



City of Las Vegas

Agenda Item No.: 6.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 11, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: **VAC-2913 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: UNION I B E**
M357 - Petition to Vacate a 20-foot wide drainage easement generally located on the northwest corner of Harris Avenue and Lamb Boulevard, Ward 5 (Reese)

C.C. : 10/15/2008

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda Condition Confirmation Letter by Lochsa Engineering and Concern Postcard

Motion made by STEVEN EVANS to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES,
STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-GLENN TROWBRIDGE); (Did Not Vote-None); (Excused-None)

NOTE: COMMISSIONER TROWBRIDGE disclosed that he has a business affiliation with IBEW Union and would abstain on this item.

Minutes:

This item was under the One Motion/One Vote portion of the agenda and was pulled forward at the request of a member of the public.

CHAIR GOYNES declared the Public Hearing open.

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PETER LOWENSTEIN, Planning and Development Department, stated that the current configuration of the drainage easement is no longer required. He recommended approval of the request to vacate.

TOM STETSON, 6005 Fawn Avenue, appeared on behalf of the applicant and stated that the drainage easement runs through the trailer park and enters the subject property where it eventually drains at Lamb Boulevard. Using the overhead, he explained that the request is to vacate a portion of the concrete drainage located between two existing lots and reconfigure it to run straight, locating it in the asphalt of the parking lot.

MARIE DANIEL, 8301 N. Lamb Boulevard, whose mobile home is located directly behind the location of the easement asked for clarification of the Petition to Vacate the drainage easement. She expressed concern with the maintenance of the drainage easement on the portion owned by the applicant.

MR. STETSON replied that plans are to construct a union hall on the property. When completed, he stated that it would be the Union's responsibility to maintain the drainage up to the fence which divides the subject property from the trailer park property.

TODD FARLOW, 2400 North 19th Street, questioned whether the applicant was still responsible for keeping the drainage since the portion of the easement is vacated. ASSISTANT CITY ATTORNEY BRYAN S. DOTT replied that the easement remains and the property owner is required to maintain it.

BART ANDERSON, Public Works Department, clarified that Condition 2 addresses the drainage plan which must be submitted to and approved by the Department of Public Works prior to the recordation of the order of vacation. He also noted that new drainage easements shall be recorded prior to or concurrent with the recordation of the order of vacation. He emphasized that until the actual engineering studies and alternative easement are provided, the vacation would not transpire.

COMMISSIONER TRUESELL questioned whether the applicant is currently required to maintain the property. MR. ANDERSON explained that it depends on how old the easement is and whether there was wording specific to the maintenance. However, with the new easement there will be language stipulating responsibility for maintenance.

MR. ANDERSON advised that should there be problems in the future with maintenance of the easement, the matter should be referred to the Flood Control Section of the Public Works Department and they would take control of the problem.

CHAIR GOYNES declared the Public Hearing closed.