



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-39145	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-39145 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the aerial right-of-way beginning at 16 feet above the highest point of the roadway to be constructed along the 20-foot wide alley located between Clark Avenue and Bonneville Avenue and between 1st Street and Casino Center Boulevard.
2. The Bonneville-Clark Master Agreement between the City and the Forest City companies shall be executed, and the conditions therein complied with prior to or concurrent with 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.

Conditions Page Two
September 23, 2010 - Planning Commission Meeting

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 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
September 23, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

- This application is a petition to Vacate the aerial right-of-way for a portion of an existing 20-foot wide public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard. The requested vacation is a required step in order to complete the second phase of the Bonneville – Clark Downtown Connector. Staff recommends approval, with conditions as the requested action will not impede current or future traffic flow in the downtown area. If denied, the Bonneville – Clark Connector will not be able to move forward, as designed.

ISSUES

- This Vacation is required to accommodate the second phase of the Bonneville – Clark Connector

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc

There is no history of relevant actions taken on the northern portion of this public alley.

Most Recent Change of Ownership

There is no deed associated with this request as it pertains to aerial rights-of-way.

Related Building Permits/Business Licenses

There are no building permits or business licenses associated with this request.

Pre-Application Meeting

A pre-application meeting is not required for this application, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required for this type of request, nor was one held.

Staff Report Page Two
September 23, 2010 - Planning Commission Meeting

Field Check	
08/19/2010	A field check was performed by staff with the following observations: The site to be vacated is located within the northern half of a public alley that terminates at Clark Avenue.

Details of Application Request
Site Area
This request is to vacate the aerial right-of-way.

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)
North	Right-of-Way (Clark Avenue)	Right-of-Way (Clark Avenue)	Right-of-Way (Clark Avenue)
South	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)
East	Apartments	C (Commercial)	R-4 (High Density Residential)
West	Office/ Undeveloped/ Apartments	C (Commercial)	C-2 (General Commercial)/ R-4 (High Density Residential)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District – Office Core	X		Y
A-O (Airport Overlay) District – 200 Feet	X		Y
Live/Work Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

Staff Report Page Three
September 23, 2010 - Planning Commission Meeting

LEGAL DESCRIPTION

The above is legally described as being a portion of a 20-foot wide alley right-of-way granted in block 10 of that subdivision known as "Clark's Las Vegas Townsite" on file in the Office of the County Recorder, Clark County Nevada in Book 1 of Plats, at Page 37, lying within the Southwest Quarter (SW 1/4) of Section 34, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, Clark County, Nevada. Excepting therefrom, all areas falling below an elevation of 2,042 feet, being a point a minimum of 18 feet above the highest crown elevation of the "Bonneville Clark Oneway Couplet Phase 1" improvement plans, between Bonneville Avenue and Clark Avenue, as shown on City of Las Vegas Drawing Number 107v5201. Containing 3,498 square feet measured two dimensionally, more or less, as determined by computer methods.

ANALYSIS

If approved, the requested Vacation will remove the aerial right-of-way for a portion of an existing 20-foot wide public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard. This is needed in order to accommodate the separation of the pedestrian right-of-way from the vehicular component of the one-way collector. If denied, the completed design for the Collector would have to be resubmitted at significant cost in scheduling and construction.

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? *N/A as it is to vacate the aerial right-of-way above the alley.*
- B.From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, the alley is being replaced by a full roadway connecting Clark Avenue to Bonneville Avenue.*
- C.Does it appear that the vacation request involves only excess right-of-way? *Yes, technically. This vacation will eliminate City interests in the right-of-way beginning roughly 16 feet above the future roadway.*
- D.Does this vacation request coincide with development plans of the adjacent parcels? *Yes, it is in conjunction with the City's Bonneville-Clark connector project.*
- 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.*

Staff Report Page Four
September 23, 2010 - Planning Commission Meeting

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0