

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 2, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-28659 - REVIEW OF CONDITION - PUBLIC HEARING -
APPLICANT: STERLING DEVELOPMENT - OWNER - SF INVESTENTS, LLC

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Public Works

1. Original Condition #3 of Petition of Vacation VAC-8347 shall be deleted.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Review of Condition to remove Condition Number Three of an approved Vacation (VAC-8347) which required the vacation of the bridle paths along properties within Clark County jurisdiction to record concurrently on a portion of Balsam Street and unnamed rights-of-way located south of Lone Mountain Road and east of U.S. 95.

The applicant has indicated that they cannot comply with the subject condition because the Board of Clark County Commissioners determined that they would prefer to retain their interest in the bridle paths, and would accept the resulting 10 foot wide, dead-end path should the City vacate their interest.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/16/05	The City Council approved a Petition to Annex (ANX-5100) property generally located on the east side of U.S. 95, south of Lone Mountain Road (APN 138-03-510-001, 002 and 031), containing approximately 7.02 acres. The effective date of this annexation was 2/25/05. Planning Commission recommended approval on 12/16/04. Staff had recommended approval.
03/02/05	The City Council approved a General Plan Amendment (GPA-5823) to MLA (Medium-Low Attached Density Residential), Rezoning (ZON-5827), and a Site Development Plan Review (SDR-5826) application for a proposed 78-lot single-family attached residential development on 7.8 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05. Staff recommended denial.
05/18/05	The City Council approved an Annexation (ANX-6060) application to Petition for the annexing of land generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road, containing approximately 2.4 acres. The Planning Commission recommended approval on 03/24/05. The effective date of this application was 05/27/05.

06/01/05	The City Council approved a General Plan Amendment (GPA-6321) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-6327) to R-PD10 (Residential Planned Development - 10 units per acre), and a Site Development Plan Review (SDR6332) application for a proposed 124-lot single-family attached residential development on 12.0 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road. This request included the area previously approved through SDR-5826 for a 78-lot subdivision, and incorporated additional lands into the overall design on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street. The Planning Commission considered this request on 04/28/05, but failed to reach a super majority on its vote, which is tantamount to a recommendation for denial. Staff had recommended approval.
07/28/05	The Planning Commission approved a request for a Tentative Map (TMP-7217) for a 124-lot single-family attached residential subdivision on 12.0 acres adjacent to the southeast corner of Lone Mountain Road and U.S. Highway 95. Staff recommended approval.
10/05/05	The City Council approved a request for a Vacation (VAC-8347) to Vacate a portion of Balsam Street and unnamed rights-of-way located south of Lone Mountain Road and east of U.S. 95. The Planning Commission and staff recommended approval on 09/08/05
08/09/07	The Planning Commission approved a request for a Tentative Map (TMP-21144) for a 124-lot Single Family Residential Subdivision on 12.0 acres adjacent to the southeast corner of Lone Mountain Road and U.S. Highway 95.
06/20/07	The City Council approved an Extension of Time (EOT-21137) for a Reinstatement and Extension of Time of an approved Rezoning (ZON-5827) FROM: U (Undeveloped) [O (Office) General Plan Designation] to: R-PD10 (Residential Planned Development - 10 Units per Acre) and an Extension of Time of an approved Rezoning (ZON-6327) FROM: U (Undeveloped) [MLA (Medium Low Attached Density Residential) and R-E (Residence Estates) Zone TO: R-PD10 (Residential Planned Development - 10 Units Per Acre) and a related Extension of Time (EOT-21136) of an approved Site Development Plan Review (SDR-6332) which allowed a proposed 124-lot Single-Family Attached Residential Development on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road & Balsam Street.
Related Building Permits/Business Licenses	
There are no building permits or business licenses affiliated with this request.	
Pre-Application Meeting	
A pre-application meeting is not required, nor was on held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was on held.	

Details of Application Request
Site Area

Gross Acres	12 acres
-------------	----------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Single Family Residential	MLA (Medium Low Attached Density Residential)	U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] Under Resolution of Intent to R-PD10 (Residential Planned Development 10 units per acre) R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development 10 units per acre)
North	Hotel and Casino	GC (General Commercial)	C-2 (General Commercial)
South	Single Family Residential	O (Office) PF-CC (Public Facility Clark County)	Clark County
East	Single Family Residential	O (Office) PR/OS (Parks/Recreation/Open Space)	Clark County
West	US-95	ROW (Right of Way)	US-95

<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 (175-Foot and 200-Foot)	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

ANALYSIS

The subject site is part of an approved multi-family residential development that borders large lot single-family residential homes to the east, within the jurisdiction of unincorporated Clark County. Although the areas in question were designated as bridle paths on the recorded subdivision map that created them, they do not conform to any adopted trail or path plans within either the City of Las Vegas, or Clark County. They do not connect to any other equestrian paths, and as such do not provide continuity of access for any equestrian use. Furthermore, the approved multi-family residential zoning of the abutting property does not allow equestrian use on the property.

In order to allow Clark County the opportunity to also remove the existing rights-of-way, which do not conform to any county plan, staff included a condition requiring concurrent county approval of an equivalent vacation within their jurisdiction.

The Board of Clark County Commissioners heard a petition to vacate the county portion of the bridle paths on December 19, 2007. The Board of Clark County Commissioners, however, determined that they would prefer to retain the county portion of the bridle paths, and acknowledged that this would result in a 10 foot wide, dead-end bridle path within county jurisdiction. They determined that this would be acceptable for equestrian use.

FINDINGS

City Staff agrees that the 10-foot wide portion is sufficient to provide a bridle path, and given the county statement, believes that the vacation of the city portions of the bridle paths will not result in an adverse impact to the surrounding neighbors or the general health and welfare of the public. Therefore, staff recommends **APPROVAL** of this Review of Condition.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 8

APPROVALS 0

PROTESTS 0