

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

UPDATE
CACTUS AVE/BERMUDA RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0144-LACONIC, LP:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Bermuda Road and Forest Sword Street and between Cactus Avenue and Rush Avenue (alignment) and portion of a right-of-way being Bermuda Road located between Cactus Avenue and Rush Avenue within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:
177-28-803-011

LAND USE PLAN:
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The site plan depicts 33 foot wide patent easements along the west and north property lines. These patent easements are not needed for the proposed project. The applicant is requesting to vacate the existing patent easements as well as a 5 foot wide portion of right-of-way being Bermuda Road (east property line). Vacating a portion of the right-of-way is necessary for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0441	Reclassified from R-E to C-1 zoning for a gasoline station and convenience store with a restaurant and drive-thru	Withdrawn without prejudice	September 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Neighborhood Commercial	R-D	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Neighborhood Commercial	C-2	Convenience store with a gasoline station & The Lennox Apartments

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

Related Applications

Application Number	Request
ZC-22-0143	A conforming zone change from R-E to C-1 zoning with waivers for parking, setbacks, driveway geometrics, and design reviews for a retail center and increased finished grade 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 and right-of-way 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:**Current 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

- Drainage study and compliance;
- Traffic study and compliance;

- If required by the Regional Transportation Commission (RTC), dedicate right-of-way for a combination bus turnout/right turn lane;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS: 14 cards

COUNTY COMMISSION ACTION: May 4, 2022 – HELD – To 06/08/22 – per the applicant.

APPLICANT: LACONIC, LLC

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