

03/20/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0914-DIAMOND RANCH II, LLC:

VACATE AND ABANDON a portion of a right-of-way being Mohawk Street located between Ford Avenue and Blue Diamond Road within Enterprise (description on file). JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

176-13-801-034; 176-13-801-040

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation of Mohawk Street between Ford Avenue and Blue Diamond Road. The applicant states this vacation will allow Star Nursery to expand their business without safety concerns over vehicular interference with customers.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0155-06	Vacated and abandoned Mohawk Street - expired	Held at PC	March 2006
UC-0648-03 (ET-0110-04)	Extension of time to commence on premise consumption of alcohol	Approved by PC	May 2004
DR-0142-04	Request for a tavern in conjunction with a plant nursery	Approved by PC	March 2004
ZC-1584-98 (WC-0186-03)	Waived a condition requiring full off-sites (excluding paving)	Approved by BCC	September 2003
UC-0648-03	On premises consumption of alcohol	Approved by PC	May 2003
WS-0625-03	Waived street landscaping and off-site improvements in conjunction with a plant nursery, waived conditions requiring full off-sites on Ford Avenue and Blue Diamond Road and landscaping along street frontages (except along Blue Diamond Road)	Approved by BCC	May 2003

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1584-98 (ET-0309-02)	Second extension of time to reclassify 91 acres to M-D zoning	Approved by BCC	November 2002
ZC-1584-98	Reclassified 91 acres from R-E, H-2 & M-1 to M-D zoning	Approved by BCC	November 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-2 & R-E	Single family residential & undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-2 & C-1	Single family residential & commercial development
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	M-D	Warehouse/office
West	Business Employment	M-D	Warehouse/office

The subject site is located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
WC-23-400196 (ZC-1584-98)	A request to waive the conditions requiring on-site lighting consisting of low sodium, inward direct features to be included with each design review; A-1 landscaping along all major street frontages; and recording reciprocal, perpetual cross access, ingress/egress, and parking agreement is a companion item on this agenda.
WS-23-0912	A request to waive detached sidewalk requirements; alternative landscaping adjacent to Blue Diamond Road; and increase retaining wall height for the expansion of a plant nursery 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 right-of-way 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 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- The applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0914; CCWRD has no objection to the request for vacation as presented; however, CCWRD requires all existing rights granted to us within the rights-of-way to be reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to CCWRD.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: STAR NURSERY, INC.

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135