



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: FC VEGAS 39, LLC - OWNER: FC VEGAS 39, LLC, ET AL

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-37884	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-37884 CONDITIONS

1. The limits of this Petition of Vacation shall be the easternmost six feet of First Street between Clark Avenue and Bonneville Avenue.
2. 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.
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.
5. 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 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

Conditions Page Two
May 27, 2010 - Planning Commission Meeting

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.

- 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.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a petition to vacate the existing east six feet of First Street between Bonneville Avenue and Clark Avenue. The purpose of the vacation is to allow for continuity throughout the project located within the downtown redevelopment area. The vacation request is being submitted pursuant to the terms of the Bonneville-Clark connector Agreement and Right of Entry Agreement. 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>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
02/15/06	The City Council approved a request for a Site Development Plan Review (SDR-10451) for a 32-story residential building with 20,850 square feet of commercial spaces; a 25-story office building with 9,995 square feet of commercial space; and waivers of the Downtown Centennial Plan Building Placement Standards, Downtown Centennial Plan Streetscape and Downtown Centennial Plan Step Back requirements on 1.84 acres at 501 through 529 South First Street; 108 and 122 Clark Avenue; and 508 thru 514 South Casino Center Boulevard. Planning Commission and staff recommended approval.
02/15/06	The City Council approved a Special Use Permit (SUP-10452) for a proposed mixed use development for a 32 story building and a 25 story building on 1.84 acres at 501 through 529 South First Street; 108 and 122 Clark Avenue; and 508 through 514 South Casino Center Boulevard. Planning Commission and staff recommended approval.
02/15/06	The City Council approved a Special Use Permit (SUP-10453) for a 405 foot building in the Airport Overlay District on 1.84 acres at 501 through 529 South First Street; 108 and 122 Clark Avenue; and 508 through 514 South Casino Center Boulevard. Planning Commission and staff recommended approval.

Conditions Page Two
May 27, 2010 - Planning Commission Meeting

<i>Most Recent Change of Ownership</i>	
06/22/07	A deed was recorded for a change in ownership for 139-34-311-023, 025 through 031

<i>Related Building Permits/Business Licenses</i>
There are no related Building Permits or Business Licenses associated with this property.

<i>Pre-Application Meeting</i>
A pre-application meeting is not required, nor was one held

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this application, nor was one held.

Field Check	
04/22/10	Staff conducted a field check on the indicated date and noted the following: No landscaping between the curb and sidewalk along First Avenue.

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Office and Multi-Family Residential	C (Commercial)	C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone
North	Parking and Government Buildings	PF (Public Facilities)	C-V (Civic)
South	Office and Multi-Family Residential	C(Commercial)	C-2 (General Commercial)
East	Parking and Government Buildings	PF (Public Facilities)	C-V (Civic)
West	Office and Multi-Family Residential	C (Commercial)	C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone

Staff Report Page Three
May 27, 2010 - Planning Commission Meeting

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

LEGAL DESCRIPTION

The above property is legally described as the east six feet of First Street, extending approximately 382 feet south of Clark Avenue. Said Property being a portion of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 34, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning Discussion

The six-foot wide right-of-way extends approximately 382 feet south of Clark Avenue. The vacation will allow for continuity throughout the project located within the downtown re-development area. The area of the proposed vacation is within the Office Core of the Downtown Centennial Plan. The vacation request is being submitted pursuant to the terms of the Bonneville-Clark connector Agreement and Right of Entry Agreement. 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?
 Uniform. *The width of First Street will be 74 feet for the entire block between Clark Avenue and Bonneville Avenue.*

Staff Report Page Four
May 27, 2010 - Planning Commission Meeting

- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the street width will still be wide enough to accommodate two way traffic.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate right-of-way unnecessary for the Bonneville/Clark couplet project.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Not parcels, but it is for the construction of the Bonneville/Clark couplet.*
- 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.*

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0