

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-29487 - APPLICANT/OWNER: RESOURCES GROUP, LLC, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The limits of this Petition of Vacation shall be defined as the western 75 feet of an existing alley located southeast of the southeast corner of Industrial Road and Chicago Avenue.
2. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcels to the north and south prior to the issuance of any permits.
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. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that modifications to 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 being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Vacate an approximately 15-foot wide by 75-foot long portion of public right-of-way (alley) generally located 253 feet southeast from the southeast corner of Chicago Avenue and Industrial Road. This request is in response to crime, vandalism and graffiti in the area. The applicant indicates that the Vacation of the alley way will allow the adjacent land owners better control of the area to eliminate neighborhood nuisances such as trash and graffiti. Therefore, staff is recommending approval of the Vacation request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
There are no previous City actions on the subject site.	
<i>Related Building Permits/Business Licenses</i>	
05/04/04	A Citation (#14116) was issued by Code Enforcement for toilets not working at 246 W. Philadelphia Drive. The issue was resolved on 06/03/04.
06/01/05	A Citation (#29508) was issued by Code Enforcement for graffiti at 247 W. Chicago Avenue. The issue was resolved on 05/03/06.
07/05/05	A Citation (#32172) was issued by Code Enforcement for an open sewer at 247 W. Chicago Avenue. The issue was resolved on 07/15/05.
10/13/05	A Citation (#35333) was issued by Code Enforcement for a ceiling falling in at 247 W. Chicago Avenue. The issue was resolved on 01/31/06.
02/15/06	A Citation (#38455) was issued by Code Enforcement for building, electrical, plumbing and mechanical problems at 247 W. Chicago Avenue. The issue was resolved on 10/24/07.
08/24/06	A Citation (#45774) was issued by Code Enforcement for graffiti at 246 W. Philadelphia Drive. The issue was resolved on 08/28/06.
10/10/06	A Citation (#46988) was issued by Code Enforcement for the following; no hot water, tile on floor is coming up and both sinks have leaks at 250 W. Philadelphia Drive. The issued was resolved on 05/29/08.
09/20/07	A Citation (#58129) was issued by Code Enforcement for trash and debris at 246 W. Philadelphia Drive. The issue was resolved on 03/25/08.
12/10/07	A Business License (#A07-00391) was issued for an apartment at 247 W. Chicago Avenue.
03/13/08	A Business License (#A07-01813) was issued for an apartment at 246 and 250 W. Philadelphia Avenue.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	

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<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.
<i>Field Check</i>
A field check indicated the 15-foot wide and 75-foot in length alley way. The alley terminates into an existing wall and is bound on the north and south by two multi-family apartment buildings.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.03

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
North	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
South	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
East	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
West	Retail and Offices	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District (Northern Strip Gateway)	X		Y
A-O (Airport Overlay) District (200-foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Redevelopment Plan Area The subject site is located within the boundaries of the Las Vegas Redevelopment District.

Downtown Centennial Plan (Northern Strip Gateway) The subject site is within the Northern Strip Gateway of the Downtown Centennial Plan. This district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment with its own unique design standards.

Airport Overlay District The subject site is located within the boundaries of the Airport Overlay District. The proposed Vacation will have no impact on the 200-foot height requirement.

DETAILS OF APPLICATION REQUEST

The property is legally described as an approximately 15-foot wide by 75-foot long portion of public right-of-way (alley) generally located 253 feet southeast from the southeast corner of Chicago Avenue and Industrial Road.

Said property being a portion of right-of-way (alley) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 04, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

This is a request to Vacate an approximately 15-foot wide by 75-foot long portion of public right-of-way (alley) generally located 253 feet southeast from the southeast corner of Chicago Avenue and Industrial Road.

Planning staff has no objection to the vacation request. No adverse affects to traffic circulation or site access would result with the proposed vacation. A condition of approval has been added, which requires a joint access agreement between this site and the adjoining parcels to the north and south prior to the issuance of any permit. Therefore, staff is recommending approval of the subject request.

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? *Uniform*
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the alley is currently a dead-end alley and no through traffic is supported.*
- C. Does it appear that the vacation request involves only excess right-of-way? *This will reduce the length of an existing dead-end alley.*

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- D. Does this vacation request coincide with development plans of the adjacent parcels? *There are no proposed projects adjacent to this site at this time.*
- 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.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 6

APPROVALS 0

PROTESTS 0