

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

CHARTAN AVE/PLACID ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400127 (VS-19-0145)-PN II, INC.:

VACATE AND ABANDON SECOND EXTENSION OF TIME easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road, and a portion of right-of-way being Chartan Avenue located between Placid Street and Bermuda Road within Enterprise (description on file). MN/rp/syp (For possible action)

RELATED INFORMATION:

APN:

177-33-801-028

LAND USE PLAN:

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

BACKGROUND:

Project Description

This application is to request an extension of time to vacate and abandon the following: 1) a 6 foot wide, 630 foot long, portion of Chartan Avenue that is dedicated as a public right-of-way; 2) a 6 foot wide portion of a Bureau of Land Management grant along Chartan Avenue; and 3) a 3 foot wide streetlight and traffic control easement along Chartan Avenue. The applicant indicates these easements are no longer necessary for the proposed development or surrounding area as private and public streets will be constructed to provide access to the development.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400181 (VS-19-0145):

Current Planning

- Until April 3, 2023 to record.
- 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for VS-19-0145:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that 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

- Streetlight and traffic control easement vacation to include Placid Street;
- Drainage study and compliance;
- 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 this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

Applicant's Justification

The applicant indicates the project has experienced several setbacks, such as additional coordination with Federal Emergency Management Agency (FEMA) to obtain a Conditional Letter of Map Revision (CLOMR) and additional land use needed for plan approval. The applicant is applying for a second extension of time to complete the recordation of the vacation.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0016	Wavier for setback and design review for finished grade	Approved BCC	March 2023
ET-21-400181 (VS-19-0145)	First extension of time for easements located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road, and a portion of right-of-way being Chartan Avenue located between Placid Street and Bermuda Road	Approved BCC	February 2022
NZC-21-0123	Reclassified this property and the parcel to the south to R-D zoning for a single family development	Approved by BCC	September 2021
TM-21-500032	22 single family residential lots on 7.4 acres	Approved by BCC	September 2021
VS-21-0124	Vacated and abandoned patent easements along the boundary of the parcel to the south	Approved by BCC	September 2021
TM-19-500047	8 single family residential lots on 4.9 acres 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

Prior Land Use Requests

Application Number	Request	Action	Date
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
VS-0623-16	Vacated and abandoned an easement located between Erie Avenue and Chartan Avenue, and between Bermuda Road and La Cienega Street, and a portion of right-of-way being Siddall Avenue located between Bermuda Road and La Cienega Street, and a portion of right-of-way being Fairfield Avenue	Approved by BCC	December 2016
VS-0023-16	Vacated and abandoned an easement located between Eric Avenue and Starr Avenue	Approved by BCC	March 2016
WS-0908-15	Single family residential development and a waiver for off-site improvements on this site and surrounding parcels - expired	Approved by BCC	March 2016
TM-0225-15	70 single family residential lots - expired	Approved by BCC	March 2016
NZC-1026-05	Reclassified this property and the parcel to the south to R-E (RNP-I) zoning for a Rural Estates Residential Neighborhood Preservation District	Approved by BCC	October 2005

Surrounding Land Use

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

Related Applications

Application Number	Request
ET-23-400126 (VS-21-0124)	An extension of time to record a vacation and abandonment of easements 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 April 3, 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.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: PN II, INC.

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE, SUITE 100, LAS VEGAS, NV 89118