



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 1, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-34001 - APPLICANT/OWNER: ASHJIAN
DEVELOPMENT, LLC**

**** CONDITIONS ****

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. 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.
3. 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.
4. The limits of this vacation shall be a 10-foot wide portion of the 20-foot wide bridal path that is directly adjacent to the west of parcel number 138-03-501-012 located north of Red Coach Avenue, west of Rainbow Boulevard.
5. The submitted Drainage Plan and Technical Drainage Study must be 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. The drainage study required by Site Development Plan Review SDR28397 may be used to satisfy this requirement provided that the area to be vacated is addressed.

6. 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 unmaintained no-mans land area is not produced by this action. 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.
7. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Vacate 10 feet of a 20-foot wide public alley (bridal path) generally located 178 feet north of Red Coach Avenue and 350 feet west of Rainbow Boulevard. The applicant has indicated that this request is being submitted to fulfill Condition of Approval number 18 of a previously approved Site Development Plan Review (SDR-28397). Since the proposed Vacation is consistent with Condition of Approval number 18 of the approved Site Development Plan Review (SDR-28397), staff recommends approval of the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/20/08	The City Council approved a request for Annexation (ANX-25478) to annex property located on the west side of the Rainbow Boulevard alignment 580 feet south of the Lone Mountain Road alignment. The Planning Commission recommended approval of the request.
08/20/08	The City Council approved a request for a General Plan Amendment (GPA-28394) to amend a portion of the Northwest Sector of the Centennial Hills Master Plan from O (Office) to SC (Service Commercial); a request for a Rezoning (ZON-28396) of property from U (Undeveloped) [O (Office) General Plan Designation] to C-1 (Limited Commercial); a request for a Variance (VAR-28400) to allow five parking spaces where 16 spaces are required; a request for a Variance (VAR-28651) to allow a zero-foot building setback where 10 feet is required along the north and south property lines; a 10-foot setback where 20 feet is required along the east property line and a 10-foot setback where residential adjacency standards require 75 feet along the west property line; a request for a Special Use Permit (SUP-28398) for a proposed Boat/RV Storage Facility; a request for a Special Use Permit (SUP-28399) for a proposed Mini-Storage Facility; a request for a Site Development Plan Review (SDR-28397) for a 74,540 square-foot Mini-Storage and Boat/RV Storage Facility with Waivers to allow a zero-foot landscape buffer on the north and south property lines where eight feet is required and a 10-foot landscape buffer on 2.37 acres on the east property line where 15 feet is required on the west side of Rainbow Boulevard, approximately 150 feet north of Red Coach Avenue. The Planning Commission recommended denial of all associated requests.
05/14/09	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #38/jb).
<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses associated with the subject site.	

<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
04/16/09	During a routine site inspection Staff observed an undeveloped parcel.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.35

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped [Proposed Mini-Storage and Boat/RV Storage Facility]	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	O (Office)	U(Undeveloped) [O(Office) General Plan designation]
South	Undeveloped	O (Office)	R-E (Rural Estates Residential) - Clark County Designation
East	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Undeveloped	O (Office)	R-E (Rural Estates Residential)- Clark County Designation
	Single-Family Residences	O (Office)	R-E (Rural Estates Residential)- Clark County Designation

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
<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 Feet	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	N/A

LEGAL DESCRIPTION

A request has been received from VTN Nevada on behalf of Ashjian Development, LLC to Vacate a portion of a 20-foot alley generally located northwesterly of Red Coach Avenue and Rainbow Boulevard.

The above property is legally described as follows:

A portion of 20 foot wide north-south alley as shown in Block 02 of Bridal Path Estates recorded in Book 06 of Plats, at Page 99 of Clark County, Nevada Records lying within the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 03, Township 20 South, Range 60 East of M.D.M,

ANALYSIS

A) Planning discussion

This is a request to Vacate 10 feet of a 20-foot wide public alley (bridal path) generally located 178 feet north of Red Coach Avenue and 350 feet west of Rainbow Boulevard. The applicant has indicated that this request is being submitted to fulfill Condition of Approval number 18 of a previously approved Site Development Plan Review (SDR-28397), which is required prior to the issuance of any permits or recordation of a map for this site. Since the proposed Vacation is consistent with the Conditions of Approval number 18 of the approved Site Development Plan Review (SDR-28397), staff recommends approval of the 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?

Not applicable; this will result in the existing rightofway being used within a proposed mini storage development.

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

No.

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

No. However, it will accommodate a proposed mini storage development.

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

Yes, this vacation is required by condition for Site Development Plan Review SDR28397.

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.

PLANNING COMMISSION ACTION

There were three speakers opposed to this application at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 10 by City Clerk

APPROVALS 0

PROTESTS 1