



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: JANUARY 14, 2025**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: KOSTA BAKALAS - OWNER: ANA MIRIAM BAKALAS AND KOSTAS G. BAKALAS, ET AL**

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**\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0574-VAC1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      21

**NOTICES MAILED**                      5

**PROTESTS**                      0

**APPROVALS**                      0

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**\*\* CONDITIONS \*\***

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**24-0574-VAC1 CONDITIONS**

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1. The limits of this Petition of Vacation shall be the 10-foot walkway path located on lots 20 and 21 of book 12, page 50 of plats, on Assessor Parcel Number 138-34-214-083 and 138-34-214-084. This vacation only includes the walkway path and no other utility easements.
2. Prior to recordation, the applicant shall provide an acceptable legal description and exhibit of the area to be vacated to the Right-of-Way Section of the Department of Public Works.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with Title 19. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Director of Community Development, then approval will terminate and a new petition must be submitted.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicants are petitioning the City of Las Vegas to vacate its interest in a 10-foot wide pedestrian easement over a portion of the rear yards of two residential properties at 420 and 424 Pinecliff Drive.

**ISSUES**

- All property owners whose land the walkway easement touches have signed a Petition of Vacation.
- The Clark County School District has provided written confirmation that it has no objection to vacating the pedestrian easement.

**ANALYSIS**

The petitioners own residential property at 420 and 424 Pinecliff Drive adjacent to the south side of Helen Smith Elementary School. When the final plat map for the Charleston Rainbow Unit #9-B subdivision was recorded in 1970, it included a “walkway easement” over the rear 10 feet of Lots 20 and 21 between Helen Smith Elementary School and Pinelake Road to provide access between the school and the southern lots in the subdivision. The Owner’s Certificate on the map states that the original property owner offers and dedicates all streets and easements “for use of the public.” The area is paved with a concrete walkway with either chain link fencing or block walls to each side. In recent years, the walkway has become a nuisance to both the school and the adjacent residents and has been closed off to the public by the Clark County School District. The School District has confirmed in writing that it does not object to the requested Vacation. Approved plans for the redevelopment of Helen Smith Elementary School show only a proposed six-foot tall chain link fence with no gate adjacent to the existing easement. A drainage study for Helen Marie Smith Elementary School approved in August 2024 indicates the school playground drains to the north, and not through the proposed vacation area.

If this Vacation request is approved, the subject area can be permanently closed off to public use by the adjacent property owners. Staff supports this request, as a virtual no-man’s land with no outlet has developed within the easement area, which may encourage loitering and suspicious activity and is not in the best interest of the public.

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**FINDINGS (24-0574-VAC1)**

The Department of Public Works has no objection to the vacation of the existing pedestrian easement, as both property owners and the Clark County School District have assented to the request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
06/19/70	A Final Map for a 65-lot single-family residential subdivision at the northwest corner of Alta Drive and Antelope Way was recorded.

<b><i>Most Recent Change of Ownership</i></b>	
06/19/15	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
04/11/71	A building permit (#57893) was issued for a single family dwelling at 420 Pinecliff Drive. A final inspection was approved 07/22/71.
04/12/71	A building permit (#57894) was issued for a single family dwelling at 424 Pinecliff Drive. A final inspection was approved 08/13/71.
06/05/24	A building permit (R24-08610) was issued for demolition of a single family dwelling down to slabs, removal of basement walls, trash and trees at 424 Pinecliff Drive. A final inspection has not been approved.

<b><i>Pre-Application Meeting</i></b>	
10/28/24	A pre-application meeting was held with the applicant to discuss submittal requirements for a Petition to Vacate the existing pedestrian easement.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
12/05/24	Staff noted a 10-foot concrete path within the easement screened at Pinelake Road by a chain link fence. The path is screened on the east and west by chain link fencing or CMU walls.

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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
North	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
	School, Primary	PF (Public Facility)	C-V (Civic)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Charleston	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
No Applicable Special Area or Overlay Districts	N/A
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A