



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-15514 - APPLICANT: ROMANO REALTY - OWNER:
RANCHO DRIVE-TULE SPRINGS ROAD LIMITED PARTNERSHIP**

**** CONDITIONS ****

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

1. The limits of this Petition of Vacation shall be described as the entire roadway easement recorded by document 940714:01054, bounded to the north by the south edge of the Elkhorn Road right-of-way.
2. Coordinate with the City Engineers Design Division to determine an alternate easement alignment for future Nevada Power service to Sky Pointe Road. Grant appropriate easements as recommended by the City Engineer prior to recordation of the Order of Vacation.
3. Prior to recordation of the Order of Vacation, meet with the Flood Control Section of the Department of Public Works to determine if reservation of Public Drainage Easements is required.
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 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.

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 Planning Director, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a petition to vacate a 40-foot public right-of-way between Sky Pointe Drive and Elkhorn Road.

EXECUTIVE SUMMARY

The proposed Vacation Petition will not have a negative effect on the area. This Vacation will allow the parcel to be developed as a single entity. The Planning Department and Department of Public Works support this Vacation Petition. Approval of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

9/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ng).

B) Pre-Application Meeting

A pre-application meeting is not required for a Vacation petition, nor was one held.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Vacation petition, nor was one held.

DETAILS OF APPLICATION REQUEST

The subject property is legally described as an unnamed right-of-way, forty feet (40) wide; said property being a portion of the Northwest Quarter (NW¹/₄) of the Northwest Quarter (NW¹/₄) of Section 21, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The Planning Department is able to support this Vacation petition as it will allow the subject property to be developed as a single entity. With the right-of-way in place the property is divided and a portion of the property is cut off from the rest making it difficult to utilize.

B) *Public Works discussion*

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? *Uniform; it is to eliminate a roadway access easement granted in 1994 that provided a connection from Sky Pointe Drive (frontage road) to Elkhorn Road before completion of the Elkhorn overpass.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, because the easement is no longer used and is not accessible for traffic.*

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 owner of this property requests to vacate the roadway easement in order to rejoin the property into one piece for future development.*

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

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0