



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JANUARY 14, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: SAHARA CENTER, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-52104	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-52104 CONDITIONS

1. The limits of this Petition of Vacation shall be the public drainage easement granted by document #20131029:01057 generally located north of Sahara Avenue, east of Hualapai Way.
2. A valid replacement Public Drainage Easement shall be submitted and approved by Department of Public Works prior to the recordation of the Order of Vacation. This replacement easement shall record immediately after recordation of the Order of Vacation.
3. 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.

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4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. If the Order of Vacation (or *Order of Relinquishment of Interest if a Patent Reservation*) 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 petitioning to vacate a City of Las Vegas public drainage easement on an 18.30 acre parcel located on the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way. The plans for the site have changed and the location of the drainage easement has changed as well. The development of the site has precipitated the redesign of the drainage onsite resulting in the need to remove the pre-existing drainage easement. As this drainage easement is no longer needed in this current configuration and a new easement will be dedicated, staff recommends approval. If denied, the existing easement would remain.

ISSUES

- The Petition to Vacate is needed as the drainage easement has been relocated on the site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/15/89	The City Council approved the Peccole Ranch Master Plan. The subject site is included in Phase 2 of the Master Plan and is designated for neighborhood commercial uses.
04/04/90	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission and staff recommended approval.
08/21/02	The City Council accepted a request to Withdraw With Prejudice a Site Development Plan Review [Z-0017-90(38)] for a proposed 202,722 square-foot retail building (Super Wal-Mart) on 18.30 acres adjacent to the northeast corner of Sahara Avenue and Hualapai Way. The Planning Commission and staff recommended denial.
07/16/03	The City Council approved a Special Use Permit (SUP-2288) for a Liquor Establishment (Off-Premise Consumption, Beer and Wine) in conjunction with a proposed Convenience Store at the northeast corner of Hualapai Way and Sahara Avenue. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (SDR-2286) for a Convenience Store with Fuel Pumps on 1.1 acres at the northeast corner of Hualapai Way and Sahara Avenue. The Planning Commission and staff recommended approval.

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09/04/03	A two-lot Parcel Map (PMP-1902) on 19.22 acres at the northeast corner of Hualapai Way and Sahara Avenue was recorded.
	The Planning Commission approved a Master Sign Plan (MSP-48470) for a proposed 219,100 square-foot shopping center on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way. Staff recommended approval.
	The Planning Commission approved a Site Development Plan Review (SDR-48469) for a proposed 219,100 square-foot shopping center with a waiver to allow a zero-foot perimeter landscape buffer along a portion of the west and south property lines where eight feet is required on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way. Staff recommended approval.
07/09/13	The Planning Commission approved a Tentative Map (TMP-49515) for a One-Lot Commercial Subdivision on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way. Staff recommended approval.
08/21/13	Planning staff approved an Administrative Site Development Plan Review (SDR-50656) for revised landscaping, alternative wheel stop design, elevation changes, interior parking lot layout revisions and the addition of a drive through to pad "b" on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way.

Most Recent Change of Ownership

11/13/12	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

05/05/11	A building permit (187176) was issued for a wood fence at 10050 West Sahara Avenue. A final inspection has not been approved, and the permit expired 05/07/12.
06/25/13	A building permit (#50036) for Foundation only with landscape was submitted for 10050 West Sahara Avenue. The permit has not been finalized.
10/31/13	A building permit (#50009) for Civil Improvements was issued for a 219,100 square-foot shopping center.

Pre-Application Meeting

11/26/13	Staff met with the applicant and was informed that the requested Vacation is needed as the location for the easement is changing.
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<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
12/05/13	Staff visited the site and found the site in the process of being graded for the approved shopping center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	18.11

<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	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Beer/Wine/Cooler Off-Sale Establishment (Convenience Store)	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential (Apartments)	M (Medium Density Residential)	R-PD20 (Residential Planned Development – 20 Units per Acre)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
West	Beer/Wine/Cooler Off-Sale Establishment (Convenience Store)	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	SF (Single Family – Summerlin South)	R-2 (Medium Density Residential) - Clark County

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<i>Master Plan Areas</i>	<i>Compliance</i>
Peccole Ranch Master Plan Area (Phase 2)	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Purpose or Overlay Districts	N/A
<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)	Y*
Project of Regional Significance	Y*

** The previously approved Site Development Plan Review (SDR-48469) was deemed a project of regional significance and a Development Impact Notice and Assessment form was disseminated to all respective agencies. The Vacation would not require the re-routing of the Development Impact Notice and Assessment form.*

LEGAL DESCRIPTION

The subject property is generally described as follows:

All of that certain drainage easement as described in that certain document titled “Right Of Way Grant For Drainage Purposes”, recorded October 29, 2013 in Book 20131029, Instrument No. 01057, being a portion of Parcel 1 as shown in File 105, Page 53 of Parcel Maps on file at the Clark County, Nevada Recorder’s Office, lying within the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 6, Township 21 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 a drainage easement associated with assessor’s Parcel Number 163-06-416-006, generally located on the north side of Sahara Avenue approximately 220 feet east of Hualapai Way. The drainage for the site is changing and this recorded easement is no longer required. It is noted that this request is in relation to the approved Site Development Plan Review (SDR-48469) for a proposed shopping center. The Public Works Department has provided the following comments:

This Vacation application proposes to vacate a drainage easement generally located north of Sahara Avenue, east of Hualapai Way. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this VAC 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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FINDINGS (VAC-52104)

Staff has no objection to the vacation of this public drainage easement, as the easement has been relocated on the site and a new easement will be dedicated once the location is finalized. Staff recommends approval with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

NOTICES MAILED

2

APPROVALS

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PROTESTS

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