

06/21/23 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

DEAN MARTIN DR/FRIAS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400035 (VS-20-0575)-D.R. HORTON, INC:**

**VACATION AND ABANDONMENT FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Dean Martin Drive and Valley View Boulevard, and between Frias Avenue and Cactus Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-29-403-001; 177-29-406-003; 177-29-406-004

**LAND USE PLAN:**

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

The approved plans show the vacation and abandonment of patent easements and BLM grants ranging in size from 3 feet wide to 50 feet wide which traverse the 22.5 acre site, excepting out dedication for public right-of-way. The application will allow the residential development of these parcels.

Previous Conditions of Approval

Listed below are the approved conditions for VS-20-0575:

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 35 feet to the back of curb for Dean Martin Drive, 30 feet for Frias Avenue, 30 feet for Rush Avenue, 30 feet for Polaris Avenue with a portion

of a knuckle at the intersection of Rush Avenue and Polaris Avenue, and associated spandrel;

- 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.

#### Applicant's Justification

The applicant is currently in the process of acquiring the required permits and approvals to develop the aforementioned parcels. The approval of this request will give the developer enough time to acquire full entitlements.

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

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-22-0194	Waivers for reduced setbacks in conjunction with a single family residential development	Approved by PC	June 2022
TM-20-500199	209 single family residential lots on 22.5 acres in an RUD zone	Approved by BCC	March 2021
VS-20-0575	Vacated and abandoned easements located between Dean Martin Drive and Valley View Boulevard	Approved by BCC	March 2021
ZC-20-0574	Zone change, waiver, and design reviews for a single family residential development	Approved by BCC	March 2021
PA-18-700020	Redesignated the land use category of this site to RM (Residential Medium) for the undeveloped parcels south of Frias Avenue	Approved by BCC	March 2019
NZC-0340-13	Reclassified a portion of this site to R-1 zoning for a single family residential subdivision - expired	Approved by BCC	November 2013

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & R-D	Undeveloped & single family residential
South	Neighborhood Commercial; Mid-Intensity Suburban Neighborhood (up to 8 du/ac); & Corridor Mixed-Use	C-1, R-E, & C-2	Undeveloped, single family residential, convenience store with gas station, & shopping center
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed-Use	R-E & C-2	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-E & C-2	Undeveloped

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis****Comprehensive 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.

Records show that there has been a subsequent land use application approved for this project (WS-22-0194). Also, the applicant has been approved for an early grading permit and a drainage study, which shows the applicant is taking steps towards development of the site. It is for these reasons that staff can support the extension of time request.

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

**PRELIMINARY STAFF CONDITIONS:****Comprehensive Planning**

- Until March 3, 2025 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.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** D.R. HORTON, INC.

**CONTACT:** VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146