

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 28, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-36934 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA**

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

- 1.The limits of this Petition of Vacation shall be defined as the public rights-of-way and all unused City of Las Vegas easements as dedicated and granted by the Town Center 44/50 No. 2 Final Map, Book 138, Page 12..
- 2.Prior to or concurrent with the recordation of the Order of Vacation, a Reversionary Map, such as FMP-36937, or other mapping mechanism shall be recorded to eliminate existing legal parcels that would otherwise be left without legal access by this Petition of Vacation.
- 3.Prior to the recordation of the Order of Vacation, provide a Document of Record of what is constructed and what is not.
- 4.An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and 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.
- 5.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.
- 6.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.
- 7.All development shall be in conformance with code requirements and design standards of all City Departments.

VAC-36934 - Conditions Page Two
January 28, 2010 - Planning Commission Meeting

8. 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.
9. 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.

VAC-36934 - Staff Report Page One
January 28, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Vacate existing rights-of-way, City of Las Vegas drainage, sewer, streetlight, traffic control and pedestrian easements associated with Robinson Canyon Court generally located at the southeast corner of Deer Springs Way and Tee Pee Lane. The purpose of the vacation is to revert the undeveloped recorded subdivision to back acreage. Staff recommends approval, as the right-of-way and easements are unused and may be remapped in a different configuration.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
01/17/01	The City Council approved an Annexation [A-0003-99(A)] to annex property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 617.5 acres of land. The Planning Commission and staff recommended approval. The effective date of the annexation was 01/26/01.
07/05/01	The City Council approved a Rezoning (Z-0034-01) From: U (Undeveloped) Zone [L-TC (Low Residential) General Plan Designation] To: T-C (Town Center) on 69.6 acres located within an area bound by the Farm Road alignment on the north, the Tee Pee Lane alignment on the west, the Fort Apache Road alignment on the east, and approximately 660 feet south of the Deer Springs Way alignment on the south. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a Rezoning (ZON-12108) from U (Undeveloped) Zone [TC (Town Center) Master Plan Designation][L-TC (Low Density Residential – Town Center) Special Land Use Designation] to T-C (Town Center) Zone [L-TC (Low Density Residential – Town Center) Special Land Use Designation] on 5.06 acres at the southeast corner of Tee Pee Lane and Deer Springs Way. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a Site Development Plan Review (SDR-12111) for a 24-unit single family residential development and a waiver of Town Center Streetscape Design Standards on 5.06 acres at the southeast corner of Tee Pee Lane and Deer Springs Way. The Planning Commission recommended approval, whereas staff recommended denial.
05/17/06	The City Council approved a Waiver (WVR-12115) of Title 18.12.160 to allow an intersection offset of 200 feet where 220 feet is the minimum allowed on 5.06 acres at the southeast corner of Tee Pee Lane and Deer Springs Way. The Planning Commission and staff recommended approval.

January 28, 2010 - Planning Commission Meeting

07/19/06	The City Council approved a Review of Condition (ROC-14279) of an approved Site Development Plan Review (SDR-12111) to amend condition Number 9 to allow an 18-foot front yard setback to the front of the garage as measured from the back of the sidewalk where a 22-foot front setback to the front of the garage as measured from the back of the pedestrian access easement was approved for a proposed subdivision on 5.06 acres at the southeast corner of Tee Pee Lane and Deer Springs Way. Staff recommended approval.
07/27/06	The Planning Commission approved a Tentative Map (TMP-14330) for a 24-lot single family residential subdivision on 5.06 acres adjacent to the Southeast corner of Tee Pee Lane and Deer Springs Way. The Planning Commission and staff recommended approval.
09/14/07	A Final Map (FMP-17738) was recorded on 09/14/07 for Town Center 44/50 NO.2. This map consisted of 24 residential lots and four common element lots.
12/15/09	A Reversionary Final Map (FMP-36937) of Town Center 44/50 NO. 2, for reversion to acreage of approximately 3.37 acres at the southeast corner of Tee Pee Lane and Deer Springs Way.
<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 is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

<i>Field Check</i>	
12/22/09	During a routine site inspection staff observed a well-maintained undeveloped site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.37

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	[L-TC (Low Density–Town Center) – Special Land Use Designation]	T-C (Town Center)

VAC-36934 - Staff Report Page Three
January 28, 2010 - Planning Commission Meeting

North	Single-Family Residential	[L-TC (Low Density–Town Center) – Special Land Use Designation]	T-C (Town Center)
South	Undeveloped	[PF-TC (Public Facility–Town Center) – Special Land Use Designation]	T-C (Town Center)
East	Single-Family Residential	[ML-TC (Medium Low Density–Town Center) – Special Land Use Designation]	T-C (Town Center)
West	Perimeter Landscaping	R (Rural Density Residential)	R-PD4 (Residential Planned Development- 4 Units per Acre)
	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development 4 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails			Y
Town Center Arterial Trail 8'	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

LEGAL DESCRIPTION

The above property is legally described as a thirty five-foot (35') wide right-of-way approximately 40 feet (40') north of the center point Echelon Point Drive and one hundred forty feet (140') feet East of Tee Pee Lane. Said property is lying within the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 19, Township 19 South, Range 60 East, M.D.M.

VAC-36934 - Staff Report Page Four
January 28, 2010 - Planning Commission Meeting

ANALYSIS

A) Planning discussion

This is a request to Vacate public rights-of-way and City of Las Vegas sewer, drainage, street light, traffic control and pedestrian access easements associated with Robinson Canyon Court, generally located at the southeast corner of Deer Springs Way and Tee Pee Lane. The applicant has indicated that the Vacation is necessary to process a Reversionary Map (FMP-36937) to convert the mapped lots within Book 138, Page 12 back to acreage.

The Department of Public Works presents 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? *Neither, as the internal right-of-way will be completely eliminated.*
- B.From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the subdivision was never constructed.*
- C.Does it appear that the vacation request involves only excess right-of-way? *No. It is to eliminate the dedicated internal right-of-way by the Town Center 44/50 No. 2 Final Map which is now being reverted to acreage.*
- D.Does this vacation request coincide with development plans of the adjacent parcels? *No.*
- 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

12

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0