

EASEMENTS AND RIGHTS-OF-WAY
(TITLE 30)

ELDORADO LN/LAS VEGAS BLVD S

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400104 (VS-19-0401)-DESERTXPRESS ENTERPRISES, LLC:

VACATE AND ABANDON SECOND EXTENSION OF TIME easements of interest to Clark County located between Eldorado Lane and Mesa Verde Lane (alignment) and between Las Vegas Boulevard South and I-15 and portions of a right-of-way being Robindale Road located between Las Vegas Boulevard South and I-15, Moberly Avenue located between Las Vegas Boulevard South and I-15, Eldorado Lane located between I-15 and Las Vegas Boulevard South, and Ensworth Street located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/rp/syp (For possible action)

RELATED INFORMATION:

APN:

177-08-601-001 through 177-08-601-006; 177-08-601-008; 177-08-701-001 through 177-08-701-004; 177-08-701-008 through 177-08-701-012; 177-08-701-014

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

History and Request

The previously approved site plan depicts a vacation and abandonment of government patent easements all located south of Eldorado Lane, east of the I-15, west of Las Vegas Boulevard South, and north of Mesa Verde Lane (alignment). Per the plans on file, the portions of rights-of-way to be vacated include Robindale Road (alignment), Moberly Avenue, a cul-de-sac bulb and attached right-of-way on Ensworth Street (alignment) south of Eldorado Lane. Per the applicant, approval of this application will allow for future development on the site, and the listed patent easements and rights-of-way are not needed for the applicant's project.

In 2022, an extension of time (ET-21-400070 (VS-19-0401)) was previously approved. The applicant is requesting an additional 2 years.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400070 (VS-19-0401):

Current Planning

- Until July 2, 2023 to record.
- Applicant is advised 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-19-0401; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H2O loading and is maintained by fee owner.

Listed below are the approved conditions for VS-19-0401:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that 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

- Right-of-way dedication and/or grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200-foot-wide right-of-way;
- Right-of-way dedication to include 80 feet for Robindale Road, 60 feet for the frontage road, 30 feet for Eldorado Lane, and associated spandrels;
- If required by the Regional Transportation Commission (RTC), construct a standard bus stop with a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on the west side of Las Vegas Boulevard South, just south of and as close to practical to both the Eldorado Lane and Robindale Road alignments;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- CCWRD has existing or proposed assets within the area proposed to be vacated per VS-19-0401; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

Applicant's Justification

The applicant has a drainage study and complete plans approved by FEMA and Clark County, and is continuing to establish the route, and finalizing all other matters related to the establishment of its "High Speed Train." It has taken significant time working with the government and non-governmental entities to secure the required route. The applicant has completed the schematic design of the station and part of the design development phase. The next phase will be for construction drawings. Therefore, the applicant is requesting to second extension of time to record the order of the vacation.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-23-400049 (UC-20-0049)	Second extension of time for passenger terminal at a train station	Approved by BCC	June 2023
ADET-22-900161 (UC-20-0049)	First extension of time for a use permit for passenger terminal at a train station	Approved by ZA	March 2022
ET-21-400070 (VS-19-0401)	First extension of time for a vacation and abandonment of easements of interest to Clark County	Approved by PC	June 2021
UC-20-0049	Passenger terminal at a train station	Approved by BCC	March 2020
WS-19-0400	Waived landscaping and allowed non-standard improvements within the right-of-way in conjunction with future development	Approved by PC	July 2019
VS-19-0401	Vacated and abandoned easements of interest to Clark County	Approved by PC	July 2019
TM-19-500108	1 lot commercial subdivision	Approved by PC	July 2019
ZC-11-0620 (ET-400034-17)	First extension of time to allow future development, expand Gaming Enterprise District, allow a High Impact Project, and other commercial uses, waivers and deviations for reduced parking and encroachment into airspace, and design reviews for all applicable uses on-site - expired	Approved by BCC	May 2017
ZC-0620-11 (WC-0156-12)	Waived the dedication of frontage road per the Transportation Element and replaced it with the reservation of frontage road per the Transportation Element	Approved by BCC	March 2013
TM-0071-12	1 lot commercial subdivision - expired	Approved by PC	September 2012

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0620-11	Reclassified 110 acres from R-E, C-1, M-D, H-1, and H-2 zoning to H-1 (AE-60 & AE-65) zoning, with use permits, expansion of the Gaming Enterprise District, allow a High Impact Project with deviations and waivers, and design reviews for a resort hotel, zoning is permanent, all other applications - expired	Approved by BCC	April 2012

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped
South	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
East	Entertainment Mixed-Use	H-1	Shopping center & restaurants
West	Entertainment Mixed-Use	M-D	Warehouses

Related Applications

Application Number	Request
ET-23-400105 (WS-19-0400)	First extension of time to waive landscaping and to allow non-standard improvements within the right-of-way in conjunction with future development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

The applicant has taken steps to commence with the development as previously approved. The applicant has been working with government and non-governmental entities to secure the required route. A drainage study (PW19-14302) has also been approved. Therefore, staff can support the extension of time request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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**

- Until July 2, 2025 to record.
- Applicant is advised 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: DESERTXPRESS ENTERPRISES, LLC

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