

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-27293 - APPLICANT: GRAND CENTRAL SOUTH PARTNERS, LLC - OWNER: UNION PACIFIC RAILROAD COMPANY, ET AL**

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

1. This Vacation Application may record in phases. The first phase shall vacate the public right-of-way for the Iron Horse Court cul-de-sac, retaining public roadway, sewer, and drainage easements within the area coinciding with the existing loop roadway. Subsequent phases may encompass the remainder of the proposed area to be vacated, however prior to recordation of an Order of Vacation for any portion of the loop roadway easements, provide proof that the Nevada Department of Transportation (NDOT) has determined that the existing loop roadway is no longer needed to support the I-15 access ramps, and has relinquished all access rights thereto, and that the Regional Transportation Commission no longer requires the loop for the Bus Rapid Transit turn-around.
2. Prior to the recordation of an Order of Vacation a Reversionary Parcel Map or other action acceptable to the City Surveyor shall record to eliminate the existing property lines such that no parcel becomes land-locked by this Vacation action.
3. Prior to recordation of an Order of Vacation, provide a plan acceptable to the City Engineer showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including the property not controlled by the applicant (if applicable), so that no un-maintained no-mans land areas are produced by this action, and all affected parties are aware of the final disposition of the property to be vacated. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur.
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 unless otherwise allowed by the City Engineer. Alternatively, minimum 20-foot wide public sewer easements may be retained overlying the existing public sewers to remain.

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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 public drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-27290 may be used to satisfy this requirement provided that it addresses the area to be vacated.
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. All new improvements shall conform to City of Las Vegas Downtown Centennial Plan standards.
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.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Vacation of a 60-foot wide section of public right-of-way and access easement commonly known as Iron Horse Court which is generally located 468 feet north of Charleston Boulevard, adjacent to the west side of Grand Central Parkway. This application is being submitted as part of a consolidation of the parcels associated with the siting of a proposed 61-story hotel development on this site.

The applicant is proposing to Vacate approximately 350 linear feet of the public right-of-way commonly known as Iron Horse Court. Further, the applicant is proposing to Vacate approximately 450 linear feet of an access easement that completes the extended interstate ramp loop east of Grand Central Parkway. Approval of the proposed project and subsequently this request are recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/23/98	The City Council approved a Rezoning (Z-0100-97) to reclassify 223 acres of property, including the subject parcel, from M (Industrial) to P-D (Planned Development) for mixed use projects. This rezoning created what would later be known as Parkway Center. Planning Commission and staff recommended approval.
10/05/04	The Parkway Center Architecture Review Committee (PC-ARC) recommended approval of a proposed mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space and requested waivers on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway.
12/15/04	The City Council approved a Site Development Plan Review (SDR-5179) for a proposed 35-story mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. The Planning Commission and staff recommended approval.
01/27/05	The Planning Commission approved a Tentative Map (TMP-5806) for a proposed 414-unit mixed-use subdivision on 3.23 acres adjacent to the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. Staff recommended approval.
11/16/05	The City Council approved a Vacation (VAC-9074) of a portion of an existing drainage easement generally located at the northeast corner of Grand Central Parkway and Iron Horse Court. The Planning Commission and staff recommended approval.

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12/12/05	Staff administratively sent an action letter regarding a request for a Final Map Technical Review (FMP-10090) for a proposed 405-unit mixed-use subdivision on 3.23 acres adjacent to the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. The mylars for this map have not been submitted nor has the map recorded as of 03/25/08.
01/27/07	The Planning Commission approval of the Tentative Map (TMP-5806) for the proposed 414-unit mixed-use subdivision expired.
02/21/07	The City Council approved a request for an Extension of Time (EOT-18770) of an approved Site Development Plan Review (SDR-5179) that allowed a 35 story mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway.
08/15/07	The City Council approval of an Extension of Time (EOT-18770) for an approved Site Development Plan Review (SDR-5179) that allowed a 35-story mixed-use development in Parkway Center expired.
04/24/08	Companion items for two Special Use Permits (SUP-27291 and SUP-27292) and a Site Development Plan Review (SDR-27290) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
05/26/05	A building permit application, plan check C-0122-05, was submitted for the site. This was for a plan check review for construction of the mixed-use development. No permit was issued and the plan check was voided by the Building and Safety Department on 08/07/06, due to inactivity, and destroyed 01/16/08.
03/15/05	A building permit application, plan check L-1051-05, was submitted for the site. This was for a plan check review for on-site improvements and a temporary sales trailer at 1023 Iron Horse Court. The permits (05003765 and 05003766) were approved by Planning and Development on 06/03/05 and issued by the Building and Safety Department on 06/06/05. The permit (05003766) for the on-site improvements expired 12/03/05 and the permit (05003765) for the temporary sales trailer expired on 01/07/06.
06/07/05	A building permit application, plan check L-1360-05, was submitted for the site. This was for a plan check review for a sign permit at 1003 Iron Horse Court. This permit (05004350) was approved by Planning and Development the same day and issued by the Building and Safety Department on 06/22/05.
10/24/05	A permit application, plan check L-CIVIL-10021, was submitted for the site. This was for an express plan check review of the civil improvement plans for the development. Mylars have not been submitted for final signature as of 03/25/08 and the application has been marked as expired.

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Pre-Application Meeting	
02/22/08	A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, the need for a reversionary map, drainage and traffic studies and the vacation of Iron Horse Court were discussed.

Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
03/21/08	The Department of Planning and Development conducted a site visit that found that this is mostly an undeveloped site. There is one fully developed parcel that has an occupied building adjacent the Union Pacific sign tower and a fair amount of surface parking. There is a small surface parking lot on the adjacent parcel to the west. There are various real estate signs on the site including signage for the previous project which has expired.

Details of Application Request	
Site Area	
Gross Acres	15.4
Net Acres	12.54

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped / Highway Access Circle	MXU (Mixed Use)	PD (Planned Development)
North	Government Facilities	PF (Public Facility)	C-V (Civic)
South	Commercial Development	MXU (Mixed Use)	M (Industrial)
East	Railroad Warehouses	LI/R (Light Industry/Research)	M (Industrial)
West	Shopping Mall Parking	MXU (Mixed Use)	PD (Planned Development)

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

* Waivers of the build-to-line requirement and streetscape standards, as required by the Downtown Centennial - Parkway Center Site Planning Standards, have been requested as a part of the Site Development Plan Review (SDR-27290) that, if approved, would grant relief from these standards.

** The proposed height of the hotel tower, 700 feet, exceeds the height limitation of 200 feet for this area established by the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. A Special Use Permit (SUP-27292) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

*** Pursuant to Ordinance No. 5227, the project under review outlines a project that meets the threshold that defines a Project of Significant Impact as outlined in the ordinance for a development in excess of 300 units designated for tourist accommodations. The applicant has prepared and submitted, as part of the overall project submittal, an impact report as required by the Ordinance for referral to affected agencies. As of 04/10/08, comments have been received from the Regional Transportation Commission (RTC) and the Clark County School District. The RTC concerns and proposed conditions have been incorporated into the Public Works portion of the conditions of approval for the companion Site Development Plan Review (SDR-27290).

DETAILS OF APPLICATION REQUEST

A request has been received from Grand Central Partners, LLC to vacate a 60-foot wide section of public right-of-way commonly known as Iron Horse Court which is generally located 468 feet north of Charleston Boulevard, adjacent to the west side of Grand Central Parkway.

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The above property is legally described as a sixty foot (60) wide public right-of-way beginning approximately four hundred and sixty-eight feet (468) north of the northeast corner of Charleston Boulevard and Grand Central Parkway and extending approximately three hundred and fifty feet (350) east to the terminus of Iron Horse Court, and a variable width easement beginning approximately seven hundred and ninety-three feet (793) north of the northeast corner of Charleston Boulevard and Grand Central Parkway and extending approximately four hundred and fifty feet (450) east-southeast to Iron Horse Court.

Said property being a portion of the Southeast Quarter (SE ¼) of the West Half (W ½) Southeast Quarter (SE ¼) of the South Half (S ½) of the Southeast Quarter (SE ¼) of Section 33, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

- **Planning and Development**

A Site Development Plan Review (SDR-27290) if approved would require that this Vacation be approved and recorded in order to develop the site as reviewed. If the Vacation is not approved by the City Council, then the site plan must be revised to conform to the existing right-of-way and access easement and be resubmitted to the Planning and Development Department.

Planning staff has no objection to the vacation request. Provided all conditions are adhered to, no adverse affects to traffic circulation or site access will result from the proposed vacation request.

- **Public Works**

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Not applicable, since it will eliminate the entire width of a public access easement and rightofway that will be incorporated into the adjacent properties.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the applicant must grant a private access easement to be used for public access.*

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- C. Does it appear that the vacation request involves only excess right-of-way? *No, it also includes a public access easement.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, SDR27290 for the adjacent hotel property.*
- 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.*

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 92

APPROVALS 0

PROTESTS 0