

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-22542 - APPLICANT: MITCHELL HOLDINGS - OWNER: LIVEWORK, LLC, ET AL**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:

1. The limits of this Petition of Vacation shall be defined as the public alley between Casino Center Boulevard and 1st Street and between Bonneville Avenue and Garces Avenue.
2. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Bonneville Avenue/Clark Avenue couplet project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
3. Dedicate 10-foot radii on the southwest corner of Bonneville Avenue and Casino Center Boulevard and the northeast corner of Garces Avenue and 1st Street prior to the recordation of the Order of Vacation for this application. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the document preparation.
4. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation. If easements are required, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

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8. All development shall be in conformance with code requirements and design standards of all City Departments.
9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Petition to vacate a 20-foot wide section of public right-of-way generally located 140 feet west of Casino Center Boulevard, between Bonneville Avenue and Garces Avenue. The vacation is requested as part of the consolidation of parcels on the block for future development. As the vacation of the public alley will not negatively affect access or traffic handling capability, approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/11/03	Code Enforcement issued a notice to adjacent property owners for high weeds. The issue was resolved on 09/05/03.
<i>Related Building Permits/Business Licenses</i>	
12/16/64	The City Council approved a Resolution of Intent (Z-0100-64) to reclassify 230 acres in the downtown area to C-2 (General Commercial). The Planning Commission recommended approval of the reclassification on 12/10/1964.
04/11/91	The Planning Commission approved a Site Development Plan Review [Z 0100 64(149)] for the development of a surface parking lot on a portion of the subject property.
09/15/04	The City Council approved a Site Development Plan Review and Waivers of Downtown Centennial Plan requirements for an existing parking lot on 0.72 acres at the southwest corner of Bonneville Avenue and Casino Center Boulevard, with a review to be scheduled in five years. The Planning Commission and staff recommended approval.
<i>Pre-Application Meeting</i>	
Month/date/year	Description
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

<i>Field Check</i>
A site visit was not conducted for this project.

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	ROW	ROW	ROW
North	ROW	ROW	ROW
South	ROW	ROW	ROW
East	Parking Lot	C (Commercial)	C-2 (General Commercial)
West	Office, Multi-Family Residential, Single-Family Residential	C (Commercial)	R-4 (High Density Residential) under ROI to C-2 (General Commercial) and C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District (Office Core District)	X		Y
A-O (Airport Overlay) District (200 Feet)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The requested vacation does not coincide with the development of adjacent parcels at this time, although the owner may consolidate those parcels for a future development. As the vacation of the public alley will not negatively affect access or traffic handling capability, approval is recommended.

The Department of Public Works presents the following information concerning this request to vacate certain public street rights-of-way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform as it is to vacate an entire public alley for development purposes.*

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- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No as it will eliminate an alley that will be incorporated into the development of the adjacent parcels.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a public alley.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Although no development plan has been submitted to date, we anticipate the owner of the adjacent parcels to develop a live/work type of project.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 4

APPROVALS 0

PROTESTS 0