

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JUNE 11, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-34307 APPLICANT/OWNER: 2575 S HIGHLAND DRIVE LP**

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

1. The limits of this Petition of Vacation shall be the excess rightofway along the west side of Highland Drive approximately 275 feet northwest of Sutter Avenue, such that a 80-foot right-of-way width is retained.
2. 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.
3. 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.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. 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.
6. 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 is a request to Vacate a 2,131 square-foot portion of right-of-way adjacent to 2575 Highland Drive. The applicant has indicated that Highland Drives right-of-way was realigned to the east; however the old right-of-way remains situated within the northeastern portion of the subject property. Since the portion of right-of-way is no longer being utilized in its intended form, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/18/61	The Board of City Commissioners approved a request to Rezone (Z-0062-60) property from R-E (Residence Estates) to M-1 (Light Industrial) on property located south of Sahara Avenue between Highland Drive and the proposed freeway. The Planning Commission recommended approval of the request.
05/17/06	The City Council approved a request for General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
No relevant building permit or licensing history exists pertaining to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting was neither required nor held for this Vacation request.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was neither required nor held for this Vacation request.	
<i>Field Check</i>	
05/07/09	During a routine site inspection Staff observed a well maintained site

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.63

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	LI/R (Light Industrial/ Research)	M (Industrial)

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North	Hotel	C (Commercial Downtown Redevelopment Area designation)	C-2 (General Commercial)
South	Office	LI/R (Light Industrial/ Research)	M (Industrial)
East	Sexually Oriented Business	LI/R (Light Industrial/ Research)	M (Industrial)
	R.V. Sales	LI/R (Light Industrial/ Research)	M (Industrial)
West	Office	LI/R (Light Industrial/ Research)	M (Industrial)

<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			
Downtown Overlay District	X		Y
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 submitted by Lionel Sawyer & Collins to Vacate a public right-of-way generally located on the corner of Highland Drive and Westwood Drive.

The above property is legally described as follows:

A portion of right-of-way as dedicated in Book 4, Page 84 of Plats, recorded August 12, 1955 in document No. 54447 on file at Clark County, Nevada Recorders Office, lying with the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 9, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

This is a request to Vacate a 2,131 square-foot portion of right-of-way adjacent to 2575 Highland Drive. The applicant has indicated that Highland Drives right-of-way was realigned to the east,

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however the old right-of-way remains situated within the northeastern portion of the subject property. As the portion of right-of-way is no longer being utilized in its intended form, staff is recommending 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?
Uniform.
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability?
No, since no traffic travels through this portion of rightofway.
- C. Does it appear that the vacation request involves only excess right-of-way?
Yes, as the rightofway is landscaped and outside of the vehicular travel lane.
- D. Does this vacation request coincide with development plans of the adjacent parcels?
The adjacent parcel is currently developed.
- 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 2

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APPROVALS 0

PROTESTS 0