

10/04/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

BLUE DIAMOND RD/TENAYA WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0555-NAMAZ, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Meranto Avenue, and between Tenaya Way and Montessouri Street and a portion of right-of-way being Tenaya Way located between Blue Diamond Road and Meranto Avenue and a portion of right-of-way being Belcastro Street located between Blue Diamond Road and Meranto Avenue within Enterprise (description on file). JJ/jor/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-701-003; 176-22-601-031; 176-22-601-033; 176-22-601-034; 176-22-701-030

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The site plan depicts the eastern 10 foot portion of right-of-way being Tenaya Way to be vacated. In addition, Belcastro Street to the west will also be vacated. The applicant is also requesting to vacate a 15 foot wide Bureau of Land Management (BLM) Grant N-75199 along the west property line of APN 176-22-601-033. Furthermore, a 40 foot wide BLM Grant N-75199 along the south property of APNs 176-22-601-033 and 176-22-601-034 will also be vacated. Lastly, a 40 foot wide BLM Grant N-75199 will also be vacated along the north property line of APN 176-22-701-030. These easements and portions of rights-of-way do not coincide with the development of this site.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400205 (UC-0318-11)	Third extension of time for a commercial retail development - expired	Approved by PC	November 2018
UC-0318-11 (ET-0074-15)	Second extension of time for a commercial retail development - expired	Approved by PC	October 2015
UC-0318-11 (ET-0085-13)	First extension of time for commercial retail development - expired	Approved by PC	November 2013

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0318-11	Allowed a commercial retail development which included a convenience store, gasoline station, alcohol sales (liquor, beer, and wine), and a service bar, waiver for alternative street and parking lot landscaping with a design review for the site - expired	Approved by PC	September 2011
ZC-1313-02	Reclassified the property to C-P zoning - expired	Approved by BCC	December 2002

*Additional land use applications have been approved on this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	H-2	Undeveloped
East, West, & South	Corridor Mixed-Use	C-2	Undeveloped

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

Related Applications

Application Number	Request
UC-23-0554	A use permit for retail and restaurant uses, with waivers for landscaping and driveway throat depth, a design review for the site and for increase finished grade in conjunction with a proposed shopping center is a companion item on the 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.

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 has adopted a rewrite to Title 30 effective January 1, 2024, 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 spandrel at Tenaya Way and Blue Diamond Road if required by Public Works - Development Review or Nevada Department of Transportation (NDOT);
- 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0555; that the vacation of the existing Belcastro Avenue (60 foot wide right-of-way) from Blue Diamond Road to Meranto Avenue is subject to the CCWRD being granted easement rights to construct, maintain, operate, repair, relocate and remove sanitary sewer lines and appurtenances from all surrounding parcels, and to avoid land locking the other parcels; and that sewer easements must meet all the requirements of the CCWRD's design and construction standards for wastewater collection systems (DCSWCS), including H2O all-weather maintenance vehicle access drive.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: PEYMAN MASACHI

CONTACT: PEYMAN MASACHI, 74 HUNT VALLEY TRAIL, HENDERSON, NV 89052