

05/17/23 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

LOS FELIZ ST/WASHINGTON AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400027 (VS-19-0100)-PLEASANT VIEW PARTNERS I, LLC:

VACATE AND ABANDON SECOND EXTENSION OF TIME easements of interest to Clark County located between Radwick Drive and Los Feliz Street, and between Monroe Avenue (alignment) and Washington Avenue, and a portion of a right-of-way being Los Feliz Street located between Monroe Avenue (alignment) and Washington Avenue within Sunrise Manor (description on file). TS/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

140-26-211-001 through 140-26-211-005; 140-26-211-015 through 140-26-211-020

LAND USE PLAN:

SUNRISE MANOR - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

This application is to request an extension of time to vacate and abandon a portion of a public right-of-way being the driveway entrance located along Los Feliz Street approximately 690 feet north of Washington Avenue. The approved vacation also included a 15 foot wide pedestrian access easement that runs along the west side of Los Feliz Street and the north side of Washington Avenue. The easement and the right-of-way were granted and recorded, the project has since changed and is now in conflict with the current plans for development.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400160 (VS-19-0100):

Current Planning

- Until February 21,2023 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.

Listed below are the approved conditions for VS-19-0100:

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

- Comply with drainage study PW18-13605 or submit a new drainage study;
- Easements as required by Public Works shall be granted with a new subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Applicant's Justification

Although the property was graded since the original approval, a change of ownership occurred resulting in additional and unforeseen delays. The applicant is seeking an additional 2 year extension to allow adequate time to commence the development.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400159 (WS-18-0493)	First extension of time to increase wall height and increase finish grade	Approved by BCC	November 2021
ET-21-400160 (VS-19-0100)	First extension of time to vacate and abandon pedestrian easement and driveway easement	Approved by BCC	November 2021
ET-21-400092 (UC-17-0480)	Second extension of time for a congregate care facility and assisted living facility, and for wall height and increased finished grade	Approved by BCC	July 2021
ET-20-400017 (UC-17-0480)	First extension of time for a congregate care facility and assisted living facility, and for wall height and increased finished grade	Approved by BCC	April 2020
VS-19-0100	Vacated and abandoned pedestrian easement and driveway easement	Approved by PC	March 2019
WS-18-0493	Increased wall height with a design review for increased finished grade	Approved by BCC	February 2019
UC-17-0480	Congregate care facility and assisted living facility, waivers to increase wall height, with design reviews for a congregate care facility, assisted living facility, and increased finished grade	Approved by BCC	February 2018
DR-0962-07	19 residential lots within hillside development	Approved by PC	September 2007

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0104-07	19 lot single family residential development	Approved by BCC	May 2007
WS-0060-05	Reduced lot area and private street width in conjunction with a proposed residential development	Approved by BCC	May 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	Undeveloped & O’Callaghan Middle School
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped
West	Public Use	P-F	O’Callaghan Middle School, Las Vegas Valley Water District, Southern Nevada Water Authority (water reservoir with tanks), & communication tower

Related Applications

Application Number	Request
ET-23-400026 (UC-17-0480)	Third extension of time for a congregate care facility and assisted living facility, waiver to increase wall height, design reviews for a congregate care facility, assisted living facility, and increased finished grade is a related item on this agenda.
ET-23-400034 (WS-18-0493)	Second extension of time for wall height and increased finish grade is a related 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.

Although staff recognizes the complexities of changing ownership during development, at the end of this expiration period it will be more than 6 years since the original approval of this project. While staff supports the current request, any future extension of time request cannot be supported by staff.

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 February 21, 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTEST:

APPLICANT: PLEASANT VIEW PARTNERS I, LLC

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