



City of Las Vegas

Agenda Item No.: 48.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 23, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
MSH-2942 - MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING -
APPLICANT: OWNER, CITY OF LAS VEGAS - Request to amend the Master Plan of Streets
and Highways TO WIDEN LAS VEGAS BOULEVARD BETWEEN 4TH STREET AND
SAHARA AVENUE FROM A 100-FOOT RIGHT-OF-WAY TO A 120-FOOT RIGHT-OF-
WAY, Ward 3 (Re)

C.C.: 11/19/2008

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0	Planning Commission Mtg.	6
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Support Postcards
6. Submitted after Final Agenda Protest/Support Postcards and Protest Letter by Robyne Brooks and Nevada Brooks Cook
7. Submitted at Meeting Protest Letters by Rebecca Kinney

Motion made by DAVID STEINMAN to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 2; Did Not Vote: 0; Excused: 0
STEVEN EVANS, VICKI QUINN, DAVID STEINMAN, GLENN TROWBRIDGE, KEEN
ELLSWORTH; (Against-None); (Abstain-BYRON GOYNES, RICHARD TRUESDELL); (Did
Not Vote-None); (Excused-None)

NOTE: CHAIR GOYNES abstained as he is employed by Veolia Transportation which operates
the Regional Transportation Commission (RTC) transit system. COMMISSIONER
TRUESDELL abstained as he owns property that would be significantly impacted by these
applications.

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Minutes:

VICE CHAIR TROWBRIDGE declared the Public Hearing open for Items 48 and 49.

CHERI EDELMAN, Assistant City Engineer, appeared with CATHERINE LaFATA, Louis Berger Group, who gave the presentation. Regarding Item 48, MS. LaFATA stated the request would amend the Master Plan of Streets and Highways to widen Las Vegas Boulevard between 4th Street and Sahara Avenue to a 120-foot right-of-way. She explained that the request resulted from a study by the Regional Transportation Commission (RTC) as part of a transit system which would connect the South Strip Transfer Terminal to Downtown Las Vegas. She stated the expanded right-of-way would allow the buses to travel in lanes outside of the general purpose lanes, alleviating some of the anticipated congestion. She added that the Las Vegas Boulevard right-of-way in Clark County accommodated eight lanes and the proposed 120-foot right-of-way in the City would also accommodate eight lanes, with two lanes dedicated for bus transit. She referred to maps and exhibits displayed on the overhead to illustrate what was being requested.

MS. LaFATA explained that Item 48 would allow the City to obtain additional right-of-way when adjacent properties redevelop and stated that by ensuring the roadway right-of-way and necessary infrastructure were in place would allow the transit to extend further north. She noted that several public informational meetings had been held and that several letters of support had been received.

On Item 48, MS. LaFATA stated the request would add a new collector road, Cultural Vista Parkway, to the Master Plan of Streets and Highways. It would act as a connector between Veterans Memorial Parkway and Grand Parkway. Additionally, the approval of this application would add Veterans Memorial Drive as a 80-foot collector between Bonanza Road and Cultural Vista Parkway. Using maps displayed on the overhead, she pointed out the proposed location of Cultural Vista Parkway and also where Veterans Memorial Drive would be an 80-foot collector.

MS. LaFATA explained that Item 49 was the result of a planning charrette to identify ways to accommodate travel growth and a Bus Rapid Transit (BRT) System for Las Vegas Boulevard North. She stated this proposal would be part of a future transit system which would connect McCarran Airport with a University of Nevada, Las Vegas campus which would be located north of the 215 Beltway. She noted that the Downtown Connector project was currently underway and the City of North Las Vegas would soon let out a contract for the 5th Street project which would include components for the BRT system north of Owens Avenue.

MS. LaFATA stated Item 49 would provide connections between the City's northern downtown area and the City of North Las Vegas. Using pictures displayed on the overhead, she also described how the Cultural Vista Parkway and the expanded Veterans Memorial Parkway would function. She pointed out the majority of right-of-way acquisitions would come from public land, stressing few private land acquisitions would be required. She noted that an informational meeting had been held and that letters of support had been received. She concluded by

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emphasizing that there are no immediate plans for construction and these requests were for planning purposes only. She respectfully requested approval of both items.

TODD FARLOW, 240 North 19th Street, wondered if land would be condemned as part of Item 48 and if the property owners were in support of the proposal.

DEPUTY CITY ATTORNEY JIM LEWIS explained that these applications were requests to amend the Master Plan of Streets and Highways and was not a governmental notice to acquire or condemn any property. He stated these items were planning tools intended to allow the public to understand what the future might hold.

REBECCA KINNEY Brownstein Hyatt Farber Schreck, 100 City Parkway, appeared on behalf of Saint Louis Square and Stratosphere, LLC and expressed her client's opposition to Item 48. She expressed concern with the possibility of insufficient compensation for the taking of any land and submitted letters of opposition.

ROBIN BROOKS, property owner of 1600 and 1616 Las Vegas Boulevard, appeared in opposition, stating that widening Las Vegas Boulevard would eliminate the parking for her shopping center and put her out of business.

STEPHEN FINK, resident of Allure Tower, 209 West Bonanza Avenue, appeared in support of Item 48, stressing that efficient transportation and infrastructure along Las Vegas Boulevard was integral to the redevelopment of downtown Las Vegas.

Addressing Item 49, AL GALLEE, Las Vegas resident, stated that Cultural Vista Parkway was intended for the traffic exiting Cashman Field. He requested clarification of the plans for Bonanza Way and suggested that the planning process has been very secretive. He also requested a sound wall from along Cultural Vista Parkway when it was constructed.

BOB REEVE, 2001 South Paradise Road, requested clarification of which specific redevelopment actions would trigger the dedication process for the proposed rights-of-way.

DEPUTY CITY ATTORNEY LEWIS explained that when the City decides that additional right-of-way is necessary, the City will discuss the land acquisition with affected property owners at that time. He reiterated that condemnation and acquisition of land was not being discussed as part of these applications. He invited MR. REEVE to contact him after the meeting if he had further questions.

MS. EDELMAN explained that the purpose of the application was to make clear that the City would like additional right-of-way for the BRT system and she stressed that the additional right-of-way would be needed to accommodate the traffic coming from the resort corridor. Regarding Cultural Vista Parkway, she reiterated that it would be used for the BRT system and noted that soundwalls were not typically used on residential streets. She emphasized that no construction was being considered and the property owners would be involved in the construction process.

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COMMISSIONER STEINMAN wondered how the applications would affect property owners seeking to redevelop their properties and questioned how the City would acquire the needed right-of-way. MS. EDELMAN explained that the right-of-way would be acquired as part of the permitting process when the City had definitive plans for constructing the right-of-way and pointed out the City has no immediate plans at this time. BART ANDERSON, Public Works Department, explained that there was no definitive answer on what would initiate the dedication of the right-of-way.

In response to COMMISSIONER STEINMAN'S question regarding obtaining the necessary right-of-way from projects with approved entitlements, MR. ANDERSON explained that the developers would be permitted to move forward with those plans and the City would be forced to consider other options. COMMISSIONER STEINMAN expressed concern with the possibility of developing Item 48 in a piecemeal fashion, noting that if it was done improperly, it would create a bottleneck where the City's current 100-foot right-of-way connects with Clark County's 200-foot. MR. ANDERSON noted that Las Vegas Boulevard was shown as a 200-foot right-of-way on Clark County's Master Plan of Streets and Highways, indicating that Clark County anticipated developing the full right-of-way at some point in the future. He stressed that on other adopted MSH amendments, the City has generally initiated redevelopment action before imposing any right-of-way requirements.

COMMISSIONER STEINMAN observed that Item 48 could result in a 30-year project and DEPUTY CITY ATTORNEY LEWIS stated that the purpose of the MSH was to inform the public of the City's long-term plan.

In response to COMMISSIONER STEINMAN'S question regarding the long-term impacts of approving Item 48, DEPUTY CITY ATTORNEY LEWIS pointed out the Courts interpretation of MSHs is very different from the interpretation of private property owners who might feel such actions affect property value. He cited from American Jurisprudence, The adoption of a general plan for the future development of an area indicating potential public use of privately owned land does not amount to inverse condemnation of that land. Such activities by government officials are no more than planning and do not affect the owners interest. He confirmed COMMISSIONER EVANS observation that no concrete action is attached to these applications which are part of the City's long-term vision.

COMMISSIONER QUINN expressed her support for the applications, but stated she would not support condemnation of property which would shutdown businesses which had been operating for several years.

DEPUTY CITY ATTORNEY LEWIS informed VICE CHAIR TROWBRIDGE that if in the future, the City began acquisition of land, the City would have a constitutional obligation to pay just compensation.

VICE CHAIR TROWBRIDGE declared the Public Hearing closed for Items 48 and 49.