

04/18/23 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

DECATUR BLVD/RUSSELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0086-DECATUR CAPITAL MANAGEMENT, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Russell Road and Oquendo Road within Paradise (description on file). MN/lm/syp (For possible action)

RELATED INFORMATION:

APN:

162-31-110-001

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plan depicts the vacation of 33 foot wide patent easements. The easements are centrally located in the northeast portion of the site. The applicant indicates the easements are no longer needed for future development.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-22-900610	Addition to tavern	Approved by ZA	September 2022
NZC-18-0449	Reclassified 1.1 acres to C-2 zoning for a convenience store, gasoline station, and vehicle wash	Approved by BCC	October 2019
ZC-1315-07	Reclassified 1 acre to C-2 zoning with a special use permit for an automobile repair facility with a waiver to reduce landscaping - expired	Approved by BCC	December 2007
ADR-0370-04	Communication tower	Approved by ZA	April 2004
VS-0626-00	Vacated patent easements	Approved by BCC	June 2000

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0283-97	Reclassified the west portion of the site to C-2 zoning for a restaurant/lounge (tavern) and convenience store with gas pumps with a variance to reduce setbacks	Approved by BCC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Convenience store & outside storage
South	Business Employment & Public Use	M-D & P-F	Undeveloped & office/warehouse
East	Business Employment	M-1	Office/warehouse
West	Corridor Mixed-Use & Business Employment	C-2	Undeveloped & retail

Related Applications

Application Number	Request
WS-23-0085	A waiver of development standards to reduce throat depth in conjunction with a restaurant 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 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 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; 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

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: ATWELL, LLC

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