

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

CACTUS AVE/ POLARIS AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0442-MIKAMI LISA T SEPARATE PROPERTY TRUST & MIKAMI LISA T:**

**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue and Conn Avenue (alignment), and between Dean Martin Drive and Polaris Avenue (alignment), and a portion of a right-of-way being Cactus Avenue located between Dean Martin Drive and Polaris Avenue (alignment) within Enterprise (description on file). JJ/lm/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-32-101-021

**LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a 5 foot wide portion of public right-of-way (Cactus Avenue), as well as 33 foot wide patent easements located along the west and south property lines.

The applicant indicates that the area is being vacated to allow for the construction of detached sidewalks with full off-site improvements in conjunction with the development of a restaurant with drive-thru and outside dining.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
PA-21-700005	Land Use Plan Amendment to re-designate the land use category from Mid-Intensity Suburban Neighborhood (MN) to Neighborhood Commercial (NC)	Approved by BCC	February 2022
VS-17-0269	Vacated a portion of Polaris Avenue	Approved by BCC	June 2017

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Retail
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Multiple family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E & C-1	Single family residential

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

### Related Applications

Application Number	Request
ZC-22-0441	Zone change to reclassify 1.3 acres to C-1 zoning for a restaurant with drive-thru and outside dining area 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 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:

#### 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.
- 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 or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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

- No objection.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ACTIVE COMMERCIAL, LLC

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