

**NORTH LAS VEGAS CITY COUNCIL  
AGENDA ITEM**

Number: **17**

**SUBJECT:**

VAC-02-08 (Cashman Retail Center), an application submitted by Cashman Equipment on behalf of JRTL LTD., property owner, to vacate an existing portion of Donovan Way commencing at Craig Road and proceeding south approximately 1,650 feet.

**REQUESTED BY:**

Cashman Equipment on behalf of JRTL LTD., property owner

**RECOMMENDATION OR RECOMMENDED MOTION:**

It is recommended that on April 2, 2008, Council set a public hearing date for VAC-02-08 for May 7, 2007. Following the public hearing, it is recommended that Council approve VAC-02-08.

**FISCAL IMPACT:**

Amount: \$

Explanation:

**ACCOUNT NUMBER:**

**STAFF COMMENTS AND BACKGROUND INFORMATION:**

At the meeting of March 12, 2008, the Planning Commission unanimously recommended approval (7-0 vote) of VAC-02-08. Commissioner Dean Leavitt made the motion and Commissioner Harry Shull seconded the motion. The request is to vacate a portion of a 50-foot public right-of-way to facilitate an expansion of the existing business on the site. Donovan way will be realigned per exhibit submitted with this application (see attached Staff Report).

None of the reviewing departments object to the vacation and five (5) conditions of approval have been recommended by reviewing departments (see attached Staff Report for the recommended conditions). Condition No. 4 was amended at the Planning Commission meeting as follows:

"The developer shall not place any structure within thirty (30) feet of the existing water main prior to the water main being abandoned and relocated, or as otherwise approved by the Director of Utilities."

**Attachments:**

Staff Report with Attachments

Excerpt of the Planning Commission Meeting

Location and Zoning Map

**LIST CITY COUNCIL GOAL(S):**

Well-Planned Quality Growth, Quality Municipal Services

**PREPARED BY:**

**RESPECTFULLY  
SUBMITTED:**

**CITY COUNCIL  
MEETING DATE:**



April 2, 2008

Frank Fiori, AICP  
Acting Planning and Zoning Director

Gregory E. Rose  
City Manager

**#7) VAC-02-08  
CASHMAN RETAIL CENTER  
VACATION REQUEST  
PUBLIC HEARING**

**STAFF REPORT**

To: Planning Commission  
Item: VAC-02-08

Meeting date: March 12, 2008  
Prepared by: Paul Yadro

**GENERAL INFORMATION**

Applicant:	Cashman Equipment								
Owner(s):	JRTL LTD.								
Requested Action:	To vacate a portion of Donovan Way.								
Location:	South of Craig Road, west of Interstate 15, and east of the Union Pacific Rail Road.								
Parcel(s):	139-01-702-004 & 139-01-304-002								
Comprehensive Plan:	Heavy Industrial								
Existing land use and zoning:	Existing industrial development; M-2, General Industrial District								
Surrounding land use and zoning:	<table><tbody><tr><td><u>North:</u></td><td>Industrial development; M-2, General Industrial District.</td></tr><tr><td><u>East:</u></td><td>Industrial development and Interstate 15; M-2, General Industrial District.</td></tr><tr><td><u>South:</u></td><td>Industrial development; M-2, General Industrial District.</td></tr><tr><td><u>West:</u></td><td>Industrial development and the Union Pacific Rail Road; M-2, General Industrial District.</td></tr></tbody></table>	<u>North:</u>	Industrial development; M-2, General Industrial District.	<u>East:</u>	Industrial development and Interstate 15; M-2, General Industrial District.	<u>South:</u>	Industrial development; M-2, General Industrial District.	<u>West:</u>	Industrial development and the Union Pacific Rail Road; M-2, General Industrial District.
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<u>South:</u>	Industrial development; M-2, General Industrial District.								
<u>West:</u>	Industrial development and the Union Pacific Rail Road; M-2, General Industrial District.								

**BACKGROUND INFORMATION**

The applicant is requesting to vacate a portion of Donovan Way, which is located south of Craig Road, east of the Union Pacific Rail Road, and west of Interstate 15. As stated in the applicant's letter of intent, the vacation of the above mentioned street will facilitate

an expansion on the existing industrial site (new construction) and a realignment of Donovan Way. The applicant submitted a detailed site plan, floor plan, and elevations for Task Force review with regards to a proposed expansion of the existing industrial site. Task Force comments included that Donovan Way will need to be vacated and realigned in order for the property owner to pursue the proposed development as submitted to Task Force.

## **DEPARTMENTAL COMMENTS**

**Public Works Department:** See attached memorandum.

**Fire Department:** See attached memorandum.

**Utilities Department:** See attached memorandum.

## **ANALYSIS**

The subject properties adjoin M-2, General Industrial District to the south, Craig Road to the north, M-2, General Industrial District to the east, and the Union Pacific Rail Road to the to the west. With the completion of the proposed right-of-way vacation, Donovan Way would be realigned and its remnants would be incorporated into the surrounding parcels owned by JRTL LTD. and Donovan Investments.

The Public Works Department, Fire Department and Planning and Zoning Department do not have any objections to the proposed vacation of Donovan Way.

## **RECOMMENDATION:**

The Planning and Zoning Department recommends that VAC-02-08 be approved subject to the following conditions:

1. A public utility easement shall be reserved over the entire area to be vacated.
2. Order of vacation may not record until the City of North Las Vegas has accepted the re-aligned Donovan Way for maintenance.
3. Should the Order of vacation not record within two (2) years of the approval date, the vacation shall be null and void.
4. The developer shall not place any structure within thirty (30) feet of the existing water main.

5. The vacation shall record concurrent with the dedication of Donovan Way and the public utility easement as identified in Condition No. 1.

## **ATTACHMENTS**

Public Works Department Memorandum  
Fire Department Memorandum  
Utilities Department Memorandum  
Letter of Intent  
Boundary Map/Vacation Exhibit  
Location & Zoning Map

**CITY OF NORTH LAS VEGAS**  
**INTEROFFICE MEMORANDUM**

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To: Frank Fiori, Acting Director of Planning and Zoning Department  
From: Tracy Somers, Land Development Project Leader, Department of Public Works  
Subject: VAC-02-08 Cashman Equipment Vacate portion of Donovan Way  
commencing @ Craig Road & proceeding south approximately 1,650 feet  
Date: February 14, 2008

The Department of Public Works recommends the following conditions of approval:

1. Order of Vacation may not record until the City of North Las Vegas has accepted the re-aligned Donovan Way for maintenance.
2. A public utility easement is require to be reserved over entire area to be vacated.
3. Should the Order of Vacation not record within two years of the approval date, the vacation shall be deemed null and void.

  
Tracy Somers, Land Development Project Leader  
Department of Public Works

**CITY OF NORTH LAS VEGAS**  
**INTEROFFICE MEMORANDUM**

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To: Planning Commission  
From: Michael Steele, Fire Protection Specialist  
Subject: VAC -02-08  
Date: December 27, 2007

The Fire Department is not opposed to this application. However, due to emergency response considerations, the new portion of Donovan must be built prior to vacating the existing portion. If the Planning Commission chooses to approve this application, the Fire Department wishes to condition such approval as follows:

- 1) The vacation shall not record until such time the City of North Las Vegas accepts the new portion of Donovan Way for maintenance.

  
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Michael Steele, Fire Protection Specialist

# **CITY OF NORTH LAS VEGAS**

## **INTEROFFICE MEMORANDUM**

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To: Robert Eastman, AICP, Principal Planner, Planning & Development  
Department  
Cc: Paul Yardo, Planner  
From: Carolyn A. Keller, E.I., Engineering Assistant, Utilities Department  
Subject: VAC-02-08 Cashman Retail Center  
Date: February 5, 2008

The Utilities Department recommends the following conditions of approval:

1. The area proposed to be vacated shall be reserved as a public utility easement.
2. The developer shall not place any structure within thirty feet (30') of the existing water main.
3. The vacation shall record concurrent with the dedication of Donovan Way and the public utility easement as identified in condition one.



January 29, 2008

City of North Las Vegas  
Planning Department  
2266 Civic Center Drive  
North Las Vegas, NV 89030

**Re: Donovan Way Vacation (139-01-702-004)**

Ladies and Gentlemen:

We respectfully request your review and approval of the attached Vacation application for Donovan Way through the existing Cashman Retail Center. Cashman Retail Center is at the Southeast corner of Craig Road and Donovan Way. The vacation area is split into two separate areas. Area 1 is approximately 51,264 square feet and Area 2 is approximately 13,570 square feet. Please refer to the enclosed site plan for the proposed vacation areas.

Donovan Way is currently being redesigned with the Craig Road grade separation construction. Once the new alignment of Donovan Way is finished the existing alignment will no longer be required. The adjacent developer, Cashman Equipment, would like to utilize this vacated area as a future building site. Access to the proposed development will be from the new Donovan Way alignment.

Should you have any questions, please feel free to contact our office at (702) 216-2800.

Sincerely,

A handwritten signature in cursive script that reads "Stacey Medina".

Stacey Medina  
Project Coordinator

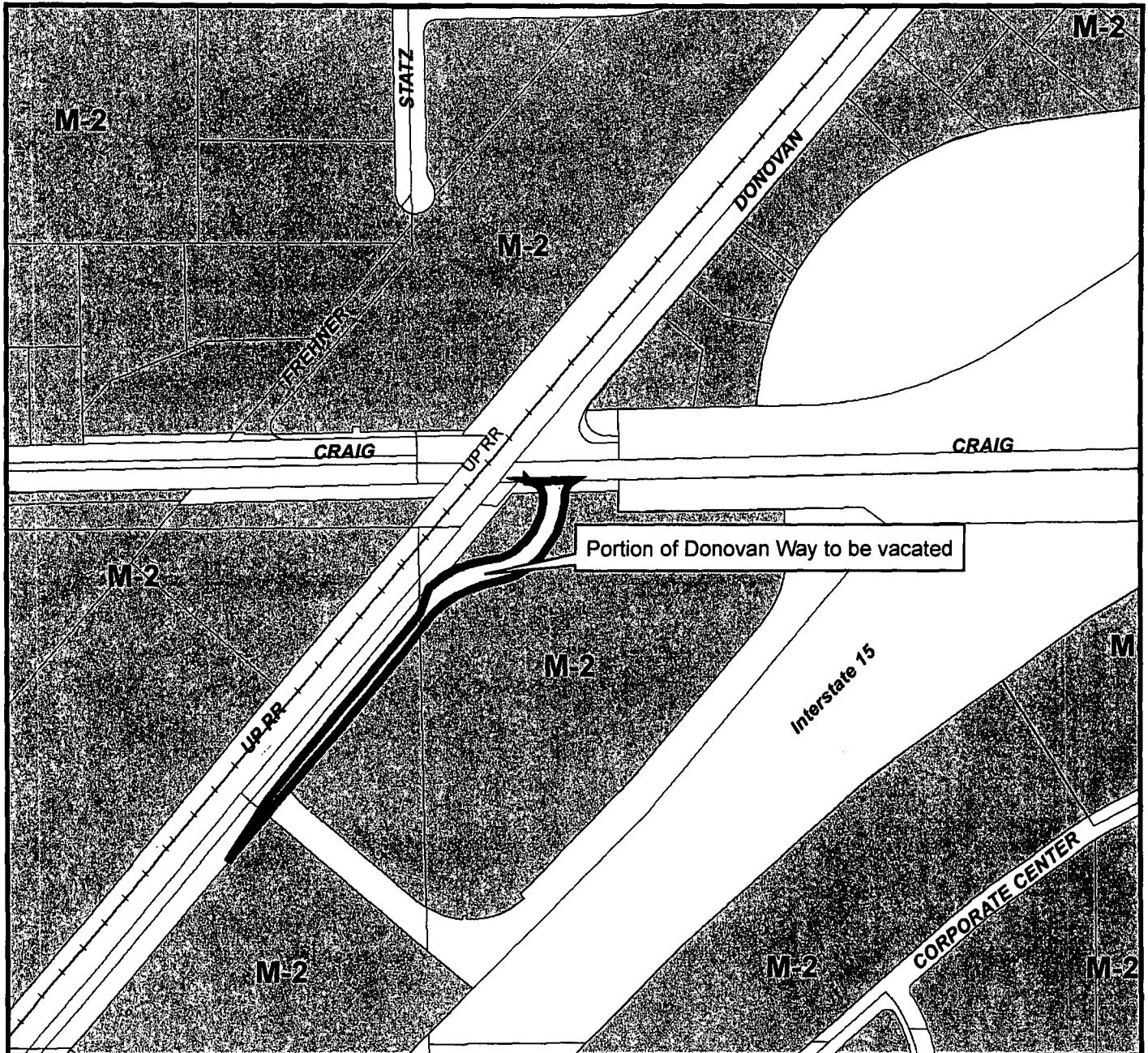






# THE CITY OF NORTH LAS VEGAS

## Location & Zoning Map



0 150 300 600 900 1,200  
Feet

Applicant: Cashman Equipment  
Application Type: Vacation  
Request: Vacate a Portion of Donovan Way  
Project Info: Portion of Donovan Way commencing  
at Craig Road and proceeding south approx. 1650 ft.  
Case Number: VAC-02-08

