

06/15/21 PC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

UPDATE
PEBBLE RD/RAINBOW BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0138-LH VENTURES, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Agate Avenue (alignment), and between Rainbow Boulevard and Tenaya Way and a portion of a right-of-way being Pebble Road located between Rainbow Boulevard and Tenaya Way within Enterprise (description on file). JJ/jt/ja (For possible action)

RELATED INFORMATION:

APN:

176-22-501-004; 176-22-501-005; 176-22-501-009 through 176-22-501-011; 176-22-501-025

LAND USE PLAN:

ENTERPRISE - PUBLIC FACILITIES

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of both public right-of-way and easements. Right-of-way to be vacated includes a 5 foot wide and 300 foot long section of Pebble Road to allow for a detached sidewalk.

Easements to be vacated include patent easements, equestrian trail easements, BLM grants for right-of-way, and resolutions relative to the acquisition of right-of-way.

Patent easements to be vacated include 33 foot wide and 3 foot wide easements around the perimeter of certain parcels. In addition, patent easements will be vacated along Rainbow Boulevard, Pebble Road, Tenaya Way, Belcastro Street alignment, and the Rainbow Boulevard alignment. The 14 foot wide equestrian trail easement along the Belcastro Street and Agate Avenue alignments are also requested to be vacated. BLM grants for right-of-way to be vacated are located along the Raven Avenue alignment, Belcastro Street alignment, Pebble Road, and Rainbow Boulevard. Lastly, a 20 foot wide resolution for the acquisition of right-of-way along Rainbow Boulevard is requested to be vacated.

According to the applicant, these rights-of-way and easements are no longer needed for the proposed single family residential development, which is a companion item on this agenda.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-21-0136	Vacation and abandonment of right-of-way (including Raven Avenue) and easements within the Montessori Street and Agate Avenue alignments	Withdrawn by PC	May 2021
WC-21-400048 (ZC-18-0853)	Waiver of conditions requiring dedication for Montessori Street	Withdrawn by PC	May 2021
WC-21-400049 (VS-17-0049)	Waiver of conditions requiring dedication for Montessori Street	Withdrawn by PC	May 2021
LUP-20-700082	Redesignate the land use plan for 7.5 acres in the northwest portion of the overall site from RNP (Rural Neighborhood Preservation) and PF (Public Facilities) to RN (Rural Neighborhood) - staff recommended approval, but the Enterprise Land Use Plan Update was cancelled	N/A	N/A
LUP-20-700083	Redesignate the land use plan for 7.5 acres in the northcentral portion of the overall site from RNP (Rural Neighborhood Preservation) to RS (Residential Suburban) - staff recommended a reduction to RL (Residential Low), but the Enterprise Land Use Plan Update was cancelled	N/A	N/A
ET-19-400024 (NZC-0838-13)	Second extension of time to reclassify the eastern 8 acres of the site from C-2 to R-2 zoning for a single family residential subdivision	Withdrawn by BCC	April 2019
PA-18-700021	Redesignated the land use plan for the entire site from RNP (Rural Neighborhood Preservation), PF (Public Facilities), and CG (Commercial General) to RS (Residential Suburban)	Approved RS east of Montessori Street and east 2.5 acres; denied west of Montessori Street by BCC	March 2019
NZC-0838-13 (ET-0189-16)	First extension of time to reclassify the eastern 8 acres of the site from C-2 to R-2 zoning in the MUD-4 Overlay District for a single family residential development	Approved by BCC	February 2017

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0838-13	Reclassified the eastern 8 acres of the site from C-2 to R-2 zoning with waivers of development standards for landscaping and screening and off-site improvements (curb, gutter, sidewalk, streetlights, and reduced paving) with a design review for a single family residential development	Approved by BCC	March 2014
ZC-1190-03	Reclassified the eastern portion of the site to a C-2 zoning for future commercial development	Approved by BCC	September 2003
ZC-1026-05	Reclassified 3,800 parcels, including 10 acres of the subject site to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I) & C-2	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac), Office Professional, Commercial Neighborhood & Commercial General	R-E (RNP-I), R-E, C-2, C-1, & H-2	Single family residential & undeveloped
East	Commercial General	C-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential

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

Related Applications

Application Number	Request
ZC-20-0284	A zone change to reclassify a 14.6 acre portion of the western side of the site to P-F zone for a charter school is a related item that is scheduled for the September 22, 2021 BCC meeting.
VS-20-0285	A vacation and abandonment of easements on the southwest portion of this site for the charter school is a related item that is scheduled for the September 22, 2021 BCC meeting.
AG-20-900314	An agenda item to re-route the equestrian trail alignment west on Raven Avenue and south on Tenaya Way for the charter school is a related item that is scheduled for the September 22, 2021 BCC meeting.

Related Applications

Application Number	Request
PA-21-700001	A plan amendment to change the equestrian trail alignment from Belcastro Street west on Pebble Road and south on Tenaya Way is a companion item on this agenda.
NZC-21-0137	A nonconforming zone change to reclassify the site to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
TM-21-500034	A tentative map for a 305 lot single family residential subdivision 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 requested vacation since the street network in the area was first established by an approved multi-family project near Blue Diamond Road and Rainbow Boulevard. Subsequent to that approval, the proponents for a proposed school on a portion of the subject site worked very closely with staff to design a viable street network for the area, especially considering that a fire station is proposed at the southeast corner of Raven Avenue and the Rosanna Street alignment. That agreed upon street network allowed connectivity to Pebble Road, Tenaya Way, Rainbow Boulevard, and Blue Diamond Road. With the applicant's proposal, the street network for that same area bounded by those collector and arterial streets will be cut off leaving a disjointed street network with a group of streets where each street only allows one way into the area and one way out.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **July 7, 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**

If approved:

- 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

- Right-of-way dedication to include 21 feet for Raven Avenue and 21 feet for Belcastro Street near the northwest portion of the site, 30 feet and a portion of a cul-de-sac for Raven Avenue on the east portion of the site, 40 feet for Tenaya Way, 30 feet and a portion of a cul-de-sac for Agate Avenue, 55 feet to the back of curb for Rainbow Boulevard, 50 feet for Pebble Road where non-urban standards apply, 45 to 50 feet to the back of curb for Pebble Road where full off-sites are required, and all associated spandrels;
- Apply for a public BLM right-of-way grant through Public Works - Development Review Division for any necessary rights-of-way on BLM land abutting the subject site;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on the west side of Rainbow Boulevard, just south of Pebble Road, including a 5 foot by 25 foot bus shelter pad easement behind the sidewalk in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- Applicant is advised that fire objects to the proposal to end Raven Avenue in a cul-de-sac; and that there is a previously approved agreement to allow a temporary condition of single source water supply for the proposed fire station which should be resolved with build out of road west of the station.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - denial.

APPROVALS: 4 cards

PROTESTS: 7 cards, 2 letters

PLANNING COMMISSION ACTION: May 18, 2021 – HELD – To 06/01/21 – per the applicant.

PLANNING COMMISSION ACTION: June 1, 2021 – HELD – To 06/15/21 – per staff.

APPLICANT: KB HOME

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