



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: M S NORTHWEST LAND COMPANY, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAC-66489	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

**** CONDITIONS ****

VAC-66489 CONDITIONS

1. The limits of this Petition of vacation shall be the west side of Doe Brook Trail adjacent to Assessor Parcel Numbers (APN) #125-20-603-002 and #125-20-603-004.
2. The Order of Vacation shall reserve a public sewer easement on the east five feet of the area proposed to be vacated.
3. Provide a plan prepared by a licensed Professional Land Surveyor showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right of way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Traffic Engineer prior to the recordation of the Order of Vacation.
4. The Order of Vacation shall reserve a public drainage easement over the entire area proposed to be vacated. Alternatively, a 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 for this application. Appropriate drainage easements shall be reserved as recommended by the approved Drainage Plan/Study.
5. 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. Existing public streetlights, if any, shall be removed and returned to the City yard. Alternatively, the streetlights may remain if the applicant disconnects them from public electrical service and installs a new private electrical service to energize the lights. Such reassignment of streetlights shall be coordinated with the Traffic Electrical Field Operations (TEFO) section of the Department of Public Works.
6. 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

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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 or easement being vacated must be retained.

7. The Las Vegas Water District (LVVWD) will require a 50-foot wide permanent easement that must be free of any structures, buildings, walls, etc. and fully drivable for access at all times.
8. 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.
9. All development shall be in conformance with code requirements and design standards of all City Departments.
10. 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 requesting a Vacation of the west portion of Doe Brook Trail generally located southeast of West Dorrell Lane and Grand Montecito Parkway. Staff supports the applicant's request.

ISSUES

- The applicant must be granted a Vacation in order to vacate the west portion of Doe Brook Trail generally located southeast of West Dorrell Lane and Grand Montecito Parkway. If the Vacation is denied, the west portion of Doe Brook Trail will remain a public right-of-way. Staff supports the applicant's request.

ANALYSIS

The applicant proposes to vacate the west portion of Doe Brook Trail generally located southeast of West Dorrell Lane and Grand Montecito Parkway. According to the submitted justification letter, this request would allow anticipated future development at the subject site to maximize the area and implement the most efficient traffic flow system. Staff recommends approval with conditions. If denied, the west portion of Doe Brook Trail will remain a public right-of-way.

The Las Vegas Valley Water District (LVVWD) has commented on the requested Vacation stating, "LVVWD has a major transmission water main within the existing 50-foot dedicated right of way that is contiguous to the existing 50-foot permanent BLM grant to the north and the 50-foot permanent easement to the south. If right of way is to be vacated, LVVWD will require a 50-foot wide permanent easement that must be free of any structures, buildings, walls, etc. and fully drivable for access at all times." A condition of approval has been added to address this issue.

FINDINGS (VAC-66489)

The Department of Public Works presents the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Uniform as it will serve to vacate excess right-of-way

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- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?
No as it is an unused portion of Doe Brook Trail.
- C. Does it appear that the vacation request involves only excess right-of-way?
Yes.
- D. Does this vacation request coincide with development plans of the adjacent parcels?
No.
- E. Does this vacation request eliminate public street access to any abutting parcel?
Yes, but all parcels are owned by the same owner.
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

LEGAL DESCRIPTION

PUBLIC RIGHT-OF-WAY VACATION

THIS LEGAL DESCRIBES A PORTION OF DOE BROOK FOR VACATION PURPOSES.

BEING THE EAST 50.00 FEET, OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST (NE ¼) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

RESERVING THERFROM AN EASEMENT FOR UTILITY PURPOSES ATTACHED HERETO AND BY THIS REFERENCE MAD A PART HEREOF.

CONTAINING 32,703 SQUARE FEET (.75 ACRES), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>
There are no relevant city actions.

<i>Related Building Permits/Business Licenses</i>
There are no relevant building permits or business licenses.

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<i>Pre-Application Meeting</i>	
08/23/16	A Pre-Application Meeting was held with the applicant to review the application materials and submittal requirements for the proposed Vacation.

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

Field Check	
09/01/16	Staff conducted a routine field check and found the site to be vacant and free of debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	.75

<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	Public Right-of-Way	N/A	N/A
North	Public Park	TC Town Center	T-C Town Center
South	Undeveloped	TC Town Center	T-C Town Center
East	Undeveloped	TC Town Center	T-C Town Center
West	Undeveloped	TC Town Center	T-C Town Center

<i>Master Plan Areas</i>	<i>Compliance</i>
Town Center Master Plan	Y
Montecito Town Center	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	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