



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 6, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-26418 - APPLICANT/OWNER: WOLF CREEK HOME OWNERS ASSOCIATION

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 6, 2008 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN ROSS.

**** CONDITIONS ****

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

1. 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.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. Approval of this vacation application endorses the overall concept of eliminating all public vehicular and pedestrian interests in the existing public street right of way within the Jones Horse at Iron Mountain Ranch residential subdivision (PB 113-67) generally located on the east side of Jones Boulevard, north of Horse Drive.
4. A waiver of Title 18.12.130 to allow a public street to terminate other than with a circular cul-de-sac, such as WVR-26389, shall be approved prior to recordation of the Order of Vacation. If such a waiver is not approved, additional right-of-way for a cul-de-sac shall be dedicated prior to recordation of the Order of Vacation. Provide an engineering plan for approval by the City Engineer, or his designee, that depicts the public street improvements for the termination of Canyon Ranch Street. The approved termination design for Canyon Ranch Street shall be constructed prior to the recordation of the Order of Vacation.
5. Appropriate public sewer and drainage easements shall be reserved through the Order of Vacation. Drainage easements shall be privately maintained by the Homeowners Association.
6. The applicant shall provide proof acceptable to the City Attorneys Office that all lots within this subdivision shall continue to have full legal access to adjacent public streets prior to recordation of an Order of Vacation.
7. The existing Homeowners Association shall be legally and financially responsible to provide for the perpetual common maintenance and repair of all vacated streets. The Homeowners Association shall also be responsible for all costs related to the installation of proper private street signage and for perpetual maintenance of the signs. The City will no longer maintain roadways and signage within the subdivision.

8. A plan must be submitted by the applicant to the City Traffic Engineer for approval prior to the recordation of the Order of Vacation showing how and where the existing streetlight system within the vacation area will be disconnected from the public streetlight system. If the Homeowners Association submits a statement that they will own and assume operation and maintenance of the streetlights within the vacation area, the streetlights can remain as is. If the Homeowners Association does not want to own/operate/maintain the streetlights, all streetlight poles and appurtenant facilities shall remain the property of the City and the applicant shall remove all public streetlighting fixtures/appurtenances and return all salvageable materials to the City's Electrical Yard in accordance with the direction of the City Traffic Engineer; the applicant shall also eliminate/relocate all impacted streetlighting electrical service meters per the direction of the City Traffic Engineer.
9. If the Homeowners Association ever ceases operation for whatever reason, the City reserves the right to refuse rededication of any and all rights-of-way previously vacated unless the areas offered for rededication include typical street improvements in a condition acceptable to the City.
10. The Order of Vacation shall retain emergency access easements unless written approval is provided from the Fire Prevention Division prior to recordation of the Order of Vacation.
11. 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 the Order of Vacation. All improvements for the proposed gated entry drive shall be designed, located and constructed in accordance with Standard Drawing #222a and all improvements/modifications recommended on plans submitted to and approved by the City shall also be at the applicant's expense; appropriate performance guarantees may be required to ensure eventual compliance by the Homeowners Association prior to the recordation of the Order of Vacation.
12. 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 right-of-way 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 right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Vacation of Amber Station Avenue, Soaring High Street, Glenmere Avenue, Dakota Trace Court, and portions of Chestnut Run Avenue and Canyon Ranch Street. This application is being submitted in order to privatize existing roadways within the Jones Horse at Iron Mountain Ranch subdivision located on Jones Boulevard 660 feet north of Horse Drive. The applicant has submitted a Waiver (WVR-26389) of Title 18.12.130 to allow Canyon Ranch Street to end in a dead end street where a cul-de-sac is required as well as a Special Use Permit (SUP-26823) for Private Streets as companion items to this request. As these rights-of-way will remain in place and continue to provide access to the existing single family home subdivision ; staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/20/02	The City Council approved an Annexation [A-1-99(A)] for property generally located at the southeast corner of Brent Lane and Jones Boulevard, containing approximately 17.5 acres of land. The Planning Commission and staff recommended approval of this request.
03/06/02	The City Council approved a General Plan Amendment (GPA-0052-01) to amend a portion of the Centennial Hills Sector Plan from DR (Desert Rural Density) to R (Rural Density Residential), a Major Modification [Z-0016-98(22)] to the Iron Mountain Ranch Master Development Plan to add approximately 20 acres, a Rezoning (Z-0094-01) from U (Undeveloped) Zone [DR (Desert Rural Density) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone and a Site Development Plan Review [Z-0094-01(1)] for a 70-lot single family residential subdivision adjacent to the southeast corner of Brent Lane and Jones Boulevard. The Planning Commission and staff recommended approval of these requests.
04/25/02	The Planning Commission approved a Tentative Map (TM-0021-02) for 60 lots on 20 acres located adjacent to the southeast corner of Brent Lane and Jones Boulevard. Staff recommended approval of this request.
06/05/02	The City Council approved a Vacation (VAC-0027-02) to vacate portions of Brent Lane, Duneville Street, Guy Avenue and Jones Boulevard, generally located at the southeast corner Jones Boulevard and Brent Lane. The Planning Commission and staff recommended approval of this request.

04/03/03	The Planning and Development Department administratively approved a Final Map (FMP-1920) for a single family subdivision located on the southeast corner of Jones Blvd and Brent Lane. The Final Map recorded 11/06/03.
06/26/08	The Planning Commission recommended approval of companion items WVR-26389 and SUP-26823 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/dc).

<i>Related Building Permits/Business Licenses</i>	
10/07/03	A building permit (#03021344) was issued for rough grading at 8522 North Jones Boulevard. The permit received final approval on 08/20/04.
05/03/04	A building permit (#04010548) was issued for block and retaining walls at 8522 North Jones Boulevard. The permit received final approval on 08/20/04.
07/12/04	A building permit (#04017439) was issued for engineered block and retaining walls at 8522 North Jones Boulevard for subdivision lots 20 through 26. The permit received final approval on 08/20/04.
<i>Pre-Application Meeting</i>	
12/26/07	A pre-application meeting was held in which elements of the submittal process for a Vacation, Waiver and a Special Use Permit were discussed.
<i>Neighborhood Meeting</i>	
08/30/07	The existing homeowners association held a final meeting with residents of the subject subdivision to discuss privatization of neighborhood streets. The attendees at the homeowners association meeting voted for and approved a decision to privatize the streets of the Jones Horse at Iron Mountain Ranch subdivision.

<i>Field Check</i>	
03/04/08	A field check was performed by staff at the subject site. The subdivision was noted as being fully developed, with newer style housing and fully improved streets, curbs and gutters. Two entrances were noted into the existing 59-home subdivision, one to the west at Jones Boulevard and Chestnut Run Avenue, and one to the north at Canyon Ranch Street and Delonee Skies Avenue. Multiple trees were noted as dead or missing from the Canyon Ranch Street entryway.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	19.83 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units Per Acre)
North	Single Family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units Per Acre)
South	Vacant Land	L (Low Density Residential)	U (Undeveloped) [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development 3 Units Per Acre)
East	Single Family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units Per Acre)
West	Vacant Land	RE (Rural Estates Clark County)	R-E (Rural Estates Residential Clark County)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Iron Mountain Ranch	X		Y*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential 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		Y***

* The subject subdivision is located within the Iron Mountain Ranch Residential planned Development Master Plan. The existing subdivision and proposed Private Street use is in conformance with this plan.

** The subject subdivision is within a Residential Planned Development District. The development standards for this district were established in Site Development Plan Review [Z-0094-01(1)] in which this subdivision is in conformance with.

*** The subject subdivision is located within 100 feet of unincorporated Clark County. This meets the criteria of a Project of Significant Impact which must be submitted if a Special Use Permit application is made concerning property within 500 feet of the City Boundary with Clark County or North Las Vegas. A Project of Significant Impact has been filed and sent out to the appropriate agencies.

LEGAL DESCRIPTION:

A request has been submitted by the Wolf Creek Home Owners Association to Vacate right-of-way generally located east of Jones Boulevard and Chestnut Run Avenue, all of Amber Station Avenue, Soaring High Street, Glenmere Avenue and Dakota Trace Circle; a portion of Chestnut Run Avenue and Canyon Ranch Street.

The above property is legally described as a portion of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 12, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

- **Planning and Development**

This Vacation has been submitted in order to provide for the conversion of existing right-of-way from public to private. The residents of the Jones Horse at Iron Mountain Ranch (Wolf Creek) subdivision wish to install an entry gate at the Jones Boulevard and Chestnut Run Avenue entrance and close a portion of Canyon Run Avenue north of Glenmere Avenue. The residents believe this will eliminate the excessive cut-through traffic that the Jones Horse at Iron Mountain Ranch subdivision has been experiencing. As no adverse affects to traffic circulation or site access would result with the proposed Vacation, staff recommends approval of this request.

- **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? *Uniform, as it is to vacate all of the existing public streets within a constructed residential subdivision so that the streets may be privately owned and maintained and ultimately gated.*

- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as it will not change the constructed width of the adjacent public streets.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate public rightofway within a residential subdivision.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *N/A*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No, the streets will remain but become privately owned and maintained.*
- F. Does this vacation request result in a conflict with any existing City requirements? *Yes, however applications for a Special Use permit (SUP-26823) to allow private streets and a Waiver Request (WVR-26389) of Title 18.12.130 have been submitted for approval.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 63 by City Clerk

APPROVALS 9

PROTESTS 0