



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: RANCHO CIRCLE SHOPPING CENTER, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-39480	Staff recommends APPROVAL, subject to conditions:	N/A
TMP-39484	Staff recommends APPROVAL, subject to conditions:	VAC-39480

** CONDITIONS **

VAC-39480 CONDITIONS

1. The limits of this Petition of Vacation shall be all of the City of Las Vegas' interest in a 12-foot wide, 320-foot long Public Drainage Easement generally located at the southeast corner of Rancho Drive and Bonanza Road. This action will vacate only City of Las Vegas interests, and does not affect the interests any other public utility company may have.
2. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control section of the Department of Public Works must be submitted to and approved by the Department of Public Works prior to recordation of an Order of Vacation for the Public Drainage Easement. If a Drainage Plan and Technical Drainage Study is required, comply with the recommendations of the Flood Control section in the approved drainage plan/study.
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. All development shall be in conformance with code requirements and design standards of all City Departments.

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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 right-of-way requirements are still complied with and the intent of the vacation application is not changed.

TMP-39484 CONDITIONS

Planning and Development

1. Approval of and conformance to the conditions of approval for a Petition to Vacate (VAC-39480) a public drainage easement over the subject site, shall be required, if approved.
2. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
3. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

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4. Prior to recordation, a note shall be added to the final map to provide irrevocable, perpetual common access and parking to all driveways, drive aisles and parking spaces for all sites located within the boundaries of the commercial subdivision.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Grant a 13-foot roadway easement for possible future widening along Bonanza Road in accordance with the City's Master Plan of Streets and Highways adjacent to this site prior to or concurrent with the recordation of the Final Map for this site. This condition shall not be enforced over any area that is currently occupied by a building.
7. A Petition of Vacation, such as VAC-39480, shall be recorded to eliminate the on-site drainage easement prior to the recordation of a Final Map for this site. Alternatively, show the existing public drainage easement on the Final Map prior to recordation.
8. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
9. Remove and replace all substandard sidewalk improvements adjacent to this site and replace with new sidewalk improvements meeting Current City Standards unless otherwise allowed by the City Engineer.
10. Landscape and maintain all unimproved rights-of-way on Bonanza Road and Rancho Drive adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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11. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
12. All subdivided parcels comprising this commercial subdivision shall provide perpetual inter-site common drainage rights across all existing or future parcel limits and a note to this effect shall appear on the Final Map for this site.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a one-lot commercial subdivision for a site that is already developed and currently contains a convenience store with a car wash, a restaurant with drive-through, a shopping center and a vacant restaurant. There is a companion request for a Petition to Vacate a 12-foot wide by 380-foot long public drainage easement at 320 North Rancho Drive. An existing building is located over an existing 12-foot wide by 380-foot long public drainage easement that must be vacated prior to the recordation of a final map. As this request is appropriate for the existing site, staff recommends approval of these requests with conditions. If the Petition to Vacation is denied, the proposed subdivision of land will not be eligible for the final map review process.

ISSUES

- Approval of a Petition to Vacate (VAC-39480) a public drainage easement on the site is required for approval of the associated request of the Tentative Map (TMP-39484) for a one-lot commercial subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/13/66	The Board of City Commissioners approved a Rezoning (Z-0058-66) from R-E (Residence Estates) to C-1 (Limited Commercial), with a small plot set aside for C-2 (General Commercial), to be a Car Wash on property generally located on the southeast corner of Rancho Road and Bonanza Road. The Planning Commission recommended approval.
11/22/83	The Planning Commission approved a Plot Plan Review [Z-0058-66 (1)] for an Automotive Tire Store on property generally located on the southeast corner of Rancho Road and Bonanza Road.
08/01/84	The City Council approved a Rezoning (Z-0044-84) from C-1 (Limited Commercial) to C-2 (General Commercial) at 2401 West Bonanza Road, to include an Adult Oriented Business. The Planning Commission recommended approval.
01/18/94	The City Council approved Special Use Permit (U-0284-94) for On-Premise Beer/Wine Sales in conjunction with a proposed Restaurant/Bakery at 2301 West Bonanza Road. The Board of Zoning Adjustment recommended approval.

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12/18/97	The Planning and Development Department staff approved an Administrative Site Development Review [Z-0058-66 (2)] for a convenience store, gasoline station, and car wash at 2441 West Bonanza Road.
05/02/01	The City Council approved a request for a Site Development Review [Z-0058-66 (3)] for a Gasoline Station and Convenience Store; and a Special Use Permit (U-0032-01) for a Liquor Establishment (Off Premise Consumption) in conjunction with a proposed convenience store (U-0284-94) at the southeast corner of the intersection of Rancho Drive and Bonanza Road. The Planning Commission recommended approval.
05/15/02	The City Council approved a Special Use Permit (U-0021-02) for a Restaurant Service Bar in conjunction with a proposed restaurant at 2301 West Bonanza Road. The Planning Commission recommended approval.
03/05/03	The City Council approved a request for a Master Sign Plan (MSP-1194) for a convenience store, gas canopy and car wash at 2401 West Bonanza Road. The Planning Commission had made no recommendation (tie vote). The Planning and Development Department staff recommended approval.
09/15/04	The City Council approved a Variance (VAR-4701) to allow a 100-foot tall flag pole where 40 feet is the maximum height allowed at 2401 West Bonanza Road. The Planning Commission recommended approval. The Planning and Development Department staff recommended approval.
08/18/04	The City Council approved a Special Use Permit (SUP-4576) for a Liquor Establishment (Off-Premise Consumption) at 2401 W. Bonanza Road. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership

09/30/03	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

C.1969	The shopping center was constructed.
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Pre-Application Meeting

09/07/10	A pre-application meeting was held to discuss the requirements for the submittal of the Vacation and Tentative Map. No major issues were discussed.
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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.	
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Field Check	
09/16/10	A shopping center, clean and free of debris, with various unpermitted banners, was noted during a field check.

Details of Application Request	
Site Area	
Net Acres	4.62

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Commercial Center	LI/R (Light Industry/ Research)	C-2 (General Commercial)
North	TV Broadcasting/Government Facility	SC (Service Commercial)	C-1 (Limited Commercial)/C-V (Civic)
South	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
East	Condominiums	MXU (Mixed Use)	R-PD46 (Residential Planned Development - 46 Units per Acre)
West	Government Facility	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140 feet)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
<i>Rancho Drive: Primary Arterial (South of Bonanza Road)</i>	Master Plan of Streets and Highways	150	N
<i>Bonanza Road: Primary Arterial</i>	Master Plan of Streets and Highways	100	Y

ANALYSIS

The subject site is completely developed and drains to the northeast. There are existing buildings over the existing 12-foot wide by 380-foot long public drainage easement. Vacation of the existing easement is necessary in order to allow the Tentative Map and Final map processes for a one-lot commercial subdivision to proceed. The existing site will not change; therefore, there is no impact for the West Las Vegas Master Plan. A required bike trail is located along the west perimeter and is already constructed. As this request is appropriate for the existing site, staff recommends approval of these requests with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 1 (VAC only)

APPROVALS 0

PROTESTS 0