08/03/22 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

PEBBLE RD/PARK ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0223-SPACEFINDERS REALTY, INC. & ELIOT HOLDINGS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Ford Avenue and Pebble Road, and between Park Street (alignment) and Fort Apache Road within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:
176-18-801-011

LAND USE PLAN:
ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)
ENTERPRISE - OPEN LANDS
ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:
Project Description
The applicant is proposing to develop the site as a single family residential development. The northern portion of the site is impacted by a wash, which is in a flood zone and there is a drainage easement that covers a majority of the lot. The applicant indicates that the Federal Emergency Management Agency (FEMA) has amended the flood zone for this portion of the wash reducing the width of the flood zone. The request is to reduce the width of the drainage easement to the size of the new flood zone. The proposed development will leave the wash undisturbed as much as possible.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Established an RNP-I Overlay District for the portions of the Enterprise Planning Area which included a portion of this site	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-E & R-2	Single family residential & undeveloped

Surrounding Land Use

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

This site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
NZC-22-0222	A nonconforming zone change request to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
TM-22-500076	A tentative map for a single family residential development 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 request to vacate the entire drainage easement and instead requests that the applicant work with staff to define the exact limits of the area that can be supported. Since the proposed vacation will result in the loss of the County's prior rights to the vacated area, staff recommends denial.

Staff Recommendation
Denial. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: July 19, 2022 – APPROVED – Vote: Unanimous
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

- Vacation shall not record until the area needed for drainage purposes is dedicated in fee to Clark County Public Works;
- Coordinate with Public Works - Development Review Division to revise the legal description to exclude the area needed for drainage purposes;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet to 40 feet for Pebble Road;
- Any area needed for drainage purposes shall be dedicated in fee to Clark County Public Works;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

TAB/CAC: Enterprise - denial.
APPROVALS:
PROTESTS: 7 cards, 11 letters

PLANNING COMMISSION ACTION: June 7, 2022 – HELD – To 07/19/22 – per the applicant.

APPLICANT: ENCORE INVESTMENTS, LLC
CONTACT: ENCORE ENGINEERING LLC, 7272 S. EL CAPITAN WAY, STE 2, LAS VEGAS, NV 89148