

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-14268 - APPLICANT/OWNER: ASIAN DEVELOPMENT, LLC

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this vacation shall be the U. S. Government Patent Easement located on the north side of Deer Springs Way, west of Durango Drive. The limits of the cul-de-sac area and the other portions of right-of-way for Hitt Family Court shall be excluded from this application and all public interest shall be retained.
2. 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.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-1913 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the 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 being vacated must be retained.
6. If the Order of Relinquishment of Interest 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 ****

APPLICATION REQUEST

This is a Petition to Vacate U.S. Government Patent Easements generally located west of Durango Drive, north of Deer Springs Way.

EXECUTIVE SUMMARY

Vacation of the subject patent easements would allow for the development of an approved 15-story office and retail building within the Town Center area. The request is appropriate, as vacation of the easements would not result in traffic conflicts, reduced access or reduced traffic handling capability for the area.

BACKGROUND INFORMATION

A) Related Actions

- 01/17/01 The City Council approved the Annexation (A-0003-99) of lands generally located west of El Capitan Way and east of Hualapai Way, between Grand Teton Drive and Rome Avenue and containing approximately 615 acres. The Planning Commission and staff recommended approval. The effective date was 01/26/01.
- 01/08/03 The City Council approved a Rezoning (Z-0071-02) to T-C (Town Center) on Assessors Parcel Numbers 125-20-201-017 and 018. The Planning Commission and staff recommended approval.
- 05/07/03 The City Council approved a Rezoning (ZON-1913) to T-C (Town Center) on Assessors Parcel Number 125-20-201-015, a Special Use Permit (SUP-1915) for a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use Town Center) District, a Variance (VAR-1916) to allow no stepbacks where stepbacks are required after the fourth story in the Town Center Development Standards, and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage on the entire site. The Planning Commission and staff recommended approval.
- 03/16/05 The City Council approved related requests for an Extension of Time (EOT-6007) of Site Development Plan Review (SDR-1914), an Extension of Time (EOT-6008) of Special Use Permit (SUP-1915), and an Extension of Time (EOT-6009) of Variance (VAR-1916). Staff recommended approval of all requests. The approvals will expire 05/07/07.

07/27/06 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #19/ss).

B) Pre-Application Meeting

A pre-application meeting is not required for this request.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

The applicant proposes to vacate U. S. Government Patent Easements described as follows:

The North and West thirty-three feet (33) of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 20, Township 19 South, Range 60 East, M.D.M.

The West thirty-three feet (33), excepting the South forty feet (40) of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 20, Township 19 South, Range 60 East, M.D.M.

The East thirty-three feet (33), excepting the South forty feet (40) of the East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 20, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Easements because they are no longer needed in their current configuration. The Vacation would allow for the development of an approved 15-story office/retail building and parking garage on this site. This request is appropriate, as the subject easements are not needed and would not result in reduced access or traffic handling capability for the area.

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located west of Durango Drive, north of Deer Springs Way.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 240 by City Clerk

APPROVALS 0

PROTESTS 0