

04/16/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-24-0061-FORT APACHE, LTD:**

**VACATE AND ABANDON** easements of interest to Clark County located between Fort Apache Road and Park Street and between Pebble Road and Raven Avenue; a portion of right-of-way being Raven Avenue located between Pacific Mist Street and Fort Apache Road; and a portion of right-of-way being Fort Apache Road located between Pebble Road and Raven Avenue within Enterprise (description on file). JJ/hw/ng (For possible action)

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RELATED INFORMATION:

**APN:**

176-19-501-006 through 176-19-501-008; 176-19-501-025

**PROPOSED LAND USE PLAN:**

ENTERPRISE - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a BLM right-of-way grant, patent easements, and rights-of-way. The plans show that a 10 foot wide portion of a 55 foot wide BLM right-of-way grant will be vacated along Fort Apache Road in the southeastern portion of the site. The plans also show that 5 foot to 3 foot wide portions of BLM patent easements located along the perimeters of each of the subject parcels will be vacated. In the southeastern parcel, a 5 foot wide portion of patent easement will be vacated along the southern portion of the parcel. In the southwestern parcel, 33 feet of patent easements will be vacated along the northern, eastern, and western portions of the parcel with 5 feet vacated from the southern portion of the parcel. In the northwestern parcel, 33 feet of the patent easement will be vacated on the western, southern, and eastern portions of the parcel. In the northeastern portion of the parcel, 33 feet of the patent easement will be vacated from the western and southern portions of the parcel. Additionally, a 5 foot wide portion of right-of-way along both the northern portion of Raven Avenue and the western portion of Fort Apache Road is proposed to be vacated. The applicant states the patent easements and BLM right-of-way grant are no longer needed for roadways and utilities and the vacation of these easements is needed to develop the site. The applicant also states that the portions of right-of-way need to be vacated to accommodate detached sidewalks along the perimeter of the site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0918-05	Reclassified the site from R-E to C-2 zoning for a future neighborhood shopping center	Approved by BCC	July 2005

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0852-97	Reclassified the site from R-E to C-2 zoning for a shopping center - expired	Held Indefinitely	June 1997
WT-0779-95	40 foot tall overhead transmission lines	Approved by PC	June 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Open Lands	RS20	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Open Lands	RS3.3 & RS20	Single family residential & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CG & RS20	Undeveloped
West	Corridor Mixed-Use & Open Lands	RS3.3	Single family residential

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

**Related Applications**

Application Number	Request
PA-24-700002	A plan amendment to redesignate the existing land use category from Corridor Mixed-Use (CM) to Urban Neighborhood (UN) is a companion item on this agenda.
ZC-24-0058	A zone change reclassifying the site from CG to RM32 zoning is a companion item on this agenda.
WS-24-0059	A waiver for a 288 unit multiple family apartment complex is a companion item on this agenda.
SDR-24-0060	A sign design review for wall, awning, and entrance signs for an apartment complex 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 that are not necessary for site, drainage, roadway development, and right-of-way for detached sidewalks.

### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 22, 2024 at 9:00 a.m., unless otherwise announced.

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 within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Right-of-way dedication to include 35 feet to the back of curb for Pebble Road and 25 feet to the back of curb for Raven 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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Fort Apache improvement project;
- Applicant to coordinate a contribution with Public Works for the Fort Apache 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, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control, and that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

#### **Building Department - Addressing**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- No objection.

**TAB/CAC:** Enterprise - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** THE CALIDA GROUP

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