



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE:       OCTOBER 4, 2006**  
**DEPARTMENT:     PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: VAC-15175 - APPLICANT: COMMUNITY DEVELOPMENT**  
**PROGRAM CENTERS OF NEVADA - OWNER: HOUSING AUTHORITY CITY OF LAS**  
**VEGAS**

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### **\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1.     The limits of this Petition of Vacation shall be described as all public sewer easements generally located on the north side of Searles Avenue, approximately 270 feet east of Eastern Avenue.
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.     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 rightofway 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 rightofway or easement being vacated must be retained.
4.     All development shall be in conformance with code requirements and design standards of all City Departments.
5.     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 \*\***

**APPLICATION REQUEST**

This is a petition to vacate public sewer easements generally located east of the intersection of Searles Avenue and Eastern Avenue.

**EXECUTIVE SUMMARY**

The Community Development Program Centers of Nevada with the Housing Authority City of Las Vegas seek a vacation and abandonment of Public Sewer Easements generally located east of the intersection of Searles Avenue and Eastern Avenue. Due to the nature of the proposed development apartments- the need for on-site public sewer is neither necessary nor required. The on-site sewer will be private.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 06/25/96      The Board of Zoning Adjustment approved a request for a Variance to allow a 6 foot high wrought iron extension to the existing perimeter walls where 6 feet is the maximum height allowed (V-0059-96).
- 02/25/97      The Board of Zoning Adjustment approved a request for a Variance on property located at 2601 and 2701 Searles Avenue to allow a modular trailer for a child care facility where such a use is not allowed. On 03/24/97, the City Council denied an appeal of this action, thereby approving the Variance, subject to conditions (V-0007-97).
- 06/04/03      The City Council approved a request for a Rezoning (ZON-2138) from: R-PD16 (Residential Planned Development - 16 Units per Acre) to: R-PD19 (Residential Planned Development - 19 Units per Acre) and a Site Development Plan Review (SDR-2139) for a 240-unit multi-family residential development (Senior Citizens Housing). Planning Commission and Staff recommended approval.
- 01/12/06      An Administrative Site Development Plan Review (SDR-10502): was approved for a 240-unit multi family residential housing development on 12.6 acres at 2601 and 2701 Searles Avenue.
- 09/07/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/mh).

**B) *Pre-Application Meeting***

A pre-application meeting is not required for this type of application

**C) *Neighborhood Meetings***

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

**DETAILS OF APPLICATION REQUEST**

The property located 300 feet east of the intersection of Searles Avenue and Eastern Avenue; said property being a portion of the Western half (W $\frac{1}{2}$ ) of the North half (N $\frac{1}{2}$ ) of the northwest quarter (NE $\frac{1}{4}$ ) of Section 25, Township 20 South, Range 61 East, M.D.M.

**ANALYSIS**

**A) *Planning discussion***

The original Rezoning (ZON-2138) and Site Development Plan (SDR-2139) was approved with the understanding that the applicant would apply for this Vacation. Due to the nature of the proposed development, apartments, Planning has no comment and supports the request as the need for on-site public sewer is neither necessary nor required.

**B) *Public Works discussion***

This Vacation application proposes to vacate only City of Las Vegas sewer easements. As no rightofway is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this VAC request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *No.*
- 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? *No.*

- D. Does this vacation request coincide with development plans of the adjacent parcels? *No.*
- 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.*

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 28

**SENATE DISTRICT** 2

**NOTICES MAILED** 8 by City Clerk

**APPROVALS** 0

**PROTESTS** 0