



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: OCTOBER 10, 2023**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA, LLC**

---

**\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>23-0394-VAC1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      20

**NOTICES MAILED**                      4

**PROTESTS**                      0

**APPROVALS**                      0

**\*\* CONDITIONS \*\***

---

**23-0394-VAC1 CONDITIONS**

---

1. The limits of this Petition of Vacation shall be that portion of the "Roadway Slope Easement" recorded in Book 20180412 of official records, as instrument number 01041, that lie within the boundaries of Lot 2.30 of Skye Canyon Phase 4.
2. Per condition #7 of 21-0472-TMP1, this Order of Relinquishment shall record immediately prior to and concurrent with a mapping action related to 21-0472-TMP1 that is encumbered by this Slope Easement.
3. Wall construction and grading is allowed within the Public Slope Easement prior to the recordation of the Order of Vacation. However, the Order of Vacation shall not record until a retaining wall is constructed and inspected to eliminate the need for the Slope Easement.
4. 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 if recommended by the approved Drainage Plan/Study. The Drainage Study required by 21-0472-TMP1 may be used to satisfy this condition.
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.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. 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-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.

**Conditions Page Two**  
**October 10, 2023 - Planning Commission Meeting**

8. If the Order of Vacation is not recorded by September 15, 2025 or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**Staff Report Page One**  
**October 10, 2023 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a petition to vacate a portion of a roadway slope easement generally located on the west side of Shaumber Road, approximately 556 feet north of Eagle Canyon Avenue.

**ISSUES**

- Pursuant to Condition #7 of approved Tentative Map (21-0472-TMP1), "Prior to and concurrent with the recordation of a Final Map for the site, A Petition of Vacation shall be recorded to eliminate the unused Slope Easements encumbering this site."
- The Planning Commission approved Vacation (21-0662-VAC1) request to vacate the subject roadway slope easement on 12/14/21. The entitlement has since expired.
- A condition of approval with an expiration date aligning with associated Tentative Map (21-0472-TMP1) has been added.

**ANALYSIS**

On September 14, 2021, the Planning Commission approved Tentative Map (21-0472-TMP1) for a 49-lot single-family residential subdivision on the subject site. Pursuant to Condition #7 of the approved tentative map the Department of Public Works indicated, "Prior to and concurrent with the recordation of a Final Map for the site, A Petition of Vacation shall be recorded to eliminate the unused Slope Easements encumbering this site."

The applicant has requested that the City of Las Vegas vacate a portion of an unused roadway slope easement generally located on the west side of Shaumber Road, approximately 556 feet north of Eagle Canyon Avenue pursuant to Condition #7.

The Department of Public Works has commented that they have no objection to the vacation application request to vacate a slope easement adjacent to the Sheep Mountain Parkway. 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.

**Staff Report Page Two**  
**October 10, 2023 - Planning Commission Meeting**

**FINDINGS (23-0394-VAC1)**

Staff has no objection to the vacation of the existing roadway slope easement; therefore, staff recommends approval with conditions.

**Staff Report Page Three**  
**October 10, 2023 - Planning Commission Meeting**

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
02/20/08	The City Council approved a request for a General Plan Amendment (GPA-25383) to modify Map Number 7 ("Existing and Proposed Trail Alignments") of the Centennial Hills Sector Plan to remove alignments of a proposed Multi-Use Non-Equestrian Trail along the Hualapai Way alignment between Grand Teton Drive and Kyle Canyon Road and along Log Cabin Way between Fort Apache Road and a point approximately 4,080 feet in a westerly direction.
05/12/15	The Planning Commission approved a request (TMP-58560) for a 66-Lot Mixed-Use Subdivision on 1,501.80 acres at the northeast corner of Grand Teton Drive and Puli Drive.
10/08/19	The Planning Commission approved a request for a Tentative Map (TMP-77328) for a Parent Tentative Map for a 17-Lot Master Planned Subdivision on 275.26 acres at the northwest corner of W Skye Canyon Park Drive and Skye Village Road.
09/14/21	The Planning Commission approved a request for a Tentative Map (21-0472-TMP1) for a 49-lot single-family residential subdivision on 4.96 acres on the west side of Shaumber Road approximately 556 feet north of Eagle Canyon Avenue. Staff recommended approval of the request.
12/14/21	The Planning Commission approved Vacation (21-0662-VAC1) request to vacate a roadway slope easement generally located on the west side of Shaumber Road, approximately 556 feet north of Eagle Canyon Avenue. The petition expired as it was never exercised.

<b><i>Most Recent Change of Ownership</i></b>	
01/14/20	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
There are no building permits or business licenses related to the subject site.	

<b><i>Pre-Application Meeting</i></b>	
07/26/23	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Petition to Vacate unused slope easements associated with approved Tentative Map (21-0472-TMP1).

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

**Staff Report Page Four**  
**October 10, 2023 - Planning Commission Meeting**

<b>Field Check</b>	
08/31/23	During a routine site inspection staff observed an undeveloped site with desert vegetation.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	4.96

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	MLA (Medium-Low Attached) Skye Canyon Special Land Use Designation	T-D (Traditional Development)
North	Undeveloped	S (School) Skye Canyon Special Land Use Designation	T-D (Traditional Development)
South	Single Family, Detached	ML (Medium-Low) Skye Canyon Special Land Use Designation	T-D (Traditional Development)
East	Single Family, Detached	L (Residential Low) Skye Canyon Special Land Use Designation	T-D (Traditional Development)
	Community Open Space	A (Arroyo) Skye Canyon Special Land Use Designation	
West	Undeveloped	L (Residential Low) Skye Canyon Special Land Use Designation	T-D (Traditional Development)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Kyle Canyon	Y
Skye Canyon	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
T-D (Traditional Development) District	Y

**Staff Report Page Five**  
**October 10, 2023 - Planning Commission Meeting**

<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A