

EASEMENTS
(TITLE 30)

WARM SPRINGS RD/WINDY ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400053 (VS-19-0063)-MOTOR HOLDINGS, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for easements of interest to Clark County located between Warm Springs Road and Capovilla Avenue, and between Windy Street and I-15 within Enterprise (description on file). MN/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

177-05-801-030

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

The previously approved plans depict the vacation of 33 foot wide government patent easements along the northern and western boundary, and a 3 foot wide portion of the government patent easement along the eastern boundary of the parcel.

The applicant indicates that progress on application VS-19-0063 has been delayed due to the ongoing health crisis related to COVID-19. The applicant states that it has been very difficult to progress toward completion; therefore, a 2 year extension is being requested.

Previous Conditions of Approval

Listed below are the approved conditions for VS-19-0063:

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

- Right-of-way dedication to include 30 feet for Windy Street;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|--------------|
| UC-20-0047 | Cannabis establishment (dispensary) in conjunction with an office/warehouse building | Approved by BCC | October 2020 |
| UC-20-0048 | Cannabis establishment (retail store) in conjunction with an office/warehouse building | Approved by BCC | October 2020 |
| UC-19-0076 | Cannabis establishment (production facility) in conjunction with an office/warehouse building | Approved by BCC | April 2019 |
| NZC-19-0060 | Reclassified the site from R-E to C-2 and M-D zoning for a warehouse/retail building | Approved by BCC | April 2019 |
| UC-19-0061 | Cannabis establishment (cultivation facility) in conjunction with a proposed office/warehouse building | Approved by BCC | April 2019 |
| VS-19-0063 | Vacated and abandoned easements between Warm Springs Road and Capovilla Avenue within Enterprise | Approved by BCC | April 2019 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|------------------------|--|
| North | Commercial Tourist | R-E | Undeveloped |
| South | Commercial Tourist | R-E | Undeveloped |
| East | Commercial Tourist | R-E, C-2, & C-P | Vehicle sales & offices |
| West | Commercial Tourist | M-D | Distribution center & manufacturing facility |

Related Applications

| Application Number | Request |
|---------------------------|---|
| ET-21-400054 (UC-19-0076) | An extension of time for a use permit for a cannabis establishment (production facility) in conjunction with a proposed office/warehouse building is a companion item on this agenda. |
| ET-21-400032 (UC-19-0061) | An extension of time for a use permit for a cannabis establishment (cultivation 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**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 April 3, 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 is required.

Public Works - Development Review

- Compliance with previous conditions.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: MOTOR HOLDINGS, LLC

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