



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: MAY 14, 2024**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

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

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0172-VAC1</b>	Staff recommends APPROVAL, subject to conditions:	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**      N/A

**NOTICES MAILED**                      5

**PROTESTS**                                0

**APPROVALS**                              0

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

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**24-0172-VAC1 CONDITIONS**

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1. The limits of this Petition of Vacation shall be the Public Slope Easement located near the southwest corner of Shaumber Road and Skye Canyon Park Drive, along the western edge of Assessor Parcel Number 126-12-315-001.
2. Provide a grading plan depicting where the wall will be located and how much retaining, if any is proposed. 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. The City may require that some of the existing slope easement is retained.
3. 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.
4. 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.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. 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 that would/should cross any right-of-way being vacated must be retained.

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7. 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 Director of Community Development, then approval will terminate and a new petition must be submitted.

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

**PROJECT DESCRIPTION**

This is a petition to vacate a portion of a roadway slope easement generally located at the southwest corner of Shaumber Road and W Skye Canyon Park Drive.

**ISSUES**

- A Vacation (24-0172-VAC1) is requested to vacate a portion of a roadway slope easement generally located at the southwest corner of Shaumber Road and W Skye Canyon Park Drive. Staff supports the request.
- The subject site is located within the Skye Canyon Master Plan Area and has a Skye Canyon Land Use Designation of S (School).
- The subject site is currently undeveloped and no development is proposed at this time.
- Per Title 19.16.080.F, this Vacation request is eligible to be made Final Action at the Planning Commission.

**ANALYSIS**

The Department of Public Works has commented, "We have no objection to the vacation application request to vacate a slope easement adjacent to the Sheep Mountain Parkway, provided a retaining wall is constructed to eliminate the need for the slope easement. 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."

**FINDINGS (24-0172-VAC1)**

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

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**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
12/01/04	The City Council approved a Resolution (R-176-2004) adopting guidelines for development within the Kyle Canyon Gateway area
01/18/06	The City Council approved a request (GPA-9167) to amend a portion of the Centennial Hills Sector Plan of the General Plan to change land use designations from PCD (Planned Community Development), SC (Service Commercial), and PF (Public Facilities) to TND (Traditional Neighborhood Development) on 1,712 acres generally located north of Grand Teton Drive, between Puli Road and Fort Apache Road. The Planning Commission and staff recommended approval
05/16/07	The City Council approved a Development Agreement (DIR-21605) between Kyle Acquisition Group, LLC and the city of Las Vegas on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road for the development of the Kyle Canyon Master Plan. The Planning Commission and staff recommended approval. In a related item, the City Council voted to approve a Parks Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas. Staff recommended approval.
	The City Council approved a request for a Rezoning (ZON-20543) from U (Undeveloped) [TND (Traditional Neighborhood Development) General Plan Designation] and R-E (Residence Estates) to T-D (Traditional Development) on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road. The Kyle Canyon Development Standards and Design Guidelines were approved as part of this action. The Planning Commission and staff recommended approval.
09/23/08	Wachovia Bank, National Association, acting as the managing creditor of 41 creditors, foreclosed on the Kyle Canyon property. A new entity called KAG Property, LLC was formed to assume ownership of the Kyle Canyon property.
04/08/14	The Planning Commission approved a parent Tentative Map (TMP-53058) for a 45-lot subdivision (Skye Canyon) on 1,661.80 acres approximately 1,800 feet north of Horse Drive on the west side of Oso Blanca Road. Staff recommended approval.
07/15/15	The City Council approved a request regarding the 2nd Restatement and Amendment of the Development Agreement (DIR-59826) for the Kyle Canyon Development on approximately 1,662 acres at the southwest corner of Fort Apache Road and Moccasin Road. Planning Commission and staff recommended approval.
08/13/19	The Planning Commission approved a request for a parent Tentative Map (Skye Canyon Phase 4) for a 14-lot master planned subdivision on 275.26 acres at the northwest corner of W Skye Canyon Park Dr and Skye Village Road. Staff recommended approval.

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<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 related building permits/business licenses of note.

<b><i>Pre-Application Meeting</i></b>	
03/20/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Vacation.

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

<b><i>Field Check</i></b>	
04/04/24	Staff conducted a routine field check and found an undeveloped lot. No issues were noted.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	11.85

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

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