



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-24407 - APPLICANT/OWNER: CHURCH CHRISTIAN FIRST

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**, subject to:

1. The limits of this Petition of Vacation shall be defined as the south 10 feet of Mesquite Avenue from Rancho Drive and extending east approximately 885 feet and the west 30 feet of Tonopah Drive extending from the southern right-of-way line of Mesquite Avenue south approximately 245 feet.
2. 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-20482 may be used to satisfy this requirement provided that it addresses the area to be vacated.
3. All existing 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 the 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.

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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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Petition to Vacate an existing 30-foot wide portion of right-of-way on the west side of Tonopah Drive and a 10-foot wide portion of right-of-way on the south side of Mesquite Avenue generally located east of Rancho Drive.

The petition coincides with development of the adjacent parcel for a public recreational facility. It will not result in a conflict with any existing City requirements or reduce traffic handling capability. Staff therefore recommends approval.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| 02/10/05 | The Planning Commission accepted the applicants request to Withdraw Without Prejudice a Variance (VAR-5713) request to allow an existing sign to be raised to 13 feet in height where eight feet is the maximum height allowed on 4.81 acres at 101 South Rancho Drive. Staff had recommended denial. |
| 07/11/07 | The City Council approved requests for a General Plan Amendment (GPA-20481) to change the land use designation from L (Low Density Residential) to PF (Public Facilities); a Rezoning (ZON-20482) from R-1 (Single Family Residential) to C-V (Civic); and a Site Development Plan Review (SDR-20483) for a proposed Community Recreation Facility (Public) on 4.81 acres at 101 South Rancho Drive. Staff recommended approval of all items. |
| <i>Related Building Permits/Business Licenses</i> | |
| August 1984 | A business license (N10-00076) for a child care center was issued at 101 South Rancho Drive. The license was reclassified to a child care/preschool center (N15-00023) on 09/26/97. The license was renewed 07/24/07 and remains active. |
| 11/18/04 | A building permit (#04021364) was issued for a sign at 101 South Rancho Drive. A final inspection was completed 12/28/04. |
| 05/18/07 | A building permit (OTC-89417) for a 100-gallon water heater was issued at 101 South Rancho Drive. A final inspection was completed 05/29/07. |
| <i>Pre-Application Meeting</i> | |
| A pre-application meeting is not required for this application, nor was one held. | |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required for this application, nor was one held. | |

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| <i>Field Check</i> | |
|--------------------|---|
| 09/18/07 | The subject area abuts two single-family homes to the east and a lighted playing field to the west. A traffic calming device has been installed on Mesquite north of the subject area to be vacated. An entry feature with some iron art work, rocks, concrete and landscaping is in the right-of-way. A drainage gutter is in place along the Tonopah alignment north of Mesquite. |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|--|-----------------------------|---|
| Subject Property | Church, preschool, recreational open space | PF (Public Facilities) | R-1 (Single Family Residential) under Resolution of Intent to C-V (Civic) |
| North | Church/House of Worship | PF (Public Facilities) | C-V (Civic) |
| North | Undeveloped | O (Office) | R-1 (Single Family Residential) under Resolution of Intent to O (Office) |
| South | Single Family Dwellings | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | Single Family Dwellings | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | Single Family Dwellings | L (Low Density Residential) | R-PD4 (Residential Planned Development - 4 units per acre) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | | |
| A-O (Airport Overlay) District (140 Feet) | X | | Y |
| Trails | | X | N/A |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

DESCRIPTION

The Petition proposes to vacate the west thirty feet (30') of Tonopah Drive, beginning at the south right-of-way line of Mesquite Avenue and extending approximately 245 feet to the south; together with a portion of the south ten feet (10') of the south forty feet (40') of Mesquite Avenue, beginning on the east side of Rancho Drive and extending approximately 885 feet to the east; said property being a portion of the Northeast Quarter (NE¹/₄) of the Northeast Quarter (NE¹/₄) of Section 32, Township 20 South, Range 61 East, M.D.M.

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ANALYSIS

Condition Number 4 of the Rezoning (ZON-20482) associated with the adjacent site requires the vacation of excess right-of-way along the east side of the site (the Tonopah Drive alignment) and the south 10 feet of Mesquite Avenue. A public recreation facility consisting of a custom designed baseball field and related amenities is planned to be developed on the adjacent site, which currently accommodates an existing church.

Staff supports the request, as the portions of right-of-way to be vacated are not currently part of any existing or planned roadway and there are no property access conflicts.

Public Works Department staff presents the following information concerning this request to vacate certain public street rights-of-way:

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

This Petition of Vacation is for a portion of unused right-of-way on the south side of Mesquite Avenue and an unused portion of Tonopah Drive along the east side of Assessors Parcel #139-32-501-001. The right-of-way width of Mesquite Avenue will continue to conform to the City's Master Plan of Streets and Highways.

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

No, since the right-of-way proposed to be vacated portions of Mesquite Avenue and Tonopah Drive are not used 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?

Condition of approval No. 4 of Zoning Reclassification ZON-20482 required submittal of this vacation. There is a related Site Development Plan Review SDR-20483.

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 15

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 6

APPROVALS 0

PROTESTS 0