

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-24-0210-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO V LLC
LEASE:**

VACATE AND ABANDON easements of interest to Clark County located between Badura Avenue and Arby Avenue and between Pioneer Way and Tenaya Way; a portion of right-of-way being Badura Avenue located between Pioneer Way and Tenaya Way; a portion of right-of-way being Arby Avenue located between Pioneer Way and Tenaya Way; and a portion of right-of-way being Pioneer Way located between Badura Avenue and Arby Avenue within Spring Valley (description on file). MN/hw/ng (For possible action)

RELATED INFORMATION:

APN:

176-03-302-009

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans show that 3 existing patent easements on the subject site are being requested to be vacated. These patent easements include a 33 foot wide patent easement along the eastern property line, an 8 foot patent easement running along the southern property line, and an 8 foot patent easement found along the western property line. The plans also show that the applicant intends on vacating portions of the surrounding rights-of-way. These rights-of-way include Badura Avenue, Pioneer Way, and Arby Avenue. The intent is to vacate 5 feet of each right-of-way adjacent to the subject site. The applicant states that the vacation of the patent easement is needed to take full advantage of the subject site and the vacation of the rights-of-way will support the development of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0266-07	Vacated and abandoned patent easements and rights-of-way - expired	Approved by PC	April 2007
DR-1629-06	Office complex and sign package - expired	Approved by BCC	January 2007
ZC-1852-04	Reclassified 210 acres from R-E and M-D to C-2 zoning for a future commercial development	Approved by BCC	November 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CG (AE-60)	Undeveloped
South	Business Employment	CG & CG (AE-60)	Undeveloped
East	Business Employment	IP & IP (AE-60)	Office/warehouse complex
West	Business Employment	IP (AE-60)	Office/warehouse complex

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

Related Applications

Application Number	Request
ZC-24-0211	A zone change to reclassify the site from CG to IP is a companion item on this agenda.
WS-24-0212	A waiver of development standards for an office/warehouse distribution center 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 patent easements that are not needed for site, drainage, or roadway development and right-of-way for detached sidewalks.

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; 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

- Drainage study and compliance;
- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Maule Avenue and Badura Avenue Connection improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:**APPROVALS:****PROTESTS:****APPLICANT:** MAJESTIC EJM ARROYO V, LLC**CONTACT:** JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074