



## AGENDA MEMO

**CITY COUNCIL MEETING DATE: JULY 21, 2010**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: COUNTY OF CLARK**

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### \*\* STAFF RECOMMENDATION(S) \*\*

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| <b>VAC-37529</b>       | Staff recommends APPROVAL, subject to conditions: |                                  |

### \*\* CONDITIONS \*\*

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## VAC-37529 CONDITIONS

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1. The limits of this Petition of Vacation shall be those portions of APN numbers 139-21-199-027, 139-21-199-022, 139 21-199-024 and the associated bus pad not required for a bus turnout as part of the City of Las Vegas' Martin L. King Boulevard Widening project.
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. 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.
4. All development shall be in conformance with code requirements and design standards of all City Departments.

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5. 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 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 being vacated must be retained.
6. 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**

This is a petition to vacate a portion of undeveloped right-of-way on the west side of Martin Luther King Boulevard, approximately 280 feet south of Carey Avenue. The intended future use of the subject right-of-way was for a bus turnout. The applicant has indicated that there is a conflict with existing Las Vegas Valley Water District utilities and the future bus turnout area. Rather than relocate the existing utilities, the proposed bus turnout area will be located further south along Martin Luther King Boulevard. Since the portion of right-of-way is no longer being utilized in its intended form, staff recommends approval of this request.

**BACKGROUND INFORMATION**

| <i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</b></i> |                                                                                                                                               |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 06/24/10                                                                 | The Planning Commission (7-0 vote) recommended APPROVAL (PC Agenda Item #15/gk).                                                              |
| <i><b>Most Recent Change of Ownership</b></i>                            |                                                                                                                                               |
| 04/30/01                                                                 | A deed was recorded for a change in ownership at APN 139-21-102-014.                                                                          |
| <i><b>Related Building Permits/Business Licenses</b></i>                 |                                                                                                                                               |
| There is no related permit history associated with the subject site.     |                                                                                                                                               |
| <i><b>Pre-Application Meeting</b></i>                                    |                                                                                                                                               |
| A pre-application meeting is not required, nor was one held.             |                                                                                                                                               |
| <i><b>Neighborhood Meeting</b></i>                                       |                                                                                                                                               |
| A neighborhood meeting is not required, nor was one held.                |                                                                                                                                               |
| <i><b>Field Check</b></i>                                                |                                                                                                                                               |
| 03/18/10                                                                 | Staff conducted a field check on the indicated date and noted that the subject right-of-way to be vacated is undeveloped and well maintained. |
| <i><b>Details of Application Request</b></i>                             |                                                                                                                                               |
| <i><b>Site Area</b></i>                                                  |                                                                                                                                               |
| Net Acres                                                                | 1.37                                                                                                                                          |

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| <i><b>Surrounding Property</b></i> | <i><b>Existing Land Use Per Title 19.04</b></i> | <i><b>Planned or Special Land Use Designation</b></i> | <i><b>Existing Zoning District</b></i> |
|------------------------------------|-------------------------------------------------|-------------------------------------------------------|----------------------------------------|
| Subject Property                   | Government Facility, Office Other than Listed   | MXU (Mixed Use)                                       | C-V (Civic), C-1 (Limited Commercial)  |
| North                              | Auto Repair Garage, Minor                       | MXU (Mixed Use)                                       | C-1 (Limited Commercial)               |
| South                              | Community Recreation Facility (Public)          | PF (Public Facility)                                  | C-V (Civic)                            |
| East                               | Undeveloped                                     | MXU (Mixed Use)                                       | C-2 (General Commercial)               |
| West                               | Community Recreation Facility (Public)          | PF (Public Facility)                                  | C-V (Civic)                            |

| <i><b>Master Plan Areas</b></i>                     | <i><b>Yes</b></i> | <i><b>No</b></i> | <i><b>Compliance</b></i> |
|-----------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Master Plan Area</b>                             |                   |                  |                          |
| West Las Vegas Plan                                 | X                 |                  | Y                        |
| <i><b>Special Purpose and Overlay Districts</b></i> | <i><b>Yes</b></i> | <i><b>No</b></i> | <i><b>Compliance</b></i> |
| <b>Special Purpose and Overlay Districts</b>        |                   |                  |                          |
| A-O (Airport Overlay) District – 105 Feet           | X                 |                  | Y                        |
| <b>Trails</b>                                       |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>          |                   | X                | N/A                      |
| <b>Las Vegas Redevelopment Plan Area</b>            | X                 |                  | Y                        |
| <b>Development Impact Notification Assessment</b>   |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>             |                   | X                | N/A                      |

**DESCRIPTION**

The above property is legally described as a portion of the northeast quarter (NE¼) of the northeast quarter (NE¼) of Section 21, Township 20 South, Range 61 East, M.D.M.

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**ANALYSIS**

***A) Planning discussion***

This is a petition to vacate a portion of undeveloped right-of-way on the west side of Martin Luther King Boulevard, approximately 280 feet south of Carey Avenue. The intended future use of the subject right-of-way was for a bus turnout. The applicant has indicated that there is a conflict with existing Las Vegas Valley Water District utilities and the future bus turnout area. Rather than relocate the existing utilities, the proposed bus turnout area will be located further south along Martin Luther King Boulevard. Since the portion of right-of-way is no longer being utilized in its intended form, staff recommends approval of this request.

***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? *The right-of-way width will remain uniform as the vacation is for a bus turnout, which is located outside of the normal travel lanes.*
- B.From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the bus turnout is located out of the travel lanes and will be relocated south of the existing turnout.*
- C.Does it appear that the vacation request involves only excess right-of-way? *No, the existing bus turnout conflicts with existing Las Vegas Valley Water District facilities and it's more cost efficient to relocate the turnout rather than the Water District facilities.*
- 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** 11

**NOTICES MAILED** 4 (By City Clerk)

**APPROVALS** 0

**PROTESTS** 0