

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 22, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-27747 - APPLICANT: THE TAPESTRY GROUP, INC. -****OWNER: CITY OF LAS VEGAS, ET AL**

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

1. The limits of this Petition of Vacation shall be defined as the full width (60 feet) of the Bureau of Land Management Right-of-Way Grant extending from 65 feet east of the centerline of Tenaya Way to the eastern boundary of this site; And the west five feet of the BLM Right-of-Way Grant from Westcliff Drive, including the spandrels at the intersection of Westcliff Drive and the unnamed street, north to the southern edge of the proposed cul-de-sac and continuing from the north edge of the proposed cul-de-sac to the northern boundary.
2. Prior to or concurrent with the recordation of an Order of Vacation, dedicate 25 feet of right-of-way and appropriate right-of-way for a cul-de-sac meeting current City standards for the unnamed street at the east edge of this site. The Order of Vacation may not record until the underlying property is owned by the Tapestry Group.
3. 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.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
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

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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.

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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Vacation of a 60-foot wide public right-of-way grant generally located east of Tenaya Way, approximately 950 feet north of Westcliff Drive. This application is being submitted to remove any roadway grants that may conflict with the siting of a proposed 252-unit multi-family development on this site.

The applicant is proposing to vacate approximately 319 linear feet of a public right-of-way grant that runs to the south side of the southern parcel commencing at Tenaya Way and proceeding east. Approval of the proposed project and subsequently this request are recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/08/04	A request for a General Plan Amendment (GPA-3366) to amend a portion of the Southwest Sector Map of the General Plan from ROW (Right-of-Way) to M (Medium Density Residential) on 12.33 acres located on the north side of Westcliff Drive, approximately 600 feet east of Tenaya Way was pulled prior to the Planning Commission meeting.
01/12/06	A request for a General Plan Amendment (GPA-10522) to amend a portion of the Southwest Sector Map of the General Plan from ROW (Right-of-Way) to M (Medium Density Residential) on 12.33 acres located on the north side of Westcliff Drive, approximately 600 feet east of Tenaya Way was withdrawn prior to the Planning Commission meeting.
04/10/08	The Planning Commission held a General Plan Amendment (GPA-27135) in abeyance at the applicants request to allow it to accompany multiple companion items.
05/22/08	Companion items for a General Plan Amendment (GPA-27135), Rezoning (ZON-27496), and Site Development Plan Review (SDR-27497) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to the proposed development.	
<i>Pre-Application Meeting</i>	
02/06/08	A pre-application meeting was held and elements of this application were discussed. A number of Public Works related issues, questions about the trail, access to the Las Vegas Valley Water District site and submittal requirements were discussed.

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<i>Neighborhood Meeting</i>	
03/11/08	<p>A neighborhood meeting was held at the Rainbow Library, 3150 North Buffalo Drive. Forty-four members of the public, seven representatives of the applicant, and staff members from the Planning and Development Department and City Council Office attended. The majority of persons in attendance indicated opposition to the project. Those in attendance had the following comments and concerns:</p> <ul style="list-style-type: none"> • Park promised, • Already too many apartments, • They dont want Section 8, • Enforceability of income standards, • Traffic generation, • Delay of the overpass, • Crime, • Effect on property values.
05/19/08	<p>A neighborhood meeting has been scheduled at the Rainbow Library, 3150 North Buffalo Drive for 6:00 PM. Staff has requested that the applicant hold a follow-up neighborhood meeting to present the most recent site plan and application submittal.</p>

<i>Field Check</i>	
03/07/08	<p>The Department of Planning and Development conducted a site visit that found that the site is mostly undeveloped; however, there is a paved drive and a number of wooden utility poles on-site. There is temporary chain link fencing around the perimeter of the site. Some trash and debris had collected on the site, mainly at the edges.</p>

<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	13.2 (Project Area)	15.25 (Rezoning Area)	27.5 (Total Parcel Area)

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ROW (Right-of-Way) Proposed: M (Medium Density Residential) and PF (Public Facilities)	U (ROW) [Undeveloped (Right-of-Way) General Plan Designation] Proposed: R-PD19 (Residential Planned Development 19 Units Per Acre) and C-V (Civic)
	Utility Installation, Other Than Listed (LVVWD Well)	PF (Public Facilities) Proposed: M (Medium Density Residential) and PF (Public Facilities)	C-V (Civic) Proposed: R-PD19 (Residential Planned Development 19 Units Per Acre) and C-V (Civic)
North	Summerlin Parkway	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Single Family, Attached	M (Medium Density Residential)	R-PD16 (Residential Planned Development 16 Units per Acre)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Undeveloped Proposed: Church/House of Worship (SDR-15747)	SC (Service Commercial)	U (SC) [Undeveloped (Service Commercial) General Plan Designation]
	Financial Institution, General	SC (Service Commercial)	C-1 (Limited Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-PD24 (Residential Planned Development 24 Units per Acre)
	Single Family, Attached	M (Medium Density Residential)	R-PD16 (Residential Planned Development 16 Units per Acre)
	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)

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<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			
A-O Airport Overlay District (200 Feet)	X		Y
Trails	X		Y *
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* While the depicted trail deviates from Exhibit 1 of the Master Plan Transportation Trails Element, it is in compliance with the approved trail engineering designed for this section of trail by the City's Public Works Department.

DETAILS OF APPLICATION REQUEST

The property is legally described as a 60-foot wide public right-of-way generally located east of Tenaya Way, approximately 950 feet north of Westcliff Drive.

Said property being a portion of the South Half (S½) of the North Half (N½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 27, Township 20 South, Range 60 East, M.D.M.

ANALYSIS

- **Planning and Development**

A Site Development Plan Review (SDR-27497) if approved would eliminate the potential for the right-of-way originally anticipated under the existing Bureau of Land Management grant. This then requires that a vacation be approved and recorded in order to develop the site as reviewed.

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

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- **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? *Not applicable as it is to vacate the existing Bureau of Land Management right-of-way grant.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the area to be vacated is not being utilized as a road.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to eliminate a Bureau of Land Management right-of-way grant.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Tapestry subdivision.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- 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.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 24

APPROVALS 0

PROTESTS 7