

11/16/22 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0529-LV RAINBOW, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Raven Avenue and Blue Diamond Road, and between Montessori Street (alignment) and Rainbow Boulevard; and a portion of right-of-way being Raven Avenue located between Montessori Street and Rainbow Boulevard within Enterprise (description on file). JJ/gc/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-22-501-012, 013, 016 & 017; 176-22-601-035

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a portion of patent easement at the intersection of Montessori Street and Agate Avenue. The plans also depict the vacation and abandonment of a 5 foot wide portion of right-of-way being Raven Avenue along the north property line to allow for detached sidewalks. The applicant states that there will still be a continuation of the network of existing roads providing access to the surrounding properties if this vacation and abandonment request is approved.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-20-400094 (VS-17-0049)	First extension of time to vacate and abandon government patent easements and rights-of-way being Rosanna Street and Agate Avenue, subject until December 5, 2022 to record	Approved by BCC	October 2020
ZC-18-0853	Reclassified the site from R-E & H-2 to C-2 zoning (use permit, waivers of development standards, and design review for a mixed-use development were withdrawn)	Approved by BCC	December 2018
VS-17-0049	Vacated and abandoned easements and rights-of-way being Rosanna Street and Agate Avenue	Approved by BCC	December 2018

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-2	Fire station & single family residential
South	Corridor Mixed-Use	C-2	Commercial building (Walmart)
East	Corridor Mixed-Use	C-2	Convenience store with gas pumps & undeveloped
West	Public Use & Neighborhood Commercial	R-2 & C-1	Single family residential & undeveloped

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-22-0528	Use permits for a mixed use development, establish density, and establish height; waiver of development standards to waive cross access requirements; and design reviews for a mixed use development, alternative parking lot landscaping, and finished grade is a companion item on this agenda.
TM-22-500179	Tentative map for a mixed use development consisting of 2 commercial lots and 1 residential lot 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 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**

- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10 foot by 50 foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** NEVADA WEST PARTNERS V, LLC

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