

09/19/23 PC AGENDA SHEET

EASEMENT
(TITLE 30)

AMIGO ST/CACTUS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400116 (VS-21-0301)-CAPSTONE CHRISTIAN SCHOOL:

VACATE AND ABANDON FIRST EXTENSION OF TIME for an easement (drainage) of interest to Clark County located between Amigo Street and Radcliff Street (alignment), and between Cactus Avenue and Quaint Acres Avenue (alignment) within Enterprise (description on file). MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

177-27-801-021

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The applicant was approved to develop a 17.7 acre portion of the site as a school with classrooms and support buildings for kindergarten through 12th grade. The approved development will be done in phases to eventually have up to 450 students on campus. This application is to vacate the existing drainage easement that covers the entire parcel. The easement has been effectively removed by upstream facilities. The vacated drainage easement will allow for full development of the site.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for VS-21-0301:

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

- 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's Justification

The applicant is requesting 2 years to allow for the civil review process to complete for their other Clark County applications.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-21-0301	Vacated and abandoned an easement of interest to Clark County located between Amigo Street and Radcliffe Street	Approved by PC	August 2021
WS-20-0171	Waived development standards and design reviews for a school	Approved by BCC	July 2020
ET-18-400274 (UC-2093-96)	Sixth extension of time for use permits allowing a temporary sand batch plant and additions to an existing sand and gravel mining related uses	Approved by BCC	March 2019
UC-2093-96 (ET-0191-16)	Fifth extension of time for use permits allowing a temporary concrete batch plant and additions to an existing temporary sand and gravel mining operation, and related uses	Approved by BCC	February 2017
UC-2093-96 (ET-0138-12)	Fourth extension of time for use permits allowing a temporary concrete batch plant and additions to an existing temporary sand and gravel mining operation, and related uses	Approved by BCC	December 2012
UC-2093-96 (ET-0144-10)	Third extension of time for use permits allowing a temporary concrete batch plant and additions to an existing temporary sand and gravel mining operation, and related uses	Approved by BCC	October 2010
UC-0074-10	Place of worship	Approved by PC	March 2010
UC-1299-07 (ET-0020-10)	First extension of time for a private school	Approved by PC	March 2010
UC-1299-07	Use permit and a design review for a private school	Approved by BCC	February 2008
AG-0113-06	A report submitted to the BCC on FEMA status for the site	Received by BCC	February 2006
UC-2093-96 (ET-0167-04)	Second extension of time for use permits allowing a temporary concrete batch plant and additions to an existing temporary sand and gravel mining operation, and related uses	Approved by BCC	July 2004

Prior Land Use Requests

Application Number	Request	Action	Date
UC-2093-96 (ET-0042-03)	First extension of time for use permits allowing a temporary concrete batch plant, additions to an existing temporary sand and gravel mining operation, and related uses	Approved by BCC	June 2003
ZC-1735-00	Reclassified from P-F to M-2 zoning - expired	Held at PC	April 2001
ZC-1320-98	Established P-F zoning on the site	Approved by BCC	November 1998
VC-1377-95 (ET-0356-98)	First extension of time for a privately funded below grade storm water detention basin and a temporary gravel operation - expired	Approved by PC	October 1998
VC-1855-95 (ET-0357-98)	First extension of time to review the construction of a privately funded below grade storm water detention basin - expired	Approved by PC	October 1998
UC-2093-96	Allowed a temporary concrete batch plant, allowing additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below grade storm water detention basin, and permit a batch plant, a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	February 1997
VC-1855-95	Variance for the construction of a privately funded below grade storm water detention basin - expired	Approved by PC	December 1995
VC-1377-95	Variance for a privately funded below grade storm water detention basin and a temporary sand and gravel operation with incidental equipment storage and stockpiling - expired	Approved by PC	September 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Compact Neighborhood (up to 18 du/ac)	P-F & R-3	Church & multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Compact Neighborhood (up to 18 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3 & RUD	Multiple family residential & single family residential
West	Mid-Intensity Neighborhood (up to 8 du/ac)	RUD & R-2	Single family residential

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 August 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 reapproval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: JOE SUNDERMAN

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