

EASEMENTS
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0124-BADSM PARTNERS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file). MN/rk/jd (For possible action)

RELATED INFORMATION:

APN:
177-33-801-012; 177-33-801-028

LAND USE PLAN:
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:
Project Description

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of 33 foot wide and 3 foot wide government patent easements along the boundary of APN 177-33-801-012, excepting out the 30 feet for Terrill Avenue which is needed for the dedication of a public right-of-way. A previous vacation submittal (VS-19-0145) is still current for APN 177-33-801-028 regarding vacations along Chartan Avenue roadway and streetlight and traffic control easement.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|-------------|
| WS-19-0144 | Waivers to allow modifications for off-site improvements with a design review for a single family residential development | Approved by BCC | April 2019 |
| VS-19-0145 | Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue - expired | Approved by BCC | April 2019 |
| TM-19-500047 | 8 single family residential lots on 4.9 acres | Approved by BCC | April 2019 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|--|-------------------|---|
| North & West | Rural Neighborhood Preservation (up to 2 du/ac) | R-E (RNP-I) | Single family residential & undeveloped |
| South | Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac) | R-E (RNP-I) & R-1 | Single family residential & undeveloped |
| East | Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac) | R-E (RNP-I) & R-2 | Single family residential |

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

| Application Number | Request |
|--------------------|--|
| NZC-21-0123 | A nonconforming zone change to reclassify this site to R-D zoning is a companion item on this agenda. |
| TM-21-500032 | A tentative map for 22 single family residential lots on 7.5 acres 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 patent easements 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 **July 7, 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

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 7 cards, 11 letters

PLANNING COMMISSION ACTION: May 4, 2021 – HELD – To 06/01/21 – per the applicant.

APPLICANT: CHRIS ARMSTRONG C/O GOOLD PATTERSON

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