



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: WILLIAM LYON HOMES

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-39142	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-39142 CONDITIONS

1. The limits of this Petition of Vacation shall be all of the City of Las Vegas' interest in the recorded plat of Stratton 35, Book 137 Page 54, including but not limited to Public Drainage Easements, Public Sewer Easements, and Public Access Easements located within all private streets and common lots, excluding those areas overlapping the private streets and common elements of the Amended Plat of Stratton 35 [FMP-38588]. This action will vacate only City of Las Vegas interests, and does not affect the interests any other public utility company may have.
2. 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.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. 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

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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.

- 5.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

The applicant is requesting to Vacate the existing Public Utility easements in order to match the amended Final Map (FMP-38588). Site access and circulation to the proposed homes as approved by site plan of a previously remain unchanged. Staff recommends approval of this request with conditions, as the previously approved Tentative Map addresses access and drainage issues. If denied, the approved development could not move forward, as an Order of Vacation must be recorded prior to approval of construction plans or issuance of a building permit.

ISSUES

- This Vacation is required in order for the Amended Final Map (FMP-38588) 77-lot Single-Family Residential development to proceed as approved.
- If denied, the approved development could not move forward, as an Order of Vacation must be recorded prior to approval of construction plans or issuance of a building permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/18/04	The City Council approved the request for a Rezoning (ZON-4200) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and the related Site Development Plan Review (SDR-4198) for a 27-lot single-family residential subdivision on 18.2 acres adjacent to the southeast corner of Iron Mountain Road and Jones Boulevard. The Planning Commission recommended approval and staff recommended denial on 07/08/04.
11/03/04	The City Council approved the request to Annex (ANX-4777) 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road. The Planning Commission and staff recommended approval on 8/26/04. The effective date of the annexation was 11/12/2004.
12/01/04	The City Council approved a request for Rezoning (ZON-5302) of the subject property to R-PD2 (Residential Planned Development – 2 Units Per Acre) and the related Site Development Plan Review (SDR-5304) for Phase II of a Residential Planned Development consisting of 33 lots on 15.79 acres. The City Council also approved a related Variance (VAR-5306) to reduce the amount of required open space to 0 acres. The Planning Commission and staff recommended approval for these cases on 11/04/04.

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04/28/05	The Planning Commission approved a Tentative Map (TMP-6271) for a 60- lot Single Family Residential Planned Development on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval of this request.
01/04/06	The City Council approved a Site Development Plan Review (SDR-9095) for an 83-lot Single Family Residential Planned Development and a Rezoning (ZON-9093) request for Rezoning from R-PD2 (Residential Planned Development – 2 Units per Acre) to R-PD2 (Residential Planned Development - 2 Units per Acre) on 33.39 acres on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. The Planning Commission recommended approval, but staff recommended denial on 12/01/05.
03/09/06	The Planning Commission approved a Variance (VAR-11387) that allowed no open space where 55,364 square-feet is required on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and North Jones Boulevard. Staff recommended approval.
04/13/06	The Planning Commission approved a Tentative Map (TMP-12092) for a 77-lot Single-Family Residential subdivision on 36.68 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval.
07/21/06	The City Council approved a request for a Review of Condition Number 13 (ROC-14027) of an approved Site Development Plan Review (SDR-9095) to allow a minimum lot size of 8,500 square feet where 10,003 square feet is required for a proposed 83-lot Single Family Residential Planned Development on 36.68 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval.
05/15/07	A request for a Final Map Technical Review (FMP-15912) for a 77-lot Single Family Residential Subdivision on 33.61 acres south of Iron Mountain Road and west of Jones Boulevard was approved by the Planning and Development Department. This map was recorded on 06/29/2007.
08/20/08	The City Council approved a Review of Condition Number 14 (ROC-28418) of an approved Site Development Plan Review (SDR-9095) which required the setbacks for this development to be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 7 feet on the side, 15 feet on the corner, and 20 feet in the rear. Staff recommended approval.
08/21/08	The applicant submitted a request for an Amended Final Map Technical Review (FMP-29575) for a 77-lot Single Family Residential Subdivision on 33.61 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. This map was not recorded.
08/26/10	The request for an Amended Final Map Technical Review (FMP-38588) for a 77-lot Single Family Residential Subdivision on 33.17 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard was approved by the Planning and Development Department. This map has not been recorded.

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Most Recent Change of Ownership

12/30/2009	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

There are no building permits or business licenses associated with this request.
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Pre-Application Meeting

A pre-application meeting is not required for this application, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required, nor was one held.

Field Check

08/19/2010	A field check was carried out by staff with the following observations: • There has been no construction other than site clearing and grading.
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Details of Application Request***Site Area***

Gross Acres	36.68
Net Acres	33.17

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	DR (Desert Rural Density Residential)/ RNP (Rural Neighborhood Preservation)	R-PD2 (Residential Planned Development – 2 Units Per Acre) Zone
North	Undeveloped	PR-OS (Parks/Recreation/Open Space)	R-E (Residence Estates)
South	Undeveloped	RNP (Rural Neighborhood Preservation)	R-E (Rural Estates Residential) Clark Preservation) County Designation

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East	Single Family Residential	R (Rural Density Residential)	RPD-3 (Residential Planned Development 3 Units Per Acre)
West	Undeveloped/ Single Family Residential	RNP (Rural Neighborhood Preservation)	R-E (Rural Estates Residential) Clark Preservation) County Designation

Master Plan Areas	Yes	No	Compliance
Master Plan Area		X	NA
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

LEGAL DESCRIPTION

Lying within the northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of section 11, Township 19 South, Range 60 east, M.D.M., City of Las Vegas, Clark County, Nevada, being portions of the common lots of Stratton 35, a common interest community, as shown on that certain map on file in the office of Clark County, Nevada recorder in book 137, page 54 of plats, described as follows: the emergency access easement and public drainage easement within Common Lot C; the City of Las Vegas sewer easement and the emergency access easement within Common Lot D; the public drainage easement within the north 20 feet of Common Lot D and the prolongation thereof across common lot b; the public utility easement within Common Lot E; the public utility easement, City of Las Vegas sewer easement and the public drainage easement within Common Lot F; and the public drainage easement within Common Lot H.

ANALYSIS

This Vacation application proposes to vacate the City of Las Vegas sewer and existing public utility easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will need to be addressed with each respective utility company and will not be affected by the City vacating its interest.

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The Public Utility Easement is no longer needed for this parcel as drainage and access has been addressed in Amended Plat of Stratton 35 (FMP-38588). The proposed Vacation is located within the R-PD2 (Residential Planned Development – 2 Units per Acre) zoning district and meets the criteria set forth by the concurrent approval of the requested Rezoning (ZON-9093) and related Site Development Plan Review (SDR-9095). Staff supports the single-family residential subdivision, and therefore has no objection to the requested petition to vacate the subject Public Utility Easement.

NOTICES MAILED 10

APPROVALS 0

PROTESTS 0