

11/20/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:**

**VACATE AND ABANDON** easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

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RELATED INFORMATION:

**APN:**

177-28-201-010; 177-28-201-011; 177-28-201-015 through 177-28-201-016

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

The plans provided show the vacation and abandonment of easements and rights-of-way. The plans show that 5 different patent easements ranging in width from 5 feet to 33 feet will be vacated. Along Las Vegas Boulevard South, a 5 foot wide and 33 foot long patent easement will be vacated in the southwestern portion of APN 177-28-201-010 with another two, 5 foot wide and 33 foot long patent easements being vacated in the northwest and southwest portions of APN 177-28-201-011. Additionally, 8 foot to 33 foot wide patent easements will be vacated along the northern, eastern, and southern portions of APN 177-28-201-015 with an 8 foot to 33 foot wide patent easement being vacated along the northern and eastern portions of APN 177-28-201-016.

Additionally, several portions of a resolution of relinquishment will also be vacated with this application. The plans show that a 56 square foot triangular section of a previous resolution of relinquishment will be vacated along Jo Rae Avenue in the northwest corner of the site along with a 225 square foot, 5 foot wide section also being vacated along Pyle Avenue in the southwest corner of the site. Another 5 foot wide resolution of relinquishment easement will also be vacated along the eastern portion of the future right-of-way of Las Vegas Boulevard South.

Finally, the plans show that a 5 foot wide portion of the southern portion of Jo Rae Avenue and the western portion of Giles Street will be vacated along with a 5 foot wide portion of the northern portion of Pyle Avenue.

The applicant states that all of the easements are no longer needed for the development of the site and the right-of-way vacations are the result of installing detached sidewalks.

### Prior Land Use Requests

Application Number	Request	Action	Date
VS-0669-06	Vacated and abandoned patent easements - recorded	Approved by PC	June 2006
ZC-1965-04	Reclassified the site from C-1 to H-1 zoning for a shopping center and condominium tower	Approved by BCC	December 2004
ZC-1963-99	Reclassified the site from R-E to C-2 (reduced to C-1) zoning for a mini-warehouse facility	Approved by BCC	February 2000

### Surrounding Land Use\*

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Entertainment Mixed-Use	CR	Undeveloped
East	Entertainment Mixed-Use	CR & RM18	Undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area. The Duck Creek Channel is located directly to the east with a small portion to the south of the property.

### Related Applications

Application Number	Request
UC-24-0521	A use permit for a 470 unit multi-family residential development is a companion item on this agenda.
WC-24-400111 (ZC-1965-04)	A waiver of the conditions of zone change requiring a 45 foot setback on Las Vegas Boulevard South, 20 foot setback on all other street frontages, and 20 foot wide street landscaping buffer 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

#### Public Works - Development Review

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

### 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 within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

### **Public Works - Development Review**

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

### **Building Department - Addressing**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JANET GOYER

**CONTACT:** JANET GOYER, OVATION CONTRACTING, INC., 10650 W. CHARLESTON BOULEVARD, SUITE 150, LAS VEGAS, NV 89135