioner Sam Cherry
Commissioner Donna Toussaint
Commissioner Louis De Salvio
Commissioner Anthony Williams
Commissioner Donald Walsh

Planning Commission Agenda

Council Chambers - 495 South Main Street - Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

October 11, 2022
6:00 PM

10. 22-0347 - PUBLIC HEARING - APPLICANT: MIDJIT MARKET, INC. DBA GREEN VALLEY GROCERY - OWNER: SILVER MEADOW PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 2.50 acres at the southwest corner of Grand Teton Drive and Hualapai Way (APN 126-13-501-021), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 10-10d, which were pulled for discussion and heard subsequent to the One Motion - One Vote Agenda, for which discussion is reflected under Item 12.

NICOLE EDDOWES, Community Development Coordinator, reported that the subject site is located within the La Madre Foothills area, as outlined in the City of Las Vegas 2050 Master Plan, which currently lacks commercial activity and job centers. Residents rely on businesses located in Centennial Hills Town Center. The proposed Village Commercial designation is intended for the periphery of residential neighborhoods and should be confined to the intersections of major arterials such as Grand Teton Drive and Hualapai Way as defined by the Cliff's Edge Providence Master Plan. In addition to the approval letter from the Master Developer dated August 4, 2022, staff finds the proposed project is compatible with the adjacent land uses and meets all the minimum requirements of the Cliff's Edge Master Plan and Title 19. Therefore, staff recommended approval of the Major Modification, both Special Use Permits and the Site Development Plan Review. Additional letters of protest were received since publication.

ATTORNEY STEPHANIE ALLEN, 1980 Festival Plaza Drive, appearing on behalf of Green Valley Grocery, read a list of conditions, a copy of which was not submitted, that resulted from the concerns expressed at the neighborhood meeting. She asked for time after the residents to address their concerns.

NATHAN TAYLOR commented that he was representing some of the area residents, has represented the Sinclair gasoline station in the Providence community for approximately three years and worked for Green Valley Grocery in 2012 doing neighborhood outreach, but they ultimately did not build the gasoline station. Given the number of people in opposition, MR. TAYLOR asked the Commission to have consideration and hold this matter in abeyance, as he received notification five days prior to this meeting, which made it very difficult for him to prepare. He countered that MS. ALLEN read conditions the residents did not agree to and insisted that this is not the forum to negotiate conditions and come up with a new site plan. He emphasized that the area does not need more gasoline stations and noted there are already several of them within a 1.5-mile radius, crime is rising in the area and a park was designated for this site, which abuts BLM (Bureau of Land Management) property. He added that although he and many of the neighbors are in opposition, he would be willing to try to compromise.

LINDA BURKS, BRENDA TUTTLE, ANDREA LEAL, BARRY PERLIN, STEVE ACCIARITO, MICHELE McGEE, THOMAS KUTZNER, HOLLY KELSVEN, CHARLES WHEELER, JOSH DEMPSEY, BRIGITTE SOLVIE, MATTHEW PASSALACQUA, SAM PETERSON, RAJNEESH SHARMA, SUSAN HRAJNOHA, MARK NICHOLS and EDWARD STERGAR expressed their opposition to the proposed project. They feel the fumes from a gasoline station so close to residential homes will be detrimental to their health and their children, and they already have gasoline stations, convenience stores and car washes within 1.5 to 2 miles of their homes. Some of

them complained that they did not receive timely notification of this meeting or none at all, so they agreed to the project being held in abeyance. They did not believe this project to be harmonious with the surrounding community, especially since the site is zoned for a public facility. They were expecting to get a park, and the project will reduce the value of their property investments.

MS. TUTTLE added that she is opposed to having a chain gasoline station near her home that will be open 24/7 and located in front of a direct bus stop where vagrants will be dropped off. The existing area is already experiencing an uptick in crime, and the grocery store and Sinclair gasoline station have been robbed several times. She felt that a store with slot machines belongs closer to the highway and not near a residential neighborhood. She countered MS. ALLEN'S claims that this is a convenient grocery store and will employ people by saying that most people keep certain items at home and there is no employment shortage. She supported holding this matter in abeyance but was adamantly opposed to this type of development.

MS. KELSVEN referenced study findings indicating that youth who are exposed to the higher density of alcohol outlets are at risk for immediate and lifetime use of alcohol, noting that the store will also sell liquor, which will directly impact the life of her daughter. She urged denial and installation of a recreation center instead.

MR. WHEELER said he has waited 12 years for the promise of a park being built to come true, but he will never see it given his diagnosis of stage four cancer. He asked for the Commission's denial and consideration of a park instead for the children to enjoy.

MS. SOLVIE thought it was perplexing for Providence developers to flip from a public facility to such an intense use because they were meticulous in their master planning in the early 2000s. She urged the Commissioners to use their better judgment and deny this project.

MR. PASSALACQUA commented that any leak would hinder the chances for future development of public use on the surrounding BLM land.

MR. PETERSON and MS. HRAJNOHA said the project would create traffic issues.

As a former developer, MR. NICHOLS added that the proposed use is not the best and highest use for the area, and it will only create noise, garbage and traffic in an area where there was supposed to be a public facility.

MR. STERGAR said he was a member of a planning commission in Indiana, so he understood the hard decisions the Commissioners have to make, but he felt a gasoline station would hinder the opportunity for an adjacent park.

MS. ALLEN thanked the residents for being present and was amenable to holding a meeting in the interim of consideration at the City Council meeting to discuss additional conditions. Regarding the comment that this project is not zoned appropriately, she said staff is very good at examining applications and determining what projects are and are not appropriate according to the Master Plan, which also lays out what is appropriate for the area. This instance is unique because the corner lot was sold to a private party in 2006 for the construction of a park and a fire station, which did not transpire because the station was relocated to the Skye Canyon development. Consequently, the applicant had to contemplate the best use to serve as a buffer to the residential neighborhood. The options were few, however, and it is rare for a private owner to use a parcel for a public facility, and has the right to develop the property. From a zoning perspective, staff and the Commission have to consider what is appropriate.

MS. ALLEN said the parcel is zoned Planned Development (PD), and she showed a land use map for Providence reflecting the parcel in the corner, which is on a major intersection, making it appropriate for commercial zoning. She went through several development plans to demonstrate that most communities have significant residential with commercial sites on major intersections or abutting the freeways.

She explained that when she spoke with MR. TAYLOR, he informed her that the residents were expecting a park on the site, so her group contacted staff to find out how they could make create an appropriate buffer. Therefore, they worked with the City and the Providence Design Review Committee to make sure their project would be compatible with the community with respect to landscape requirements and the lodge-like architectural design and provide all the amenities and foods that convenience stores offer. She assured the Commissioners that Green Valley Grocery is appropriate for the area, as they are a good community partner, and she was proud to represent them.

COMMISSIONER DE SALVIO appreciated all those who contacted him and their concerns, noting that a lot of work went into this project to make it as harmonious and compatible as possible with the area. During the neighborhood meeting, the concerns raised were addressed in the list of conditions MS. ALLEN read. Regarding the concern with water and the car wash, he explained that the car wash is designed to capture the majority of the water and recycle it. The site will have EV (electric vehicles) charging stations, which are lacking in the area, and he pointed out that traffic and drainage studies will be completed. The intersection is beyond 100 feet wide, and the Commissioner stressed that the owner has the right to develop his property, especially with approval from the Providence Design Committee. The applicant even agreed to the hours of operation, so it is evident they have tried to accommodate the residents' concerns and build a project that is harmonious and compatible.

MS. ALLEN noted that Green Valley Grocery explored the possibility of building a community center on the BLM portion, but the lease prohibits it; however, her client offered to make a contribution for the development of some type of civic use and would be happy to enter into an agreement. In answer to COMMISSIONER CHERRY'S query about the park, SETH FLOYD, Community Development Department Director, said the City has a recreation and public purpose lease with BLM for the property, and there is a park planned for it. However, there is no timeline yet. The Commissioner added that the building is aesthetically pleasing.

COMMISSIONER WILLIAMS said that the design elements are compatible with the Master Plan, and he appreciated MS. ALLEN sharing examples of the other plans further south.

COMMISSIONER TOUSSAINT sympathized with the homeowners as she lives near three gas stations; however, she stressed that there has never been a problem with any of them. She feels the proposed project is compatible with the area and the applicant has tried very hard to accommodate the residents. She appreciated MS. ALLEN'S willingness to hold another neighborhood meeting.

CHAIR SCHLOTTMAN understood both sides, adding that there is a gasoline station near his home, in addition to many other uses in his neighborhood. However, he would like the applicant to hold another neighborhood meeting to discuss the proposed conditions, and MS. ALLEN was amenable to that.

COMMISSIONER DE SALVIO had MS. EDDOWES read the proposed additional conditions for Items 10b (22-0347-SUP1) and 10d (22-0347-SDR1), and MS. ALLEN concurred.

See Item 12 for related discussion and Items 10a-10d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 10-10d.