

EASEMENTS
(TITLE 30)

FORD AVE/ENSWORTH ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400093 (VS-20-0023)-PROSPER 150, LLC:

VACATE AND ABANDON FIRT EXTENSION OF TIME for easements of interest to Clark County located between Parvin Street and I-15, and between Ford Avenue and Wigwam Avenue within Enterprise (description on file). MN/dd/syp (For possible action)

RELATED INFORMATION:

APN:

177-17-701-011 through 177-17-701-013

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The previously approved plans depict the vacation and abandonment of 33 foot wide government patent easements located on 3 separate parcels associated with the development of a multiple family residential development. The patent easements are as follows:

APN: 177-17-701-011: Vacate and abandon 33 foot wide government patent easements located on the north, west, and south property lines of the subject parcel.

APN: 177-17-701-012: Vacate and abandon 33 foot wide government patent easements located on the north and east property lines of the subject parcel, and 3 foot wide government patent easements along the west and south property lines of subject parcel.

APN: 177-17-701-013: Vacate and abandon 33 foot wide government patent easements located on the north, west, and east property lines of the subject parcel.

Previous Conditions of Approval

Listed below are the approved conditions for VS-20-0023:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that 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 25.5 feet to the back of sidewalk on the west side of Ensworth Street with a 4.5 foot roadway easement, 20.5 feet to the back of curb on the east side of Ensworth Street with a 9.5 foot roadway easement and a 5 foot pedestrian access easement, all other necessary easements, and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Applicant's Justification

The applicant states that the property was approved for a use permit on July 8, 2020 (UC-20-0022), and since then they have been actively working to complete the required civil studies and building plans. The applicant anticipates receiving the required permits and beginning construction within the next few months. The 1 year extension of time is being requested in order to allow for adequate time to record the vacation.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-22-900496 (UC-20-0022)	First extension of time for a multiple family development	Approved by ZA	July 2022
UC-20-0022	Multiple family development	Approved by BCC	July 2022
VS-20-0023	Vacated and abandoned government patent easements	Approved by BCC	July 2020
VS-0813-05	Vacated and abandoned 33 foot wide government patent easements - expired	Approved by PC	July 2005
TM-0302-05	Residential 72 condominium unit - expired	Approved by PC	July 2005
ZC-0507-05	Reclassified 3.7 acres from R-E and H-2 zoning to H-1 zoning with a use permit for residential condominiums, live work home units, commercial uses, and increased building height; waived standards for setbacks, driveway widths, enclosed trash area, on-site parking and parking in right-of-way; with a design review for residential condominium	Approved by BCC	May 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	H-1	Undeveloped
East	Entertainment Mixed-Use	H-1	Undeveloped
South	Business Employment	H-1	Multiple family development
West	Entertainment Mixed-Use	H-2	Landscape contractor's yard & I-15

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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:**Current Planning**

- Until July 8, 2024 to record.
- 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: FORD 150 LLC

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