

EASEMENTS
(TITLE 30)

BLUE DIAMOND RD/BELCASTRO ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400114 (VS-19-0356)-GOLDEN LANTERN LLC & ADAS LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for easements of interest to Clark County located between Agate Avenue and Blue Diamond Road, and between Belcastro Street and Rainbow Boulevard within Enterprise (description on file). JJ/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

176-22-601-005; 176-22-601-007

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

The previously approved plans depict the vacation and abandonment of government patent easements ranging in width from 3 feet to 33 feet located along the perimeter and within the interior of the project site. The patent easements are not needed for roadway purposes and the vacation and abandonment is necessary for the recordation of a commercial subdivision map.

Previous Conditions of Approval

Listed below are the approved conditions for VS-19-0356:

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 Agate Avenue;
- 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 additional time is needed to finalize and record VS-19-0356. Delays have been encountered with drainage issues that require more time to resolve. Circumstances have not changed since the original approval.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0356	Vacated easements located between Agate Avenue and Blue Diamond Road	Approved by PC	June 2019
TM-19-500097	Commercial subdivision on 4.1 acres in a C-1 (Local Business) Zone	Approved by PC	June 2019
ZC-18-0434	Reclassified the project site from U-V to C-1 zoning for a proposed mini-warehouse facility	Approved by BCC	July 2018
NZC-0499-07	Reclassified the subject site from U-V to C-1 zoning for a mini-warehouse facility, recreational vehicle and boat storage with a manager's residence - expired	Approved by BCC	July 2007
VS-0497-07	Vacated and abandoned patent easements within the boundaries of the subject site - expired	Approved by BCC	July 2007
ZC-0972-05	Reclassified the project site from R-E to U-V zoning with a use permit for a mixed-use development on the site - expired	Approved by BCC	September 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facility	H-2 & R-E (RNP-I)	Undeveloped
South	Commercial General	H-2	Cox communication facility
East	Commercial General	C-2	Undeveloped
West	Office Professional	R-E & H-2	Undeveloped

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 June 18, 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 utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MOMENI ENGINEERS LLC

CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074