



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 9, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-42053	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

VAC-42053 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the northeast corner of Fourth Street and Stewart Avenue as shown on recorded document OR:0104:082945.
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. All development shall be in conformance with code requirements and design standards of all City Departments.
4. 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.
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.

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- 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 an existing portion of the right-of-way located at the northeast corner of 4th Street and Stewart Avenue. The purpose of the vacation is to clean up the right-of-way boundaries to coincide with the actual roadway improvements, and staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/07/11	The Department of Planning administratively approved a request for Parcel Map (PMP-41493) for two commercial lots on a property located on the northwest and southwest corners Stewart Avenue and Las Vegas Boulevard. The Final Map has not been recorded.

<i>Most Recent Change of Ownership</i>
No change of ownership can be located for the subject site.

<i>Related Building Permits/Business Licenses</i>
No relevant building permit or licensing history exists pertaining to this request.

<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, nor was one held.

<i>Field Check</i>	
06/30/11	A site visit by staff noted that the right-of-way contained an existing sidewalk.

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	4 th Street	Right-of-way	Right-of-way
North	Government Facility	MXU (Mixed-Use)	C-2 (General Commercial)
South	Parking Garage	C (Commercial)	C-2 (General Commercial)
East	Government Facility	MXU (Mixed-Use)	C-2 (General Commercial)
West	Vacant	MXU (Mixed-Use)	C-2 (General Commercial)

<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
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	N/A
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

Those portions of land as described by that certain quitclaim deed recorded February 26, 1971 in Book 104 as Instrument no. 82945, Official Records, Clark County, Nevada, and by that certain "Resolution Approving Occupancy" recorded January 16, 1970 in Book 4 as Instrument no. 2484, Official Records, Clark County, Nevada, situated in Northeast Quarter (NE ¼) of Section 34, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, Clark County, Nevada, being more particularly described as follows: Commencing at the Centerline intersection of "Las Vegas Boulevard" and "Stewart Avenue" as shown by that certain Record of Survey on file in File 104 of Surveys, Page 88, Official Records, Clark County, Nevada; thence along the centerline of said "Stewart Avenue", north 27.55'15" east, 40.00 feet to the northerly right-of-way of said "Stewart Avenue" and the point of beginning of the herein described tract; thence along said northerly right-of-way, north 62.04'45" west, 47.81 feet to the beginning of a 25.00

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foot radius curve, concave to the east; thence northerly along said 25.00 foot radius curve to the right through a central angle of 67.29'29" (the long chord of which bears north 28.20'00" west, 27.78 feet) for an arc length of 29.45 feet; thence north 05.24'44" east, 85.36 feet to the beginning of a 210.00 foot radius curve, concave to the east; thence northerly along said long chord of which bears north 08.08'40" east, 20.02 for an arc length of 20.03 feet to the beginning of a 160.00 foot radius reverse curve concave to the west to which a radial line bears south 79.07'24" east; thence northerly along said 160.00 foot radius reverse curve to the left through a central angle of 3.01'10" (the long chord of which bears north 9.22'01" east, 8.43 feet) for an arc length of 8.43 feet; thence south 09.45'19" east, 126.59 feet; thence south 31.40'43" east, 41.35 feet to the point of beginning.

ANALYSIS

The Vacation is necessary due to excess public right-of-way on 4th Street. Vacating a portion of the right-of-way would coincide with the actual roadway improvements.

As no conflicts with any city requirements and Special Area Plans would be created by the vacation, staff recommends approval of the petition to vacate, with conditions.

The Department of Public Works presents the following information concerning this request to vacate certain public street rights-of-way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform right-of-way width which coincides with the actual improvements.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since no street improvements will be affected.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the recordation of the City Hall Parcel Map.*
- 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 32

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0