

05/21/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-24-400035 (VS-23-0784)-REUVEN, YITZHAK:**

**WAIVER OF CONDITIONS** of a vacation and abandonment of easements requiring a drainage study and compliance.

Generally located on the east side of Fairfield Avenue and the north side of Mesa Verde Lane within Enterprise. MN/tpd/ng (For possible action)

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RELATED INFORMATION:

**APN:**

177-09-704-017

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

The approved application (VS-23-0784) vacated and abandoned easements of interest to Clark County located between Fairfield Avenue and Bermuda Road, and between Mesa Verde Lane and Moberly Avenue (alignment). Now the applicant is seeking a waiver for the condition requiring a drainage study.

**Previous Conditions of Approval**

Listed below are the approved conditions for VS-23-0784:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 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; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Right-of-way dedication to include 30 feet for Fairfield Avenue, 30 feet for Mesa Verde Lane 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's Justification

The applicant states the project had been cleared to mylar with an approved vacation and abandonment, and Public Works Department is requiring a technical drainage study. A drainage study was not requested through the first and second reviews. In addition, the applicant states that the property will be below one acre when the 30 feet of right-of-way is dedicated along Fairfield Avenue and East Mesa Verde Lane.

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

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-23-0784	Vacated and abandoned easements of interest to Clark County	Approved by PC	February 2024
ZC-1026-05	Reclassified approximately 3,800 parcels from RS20 (formerly R-E) to RS20 (RNP-I) zoning	Approved by BCC	October 2005

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single family residential & undeveloped

#### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### **Analysis**

##### **Comprehensive Planning**

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

##### **Public Works - Development Review**

Staff has no objection to waiving the drainage study condition. An upstream approved drainage study was reviewed to determine the depth of flow in the street. Based on the depth of flow obtained, it was determined that the proposed finish floor elevation would be elevated high enough to be flood protected.

##### **Staff Recommendation**

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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.

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

**APPROVALS:**

**PROTEST:**

**APPLICANT:** ACG DESIGN

**CONTACT:** ACG DESIGN, 4310 CAMERON STREET, SUITE 12-A, LAS VEGAS, NV  
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