

02/17/21 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

FT APACHE RD/PYLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-20-400165 (VS-18-0641)-GREYSTONE NEVADA, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for easements of interest to Clark County located between Le Baron Road (alignment) and Pyle Avenue (alignment), and between Grand Canyon Drive (alignment) and Fort Apache Road (alignment) within Enterprise (description on file). JJ/LM/jd (For possible action)

RELATED INFORMATION:

APN:

176-30-601-002 through 176-30-601-004

LAND USE PLAN:

ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

ENTERPRISE - PUBLIC FACILITIES

BACKGROUND:

Project Description

This request is to vacate patent easements and BLM right-of-way grants throughout the subject parcels. The easements are no longer needed for the applicant's proposed single family residential development.

The applicant indicates that VS-18-0641 was approved by the Board of County Commissioners October 16, 2018. Since the approval in 2018, progress has been made toward recordation, but the applicant requires more time to complete the mapping process.

Previous Conditions of Approval

Listed below are the approved conditions for VS-18-0641:

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

- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road, 40 feet for Pyle Avenue, the portion of the cul-de-sac at the western terminus of Pyle Avenue, and associated spandrels;
- Applicant shall apply for BLM right-of-way grants to allow minimum paving on all perimeter streets;
- 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 the installation of detached sidewalks will require the recordation of this vacation and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-20-0573	Design review for final grading plan for a hillside development	Approved by BCC	February 2021
WC-19-400090 (TM-18-500059)	Waived conditions per plans submitted on October 2, 2018	Approved by BCC	August 2019
WC-19-400091 (NZC-18-0287)	Waived conditions per plans submitted on October 2, 2018	Approved by BCC	August 2019
NZC-18-0287	Reclassified the site to R-2 zoning for a single family residential development	Approved by BCC	October 2018
VS-18-0641	Vacated and abandoned government patent easements - expired	Approved by BCC	October 2018
VS-18-0290	Vacated easements - expired	Approved by BCC	October 2018
TM-18-500059	159 single family residential lots and common lots	Approved by BCC	October 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac), Public Facilities, Residential Rural (up to 0.5 du/ac) & Residential Suburban (up to 8 du/ac)	R-E & R-2	Undeveloped
South & West	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac)	R-E	Undeveloped
East	Major Development Project (Mountain's Edge)	R-2	Single family residential

This site and the abutting parcels to the north and east are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ET-20-400164 (VS-18-0290)	First extension of time to vacate and abandon easements of interest to Clark County 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**Current 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. There have been no significant changes in this area. The applicant is in the public hearing process for a design review for the subdivision; therefore, staff has no objection to this extension of time.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Until October 16, 2022 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.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: GREYSTONE NEVADA LLC

CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89113