

*City of Las Vegas*

**AGENDA MEMO - PLANNING**

**CITY COUNCIL MEETING DATE: SEPTEMBER 21, 2022**

**DEPARTMENT: PLANNING**

**ITEM DESCRIPTION: APPLICANT/OWNER: DECATUR & ALTA LIMITED PARTNERSHIP, ET AL**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>22-0336-VAC1</b>	Staff recommends APPROVAL, subject to conditions:	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**NOTICES MAILED** 5 (by City Clerk)

**PROTESTS** 0

**APPROVALS** 0

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

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**22-0336-VAC1 CONDITIONS**

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1. The limits of this Petition of Vacation shall be defined as the excess right-of-way on the north side of Alta Drive, approximately 250 feet west of Decatur Boulevard.
2. 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.
3. 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.
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. All development shall be in conformance with code requirements and design standards of all City Departments.
6. 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.
7. 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**

The applicant is requesting to vacate a portion of the north side of Alta Drive west of Decatur Boulevard.

**ANALYSIS**

The area to be vacated occurs on the site of an approved four-story mixed-use development at the northwest corner of Alta Drive and Decatur Boulevard. The excess public right-of-way is located within a driveway from Alta Drive that was initially dedicated as a right turn lane for the project. The western portion of this area that juts into the property was not needed and is intended to be integrated into the site, which is near completion.

Elimination of the subject right-of-way would not result in a conflict with any existing City of Las Vegas requirements. The right-of-way width of Alta Drive would remain uniform. The Department of Public Works therefore has no objection to vacation of the right-of-way.

**FINDINGS (22-0336-VAC1)**

The Department of Public Works has no objection to the Petition to Vacate a portion of Alta Drive west of Decatur Boulevard and presents the following information to justify its recommendation:

A. Does this vacation request result in uniform or non-uniform right-of-way widths?	Uniform
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
E. Does this vacation request eliminate public street access to any abutting parcel?	No

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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

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
09/04/19	The City Council approved a Variance (VAR-76702) to allow 846 parking spaces where 970 are required on 19.62 acres at 400 South Decatur Boulevard. The Planning Commission and staff recommended approval.
09/04/19	The City Council approved a Special Use Permit (SUP-76703) for a Multi-Family Residential use at 400 South Decatur Boulevard. The Planning Commission and staff recommended approval.
09/04/19	The City Council approved a Site Development Plan Review (SDR-76704) for a proposed three-story, 240-unit, multi-family development, and a four-story mixed-use development consisting of 240 residential units and 27,500 square feet of commercial space on 19.62 acres at 400 South Decatur Boulevard. The Planning Commission and staff recommended approval.
05/12/20	The Planning Commission approved a request for a Site Development Plan Review (SDR-78599) for the proposed reconfiguration of the previously approved multi-family and mixed use development to include 240 multi-family residential units, two restaurants and 260 residential units and 14,500 square feet of commercial space within the mixed-use portion. Staff recommended approval. A condition of approval expunged the previous Site Development Plan Review approval (SDR-76704).
08/09/22	The Planning Commission (6-0 vote) recommends APPROVAL on a Land Use Entitlement project request for a Petition to Vacate a portion of public right-of-way (north side of Alta Drive) west of Decatur Boulevard, Ward 1 (Knudsen)

<b><i>Related Building Permits/Business Licenses</i></b>	
11/12/13	A building permit (C-247707) was issued for a demolition of all buildings at 400 Decatur Boulevard.
06/08/16	A building permit (C-319533) was issued for the demolition of a billboard at 400 Decatur Boulevard. The permit was finalized on 06/15/16.

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<b>Related Building Permits/Business Licenses</b>	
01/28/21	A building permit (C20-02913) was issued for onsite improvements for a senior apartments development at 450 South Decatur Boulevard. A final inspection has not been approved.
	A building permit (C20-02915) was issued for a four-story, 240-unit senior apartments development with retail space at 450 South Decatur Boulevard. A final inspection has not been approved.

<b>Pre-Application Meeting</b>	
06/13/22	A pre-application meeting was held with the applicant to discuss submittal requirements for a Vacation application. No major issues were discussed.

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

<b>Field Check</b>	
06/23/22	The adjacent site to the north of Alta Drive is under construction for a multi-family residential development and a restaurant. The right-of-way proposed to be vacated contains a new driveway to the development.

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
2050 Las Vegas Master Plan Area: Charleston	N/A
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (175 Feet)	N/A
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 2	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A