

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-25984 - APPLICANT/OWNER: SCHNIPPEL FAMILY, LP**

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

1. The limits of this Petition of Vacation shall be defined as the south 30 feet of Rome Boulevard that extends approximately 300 feet east of Shaumber Road, including the 20-foot radius corner.
2. Public sewer easements shall be retained through this Petition of Vacation. Alternatively, grant new sewer easements to the east in a location acceptable to the Collection Systems Planning section of the Department of Public Works prior to recordation of the Order of the 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 Site Development Plan Review SDR-25985 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. 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.
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.

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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 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.
8. Dedicate appropriate right-of-way necessary to maintain legal parcel access to Assessors Parcel Number 126-24-401-006 prior to recordation of the Order of Vacation.
9. 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 application is a request for a Vacation of a 30-foot wide public right-of-way generally located at North Shaumber Road and West Rome Boulevard. This application is being submitted to provide the necessary area for the siting of a proposed condominium development on this site.

The applicant is proposing to vacate approximately 308 linear feet of the public right-of-way that runs to the east along the northern property line of the parcel that makes up the project site. Approval of this request is recommended.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval. The effective date of this annexation was 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliffs Edge area, and approved the related Cliffs Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliffs Edge area, and approved text modifications to the related Cliffs Edge Master Development Plan to address conditions of approval of ZON1520. The Planning Commission and staff recommended approval.
11/20/03	A request for a Minor Modification to the Cliff's Edge Master Development Plan (MOD-3189) allowing reduced street widths under certain conditions in limited portions of the Plan area was administratively approved by the Planning and Development Department.
02/18/04	The Cliffs Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval.

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05/05/04	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-2955) to change land use designations from Village Commercial to Medium Low Density Residential and Medium Density Residential; from Medium Density Residential to Residential Small Lot; and from Medium Low Density Residential to Pump & Reservoir; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road The Planning Commission recommended approval.
05/27/04	A request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets was administratively approved by the Planning and Development Department.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliffs Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliffs Edge parent Tentative Map, as approved by the Planning Commission on 03/11/04.
08/03/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-6279) to change land use designations from ML (Medium Low Density Residential) to L (Low Density Residential) and RSL (Residential Small Lot); from L (Low Density Residential) to ML (Medium-Low Density Residential); and from RSL (Residential Small Lot) to ML (Medium Low Density Residential); and to modify the following sections of the Master Development Plan: Sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the Design Guidelines as follows: Sections 3.1.1, 3.2.3B, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and Exhibits 2, 7a,7b, 8a, 14a, 14b, 14c, 15 and 17, on 1,14The applicant 6 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
11/16/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-9174) to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli. Planning Commission and staff recommended approval.
03/13/06	The Planning and Development Department administratively approved a request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-10809) to revise and clarify Section 6 (Entry and Wall Guidelines) of the Cliffs Edge Master Development Plan and Guidelines.

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02/15/06	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-10531) to change land use designations from: M (Medium Residential) to: RSL (Residential Small Lot); to modify Section 2.2 and the accompanying exhibit of the Master Development Plan; and to modify Section 2.1, Exhibit 2-4 of the Design Guidelines to reflect changes to the land use categories on two separate parcels (Pod 113 - located on 17.1 acres adjacent to the southwest corner of Farm Road and Hualapai Way and a portion of Pod 308 - located on 9.12 acres adjacent to the northeast corner of West Centennial Parkway and North Shaumber Road). Planning Commission and staff recommended approval.
08/10/06	The Planning Commission tabled a Tentative Map (TMP-14763) for a 163-lot single family residential subdivision on 9.12 acres adjacent to the northeast corner of Centennial Parkway and Shaumber Road (aka Pod 308) at the applicants request.
04/04/07	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-19114) to clarify certain setback, landscape, design, wall, architectural projection separation and balcony separation standards; to allow three-story single family dwellings with a maximum height of 38 feet and to add a sign standard section. Planning Commission and staff recommended approval.
09/19/07	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-22968) to change the land use designation from RSL (Residential Small Lot) to M (Medium Density); to modify Section 2.2 and the accompanying Table 1 of the Master Development Plan; and to modify Section 2, Exhibit 2 of the Design Guidelines to reflect changes to the land use categories on a parcel, noted as a portion of Pod 308 and located on 9.12 acres at the northeast corner of Centennial Parkway and Shaumber Road. Planning Commission and staff recommended approval.
01/24/07	A companion item for a Vacation (VAC-25984) will be heard concurrently with this item.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no relevant building permits or business licenses associated with this application.	
<b><i>Pre-Application Meeting</i></b>	
06/18/07	A pre-application meeting was held and elements of this application were discussed. It was noted that Public Works would specify any conditions at the time of the Tentative Map submittal for Pod 308. Submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required for this application, nor was one held.	

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<b>Field Check</b>	
12/20/07	The Department of Planning and Development conducted a site visit that found that the site was generally undeveloped; however there have been some improvements completed. The site has equipment parked on it and there are dirt stockpiles in various areas otherwise the vicinity is desert. There were multiple subdivision directional signs for area developments on-site.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	11.3

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) M (Medium Density Residential) Cliffs Edge Special Land Use Designation
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) PF (Public Facilities) Cliffs Edge Special Land Use Designation
South	Undeveloped	PCD (Planned Community Development)	U (PCD) [Undeveloped (Planned Community Development)]
East	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)
	Undeveloped	PCD (Planned Community Development)	U (PCD) [Undeveloped (Planned Community Development)] M (Medium Density Residential) Cliffs Edge Special Land Use Designation
West	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) RSL (Residential Small Lot) Cliffs Edge Special Land Use Designation

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	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development) ML (Medium-Low Density Residential) Cliffs Edge Special Land Use Designation
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Cliffs Edge	X		N *
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	n/a
<b>Trails</b>		X	n/a
<b>Rural Preservation Overlay District</b>		X	n/a
<b>Development Impact Notification Assessment</b>		X	n/a
<b>Project of Regional Significance</b>		X	n/a

\* The proposed Prairie Ranch architectural style is not an approved style for multi-family development within the Cliffs Edge Master Plan area. A condition of approval has been included as a part of the companion Site Development Plan Review (SDR-25985) that a Major Modification of the Cliffs Edge Master Development Plan and Design Guidelines must be approved by the City Council prior to the recordation of a final map to include this style.

**DETAILS OF APPLICATION REQUEST**

The property is legally described as a 30-foot wide public right-of-way generally located east of North Shaumber Road, at West Rome Boulevard.

Said property being a portion of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

**ANALYSIS**

- **Planning and Development**

A Site Development Plan Review (SDR-25985), if approved, will require that this vacation be approved and recorded in order to develop the site as reviewed. If the vacation is not approved by the City Council, then the site plan must be revised to conform to the existing right-of-way and resubmitted to the Planning and Development Department.

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Planning staff has no objection to the vacation request. No adverse affects to traffic circulation or site access would result with the proposed vacation as conditioned.

- **Public Works**

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform, as it is to vacate the existing right-of-way for Rome Boulevard east of Shaumber Road, however there are existing BLM Grants for roadway purposes for other portions of Rome Boulevard in this alignment.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as it will eliminate rightofway that will be incorporated into the development of the adjacent parcels.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes, it is to vacate excess rightofway along the northern border of a proposed condominium development.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Site Development Plan Review SDR25985.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *Yes, however Site Development Plan Review SDR-25985 provides legal public access in an alternative location.*
- 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.*

**ASSEMBLY DISTRICT**      13

**SENATE DISTRICT**            9

**NOTICES MAILED**            3

**APPROVALS**                    0

**PROTESTS**                     0