

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

WARM SPRINGS RD/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0210-LEXILAND, LLC ETAL & ROOHANI KHUSROW FAMILY TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Capovilla Avenue (alignment) and Warm Springs Road, and between Redwood Street and Rainbow Boulevard, and a portion of a right-of-way being Warm Springs Road located between Redwood Street and Rainbow Boulevard within Enterprise (description on file). MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

176-02-401-022

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of both easements and right-of-way. Along the east side of the site, adjacent to Redwood Street, easements to be vacated include a 5 foot wide streetlight and utility easement and a pedestrian access easement that is mostly 10 feet wide, but also extends into the driveway and bulbs out near the intersection of Redwood Street and Warm Springs Road. Along the south side of the site, adjacent to Warm Springs Road, easements to be vacated include a pedestrian access, roadway, utility easement, and a 30 foot by 3 foot bus pad easement. Right-of-way to be vacated includes a portion of Warm Springs Road, which was previously dedicated for a bus turnout. On the north side of the site, adjacent to Capovilla Avenue, easements to be vacated include a pedestrian access easement, a 5 foot wide streetlight and utility easement, and driveway access easements.

The applicant states that these easements and right-of-way were dedicated for a mixed-use project that was previously approved on the site. The easements are no longer needed, and the bus turnout and bus pad easement will be relocated farther west to align with the entry for a proposed multiple family residential development. Additional easements and right-of-way will be dedicated as needed.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|--|-----------------|---------------|
| ZC-1929-05 (ET-0002-09) | First extension of time to reclassify the site to U-V zoning for a mixed-use development - expired | Approved by BCC | April 2009 |
| WS-0296-07 | Allow construction noise during non-daytime hours - expired | Approved by PC | May 2007 |
| DR-1554-06 | Signage, lighting, and parking - expired | Approved by BCC | December 2006 |
| TM-0227-06 | 479 residential condominium units - expired | Approved by PC | July 2006 |
| ZC-1929-05 | Reclassified the site to U-V zoning for a mixed-use development - expired | Approved by BCC | January 2006 |
| ZC-1607-03 | Reclassified the western portion of the site to C-2 zoning | Approved by BCC | November 2003 |
| ZC-0850-03 | Reclassified the central portion of the site to C-2 zoning | Approved by BCC | July 2003 |
| ZC-1623-02 | Reclassified the eastern portion of the site to C-2 zoning | Approved by BCC | December 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|------------------------|---|
| North | Commercial General & Business and Design/Research Park | C-2 & U-V | Undeveloped |
| South | Residential High (8 du/ac to 18 du/ac) & Commercial General | R-3 & C-2 | Single family residential & shopping center |
| East | Residential High (8 du/ac to 18 du/ac) | R-3 | Multiple family residential |
| West | Commercial General | C-2 | Shopping center |

Related Applications

| Application Number | Request |
|---------------------------|--|
| NZC-21-0209 | A nonconforming zone boundary amendment to reclassify the site to R-4 zoning for a multiple family residential 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

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. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 4, 2021 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 Comprehensive 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 5 feet for Redwood Street, and a portion of a cul-de-sac for Capovilla Avenue as determined by Public Works - Development Review;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements;
- 90 days to record required right-of-way dedications and any corresponding easements;
- Vacate the right-of-way for the elbow on Capovilla Avenue as determined by 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 dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: WARMINGTON GROUP

CONTACT: THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS,
NV 89120