



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 7, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-27033 - APPLICANT/OWNER: GNLV CORPORATION

**** CONDITIONS ****

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

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. 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.
3. 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.
4. The limits of this Petition of Vacation shall be defined as the entire width of First Street from Bridger Avenue to Carson Avenue and Carson Avenue from First Street westward to the alley.
5. Unless otherwise allowed, a waiver of Title 18.12.130 to allow a public street to terminate other than with a circular cul-de-sac shall be approved prior to recordation of the Order of Vacation. If such a waiver is not approved, additional right-of-way for a cul-de-sac shall be dedicated prior to recordation of the Order of Vacation. Provide an engineering plan for approval by the City Engineer, or his designee, that depicts the public street improvements for the termination of Carson Avenue. The intersection of Carson Avenue at Main Street shall be redesigned and constructed to emphasize that Carson Avenue is not a through street. The approved termination design for Carson Avenue shall be constructed prior to the recordation of the Order of Vacation.
6. 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.

7. 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 retained, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
8. 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. If easements are retained, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
9. The Order of Vacation shall retain emergency access easements unless written approval is provided from the Fire Prevention Division prior to recordation of the Order of Vacation.
10. 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.
11. 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 right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Vacate all of First Street between Bridger Avenue, and Carson Avenue. The request also includes Vacation of a portion Carson Avenue along the applicants frontage of First Street westerly to the public alley.

The applicant is requesting this Vacation to permit further expansion of the Golden Nugget Casino property and to provide additional landscaping, medians and lighting treatment for the entrance of an approved additional hotel tower on the subject site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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, 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 for a 12-story mixed-use development at 116 South First Street. This request was tabled at the request of the applicant.
11/02/05	The City Council approved a Petition to Vacate (VAC-8589) First Street from Fremont Street to approximately 150 feet north of Carson Avenue. The Planning Commission recommended approval. Staff recommended denial.
04/19/06	The City Council approved a Special Use Permit (SUP-11711) for a proposed 12,000 square foot expansion of a non-restricted gaming use; a Special Use Permit (SUP-11713) for a proposed 407-foot high building within the 200-foot restriction of the North Las Vegas Airport Overlay District; a Petition to Vacate (VAC-11715) a portion of First Street from Carson Avenue, extending approximately 150 feet to the north; and a Site Development Plan Review (SDR-11705) for a proposed 35-story, 116,094 square foot hotel/casino expansion and 647-space parking garage with Waivers of Downtown Centennial Plan Streetscape Standards, Stepback Standards, and Waivers to allow reflective glazing and above-ground utilities on 5.83 acres at 129 Fremont Street. The Planning Commission and staff recommended approval of all items.

01/24/08	The Planning Commission issued final approval of a Site Development Plan Review (SDR-26129) for a Major Amendment to a Site Development Plan Review (SDR-11705). The previously approved Site Development Plan Review was approved 04/19/06. Under that Site Development Plan Review a proposal to relocate a proposed hotel tower, to reduce the tower height to 272 feet, to reduce the number of guest rooms to 505, and to include three additional parcels that were not part of the original approval. The request also includes a Waiver of the Downtown Centennial Plan Standards to provide a three-foot wide amenity zone and a seven-foot wide sidewalk along Carson Avenue where a five-foot wide amenity zone and a ten-foot wide sidewalk are required. The full project is on 6.38 acres at 129 Fremont Street. Staff recommended approval.
04/10/08	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #7/leh).
<i>Related Building Permits/Business Licenses</i>	
03/26/07	A building permit (#07001025) was issued for the demolition of four buildings at 126 and 128 South First Street. A final inspection was completed 04/19/07.
04/23/07	A building permit (#07001388, Plan check C-23-07) was issued for an expansion to the hotel and casino at 129 Fremont Street. A temporary certificate of occupancy was issued 01/08/08 to expire 02/06/08.
07/02/07	A building permit (ELEC-93156) was issued for a temporary power pole at 132 South First Street. A final inspection was completed 07/05/07.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	6.38

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Hotel/Casino and Vacant	C (Commercial)	C-2 (General Commercial)
North	Casino and retail	C (Commercial)	C-2 (General Commercial)
South	Parking and Hotel/Casino	C (Commercial)	C-2 (General Commercial)
East	Hotel/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>
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 (Central Casino Core)	X		Y
A-O Airport Overlay District (200 Feet)	X		N*
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		N/A
Trails (Art Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

**Approval of SUP-11713 on 04/19/06 allowed a 407-foot high building within the 200-foot height restriction of the North Las Vegas Airport Overlay District.*

ANALYSIS

A) Planning discussion

The proposed Vacation will enable the applicant to comply with conditions of the approved Site Development Review (SDR-11705) and the approved Major Modification to that Site Development Review (SDR-26129). The Vacation will facilitate a proposed aesthetic enhancement of the subject property which benefits the area and downtown redevelopment efforts. Staff recommends approval.

B) Public Works discussion

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? *Uniform.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?
No, since the surrounding area is being redeveloped and the traffic will be rerouted.
- 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, the expansion of the Golden Nugget.*

E. Does this vacation request eliminate public street access to any abutting parcel?

No, since the adjacent parcels will have other access.

F. Does this vacation request result in a conflict with any existing City requirements? *Yes, as public streets are to terminate in a cul-de-sac and this is not currently reflected.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

PLANNING COMMISSION ACTION

The Planning Commission added conditions 1 through 3 at the request of the Public Works Department.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 4

SENATE DISTRICT 10

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0