

04/18/23 PC AGENDA SHEET

RIGHT-OF-WAY/EASEMENTS
(TITLE 30)

WIGWAM AVE/INDIAN RUN FALLS LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0062-WIGWAM RANCH EAST ESTATES HOA:

VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Bruce Street and Treasure Trove Street, and a portion of a right-of-way being Indian Run Falls Lane located between Wigwam Avenue and Ford Avenue within Paradise (description on file). MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

177-14-713-003; 177-14-713-004; 177-14-713-044 through 177-14-713-046; 177-14-713-049; 177-14-713-050; 177-14-713-053; 177-14-713-070 through 177-14-713-074; 177-14-713-080; 177-14-714-003; 177-14-714-009 through 177-14-714-012

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

This request is to vacate a portion of right-of-way described as Indian Run Falls Lane and 3 pedestrian access easements located along Indian Run Falls Lane. The portion of Indian Run Falls Lane that is proposed to be vacated is depicted on the site plan as an approximately 610 foot long stretch of Indian Run Falls Lane, beginning approximately 20 feet south of the intersection with Wigwam Avenue and continuing south to the bulb of the street. A 20 foot extension on the eastern spandrel of Indian Run Falls Lane is also proposed to be vacated with the Indian Run Falls Lane right-of-way.

The other portion of this application is the proposed vacation of 3 pedestrian access easements located along Indian Run Falls Lane. The first 2 pedestrian access easements are located to the east and west of Indian Run Falls Lane along the spandrel area with Zicker Avenue. These easements measure approximately 47 feet wide on the short side and 77 feet on the long side and extend approximately 15 feet along Zicker Avenue from the edge of Indian Run Falls Lane. The third pedestrian access easement is located to the east of Indian Run Falls Lane along the spandrel area with a stub street in the Low Creek Court alignment. This easement measures approximately 38 feet on the short side and 68 feet on the long side and extends approximately 15 feet along the stub street from the edge of Indian Run Falls Lane.

The applicant states this vacation is needed in order for the homeowner's association to place a gate at the entrance of the community. The homeowner's association would take control of maintenance of the vacated right-of-way. This vacation would make all streets within the development, and behind the future gate, private. The applicant states the vacation of Indian Run Falls Lane and the street becoming private, the public pedestrian access easements would no longer be necessary and would need to be vacated to allow the placement of the gate.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-1582-05	Vacated and abandoned a portion of Wigwam Avenue for sidewalks and patent easements along Burnham Avenue	Approved by PC	November 2005
VS-1053-05	Vacated and abandoned patent easements and portions of Burnham Avenue and Cougar Avenue for a single family residential subdivision	Approved by PC	September 2005
VS-1052-05	Vacated and abandoned patent easements along Burnham Avenue and on the east and south sides of a proposed single family residential subdivision	Approved by PC	September 2005
NZC-1863-03 (WC-0130-05)	Waived conditions of a zone change for minimum lot size, right-of-way dedication, and off-sites	Approved by BCC	August 2005
WS-0074-05	Waived off-site improvements in conjunction with an approved planned unit development	Approved by PC	February 2005
TM-0033-05	75 lot single family residential subdivision with common landscape elements	Approved by PC	February 2005
VS-1565-04	Vacated and abandoned a portion of Wigwam Avenue and Ford Avenue to accommodate meandering sidewalks - expired	Approved by PC	October 2004
NZC-1863-03	Reclassified the site from R-E to R-2 zoning for a single family residential planned unit development	Approved by BCC	May 2004
VS-1522-02	Vacated and abandoned a portion of Burnham Avenue and a 30 foot easement between Wigwam Avenue and Cougar Avenue	Approved by PC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-D & R-1	Single family residential
South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential (planned unit development)

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Public Works - Development Review

Staff has no objection to the vacation of pedestrian easements and right-of-way that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that they will need to comply with all regulations pertaining to gating communities; that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Private access easements shall be granted to all property owners affected by this vacation;
- Grant private drainage easements over the vacated areas;
- Coordinate with Traffic Management to return any County assets to Public Works;
- If the applicant chooses to purchase the streetlights, coordinate with Public Works - Traffic Management for the purchase and the transfer of electric service;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- The CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0062; CCWRD has no objection to the request for vacation as presented; CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is

understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: ACG DESIGN

CONTACT: ACG DESIGN, 4310 CAMERON ST., STE 12-A, LAS VEGAS, NV 89103