

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-27172 - APPLICANT/OWNER: SKY POINTE HOTEL GROUP LLC**

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

1. The limits of this Petition of Vacation shall be a portion of the 10-foot wide Public Drainage Easement granted on the Ann/Tenaya Final Map recorded as Book 88 Page 55.
2. This Petition of Vacation shall be revised to include the entire portion of the 10-foot wide Public Drainage Easement located on Assessor Parcel #125-27-410-004.
3. The submitted Drainage Plan and Technical Drainage Study Update must be approved by the Department of Public Works prior to the recordation of the Order of Vacation. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. A new Drainage Easement as defined in the Drainage Study shall record concurrent with this Petition of Vacation.
5. 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.
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 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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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.
8. All development shall be in conformance with code requirements and design standards of all City Departments.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a petition to Vacate a portion (six-feet) of a 10-foot wide public drainage easement. Located on 1.83 acres southwest for the intersection of Tenaya Way and Ann Road. This Vacation will facilitate the development of an already approved four story, 50,478 square-foot hotel (SDR-19097), as it is a required condition of approval. Staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1964	Annexation (A-0003-64) of property into City.
12/07/98	The City Council approved a Rezoning (Z-76-98) of this site to TC (Town Center) as part of a larger overall request.
05/02/07	The City Council approved a request for a Site Development Plan Review (SDR-19097) for a four-story, 50,478 square foot hotel with a waiver to allow perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.
05/02/07	The City Council approved a request for a Variance (VAR-19447) to allow a four story hotel where two stories are the maximum permitted on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive. Planning Commission recommended approval and staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
No permits or business licenses at this time.	
<i>Pre-Application Meeting</i>	
A meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A meeting is not required, nor was one held.	
<i>Field Check</i>	
03/28/08	Vacant lot, nothing of note was observed on the site.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.83

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC-TC (Service Commercial Town Center)	TC (Town Center)
North	Convenience store	SC-TC (Service Commercial Town Center)	TC (Town Center)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	SC-TC (Service Commercial Town Center)	TC (Town Center)
West	Tavern	SC-TC (Service Commercial Town Center)	TC (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		Y

LEGAL DESCRIPTION

A request has been received from Sky Pointe Hotel Group LLC to vacate a portion of a public drainage easement at 5701 Sky Point Drive, Ward 6 (Ross).

The above property is legally described as a portion of a public drainage easement, ten foot (10) wide; said property being a portion of the southeast ¼ of the southwest ¼ of section 27, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

The subject site is 1.83 acre undeveloped parcel. There is an approved Site Development Plan Review (SDR-19097) for a four-story, 50,478 square foot hotel at the southwest corner of Tenaya Way and Sky Pointe Drive. To accommodate the approved development a portion of the existing drainage easement must be vacated. Upon development of the parcel a new drainage easement with the same width will be dedicated for the conveyance of the realigned drainage pattern.

The applicant states this Vacation is necessary for the development of the site to move forward. Staff recommends approval.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0