

02/02/21 PC AGENDA SHEET

EASEMENT
(TITLE 30)

LAS VEGAS BLVD S/CATHEDRAL WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-20-0550-GOLD KEY 3049, LLC & JADE KEY, LLC:

VACATE AND ABANDON an easement of interest to Clark County located between Las Vegas Boulevard South and Channel 8 Drive and between Convention Center Drive and Cathedral Way within Winchester (description on file). TS/jor/jd (For possible action)

RELATED INFORMATION:

APN:

162-09-804-001

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

Per the submitted site plan, the pedestrian access easement per Instrument Number: 20160921:00804 is located on the west side of APN 162-09-804-001 and along the east side Las Vegas Boulevard South. In 2016 the pedestrian access easement agreement was established between the property owner and the Nevada Department of Transportation (NDOT). Per the submitted justification letter, NDOT relinquished their easement rights to Clark County. The overall easement area spans from the right-of-way (Las Vegas Boulevard South) to the building footprint located on the subject property. Per the condition of approval for outside live entertainment (UC-19-0924), the applicant is required to vacate this easement, and grant a new pedestrian access easement.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0924	Supper club and live entertainment (outdoor)	Approved by BCC	January 2020
UC-19-0485	Vehicle rental establishment	Approved by PC	August 2019
ADR-0213-16	Outside dining area with shade cover - expired	Approved by ZA	April 2016

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0831-15	Supper club within the shopping center	Approved by BCC	February 2016
ADR-0607-11	On-site drive aisle	Approved by ZA	July 2011
UC-0509-10	Banquet facility with a waiver to reduce parking	Approved by PC	December 2010
UC-0043-09	Recreational facility (balloon ride)	Denied by BCC	July 2009
UC-1415-07	Banquet facility	Approved by PC	January 2008
UC-1002-05	Restaurant with indoor live entertainment - expired	Approved by PC	August 2005
UC-0638-99	Outdoor prize wheel - expired	Approved by PC	June 1999
VC-0292-98	Off-premises sign	Approved by BCC	May 1998

*Various land use applications have been approved on this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Commercial uses
South	Commercial Tourist and Institutional	H-1	Encore Resort Hotel & place of worship (Guardian Angel Cathedral)
East	Commercial Tourist and Institutional	H-1	Royal Resort time share & place of worship (Guardian Angel Cathedral)
West	Commercial Tourist	H-1	Resorts World Resort Hotel & undeveloped

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 the pedestrian access easement that is 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**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

- Grant a pedestrian access easement so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Coordinate with Public Works - Traffic Management Division for the Las Vegas Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Las Vegas Boulevard improvement project;
- Owner acknowledges that the existing and proposed improvements (buildings, structures, and improvements) are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Future applications, whether individually or cumulatively, that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner, or its successors, to grant easements or dedicate its proportionate share of all or portions of the planned right-of-way for Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Element and Title 30;
- Owners or its successors shall remove any non-standard improvements (buildings, structures, and improvements) related to this application or any future applications within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAC/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PURE MEXICAN GRILL, LLC

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