

08/03/22 BCC AGENDA SHEET

RIGHT-OF-WAY DEDICATION  
(TITLE 30)

LAS VEGAS BLVD S/WELPMAN WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-22-400084 (ZC-1198-07)-CHELSEI HOLDING, LLC:**

**WAIVER OF CONDITIONS** of a zone change for a right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width.

Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action)

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RELATED INFORMATION:

**APN:**

191-08-801-003; 191-08-801-004

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

History

The zone change to H-1 zoning in 2007 was done without plans. In 2021, UC-21-0033 was approved to allow an apartment complex on the subject parcels. The current use permit application for these parcels is for an apartment complex with a significantly different design. Therefore, approval of the new design included in companion item UC-22-0361 will result in the expunging of UC-21-0033. Additionally, previously Las Vegas Boulevard was conditioned to require 300 feet of right-of-way where 200 feet is now required.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1198-07:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing on final plans;
- All applicable standard conditions for this application type.

Civil Engineering

- Applicant to perform a Record of Survey to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South, a transportation study shall identify the necessary improvements in relation to the determination of necessary rights-of-way;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width;

- Right-of-way dedication of 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue;
- Construct full off-sites;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a license and maintenance agreement for non-standard improvements in the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance;
- Submit drainage study and traffic study to City of Henderson for concurrence;
- Traffic study to also address: a) any physical improvements and pedestrian volumes generated by this project, b) dedication and construction of bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission Standards, c) identification and implementation of Traffic Demand Management (TDM) measures, d) turnover analysis for the porte-cocheres and recommendation of mitigation measures as applicable, e) any additional right-of-way dedications to Clark County as required by the traffic study to accommodate any physical improvements and pedestrian volumes generated by this project, f) the required width of all public walkway segments so that a minimum Level of Service "C" is maintained, g) identification and implementation of Traffic Demand Management, h) on-site circulation;
- Traffic impact mitigation plan to be reviewed by the staffs of the Regional Transportation Commission, Freeway and Arterial System of Transportation (FAST), Clark County Traffic Management Division, and Clark County Civil Engineering Division;
- Vacate any unnecessary rights-of-way and/or easements.

#### Applicant's Justification

The applicant states that the County Transportation Element has been amended to reduce the overall width of Las Vegas Boulevard South to 200 feet from the previously designated 300 foot width.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0033	Apartment complex with associated commercial uses	Approved by BCC	April 2021
WC-21-400012 (ZC-1198-07)	Waiver of conditions of a zone change requiring a dedication of Mullen Avenue	Approved by BCC	April 2021
ZC-1198-07	Reclassified the site to H-1 zoning for future commercial uses	Approved by BCC	December 2007
UC-0349-03	Off-premises advertising sign (billboard) located on the east side of Las Vegas Boulevard South	Approved by BCC	May 2003
UC-0347-03	Off-premises advertising (billboard) located on the west side of Las Vegas Boulevard South	Approved by BCC	May 2003

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	City of Henderson & Commercial Tourist	N/A & H-2	Clark County School District transportation facility & undeveloped
South	City of Henderson	N/A	Parking lot for a Clark County School District transportation facility
East	Commercial Tourist	H-2 & R-E	Undeveloped
West	City of Henderson	N/A	Clark County School District transportation facility

**Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-22-0361	A use permit for a 307 unit apartment project 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 can support the waiver of conditions to reduce the dedication width of Las Vegas Boulevard South from 300 feet to 200 feet to comply with the recently adopted amendment to the Transportation Element.

**Staff Recommendation**

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:****Public Works - Development Review**

- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way.

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

- No comment.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LIV DEVELOPMENT, LLC

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