

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: VAC-24282 - APPLICANT: MARTIN AND MARTIN CIVIL ENGINEERS/OWNER: GNLV CORPORATION**

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**\*\* CONDITIONS \*\***

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

1. The limits of this Petition of Vacation shall be the existing public sewer easements reserved through Orders of Vacation VAC-8589 and VAC-11715 located within the 1<sup>st</sup> Street alignment between Carson Avenue and the east/west alley south of Fremont Street.
2. 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.
3. 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 rightofway 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 rightofway or easement being vacated must be retained.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. 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**

The applicant is petitioning to Vacate a public sewer easement. The Vacation is legally described as a twenty (20') wide sewer easement generally located north of Carson Avenue and First Street. This sewer easement is under a portion of the former First Street and may now be vacated as a new sewer line has been constructed within the rights-of-way, as part of the construction of the approved hotel/casino expansion on the subject site.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
Month/date/year	Action
12/16/64	The City Council approved a request for rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density residential), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic), to C-2 (General Commercial) on 230 acres on property bounded by Main Street to the west, Bonanza Road to the north, and Las Vegas Boulevard to the east, and Charleston Boulevard to the south. The Planning Commission approved this request on 12/10/64. Staff recommended approval.
11/04/04	The Planning Commission heard a request for a Site Development Plan Review (SDR-11705) for a 12-Story mixed-use development at 116 South 1 <sup>st</sup> Street. This request was tabled at the request of the applicant.
11/02/05	The City Council approved a request for a vacation (VAC-8589) of First Street from Fremont Street to approximately 150 feet north of Carson Avenue.
04/19/06	The City Council approved a Special Use Permit (SUP-11711) for Casino expansion; Vacation (VAC-11715) of First Street up to Carson Avenue; and Site Development Plan Review (SDR-11705) for the new tower and expanded floor plan.
<b><i>Pre-Application Meeting</i></b>	
A pre-application conference is not required for a Vacation application request.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required as part of this application request, nor was one held.	
<b><i>Field Check</i></b>	
09/07/07	A field check of the site by the Planning and Development and it was observed that the site was under construction.

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<i>Details of Application Request</i>			
<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Under Construction	C (Commercial)	C-2 (General Commercial)
North	Retail/Fremont Street	C (Commercial)	C-2 (General Commercial)/ ROW
South	Carson Avenue / Parking Garage	C(Commercial)	ROW / C-2 (General Commercial)
East	Casino	C(Commercial)	C-2 (General Commercial)
West	Parking Lot	C(Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<b>Special Districts/Zones</b>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		
Downtown Casino Overlay District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

A request has been received from GNLV Corporation to Vacate a 20-foot wide public sewer easement at 112,116,124,126,128 and 132 South First Street.

The above property is legally described as a twenty foot (20') wide public sewer easement beginning approximately forty feet (40') north of the intersection of Carson Avenue and First Street and preceding two hundred fifty feet (250') northeast terminating at the north side of the public alley.

And a twenty foot (20') wide public sewer easement beginning at the west side of the alley to the east and proceeding west approximately eighty feet (80') west to the east side of the west portion of the public alleyway.

And a twenty foot (20') wide section of public sewer easement beginning on the west side of lots 13 and 14 of block 14, Clarks Las Vegas Townsite subdivision commencing west fourteen and seventy-five feet hundredths feet (14.75') .

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Said property being a portion of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section 34, Township 20 South, Range 61 East, M.D.M.

**ANALYSIS**

***A) Planning discussion***

The Vacation of the existing public sewer easements at this location is required as the easement is no longer necessary as a new sewer line has been constructed for the expansion and construction of a tower at an existing casino on First Street and Carson Avenue. Planning has no objection to this request for a Vacation.

***B) Public Works discussion***

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?  
No.
- 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?  
No.
- 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.

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**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 6

**APPROVALS** 0

**PROTESTS** 0