

EASEMENTS
(TITLE 30)

UPDATE
AGATE AVE/BUFFALO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-20-0523-MAK ZAK, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Agate Avenue (alignment) and Blue Diamond Road, and between Miller Lane (alignment) and Warbonnet Way (alignment) within Enterprise (description on file). JJ/jt/jd
(For possible action)

RELATED INFORMATION:

APN:
176-21-601-005

LAND USE PLAN:
ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description

The plans depict the vacation and abandonment of government patent easements. Easements to be vacated are 33 feet wide along the east and south property lines, and 3 feet wide along the north and west property lines. According to the applicant, the easements are no longer necessary, and the parcel is part of a proposed townhome planned unit development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0001-07	Reclassified the site to C-2 zoning for a grocery store and convenience store	Approved by BCC	February 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Undeveloped
South & East	Commercial General	C-2	Undeveloped
West	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped

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

Related Applications

Application Number	Request
NZC-20-0524	A nonconforming zone change to reclassify the subject site to RUD zoning for a townhome planned unit development and to reclassify 9.8 acres north of Agate Avenue to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
TM-20-500185	A tentative map for a single family subdivision north of Agate Avenue is a companion item on this agenda.
TM-20-500186	A tentative map for a townhome planned unit development south of Agate Avenue 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 has no objection to the vacation of patent easements that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on **March 3, 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

- 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

- Right-of-way dedication to include 30 feet to 60 feet for Warbonnet Way, 30 feet to 60 feet for Agate Avenue, 60 feet for Miller Lane, and associated spandrels;
- 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: 1 card

PROTESTS: 2 cards

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 02/02/21 – per Commissioner Nguyen.

APPLICANT: D.R. HORTON

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