

11/08/23 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

CHARTAN AVE/PLACID ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400126 (VS-21-0124)-PN II, INC.:

VACATE AND ABANDON FIRST EXTENSION OF TIME 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/nai/syp (For possible action)

RELATED INFORMATION:

APN:

177-33-801-012; 177-33-801-028

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The previously approved request was to vacate 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.

The applicant indicates VS-21-0124 was approved by the Board on September 22, 2021. Since the approval in 2021, progress has been made toward recordation but the applicant has encountered delays. The related final map will not record before the expiration date of this vacation request; therefore, the applicant is requesting an additional 2 years.

Previous Conditions of Approval

Listed below are the approved conditions for VS-21-0124:

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.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0016	Waiver for setbacks and design review for finished grade for a single family residential development	Approved by BCC	March 2023
ET-21-400181 (VS-19-0145)	Extension of time for a vacation and abandonment of a 6 foot wide, 630 foot long, portion of Chartan Avenue, and a 3 foot wide streetlight and traffic control easement along Chartan Avenue	Approved by BCC	February 2022
VS-21-0124	Vacated and abandoned patent easements	Approved by BCC	September 2021
NZC-21-0123	Reclassified R-E (RNP-I) to R-D zoning, with a waiver for setbacks, increased wall height, perimeter landscaping along a local street, off-site improvements, and design review for finished grade for a single family residential development	Approved by BCC	September 2021
TM-21-500032	22 single family residential lots and common lots	Approved by BCC	September 2021
LUP-20-700144	Redesignate from (RNP) (Rural Neighborhood Preservation) to RS (Residential Suburban)	Approved by BCC	July 2020
TM-19-500047	Single family residential lots on 4.9 acres	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	Approved by BCC	April 2019
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-18-0056	Vacated easements and rights-of-way	Withdrawn at BCC	June 2018
ZC-1026-05	Reclassified from an R-E to R-E (RNP-I) zoning	Approved by BCC	October 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Ranch Estate Neighborhood (up to 2 du/ac) & Low Intensity Suburban Neighborhood (up to 5 du/ac)	R-D, R-1, & R-E (RNP-I)	Single family residential & undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I) & R-2	Single family residential

Related Applications

Application Number	Request
ET-23-400127 (VS-19-0145)	An extension of time to record a vacation and abandonment of easements and right-of-way is a related item on this agenda.

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.

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 October 2, 2025 to record.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 is required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: PN II, INC.

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