

09/20/23 BCC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

DECATUR BLVD/FRIAS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0327-DR HORTON, INC:**

**VACATE AND ABANDON** a portion of right-of-way being Decatur Boulevard located between Pyle Avenue and Frias Avenue within Enterprise (description on file). JJ/lm/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-30-301-033

**PROPOSED LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

The plan depicts the vacation and abandonment of 5 feet of right-of-way (Decatur Boulevard) located on the west side of the proposed development. The applicant indicates that the request for the project site is to provide detached sidewalks along Decatur Boulevard.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-23-400018 (VS-20-0514)	First extension of time to vacate and abandon a right-of-way being Pyle Avenue and a portion of a right-of-way being Decatur Boulevard and a portion of right-of-way on Haleh Avenue	Approved by BCC	May 2023
ET-21-400167 (VS-19-0756)	First extension of time to vacate and abandon easements	Approved by BCC	December 2021
VS-20-0514	Vacated and abandoned a right-of-way being Pyle Avenue and a portion of right-of-way being Decatur Boulevard and a portion of right-of-way on Haleh Avenue	Approved by BCC	January 2021
VS-19-0756	Vacated and abandoned easements	Approved by BCC	November 2019

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0741	Reclassified 2.5 acres from R-E to R-3 zoning, with waivers for alternative driveway geometrics, and design review for a single family residential development, and permit streets to terminate with hammerhead cul-de-sacs	Approved by BCC	November 2019
TM-19-500193	53 single family residential lots and common lots on 5 acres	Approved by BCC	November 2019

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact neighborhood (up to 18 du/ac)	RUD	Single family residential
South	Corridor Mixed-use	C-2	Mini-warehouse facility
East	Compact neighborhood (up to 18 du/ac)	R-3	Single family residential
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

### Related Applications

Application Number	Request
PA-23-700018	A plan amendment to redesignate the existing land use category from Compact Neighborhood (CN) to Neighborhood Commercial (NC) is a companion item on this agenda.
ZC-23-0326	A zone change to reclassify 1.2 acres to a C-1 zone for a vehicle wash facility 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 right-of-way for detached sidewalks.

### Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners 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:** August 15, 2023 – APPROVED – Vote: Aye: Stone, Kirk, Kilarski, Castello, Frasier, Mujica Nay: Lee

**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**

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Decatur Boulevard improvement project and Public Works - Construction Management for the Silverado Ranch Detention Basin improvement project;
- 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:** 3 cards

**PLANNING COMMISSION ACTION:** August 1, 2023 – HELD – To 08/15/23 – per the Planning Commission.

**APPLICANT:** HENRY MORADI

**CONTACT:** CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101