



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: NOVEMBER 6, 2024**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: ARTHAUS IV, LLC - OWNER: CITY OF LAS VEGAS**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0393-VAC1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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

**PROTESTS**                                      0

**APPROVALS**                                      0

**\*\* CONDITIONS \*\***

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**24-0393-VAC1 CONDITIONS**

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1. The limits of this Petition of Vacation shall be defined as the 1.5 feet of right-of-way on Jefferson Street approximately 135 feet in length east of D Street.
2. The Order of Vacation shall record prior to or concurrently with the issuance of a permit for this site.
3. The Order of Vacation shall reserve easements for the facilities of all City of Las Vegas Franchise Holders unless written verifiable letters of consent without reservation are received prior to recordation.
4. 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.
5. 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.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. 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 Title 19. 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.
8. 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 Director of Community Development, then approval will terminate and a new petition must be submitted.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting a Petition to Vacate portions of the Jefferson Avenue public-right-of-way between C Street and D Street.

**ISSUES**

- The subject site is within the confinements of the Vision 2045 Downtown Las Vegas Master Plan (Historic Westside) [Area 2], The Hundred Plan, and the West Las Vegas Plan.
- In June 2023, the City Council approved the following land use entitlement requests.
  - A Rezoning (23-0047-ZON1) from T3-N (T3 Neighborhood) to T4-MS (T4 Main Street) on 0.48 acres at the northwest corner of Jefferson Avenue and C Street. The Planning Commission and Staff recommended approval.
  - A Site Development Plan Review (23-0047-SDR1) for a proposed five-story, mixed-use development consisting of 104 residential units with 6,438 square feet of commercial space and a single-story 5,776 square-foot commercial development on 1.15 acres at the northeast corner of Jefferson Avenue and D Street. The Planning Commission and Staff recommended approval.
  - In September 2024, staff administratively approved a Minor Amendment (24-0450-SDR1) to a previously approved Site Development Plan Review (23-0047-SDR1) allowing a building and site reconfiguration at the northeast corner of Jefferson Avenue and D Street.
- During building permit review for the aforementioned development, it was noted that the building footings were located in the Jefferson Avenue public right-of-way and as such would require a Petition to Vacate.
- The subject site is located in Redevelopment Area 1.

**ANALYSIS**

The Department of Public Works has presented the following information concerning this request to vacate the public alley right-of-way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?  
*The request is non-uniform.*

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B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?

*No.*

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, 23-0047-SDR1.*

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.*

**FINDINGS (24-0393-VAC1)**

As no existing parcel would be landlocked and the portion of right-of-way will not be needed for the approved development, staff recommends approval of the proposed Vacation. If denied, the portions of Jefferson Avenue, would remain in its current configuration.

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### BACKGROUND INFORMATION

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
01/20/21	The City Council approved a General Plan Amendment (20-0166-GPA1) of the Southeast Sector Land Use Map of the General Plan from: L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), MXU (Mixed Use), C (Commercial), LI/R (Light Industry/Research) and PF (Public Facilities) to FBC (Form-Based Code) on approximately 603.00 acres bounded by Owens Avenue on the north, Interstate 15 and Main Street on the east, U.S. 95 on the south and Martin L. King Boulevard on the west. The Planning Commission and Staff recommended approval.
	The City Council approved a Rezoning (20-0166-ZON1) from R-E (Residence Estates), R-1 (Single Family Residential), R-2 (Medium-Low Density Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment), C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), M (Industrial), C-V (Civic) and Undesignated (Formerly Right-Of-Way) to: T3-N (T3 Neighborhood), T3-N-O (T3 Neighborhood-Open), T4-N (T4 Neighborhood), T4-MS (T4 Main Street), T4-C (T4 Corridor), T4-M (T4 Maker), T5-N (T5 Neighborhood), T5-C (T5 Corridor) and T5-M (T5 Maker) on approximately 603.00 acres bounded by Owens Avenue on the north, Interstate 15 and Main Street on the east, U.S. 95 on the south and Martin L. King Boulevard on the west. The Planning Commission and Staff recommended approval.
05/09/23	The City Council approved a Rezoning (23-0047-ZON1) from T3-N (T3 Neighborhood) to T4-MS (T4 Main Street) on 0.48 acres at the northwest corner of Jefferson Avenue and C Street. The Planning Commission and Staff recommended approval.
	The City Council approved a Site Development Plan Review (23-0047-SDR1) for a proposed five-story, mixed-use development consisting of 104 residential units with 6,438 square feet of commercial space and a single-story 5,776 square-foot commercial development on 1.15 acres at the northeast corner of Jefferson Avenue and D Street. The Planning Commission and Staff recommended approval.
09/15/24	Staff administratively approved a Minor Amendment (24-0450-SDR1) to a previously approved Site Development Plan Review (23-0047-SDR1) to allow a building and site reconfiguration on 1.15 acres at the northeast corner of Jefferson Avenue and D Street.
10/08/24	The Planning Commission (6-0-1 vote) to recommend APPROVAL on the following Land Use Entitlement project request for a Petition to Vacate portions of Jefferson Avenue right-of-way between C Street and D Street, Ward 5 (Crear).

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<b><i>Most Recent Change of Ownership</i></b>	
06/11/18	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
12/07/20	A Building Permit (C20-04522) was issued for the demolition of a structure, slabs, footings, flat work, and asphalt at 1100 D Street.
	A Building Permit (C20-04524) was issued for the demolition of a structure, slabs, footings, flat work, and asphalt at 1122 D Street.
	A Building Permit (C20-04525) was issued for the demolition of a structure, slabs, footings, flat work, and asphalt at 308 Jefferson Avenue.
04/29/24	A Building Permit (C24-01295) is currently being reviewed for a five-story apartment building with ground-floor leasable space at 1100 D Street. The permit is open pending the outcome of this Minor Amendment review.
05/02/24	A civil improvement plan (L24-00898) is currently being reviewed for a 104-unit apartment complex with retail and parking at the northeast corner of Jefferson Street and D Street. The permit is open pending the outcome of this Minor Amendment review.
05/07/24	A civil improvement plan (L24-00904) is currently being reviewed for a single-story building at the southeast corner of Madison Avenue and Jefferson Street. The permit is open pending the outcome of this Minor Amendment review.

<b><i>Pre-Application Meeting</i></b>	
07/17/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Petition to Vacate and Minor Amendment to a previously approved Site Development Plan Review (23-0047-SDR1) pertaining to a building and site reconfiguration of a previously approved mixed-use development.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
09/11/24	A routine field check was conducted at the subject site. Nothing was noted of concern.

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<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.15

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	FBC (Form Based Code)	T4-MS (T4 Main Street)
North	Church/House of Worship		T3-N (T3 Neighborhood) T4-C (T4 Corridor)
	Single-Family, Detached		
South	Undeveloped		T4-MS (T4 Main Street)
East	Single-Family, Detached		
	Church/House of Worship		
West	Undeveloped		

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan: Historic Westside District	Y
The Hundred Plan	Y
West Las Vegas	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (175 Feet)	Y
DTLV-O (Downtown Las Vegas Overlay) District - Area 2	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails (Pioneer Trail   Jefferson Avenue   Constructed)	Y
Trails (Pioneer Trail   D Street   Constructed)	Y
Las Vegas Redevelopment Plan Area - Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Jefferson Avenue	Secondary Thoroughfare	Title 19.09	60 Feet	Y
	Minor Neighborhood Street	Title 19.09		Y
	Local Street	Title 13		Y