



City of Las Vegas

Agenda Item No.: 19.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 10, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VAC-3519 - VACATION - PUBLIC HEARING - APPLICANT: A CAB TAXI CO. -
OWNER: 144 SOUTH MALLERVA DRIVE, LLC - Petition to Vacate a 3,126 square-foot portion of public right-of-way generally located on the north side of Gragson Avenue approximately 200 feet west of Bruce Street, Ward 5 (Barlow)

C.C. 10/07/2009

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after Final Agenda Support Postcards
6. Submitted at Meeting - Support Petition with 52 Signatures for Items 19 and 20

Motion made by RICHARD TRUESDELL to Approve subject to conditions deleting Condition 2 and amending Condition 1 as follows:

1. The limits of this Petition of Vacation shall be defined as a portion of right-of-way abutting APN #139-26-201-004 such that a minimum 60-foot right-of-way is maintained.

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1
KEEN ELLSWORTH, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL, STEVEN EVANS; (Against-None); (Abstain-None); (Did Not Vote-VICKI QUINN); (Excused-GUS FLANGAS)

NOTE: COMMISSIONER QUINN abstained from voting on Items 19 and 20 as her husband has a business relationship with the property owner.

NOTE: CHAIR TROWBRIDGE disclosed that he is acquainted with the owner but that relationship has no impact on his ability to vote on this matter.

PLANNING COMMISSION MEETING OF: SEPTEMBER 10, 2009

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 19 and 20.

DOUG RANKIN, Planning and Development, briefly summarized both applications and noted that the existing structures were built in the 1960's without building permits. He indicated that the applicant has failed to comply with landscape and sidewalk width requirements, therefore, staff could not support the application as it is not compatible with adjacent developments.

If the applications are approved, MR. RANKIN read an amendment to Condition 8 of the site development plan review. LUCIEN PAET, Public Works, read additional conditions and revisions to existing conditions on both Items 19 and 20.

ATTORNEY BILL CURRAN, 100 North City Parkway, appeared on behalf of the applicant and accepted the revised conditions as read for the record. He provided a detailed description of the proposed development including structural improvements, zoning and landscaping. ATTORNEY CURRAN submitted a signature petition from adjacent neighbors indicating support of the project.

CHAIR TROWBRIDGE expressed concern about removal of the large palm tree in order to accommodate the sidewalk. He suggested landscaping features similar to the adjacent business. COMMISSIONER GOYNES asked whether the neighbors were queried regarding their preference to have Gragson Avenue used as a walking corridor. ATTORNEY CURRAN remarked that the matter was not brought up, but he recognized that much of the support voiced by the adjacent tenants stemmed from their concern for the safety of the neighborhood.

There was additional discussion between the Commissioners and ATTORNEY CURRAN regarding the composition and construction of the block walls, the possibility of installing sidewalks, cab parking, ingress/egress and vehicle repairs.

MR. PAET clarified the recommendation to require the covenant running with the land agreement. MR. CURRAN acknowledged acceptance.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 19 and 20.