

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: AUGUST 23, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-23034 - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION**

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

1. The limits of this Petition of Vacation shall be a portion of the existing 20 foot wide public sewer easement generally located east of F Street, north of Bonanza Road.
2. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. The relocated sewer lines must be constructed and active, with appropriate new public sewer easements granted, prior to the recordation of the Order of Vacation.
3. All 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. All development shall be in conformance with code requirements and design standards of all City Departments.
5. 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.
6. 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 20-foot wide sewer easement generally located north of Bonanza Road and east of F Street. The vacation will allow for the construction of an approved Rescue Mission over a portion of the easement. The request is appropriate, as the sewer can be relocated on the property.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/18/92	The City Council approved a Rezoning (Z-0078-92) to C-2 (General Commercial) at the northeast corner of Bonanza Road and E Street adjacent to the subject site. The Planning Commission and staff recommended approval.
05/15/96	The City Council approved a Petition to Vacate (VAC-0018-96) E Street between Wilson Avenue and Bonanza Road. The approval expired 05/15/97.
07/12/99	The City Council approved a Petition to Vacate (VAC-0018-99) E Street and all public alleys on the north side of Bonanza Road, between E Street and F Street.
01/25/07	A Reversionary Final Map (FMP-17479) for the Las Vegas Rescue Mission was recorded.
04/18/07	The City Council approved a Rezoning (ZON-19680) from R-4 (High Density Residential) to M (Industrial) on 0.15 acres at the southeast corner of Wilson Avenue and F Street. A related Special Use Permit (SUP-19681) for a proposed Rescue Mission and a Site Development Plan Review (SDR-19679) for a proposed 10,771 square foot rescue mission and perimeter landscape waivers at the northeast corner of Bonanza Road and F Street were also approved. The Planning Commission and staff recommended approval.
08/23/07	The Planning Commission will consider a city-initiated Rezoning (ZON-23472) from C-2 (General Commercial), R-4 (High Density Residential) under Resolution of Intent to M (Industrial), and M (Industrial) to M (Industrial). Staff recommends approval.
<i>Related Building Permits/Business Licenses</i>	
08/02/96	A building permit (#96015666) was issued for a 255 square foot guard house, entry gates and block wall at 480 West Bonanza Road. The final inspection was 09/04/96 and a certificate of occupancy was issued 12/13/96.
08/02/96	A building permit (#96015667) was issued for a block wall at 480 West Bonanza Road. A final inspection was completed 08/16/96.
08/05/96	A building permit (#96015771) was issued for electrical work on a guard house at 480 West Bonanza Road. A final inspection was completed 09/03/96.

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02/12/97	A building permit (#97003135) was issued for re-roofing over existing roof at 500 West Bonanza Road. A final inspection was completed 04/07/97.
07/08/97	A building permit (#97013941) was issued for a tenant improvement for Las Vegas Rescue Mission at 500 West Bonanza Road. A final inspection was completed 11/17/97 and a certificate of occupancy issued.
11/02/99	A building permit (#99021091) was issued for a gas line repair and tag at 480 West Bonanza Road. A final gas test was completed 11/03/99.
12/05/02	A building permit (#02021706) was issued for a 45 x 6 trash enclosure at 480 West Bonanza Road. A final inspection was completed 12/12/02.
11/22/05	A business license (R18-00003) was issued for a homeless shelter at 480 West Bonanza Road.
01/26/06	A business license (N31-00001) was renewed for a thriftshop (non-profit) at 480 West Bonanza Road.

Pre-Application Meeting

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

Neighborhood Meeting

A neighborhood meeting is not required for this application, nor was one held.

Field Check

07/16/07	The sewer easement is located on private property behind the Las Vegas Rescue Mission. Currently it is located on a dirt lot containing high profile trucks and a trash dumpster. A chain link fence is located at the back of curb along Wilson Avenue.
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
Downtown North Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 Feet)	X		Y
Trails (Pedestrian Path constructed)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DESCRIPTION

This petition seeks to vacate a twenty-foot (20) wide portion of a public sewer easement in a portion of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 27, Township 20 South, Range 61 East, M.D.M.

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ANALYSIS

Condition Number 19 of the recently approved Site Development Plan Review (SDR-19679) for a proposed Rescue Mission requires the abandonment of a portion of the sewer easement in what was previously a public alley but now traverses the rescue mission property. The easement was retained when the alley was abandoned through a previous Vacation (VAC-0018-99). The sewer easement will be relocated just to the north of the current location.

FINDINGS

Staff does not object to the petition to vacate this sewer easement. A new easement can be dedicated on a portion of the property.

This Vacation application proposes to vacate an existing public sewer easement. As no right of way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this VAC request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0