



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** July 7, 2016

**Staff Contact:** Hope Sullivan, Planning Manager (hsullivan@carson.org)

**Agenda Title:** For Possible Action: To approve a time extension for compliance with the conditions of approval for an Abandonment of Public Right-of-Way for Victor Honein (property owner: Mapp Enterprises, Inc, B P Hotel LLC, and M & M Bigue Investments LLC) to abandon a 66 foot wide and 170 foot long right-of-way on East Sophia St. between Carson St. and Plaza St., on property adjacent to 1017 N. Carson St., 1000 N. Plaza St. and 917 N. Carson St., APN's 002-162-01, -02 and 002-163-04. (reference AB-15-050)

**Staff Summary:** Pursuant to NRS 278.480 and CCMC Title 17, the applicant is proposing a one year time extension for compliance with the conditions of approval for an Abandonment of Public Right-of-Way, specifically East Sophia Street between Carson Street and Plaza Street. The Board of Supervisors conducted a public hearing on July 16, 2015, in conformance with the City and State legal requirements, and approved AB-15-050 based on conditions of approval. Condition 10 noted that the approval would expire one year after approval unless a time extension is granted by the Board of Supervisors.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 15 minutes

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## **Proposed Motion**

I move to approve a one year time extension for compliance with the conditions of approval for an Abandonment of Public Right-of-Way for Victor Honein (property owner: Mapp Enterprises, Inc, B P Hotel LLC, and M & M Bigue Investments LLC) to abandon a 66 foot wide and 170 foot long right-of-way on East Sophia St. between Carson St. and Plaza St., on property adjacent to 1017 N. Carson St., 1000 N. Plaza St. and 917 N. Carson St., APN's 002-162-01, -02 and 002-163-04. (reference AB-15-050)

## **Board's Strategic Goal**

Economic Development

## **Previous Action**

The Board of Supervisors approved Abandonment AB-15-050 subject to conditions of approval at its July 16, 2015 meeting by a vote of 4 ayes, 1 nay.

## **Background/Issues & Analysis**

Pursuant to NRS 278.480 and CCMC Title 17, the Board of Supervisors takes final action on right-of-way abandonments, and is authorized to allow a time extension. The outstanding item for the applicant to complete prior to recordation is the construction of a commercial driveway approach to Plaza Street. The applicant is seeking to commence work on this improvement once the City has completed downtown corridor work in this area so as to minimize any logistical conflicts.

Attachments:

- 1) June 15, 2016 Written Request for Victor Honein, MAPP ENTERPRISES, INC.

2) BOS Notice of Decision

**Applicable Statute, Code, Policy, Rule or Regulation**

NRS 278.480 and CCMC Title 17.15

**Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

- 1) Deny the request for a time extension.
- 2) Provide a time extension for a different period of time.

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

Aye/Nay

2) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

RECEIVED

JUN 15 2016

CARSON CITY  
PLANNING DIVISION

MAPP ENTERPRISES, INC.  
DBA ARCO AM/PM  
1017 N. Carson Street  
Carson City, NV 89701

June 15, 2016

Ref: AB-15-050, Right-of-way Abandonment E. Sophia

Carson City Board Of Supervisors

On behalf of the property owners involved in the above-referenced application, MAPP ENTERPRISES, INC., B P Hotel, LLC, and M & M Bigue Investments LLC, I would like to request an extension of time to meet item 4 of the conditions of approval which request a commercial driveway approach be constructed on the entrance to Plaza Street.

Since the approval of the request to grant right-of-way abandonment, we started working diligently to meet the conditions of approval. And we did in a short period of time. The only item left was the construction of the commercial driveway approach on the Plaza Street entrance. The task has proven to be little complicated than it seems. It is the kind of job that is too small to a big qualified company, and it was harder to find a qualified company to do a small job with reasonable cost. Besides we had one of the concerned property owners face a major health issue. Also, in retrospect, doing the job before the downtown corridor makeover would have caused little extra burden on the construction crew involved in the work and on overall traffic.

As of today, we had submitted engineering work to be approved. We have aligned a list of potential contractors to bid on the job. As soon as a permit is granted we will start the construction. Now it seems that the work on both ends of the street will be done simultaneously but because this might extend beyond the original deadline we are requesting an extension.

Thank you for your cooperation and understanding,

Sincerely,



Victor Honein, V.P.  
MAPP ENTERPRISES, INC



## Carson City Planning Division

108 E. Proctor St.  
Carson City, Nevada 89701  
(775) 887-2180  
Plandiv@carson.org  
www.carson.org

★ CLERK ★  
**FILED**  
Time 3:45 pm  
SEP 24, 2015  
By C. Espect  
Deputy  
Carson City, Nevada

### BOARD OF SUPERVISORS JULY 16, 2015

#### NOTICE OF DECISION

A request for a right-of-way abandonment, AB-15-050, was received from Victor Honein (property owner: Mapp Enterprises, Inc, B P Hotel LLC, and M & M Bigue Investments LLC) to abandon a 66 foot wide and 170 foot long right-of-way on East Sophia St. between Carson St. and Plaza St., on property adjacent to 1017 N. Carson St., 1000 N. Plaza St. and 917 N. Carson St., APN's 002-162-01, -02 and 002-163-04, and to authorize the mayor to sign the Order of Abandonment.

The Board of Supervisors conducted a public hearing on July 16, 2015, in conformance with the City and State legal requirements, and approved AB-15-050 based on the conditions of approval contained in the staff report, and authorized the Mayor to sign the Order of Abandonment.

#### CONDITIONS OF APPROVAL:

1. Prior to the recordation of said abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search materials if required by the Planning Division in order to fully complete the abandonment process.
2. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).
3. All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.
4. A commercial driveway approach must be constructed on the entrance to Plaza Street.
5. A minimum 20 foot wide utility easement must be supplied for the water and sewer mains, centered on the top of the pipe.

6. Supply other utilities the appropriate easements for their facilities as well.
7. The tie bearing for Line L1 in the line table on the exhibit map appears to be incorrect. Please correct.
8. The legal description for Assessor's Parcel Number 002-163-04 appears to be missing the leg that is only 0.06 feet long. Please correct.
9. This abandonment pertains to:
  - APN: 002-162-01: The area of the proposed abandonment adjacent to this parcel is 3,742.2 square feet, more or less, being the north half of East Sophia Street between Carson Street and North Plaza Street and west of parcel 002-162-02.
  - APN: 002-162-02: The area of the proposed abandonment adjacent to this parcel is 1,857.8 square feet, more or less, being the north half of Sophia Street between Carson Street and North Plaza Street and west of parcel 002-162-01.
  - APN: 002-163-04: The area of the proposed abandonment adjacent to this parcel is 5,610.0 square feet more or less, being the south half of East Sophia Street between Carson Street and North Plaza Street.
10. Conditional approval for the requested abandonment shall expire one year after Board of Supervisor approval of the original application, unless an extension of time has been granted by the Board of Supervisors.

This decision was made on a vote of 4 ayes and 1 nay.

  
\_\_\_\_\_  
Lee Plemel, AICP  
Community Development Director

LP/jmk

Mailed: 9/25/15 By: RMT

**Please sign and return this notice of decision with 10 days of receipt.**

I have read and acknowledge the Conditions of Approval as approved by the Carson City Board of Supervisors.

  
\_\_\_\_\_  
APPLICANT and/or OWNER SIGNATURE

  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
(Applicant/Owner Printed Name)

**RETURN TO:**  
Carson City Planning Division  
108 E. Proctor Street  
Carson City, NV 89706

Enclosures:

1. Board of Supervisors Notice of Decision (2 copies – Please sign and return only one; the second copy is for your records.)
2. Self-Addressed Stamped Envelope