

RIGHT-OF-WAY  
(TITLE 30)

BLUE DIAMOND RD/ARVILLE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-21-400025 (VS-18-0962)-LONE MOUNTAIN PARTNERS, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** for a portion of a right-of-way being Schirlls Street located between Blue Diamond Road and Wigwam Avenue within Enterprise.

Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). JJ/nr/jd (For possible action)

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RELATED INFORMATION:

**APN:**

177-18-602-007

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the parcel with 2 restaurants. The request is to vacate an existing 30 foot wide right-of-way dedication along the east side of the parcel. This right-of-way is along the alignment of Schirlls Street. The applicant indicates that the right-of-way is not necessary for the development of this area. The site is adjacent to a single parcel along the east, west, and south sides that is under the control of the Clark County Department of Aviation (DOA). The applicant indicates that they will work with the DOA to provide shared access with this site and the adjacent property, so the street is not needed.

**Previous Conditions of Approval**

Listed below are the approved conditions for VS-18-0962:

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

- Drainage study and compliance;
- Record cross-access easements as shown on the plans for ZC-18-0961 prior to the recordation of this vacation;
- 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 indicates that the extension is needed due to delays in utility and development plans along with completing the ground lease. The applicant states that there has been no change in the area and a 2 year extension of time is justified to preserve the approved entitlements.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-19-900822	Redesign of commercial development	Approved by ZA	December 2019
ZC-18-061	Reclassified site from H-2 to C-2 zoning for commercial development	Approved by BCC	February 2019
VS-18-0962	Vacated 30 feet of Schirlls Street	Approved by BCC	February 2019
SC-1717-98	Renamed an existing north/south street alignment from Schirlls Street, Schirlls Avenue, Vista Street et al to Schirlls Street	Approved by BCC	December 1998

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-2	Shopping center
South, East & West	Commercial Tourist	H-2 & R-E	Undeveloped

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-21-400024 (ZC-18-0961)	First extension of time for a commercial development 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**

##### **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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until February 6, 2023 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 will be required.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:** Enterprise - approval (until February 26, 2023 to commence to match ET-21-400024 (ZC-18-0961)).

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LONE MOUNTAIN PARTNERS, LLC

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135