

RIGHT-OF-WAY/EASEMENTS
(TITLE 30)

UPDATE
WIGWAM AVE/CIMARRON RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0457-CANKIDS INVESTMENTS 2012:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Cimarron Road and Gagnier Boulevard; a portion of a right-of-way being Tomsik Street located between Cougar Avenue and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Tomsik Street and Gagnier Boulevard within Enterprise (description on file). JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

176-16-301-015; 176-16-301-017; 176-16-301-018; 176-16-301-023; 176-16-301-024; 176-16-301-027; 176-16-301-029; 176-16-301-031; 176-16-301-037; 176-16-301-038

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop this area as a single family residential development. The request is to vacate patent easements and grants of easements measuring 3 feet and 33 feet in width between Wigwam Avenue and Ford Avenue, and between Cimarron Road and Gagnier Boulevard, along with portions of right-of-way being Tomsik Street (60 feet wide) located between Cougar Avenue and Ford Avenue, and a portion of a right-of-way being Cougar Avenue (30 feet wide) located between Tomsik Street and Gagnier Boulevard. The applicant believes these easements and rights-of-way are not necessary for development of this area. Additionally, the applicant indicates that APN 176-16-301-027 will obtain access to their lot through a private access easement.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified numerous parcels in Enterprise to establish the R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Rural Estate Residential (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
East	Rural Estate Residential (up to 2 du/ac) & Open Lands	R-E (RNP-I)	Single family residential & undeveloped

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

Related Applications

Application Number	Request
WS-22-0456	A waiver of development standards to increase retaining wall height and waive off-sites for a single family residential subdivision is a companion item on this agenda.
TM-22-500163	A tentative map for a 42 lot single family residential subdivision is a companion item on this agenda.
PA-22-700003	Master Plan Amendment for a trail realignment is a companion item on this agenda.
CP-22-900623	Resolution for Master Plan Amendment for a trail realignment 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 easements and right-of-way that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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.

PLANNING COMMISSION ACTION: October 18, 2022 – APPROVED – Vote: Unanimous Absent: Castello

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

- Right-of-way dedication to include 40 feet for Cimarron Road, 40 feet for Wigwam Avenue, **a cul-de-sac for Tomsik Street (north of Ford Avenue)**, and associated spandrel;
- Grant an access easement to APN 176-16-301-027 or have the owner of APN 176-16-301-029 grant an access easement to APN 176-16-301-027;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 10 cards, 1 letter

PLANNING COMMISSION ACTION: October 4, 2022 – HELD – To 10/18/22 – per the applicant.

COUNTY COMMISSION ACTION: November 16, 2022 – HELD – To 12/21/22 – per the Board of County Commissioners.

COUNTY COMMISSION ACTION: December 21, 2022 – HELD – To 01/18/23 – per the applicant.

APPLICANT: BRUIN CAPITAL PARTNERS

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST., BOSTON, MA 02116