

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 6, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-25248 - APPLICANT/OWNER: GREAT WASH PARK, LLC**

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

1. The limits of this Petition of Vacation shall be the entire drainage easement granted per Document No. 20060926:06625.
2. Grant a public drainage easement to the City of Las Vegas in a new location acceptable to the Department of Public Works. The document shall record concurrently with the Order of Vacation.
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. All development shall be in conformance with code requirements and design standards of all City Departments.
5. 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.
6. 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

This Petition is a request to Vacate a 50-foot wide public drainage easement generally located on the northeast corner of Rampart Boulevard and Alta Drive. The Vacation of this easement will satisfy a required condition of an approved Site Development Plan Review (SDR-10770). This Vacation is essential for the development of an approved 10-story mixed-use project; staff recommends approval.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/26/1998 | The City Council approved a General Plan Amendment (GPA-0067-97) from M (Medium Density Residential) and SC (Service Commercial) to GC (General Commercial) on the subject property. The City Council approved an associated Rezoning (Z-0127-97) allowed a 40,000 square-foot three-story non-gaming resort with 576 guest rooms. The Planning Commission and staff recommended approval of these requests. |
| 04/04/2001 | The City Council approved a Rezoning (Z-0003-01) from U (Undeveloped) [GC (General Commercial) General Plan Designation] to C-1 (Limited Commercial). The City Council approved associated request for a Special Use Permit (U-0017-01) for a restaurant service bar in conjunction with a proposed athletic club and tennis club. The Planning Commission and staff recommended approval. |
| 03/02/2005 | The City Council approved a Rezoning (ZON-5653) from U (Undeveloped) to C-2 (General Commercial), approved a Site Development Plan Review (SDR-5657) to allow a mixed use development consisting of 700,000 square feet of commercial space and 375 residential condominium units in (1) 10-story and (2) 5-story residential condominium buildings, and a Special Use Permit (SUP-5853) for a mixed use commercial and residential development. The Planning Commission and staff recommended approval. |
| 04/19/2006 | The City Council approved a Site Development Plan Review (SDR-10770), for a ten-story mixed use development consisting of 699,000 net square feet of commercial space and 340 residential units on 28.69 acres at 8750 Alta Drive. Along with a Variance (VAR-10773) to allow 3995 parking spaces where 4961 spaces is the minimum required. Planning Commission recommended approval, whereas staff recommended denial. |

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|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/16/2006 | The City Council approved a Petition to Vacate (VAC-13822) a 20-foot wide public drainage easement generally located approximately 320 feet east of the intersection of Alta Drive and South Rampart Boulevard and a 50-foot wide public drainage easement generally located approximately 1,360 feet east of Rampart Boulevard at the northern boundary of the property. Planning Commission and staff recommended approval. |
| 06/06/2007 | The City Council approved a Review of Condition (ROC-21668) to modify condition nine of an approved Site Development Plan (SDR-10770) which required that all perimeter landscape buffers shall comply with the minimum of Title 19.12. This request is to allow a four-foot landscaped buffer along the south property line where eight feet is the minimum required for an approved mixed use development on 28.69 acres at 420 South Rampart. The Planning Commission and staff recommended approval. |
| 08/16/2007 | A Petition to Vacate (VAC-13822) expired. |
| 10/22/2007 | A Petition to Vacate (VAC-25248) was submitted to the Planning and Development department. |
| <i>Related Building Permits/Business Licenses</i> | |
| 12/20/2006 | A building permit (17805) was issued for a mixed-use commercial development at 270 South Rampart Boulevard. Currently, this permit is in the process of being finalized. |
| 03/22/2007 | A building permit (19427) was issued for the construction of a parking garage at 270 South Rampart Boulevard. Currently, this permit is in the process of being finalized. |
| <i>Pre-Application Meeting</i> | |
| A pre-application meeting is not required, nor was one held. | |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required, nor was one held. | |

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|----------------------------------------------|-------|
| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Gross Acres | 28.62 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|---------------------------|-----------------------------------------|-------------------------------------------------------|
| Subject Property | Undeveloped | GC (General Commercial) | U (Undeveloped) under ROI to C-2 (General Commercial) |
| North | Golf Course | PR (Parks/Recreation/ Open Space) | C-V (Civic) |
| South | Undeveloped | SC (Service Commercial) | PD (Planned Development) |
| East | Single Family Residential | L (Low Density Residential) | R-1 (Single Family Residential) |

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| | | | |
|------|---------------|-------------------------|--------------------------|
| West | Gaming, Hotel | SC (Service Commercial) | C-1 (Service Commercial) |
|------|---------------|-------------------------|--------------------------|

| <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 | | X | N/A |
| Trails | X | | Yes |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

DESCRIPTION

The above property is legally described as the fifty foot (50) drainage easement located from the northeast of Alta Drive and Rampart to the Northeast of property; said property being a portion of the South Half (S½) of the Northeast Quarter (NW¼) of Section 32, Township 20 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

This is a request to Vacate a 50 foot wide public drainage easement generally located on the northeast corner of Rampart Boulevard and Alta Drive. This is the second request for this development to Vacate this drainage easement. The previous Vacation (VAC-13822) expired on August 08, 2007, requiring the applicant to request a new Vacation (VAC-25248). This Vacation of public drainage easement will satisfy a condition of an already approved Site Development Review (SDR-10770). This request is appropriate, as the subject drainage easements are not needed in their current configuration. Staff recommends approval of this request.

B) Public Works discussion

This Vacation application proposes to vacate an existing public drainage easement. 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.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 12

SENATE DISTRICT 6

NOTICES MAILED 4

APPROVALS 0

PROTESTS 0