



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-21648 APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Vacation shall be a roughly 30 foot long portion of the public alley between Baltimore Avenue and Boston Avenue east of the existing community center.
2. Dedicate appropriate right-of-way acceptable to the City Engineer to re-align the existing alley way on both sides of the proposed community center to provide access to Baltimore Avenue prior to or concurrent with the recordation of an Order of Vacation for this alleyway.
3. 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 an Order of Vacation.
4. 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.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. 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.
7. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a Petition to Vacate a portion of a 15-foot wide public alley generally located north of Baltimore Avenue and west of Fairfield Avenue. Traffic handling capability will not be reduced as a result of vacation, and a portion of the adjacent property will be dedicated to provide access to Baltimore Avenue. Staff therefore recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
06/07/95	The City Council approved a request for a Rezoning (Z-0031-95) from R-4 (High Density Residential) to C-V (Civic) at 229, 230, 235 and 243 West Boston Avenue and 240 West Baltimore Avenue to establish a city park. The Planning Commission and staff recommended approval.
08/02/95	The City Council approved a Petition of Vacation (VAC-0030-95) to vacate a portion of a 15-foot wide alley located in the block bounded by Boston Avenue, Fairfield Avenue, Baltimore Avenue and Tam Drive. The Planning Commission and staff recommended approval. The vacation recorded on 05/15/96.
11/01/06	The City Council approved a request to amend a portion of the Southeast Sector Plan of the Master Plan from MXU (Mixed Use) to PF (Public Facilities) on 1.71 acres at 250 West Baltimore Avenue and 300 West Boston Avenue (GPA-16193). The Planning Commission and staff recommended approval.
06/14/07	The Planning Commission recommended approval of companion item SDR-21642 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11/ss).
<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
11/20/06	Building permits (#06007067 and #06007068) were issued for shade structures in Chester Stupak Park. Final inspections have not been confirmed.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this application.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
06/05/07 The existing park site is well kept. The tall shade structures in the park appear to be about the same height as the proposed community center. Single-story and two-story apartment buildings are adjacent to the park site; they are mostly in good condition.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	ROW	ROW	N/A
North	Public Park	PF (Public Facilities)	C-V (Civic)
South	Public Park	PF (Public Facilities)	C-V (Civic)
East	ROW	ROW	N/A
West	Public Park	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan (Northern Strip Gateway)	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			
C-V Civic District	X		Y
Downtown 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

A) Planning discussion

The alley vacation is required to allow for the construction of a proposed public community center at Stupak Park on the adjacent parcel. This is the subject of a companion Site Development Plan Review (SDR-21642). An earlier Petition for Vacation was recorded in 1996 vacating a majority of the public alley, which bisected the park. Two 15-foot wide alleys will be dedicated on both sides of the proposed community center to allow access to Baltimore Avenue.

B) Public Works discussion

The following information is presented 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, dedication for an alternative outlet for this public alley will be required through a Condition of Approval.

- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Site Development Plan Review SDR21642.*
- 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

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 8 by City Clerk

APPROVALS 0

PROTESTS 0