



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: OCTOBER 8, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: GRAND CANYON VILLAGE SQUARE, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-50520	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-50520 CONDITIONS

1. The limits of this Petition of Vacation shall be the U.S. Government Patent Easements generally located along the east side of Grand Canyon Drive, approximately 498 feet south of Drake Drive.

2. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the 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 being vacated must be retained.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting that the City of Las Vegas relinquish its interest in Government Patent Easements related to the approved 250,267 square-foot shopping center that will cover a 23.26-acre undeveloped site at the northwest corner of Horse Drive and Oso Blanca Road. Grand Canyon Drive was realigned and the area to be vacated is no longer planned to be utilized for right-of-way purposes. As such, staff recommends approval of the request to vacate the un-used portion of the patent easement.

ISSUES

- The area of the proposed Vacation request has an approved Site Development Plan Review (SDR-44792) for a shopping center.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/12/03	The Department of Planning administratively approved a request for a Parcel Map (PMP-1956) for two commercial lots on property located at the northwest corner of Horse Drive and Oso Blanca Road. The Final Map has not been recorded.
11/17/10	The City Council approved a request for a Rezoning (ZON-39455) from R-E (Residence Estates) to PD (Planned Development) on a portion of 25.48 acres at the northwest corner of Horse Drive and Oso Blanca Road. Planning Commission and staff recommended approval.
11/17/10	The City Council approved a request for a Site Development Plan Review (SDR-39453) for a 250,267 square-foot shopping center at the northwest corner of Horse Drive and Oso Blanca Road. Planning Commission and staff recommended approval.
03/22/12	Staff administratively approved a request for a Minor Amendment (SDR-44792) to a previously approved Site Development Plan Review (SDR-39453) for a 250,267 square-foot shopping center at the northwest corner of Horse Drive and Oso Blanca Road.

<i>Most Recent Change of Ownership</i>	
07/29/10	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
01/10/11	A building permit (#179247) was issued for a freestanding non-illuminated sign at 9580 Horse Drive. The sign was finaled on 04/28/11.
07/14/11	A building permit (#191787) was issued for a Subdivision Development Continuous Directional Sign at 9001 Oso Blanca Road. The sign has not received a final inspection.
02/07/12	A building permit (#201994) was issued for a grading permit at 9001 Oso Blanca Road. The permit has not received a final inspection.

<i>Pre-Application Meeting</i>	
07/23/13	A pre-application meeting was held with the representatives of the applicant's team to discuss the requirements for submitting a Vacation of the Government Patent Easements on the subject parcel entitled by Site Development Plan Review (SDR-44792) for a proposed 250,267 square-foot shopping center.

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

<i>Field Check</i>	
08/29/13	The subject area consists of undeveloped desert free of trash and debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	23.26

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
South	Single Family Residential	PCD (Planned Community Development)	PD (Planned Development)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
East	U.S. 95 Right-of-Way	U.S. 95 Right-of-Way	U.S. 95 Right-of-Way
West	Undeveloped	TND (Traditional Neighborhood Development)	T-D (Traditional Development)

<i>Master Plan Areas</i>	<i>Compliance</i>
Grand Canyon Village	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
PD (Planned Development) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

LEGAL DESCRIPTION

The area of vacation is legally described as a portion of the southwest quarter (SW¼) of the northeast quarter (NE¼), together with a portion of the northwest quarter (NW¼) of the northeast quarter (NE¼) of Section 7, Township 19 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada.

ANALYSIS

This application request proposes that the City of Las Vegas relinquish its interest in Government Patent Easements associated with Assessor's Parcel Number 125-07-601-006, generally located on the east side of the Grand Canyon Drive alignment approximately 775 feet north of Horse Drive. The current easements are retained where right-of-way was to be dedicated for future development. However, the Grand Canyon Drive alignment has shifted west and the area to be vacated is no longer planned to be utilized for right-of-way purposes. It is noted that this request is in relation to the approved Site Development Plan Review (SDR-44792) for a proposed shopping center. The Public Works Department has provided the following comments:

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The Department of Public Works has no objection to the vacation application request to relinquish the City's interests in U.S. Government Patent Reservations generally located along the east side of Grand Canyon Drive, approximately 498 feet south of Drake Drive. This Vacation request should be sent to all the utilities however, as no right of way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to wait for responses from any of the public utilities or other parties interested in preserving a right in this patent easement. Since only City interests are involved; any utility company's interests will need to be addressed with each respective utility company and will not be affected by the City relinquishing its interest.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0