

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 10, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-28269 - APPLICANT/OWNER: 3920 ROWLAND AVE, LLC**

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

1. The limits of this Petition of Vacation shall be defined as the entire width of Rowland Avenue, south of Alexander Road.
2. Prior to the recordation of an Order of Vacation, a Reversionary Map or other action acceptable to the City Surveyor shall record to eliminate the existing property lines so that all parcels remain adjacent to a public street upon this vacation action.
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.
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 an Order of Vacation.
5. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an un-maintained no-mans land area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
6. 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.
7. All development shall be in conformance with code requirements and design standards of all City Departments.

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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.
  
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.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is a request for a Vacation of a 30-foot wide by 379.97-foot long portion of Rowland Avenue south of Alexander Road. This portion of Rowland Avenue is currently not improved and has natural desert landscaping. Four parcels could potentially gain access from this section of Rowland Avenue; all of these parcels have access to their property through other means such as Rancho Drive or Alexander Road. As this right-of-way is no longer needed in its current configuration, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
04/02/03	The City Council approved a General Plan Amendment (GPA-1363) to amend portions of the Centennial Hills Sector Plan and the Southwest Sector Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facilities), ML (Medium Low Density Residential) and DR (Desert Rural). The City Council approved a Rezoning from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential/Mobile/Manufactured Home Park), and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential), and U (Undeveloped) to GC (General Commercial), O (Office), PF (Public Facilities), ML (Medium Low Density Residential) and DR (Desert Rural) on properties located on, or in close proximity to, both sides of Rancho Drive from Gowan Road to the Northern City limits at Moccasin Road. The Planning Commission and staff recommended approval of these requests.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
06/08/08	A field check was conducted and it was found that this portion of Rowland Avenue is currently undeveloped and has natural desert landscaping.

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped Land	ML (Medium Low Density Residential)	U (Undeveloped)
South	Undeveloped Land	GC (General Commercial) and SC (Service Commercial)	C-2 (General Commercial) and C-1 (Limited Commercial)
East	Offices and Undeveloped Land	O (Office)	O (Office)
West	Undeveloped Land	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>	X		
Centennial Hills Sector Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (105 Feet)	X		Y*
<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 subject site is located in the A-O (Airport Overlay) district within the 105-foot height limitation contour. As these parcels are currently undeveloped, these parcels are below this height limitation.

**PLANNING LEGAL DESCRIPTION**

A request has been received from 3920 Rowland Ave, LLC to Vacate a 30-foot wide by 379.97-foot long section of Rowland Avenue south of Alexander Road.

The above property is legally described:

The above property is legally described as a portion of the North Half (N ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 12, Township 20 South, Range 60 East, M.D.M.

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**ANALYSIS**

***A) Planning discussion***

This application is a request for a Vacation of a 30-foot wide by 379.97-foot long portion of Rowland Avenue south of Alexander Road. This portion of Rowland Avenue is currently not improved and has natural desert landscaping. Four parcels could potentially gain access from this section of Rowland Avenue; all of these parcels have access to their property through other means such as Rancho Drive or Alexander Road. As this right-of-way is no longer needed in its current configuration, staff recommends approval of this request.

***B) Public Works discussion***

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?

It will result in a uniform right-of-way width as it will completely eliminate a portion of Rowland Avenue.

- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability?

No, since Rowland Avenue is not built.

- C. Does it appear that the vacation request involves only excess right-of-way?

Yes.

- D. Does this vacation request coincide with development plans of the adjacent parcels?

Not at this time.

- 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.

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G. Does the Department of Public Works have an objection to this vacation request?

No.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

**ASSEMBLY DISTRICT**      1

**SENATE DISTRICT**      4

**NOTICES MAILED**      3

**APPROVALS**      0

**PROTESTS**      0