

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 13, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-26611 - APPLICANT/OWNER: BART MAYBIE**

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

1. 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.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The limits of this Petition of Vacation shall be the drainage easements generally located on the northeast corner of Coke Street and Maggie Avenue that exist per the following recorded documents: 20030714:01152 and 20040401:01564.
4. A Drainage Plan and Technical Drainage Study Update 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.
5. Prior to recordation of the Order of Vacation, submit a recorded Quit Claim Deed to the Right-of-Way section of the Department of Public Works to clarify ownership of this property.
6. 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.

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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 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This petition proposes to vacate portions of existing public drainage easements. Both are 20-foot wide and were granted to Clark County and are along the northern edge of the property. Necessary public drainage easements will be re-granted to the City of Las Vegas by the applicant. The Public Works Department requested that these Vacation applications be submitted so that the easements will be in favor of the City of Las Vegas.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
5/05/2004	City Council approved a Petition to annex (ANX-3871) property located on the southwest corner of Buffalo Drive and Iron Mountain Road containing approximately 10.25 acres.
1/05/2005	The City Council approved a Variance (VAR-5227) to allow a 25-foot front yard setback where 30 feet is required and to allow a 25-foot rear yard setback where 35 feet is required on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street.
6/7/2006	The City Council approved an Extension of Time of an approved Variance (VAR-5227) that allowed a 25-foot front yard setback where 30 feet is required and a 25-foot rear yard setback where 35 feet is required adjacent to the northeast corner of Coke Street and Maggie Avenue.
8/04/2004	The City Council approved a Special Use Permit (SUP-4558) for Private Streets in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue
6/07/2006	The City Council approved an Extension of Time (EOT-13160) of an approved Special Use Permit (SUP-4558) that allowed private streets adjacent to the northeast corner of Coke Street and Maggie Avenue which expires on 08/04/08, and EOT-13163 for VAR-5227 expired on 01/05/08.
<i>Field Check</i>	
02/15/08	Grade work has been done on the site and nothing else of note was observed.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	10.75

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	D-R (Desert Rural)	U (Undeveloped) [R-E (Rural Estates) General Plan Designation]
North	Floyd Lamb Park	PR-OS (Park/Recreation/Open Space)	R-E (Residence Estates)
South	Single family dwellings and undeveloped	County RE (Rural Estates) and RNP (Residential Neighborhood Preservation)	County R-E (Rural Estates Residential)
East	Golf course and residential development	PCD (Planned Community Development)	R-PD3 (Residential Planned Development at 3 Dwelling Units Per Acre)
West	Single family under development	DR (Desert Rural Density Residential)	R-E (Residence Estates)

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

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ANALYSIS

This site is designated DR (Desert Rural Residential) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing U (Undeveloped) [RE (Rural Estates) General Plan Designation] zoning designation is one of the two zoning districts consistent with the DR residential category of the General Plan and therefore is in conformance with the General Plan.

The development will consist of 19 single-family homes on 9.5 acres, a density of approximately 0.5 dwelling units per acre. Lots are accessed from 39-foot private streets. Site access is provided from Maggie Avenue, a 60-foot wide public street. Since these drainage easements will be granted to the city in the future, staff recommends approval of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0