

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**VS-23-0768-BD EQUITIES, LLC:**

**AMENDED HOLDOVER VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Cougar Avenue, and between Cameron Street and Arville Street and a portion of a right-of-way being Cougar Avenue located between Cameron Street and Arville Street, and a portion of right-of-way being Arville Street located between Wigwam Avenue and Cougar Avenue (previously not notified) within Enterprise (description on file). JJ/rr/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

177-18-303-006; 177-18-303-048; 177-18-303-050

**PROPOSED LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The applicant is requesting to vacate all existing patent easements located around APN 177-18-303-006 that will end up outside of the public right-of-way. The 33 foot wide patent easements requested to be vacated are located along the west, north, and east property lines of APN 177-18-303-006. An 8 foot wide portion of a patent easement located along the southern property line outside the future 25 foot wide right-of-way dedication for Cougar Avenue is also requested to be vacated. The applicant is also requesting to vacate 5 feet of the existing right-of-way on Arville Street and Cougar Avenue along the east and south property lines, respectively of APN 177-18-303-048. Finally, the applicant requests to vacate 5 feet of the existing right-of-way on Cougar Avenue along the south property line of APN 177-18-303-050. The right-of-way vacations are necessary to accommodate a detached sidewalk.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use & Neighborhood Commercial	C-2	Convenience store with gasoline sales, tire center, Blue Diamond Road
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Neighborhood Commercial	H-2 & R-E	Undeveloped
West	Corridor Mixed-Use	C-2	Shopping center

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

## Related Applications

Application Number	Request
PA-23-700039	A plan amendment to redesignate the land use category from NC (Neighborhood Commercial) to BE (Business Employment) is a companion item on this agenda.
ZC-23-0767	A zone change to reclassify the site to M-D zoning with waivers and a design review for an office/warehouse 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 patent easements that are not needed for site, drainage, or 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 **February 21, 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 that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue;
- 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 dedication to back of curb and the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- No objection.

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

**APPROVALS:**

**PROTESTS:** 3 cards

**PLANNING COMMISSION ACTION:** January 2, 2024 – HELD – To 02/06/24 – per the applicant.

**APPLICANT:** BD EQUITIES

**CONTACT:** MIKE BROWN, LM CONSTRUCTION CO., 7115 BERMUDA RD, LAS VEGAS, NV 89119