

08/18/21 BCC AGENDA SHEET

EASEMENTS & RIGHTS-OF-WAY  
(TITLE 30)

TORREY PINES DR/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-21-0370-TIBERTI, JELINDO A. II 2015 IRREVOCABLE TRUST ETAL & FORGEY, COURTNEY TIBERTI TRS:**

**VACATE AND ABANDON** easements of interest to Clark County located between Maule Avenue and Badura Avenue, and between Torrey Pines Drive and Jones Boulevard; and portions of a right-of-way being Mann Street located between Maule Avenue and Badura Avenue, and Maule Avenue located between Torrey Pines Drive and Jones Boulevard in the CMA Design Overlay District within Enterprise (description on file). MN/al/jd (For possible action)

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RELATED INFORMATION:

**APN:**

176-02-701-003; 176-02-701-004

**LAND USE PLAN:**

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a distribution center and is requesting to vacate easements and rights-of-way that are not needed. The site is made up of 2 parcels and the easements are 3 foot to 33 foot government patent easements located along the boundaries of these parcels. All required easements and rights-of-way will be provided with the future development of the site and these patent easements are located on portions of the site that would not be used for rights-of-way or easements. There are 2 rights-of-way included in this request which are Mann Street and Maule Avenue. Mann Street is a dedicated but unimproved 30 foot wide half street located along the western boundary of this site. The developed parking lot to the west did not provide dedication for the western half of this street and the developments to the north and south also did not dedicate for this street. Therefore, the applicant indicates Mann Street is an unnecessary street that should be vacated. The vacation for Maule Avenue is a request to vacate the southern 10 feet of the dedicated right-of-way adjacent to the site. This request is to reduce the width of the street to match existing dedications and improvements that have been provided by developments to the east and west of this site.

### Prior Land Use Requests

Application Number	Request	Action	Date
VS-0349-16	Vacated and abandoned a portion of Mann Street between Maule Avenue and Badura Avenue - expired	Approved by PC	July 2016
ZC-1286-05	Reclassified the site to C-2 zoning for future commercial development	Approved by BCC	September 2005

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2 & M-D	Vehicle sales facility & undeveloped
South	Residential High (from 8 to 18 du/ac)	RUD	Single family residential
East	Business and Design/Research Park	M-1	Automobile paint/body shop & retail building
West	Business and Design/Research Park	C-2	Parking lot

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

### Related Applications

Application Number	Request
ZC-21-0369	A request to reclassify the site to an M-D zone for a 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 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 Comprehensive 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**

- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue and 30 feet for Maule Avenue;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

### **Building Department - Fire Prevention**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CHARTWELL REAL ESTATE DEVELOPMENT

**CONTACT:** GCW INC., 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146