

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0866-MOSAIC LAND 1, LLC & BALELO 2012 IRREVOCABLE TRUST:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Lisa Lane and between Cactus Avenue and Levi Avenue, and a portion of right-of-way being Cactus Avenue located between Durango Drive and Lisa Lane within Enterprise (description on file). JJ/hw/syp (For possible action)

RELATED INFORMATION:

APN:

176-33-101-001

LAND USE PLAN:

ENTERPRISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:**Project Description**

The plans depict the vacation and abandonment of a 33 foot wide government patent easement that runs along the western boundary of the subject site. The plans show that a 3 foot wide portion of the patent easement will also be vacated along the eastern portion of the subject parcel. The plans also depict the vacation and abandonment of a 5 foot wide portion of right-of-way to be vacated from the southern portion of Cactus Avenue. The applicant states the vacation of the patent easement is needed to allow for the development of the site, and that the patent easements are no longer needed for any roads or utilities. The applicant also states the vacation of the right-of-way is needed to provide detached sidewalks along the northern portion of the proposed development.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0694	Reduced the separation between residential driveways to the back of curb radius of street intersection - expired	Denied by PC	December 2018
TM-18-500153	19 single family residential lots - expired	Approved by BCC	October 2018
NZC-18-0565	Reclassified the site from R-E to R-2 zoning for a 19 lot single family detached residential subdivision - expired	Approved by BCC	October 2018
VS-18-0564	Vacated and abandoned easements and a portion of Cactus Avenue for detached sidewalks - expired	Approved by BCC	October 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	PF	Mountain's Edge Regional Park
South, East, & West	Open Lands	RS20	Undeveloped

The subject site is located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
PA-23-700050	A plan amendment to redesignate the existing land use category from Open Lands (OL) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-24-0014	A zone change to reclassify the site from RS20 to RS3.3 zoning is a companion item on this agenda.
WS-23-0865	A waiver of development standards and design reviews for a 19 lot single family residential subdivision is a companion item on this agenda.
TM-23-500183	A tentative map for a 19 lot detached single family residential subdivision 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 needed for site, drainage, or roadway development and right-of-way for detached sidewalks.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on **May 8, 2024 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - approval.

APPROVALS: 2 cards

PROTESTS: 7 cards

PLANNING COMMISSION ACTION: March 5, 2024 – HELD – To 04/02/24 – per Commissioner Mujica.

APPLICANT: VINCENT SCHETTLER

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