



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JULY 14, 2015

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: WAITT-MONTECITO REAL ESTATE, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-59466	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

VAC-59466 CONDITIONS

1. The limits of this Petition of Vacation shall be the Public Drainage Easement through documents 20070316:01194 and 20040210:00609 generally located at the southwest corner of Rome Boulevard and Grand Montecito Parkway.
2. 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. Provide and improve all drainageways as recommended in the approved drainage plan/study.
3. All 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 an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation 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

MR

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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

6. 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 two drainage easements ranging from 10 to 16 feet wide. The easements are generally located south of the southwest corner of Rome Boulevard and Grand Montecito Parkway. The development plans for the site have evolved and the drainage easements in their current configuration are no longer needed. As these drainage easements are no longer needed in the current configurations, staff recommends approval. If denied, the existing drainage easements would remain.

ISSUES

- This request for a vacation is consistent with the approved Site Development Plan Reviews for an 186,300 square foot, six-story office building and 41,377 square-foot parking structure (SDR-13684) and for a 100 space parking lot (SDR-43790).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/13/06	The Planning Commission approved a Site Development Plan Review (SDR-13684) request for an 186,300 square foot, six-story office building and a 41,377 square-foot parking structure on 8.01 acres at the southwest corner of Rome Boulevard and Grand Montecito Parkway. Staff recommended approval.
11/04/09	The City Council approved a Waiver (WVR-35710) to allow a 394 cubic-foot utility box to be set back zero feet from public right-of-way with no required landscaping where three feet of landscaping is required at 6605 Grand Montecito Parkway. The Planning Commission and staff recommended approval.
02/15/12	The City Council approved request for a Rezoning (ZON-43792) from U (Undeveloped) [Town Center) General Plan Designation] to T-C (Town Center [MS-TC (Main Street Mixed Use – Town Center) Special Land Use Designation] and a Site Development Plan Review (SDR-43790) for a parking lot with Waivers of the Town Center landscape buffer and parking lot landscaping standards. The Planning Commission and staff recommended approval.

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<i>Most Recent Change of Ownership</i>	
03/04/11	A deed was recorded for APN 125-20-810-002 for a change in ownership.
02/29/12	A deed was recorded for APN 125-20-803-009 for a change in ownership.
10/13/14	A deed was recorded for APN 125-2-803-003 for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/05/07	A building permit (#7002845) for a two-story parking structure was issued at 6603 Grand Montecito Parkway. The permit was finalized on 12/14/09.
	A building permit (#7002844) was issued for an office shell building at 6605 Grand Montecito Parkway. The permit was finalized on 12/14/09.
10/17/07	A building permit (#7002912) was issued for onsite improvements and hardscapes at 6605 Grand Montecito Parkway. The permit has not been finalized, as of 06/18/15.
04/19/07	Civic Improvement Plans (L-Civil-18400) were approved for a 186,300 square-foot six-story office building and 41,377 square-foot parking structure at Grand Montecito Parkway and the Beltway. The project was finalized on 04/23/07.

<i>Pre-Application Meeting</i>	
05/06/15	A pre-application meeting was held with the applicant's designated representative. The submittal requirements to vacate the public drainage easements associate with the subject property were discussed.

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

<i>Field Check</i>	
06/04/15	A field check was conducted of the subject site, which revealed that the site is partially developed with an office building and parking structure. The site is landscaped and well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	13.87

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title Town Center Development Standards</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Office, other than listed	MS-TC (Main Street Mixed Use)	T-C (Town Center)
	Parking Facility		
	Undeveloped		
North	Single-Family Residences	MS-TC (Main Street Mixed Use)	T-C (Town Center)
	Public or Private School, Primary (An Elementary School)		
South	Freeway	Right-Of-Way	Right-Of-Way
East	Low Density	L –TC (Low Density Residential)	T-C (Town Center)
West	Undeveloped	MS-TC (Main Street Mixed Use)	U (Undeveloped)

<i>Master Plan Areas</i>	<i>Compliance</i>
Town Center Master Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	Y
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

Being a portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 20, Township 19 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada more particularly described as follows:

Being Lot 4 of Montecito Town Center South, A Commercial Subdivision, as shown by map thereof on file in Book 113, of Plats Page 38 in the office of the County Recorder's Office, Clark County, Nevada.

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Excepting therefrom that portion conveyed to the City of Las Vegas, a municipal corporation, by Grant Deed recorded November 16, 2006, in Book 20061116, as Document No. 05116, of Official Records.

Together with a portion of Lot Two (2), Certificate of Land Division 62-80 recorded May 21, 1980 in Book 1230 as Instrument No. 1189729, of Official Records.

Excepting therefrom the north 30 feet, the east 50 feet and a spandrel area in the northeast corner as conveyed to Clark County by Deed Recorded May 21, 1980, in Book 1230, of Official Records, as Document No. 1189727 of Official Records.

Further excepting therefrom that portion of said Lot Two (2) that portion conveyed to the County of Clark, a political subdivision of the State of Nevada, for a portion of the Northern/Western Segment of the Las Vegas Beltway in a Deed recorded January 29, 1998 in Book 980129 as Instrument No. 02109, Official Records.

Together with those portions as vacated by those certain order of vacations recorded February 10, 2004 in Book 20040210 as Document No. 00608, and recorded March 26, 2004 in Book 20040326 as Document No. 01023 of Official Records.

Together with the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 20, Township 19 South, Range 60 East, of M.D.M., Containing 13.87 acres of land.

ANALYSIS

The existing public drainage easements are no longer needed in their current configuration, as new ones will be dedicated once the construction of an 186,300 square foot, six-story office building and 41,377 square-foot parking structure is complete.

Public works has noted that 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.

FINDINGS (VAC-59466)

The existing easements are in conflict with the existing six-story office building and parking structure and the proposed parking lot to the south. New drainage patterns have been created for this site and existing easements no are longer needed. For these reasons, staff recommends approval of the requested Petition to Vacate.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 4

APPROVALS 0

PROTESTS 0