



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 2, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-26442 - APPLICANT: A&P ENGINEERING - OWNER: CS 4015, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. All planning development shall be in conformance with code requirements and design standards of all City Departments.
2. 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.
3. The submitted Drainage Plan and Technical Drainage Study must be 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.
4. 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.
5. 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 Petition is a request to Vacate a 20-foot wide public drainage easement generally located at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Vacation of this easement conforms with an approved Site Development Plan Review (SDR-21992). This Vacation is necessary for the applicant to develop the parcel per an approved site plan (SDR-21992), therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/14/99	The City Council approved a Rezoning (Z-0024-99) to PD (Planned Development) on adjacent properties as part of a larger request. The Planning Commission and staff recommended approval.
11/01/00	The City Council approved a Rezoning (Z-0067-99) from U (Undeveloped) [PCD (Planned Community Development)] General Plan Designation to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission and staff recommended denial.
09/18/02	The City Council approved a Major Modification [Z-0024-99(44)] to the Lone Mountain West Master Development Plan to add approximately five acres to the Plan and to designate the northern half as Village Commercial and the southern half as Medium-Low Density Residential; a Special Use Permit (U-0081-02) for the proposed sale of Packaged Liquor for off-premise consumption; a Special Use Permit (U-0082-02) for proposed Gasoline Sales; a Special Use Permit (U-0083-02) for a proposed Tavern, and a Site Development Plan Review [Z-0067-99(2)] for the tavern and convenience store on the subject site. Planning Commission and staff recommended approval. The approvals expired September 18, 2004.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15961) of an approved Special Use Permit (U-0083-02) that allowed a tavern adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway
09/20/06	The City Council approved a request for an Extension of Time (EOT-15962) of an approved Special Use Permit (U-0082-02) that allowed gasoline sales in conjunction with a proposed convenience store adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway

9/05/07	The City Council approved a Site Development Review (SDR-21992). For a 9,663 square foot commercial shopping center with a 3,500 square foot tavern and 3,000 square foot general retail store with Waivers of Lone Mountain Landscape Standards and Waivers to allow a five foot perimeter landscape buffer on a portion of the north property line where 15 feet is required, a four foot perimeter landscape buffer on a portion of the east property line where 15 feet is required and a five foot perimeter landscape buffer on a portion of the west property line where eight feet is required on 2.00 acres adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. Planning Commission recommended and staff recommended denial (6/28/07).
9/05/07	The City Council Approved a Variance (VAR-22100) to allow a 27.2 foot high retail building to be 20 feet from a residential property where 81.6 feet are required. The Planning Commission and staff recommended denial.
02/28/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #16/leh).
<i>Pre-Application Meeting</i>	
No pre-application meeting was required, nor was one held.	

<i>Field Check</i>	
01/23/07	A field check was made on the site. There is a definite slope on the site slanting from west to east. The perimeter wall on the west portion of the site is of such a substantial height that the adjacent residential will be looking down upon the site; therefore, residential adjacency is not an issue to the residential to the west.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.00

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	VC (Village Commercial)	PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
South	Single Family Residential	ML (Medium-Low Density Residential)	PD (Planned Development)
East	Apartments	MLA (Medium-Low Density Attached Residential)	R-PD12 (Residential Planned Development 12 Units per Acre)
West	Single Family Residential	ML (Medium-Low Density Residential)	PD (Planned Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Lone Mountain West	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
PD (Planned Development) District	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

LEGAL DESCRIPTION

A request has been received to Vacate a portion of a 20-foot wide Public Drainage Easement generally located Loan Mountain Road, west of Cliff Shadows Parkway.

The above property is legally described as a portion of the Northwest Quarter (NW¹/₄) of the northwest quarter (NW ¹/₄) of the Northeast quarter (NE ¹/₄) of the northwest quarter (NW ¹/₄) of Section 01, Township 20 South, Range 59 East, M.D.M.

ANALYSIS

This is a request to Vacate a 20 foot wide public drainage easement generally located on the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. This Vacation of public drainage easement will conform with approved Site Development Plan Review (SDR-21992). This request is appropriate, as the subject drainage easements are not needed in their current configuration. Therefore, staff recommends approval of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0