

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

RAVEN AVE/ROSANNA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0136-LV RAINBOW, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Raven Avenue (alignment) and Agate Avenue (alignment), and between Rosanna Street and Belcastro Street and a portion of a right-of-way being Raven Avenue located between Rosanna Street (alignment) and Belcastro Street (alignment) within Enterprise (description on file). JJ/jt/ja (For possible action)

RELATED INFORMATION:

APN:

176-22-501-012; 176-22-501-013; 176-22-501-016 through 176-22-501-017; 176-22-601-035

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of both patent easements and right-of-way. The patent easements to be vacated include a 30 foot wide easement along the Montessouri Street alignment and a radius within the Agate Avenue alignment. Right-of-way to be vacated includes the south half (30 feet) of Raven Avenue located between the Rosanna Street alignment and the Montessouri Street alignment.

During neighborhood meetings for the adjacent proposed single family residential development, the applicant indicates that neighbors expressed a desire to eliminate direct access from a higher density residential development to the R-E (RNP-I) zoned single family residences to the west. According to the applicant, this vacation will eliminate easements and right-of-way to align with the adjacent proposed single family subdivision, which is not proposing to develop these streets.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400094 (VS-17-0049)	First extension of time for a vacation and abandonment of easements and right-of-way including portions of Agate Avenue and Rosanna Street	Approved by BCC	October 2020

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0853	Reclassified the site to C-2 zoning for a mixed-use development	Approved by BCC	December 2018
NZC-17-0048	Nonconforming zone boundary amendment to R-3 and C-2 zoning for a multiple family residential development and commercial development - expired	Held at BCC	June 2018
VS-17-0049	Vacated and abandoned easements and right-of-way including portions of Agate Avenue and Rosanna Street	Approved by BCC	December 2018
VS-0694-14	Vacated and abandoned easements on Montessori Street - recorded	Approved by PC	February 2015
ZC-1026-05	Reclassified 3,800 parcels, including 10 acres of the subject site to R-E (RNP-I) zoning	Approved by PC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I) & R-E	Undeveloped
South	Commercial General & Major Development Project (Mountain's Edge General Commercial)	R-E, C-2, & H-2	Undeveloped, convenience store with gasoline station, retail store (Walmart) & single family residential
East	Commercial General	R-E & C-2	Undeveloped & convenience store with gasoline station
West	Commercial Neighborhood & Public Facilities	U-V, H-2, & R-E (RNP-I)	Undeveloped

The subject site and surrounding properties are in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-20-0284	A zone change to reclassify a 14.6 acre portion of a parcel to the west of this site to P-F zone for a charter school is a related item that is scheduled for the September 22, 2021 BCC meeting.
VS-20-0285	A vacation and abandonment of easements on the parcel to the west of this site for the charter school is a related item that is scheduled for the September 22, 2021 BCC meeting.
AG-20-900314	An agenda item to re-route the equestrian trail alignment west on Raven Avenue and south on Tenaya Way for the charter school is a related item that is scheduled for the September 22, 2021 BCC meeting.

Related Applications

Application Number	Request
PA-21-700001	A plan amendment to change the equestrian trail alignment from Belcastro Street west on Pebble Road and south on Tenaya Way is a companion item on this agenda.
NZC-21-0137	A nonconforming zone change to reclassify the site to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
TM-21-500034	A tentative map for a 305 lot single family residential subdivision is a companion item on this agenda.
VS-21-0138	A vacation and abandonment of right-of-way and easements (including the same easements that are part of VS-20-0285) is a companion item on this agenda.
WC-21-400048 (ZC-18-0853)	A waiver of conditions requiring dedication for Montessouri Street is a companion item on this agenda.
WC-21-400049 (VS-17-0049)	A waiver of conditions requiring dedication for Montessouri Street 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 cannot support the requested vacation since the overall street network for the surrounding area was based on the initial approval of the original vacation and zone change with subsequent discussions and agreements about the remainder of the street network worked out over the course of months with staff from various departments and a prior applicant. Eliminating the Montessouri Street and Raven Avenue alignments will result in a closed off street network for the sole benefit of one developer.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 16, 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

If approved:

- Vacating the right-of-way and easements only applies to NZC-21-0137 if that project is approved and constructed;
- 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 a portion of the cul-de-sac for Raven Avenue;
- 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:

APPROVALS:

PROTESTS:

APPLICANT: LV RAINBOW, LLC

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