

12/08/21 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

OLETA AVE/MANHATTAN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0599-MILAGRO VISTA INVESTMENTS, LLC & MILAGRO VISTA INVESTMENTS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue and 215 Beltway, and between Manhattan Road (alignment) and Kingston Road (alignment) within Paradise (description on file). JG/md/jo (For possible action)

RELATED INFORMATION:

APN:

177-24-601-023; 177-24-601-024

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

This request is to vacate and abandon government patent easements within the boundaries of the project site. Thirty-three foot wide patent easements are centrally located within the site, in addition to the east and west boundaries of the property. Patent easements ranging between 1 to 3 feet in width are located along the south portion of the site, adjacent to Oleta Avenue, and along the north portion of the site along the 215 Beltway. The vacation of the patent easements are necessary to develop the project site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0780-07	Reclassified a 2.5 acre portion of the project site to C-1 zoning, use permits and design reviews for mini-warehouses, outdoor recreational vehicle, and boat storage - use permit and design review portions of the application - expired	Approved by BCC	December 2007
ZC-1524-96 (ET-0361-06)	Fourth extension of time	Denied by BCC	February 2007
ZC-1524-96 (ET-0104-04)	Third extension of time	Approved by BCC	May 2004
ZC-1524-96 (ADET-0525-01)	Second extension of time	Approved by ZA	June 2001

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1524-96 (ET-488-98)	First extension of time	Approved by BCC	February 1999
ZC-1524-96	Reclassified the project site to C-1 zoning for a mini-warehouse facility	Approved by BCC	November 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-1 & R-2	Single family residential*
South	Institutional & Residential Suburban (up to 8 du/ac)	R-1 & R-E	Place of worship & single family residential
East	Right-of-way	R-E	Undeveloped
West	Public Facilities	R-E	Undeveloped

*Immediately north of the project site is I-215

Related Applications

Application Number	Request
UC-21-0598	A request for a mini-warehouse, off-highway vehicle, recreational vehicle, and watercraft storage 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 patent easements 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

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Building Department - Fire Prevention

- No comment.

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-21-0599; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/right-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: J. CRAIGMANN

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