

RIGHT-OF-WAY/EASEMENTS
(TITLE 30)

ELDORADO LN/DECATUR BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400137 (VS-19-0445)-NEMAN RAMIN & NEMAN DAVID:

VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Decatur Boulevard and Edmond Street (alignment), and between Mardon Avenue (alignment) and Eldorado Lane; and a portion of a right-of-way being Decatur Boulevard located between Mardon Avenue (alignment) and Eldorado Lane within Enterprise (description on file). MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

176-12-501-017; 176-12-501-018

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

The approved plans depict the vacation and abandonment of 33 foot wide government patent easements on the north, south, and west property lines. The vacation of the patent easements is necessary to develop the site with a mini-warehouse facility. A 5 foot wide portion of right-of-way being Decatur Boulevard will be vacated at the southeast portion of the project site (APN 176-12-501-018) to accommodate a proposed detached sidewalk.

Previous Conditions of Approval

Listed below are the approved conditions for VS-19-0445:

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

- Right-of-way dedication to include 55 feet to back of curb for Decatur Boulevard;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Applicant's Justification

The applicant states that they submitted a review for the following permits: drainage study (PW20-17477), off-site improvements plans (PW20-20145), soils report (PW20-20146), fire permit, parcel map (MSM21-600012), and building permits (BD21-08461).

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0434	Original request to reclassify the site from R-E to C-1 Zoning for a mini-warehouse	Approved by BCC	July 2019
VS-19-0435	Vacated and abandoned right-of-way and easements	Approved by BCC	July 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E & M-D	Undeveloped & warehouse
South	Residential Medium (3 to 14 du/ac)	R-2	Single family residential
East	Office Professional	R-E	Single family residential & undeveloped
West	Residential Medium (3 to 14 du/ac)	RUD	Single family residential

Related Applications

Application Number	Request
ET-21-400131 (ZC-19-0434)	An extension of time for a mini-warehouse 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

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff can support the extension of time as the applicant has submitted for review a drainage study (approved), off-site improvement plans, soils report (PW20-20146), fire permit, parcel map, and building permits.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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**

- Until July 17, 2023 to record.
- Applicant is advised that the County is currently rewriting Title 30 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; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that re-approval by the utility companies is required.

Public Works - Development Review

- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Compliance with previous conditions.
- Applicant is advised that the County purchased right-of-way for Decatur Boulevard from APN 176-12-501-017 in June 2021, and a portion of said right-of-way will need to be vacated in order to comply with the original conditions of approval; that the right-of-way vacation application should be submitted as soon as the applicant is able to; and that the applicant may be required to reimburse the County for the portion of right-of-way that will be vacated.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: SURE LINK SELF STORAGE

CONTACT: PETYA BALOVA, BALOVA ENGINEERING, 7495 W. AZURE DRIVE, SUITE 140-C, LAS VEGAS, NV 89130