06/15/21 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY (TITLE 30) GARY AVE/DECATUR BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0205-DAVID FAX OBER LLC & BUFFALO WING LLC:

VACATE AND ABANDON easements of interest to Clark County located between Richmar Avenue and Gary Avenue, and between Edmond Street and Decatur Boulevard; and a portion of a right-of-way being Hauck Street located between Richmar Avenue and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:
176-24-801-003; 176-24-801-004; 176-24-801-006 through 176-24-801-008; 176-24-801-029

LAND USE PLAN:
ENTERPRISE - COMMERCIAL NEIGHBORHOOD
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:
Project Description
The applicant is proposing to develop the site as a single family residential development in an R-2 zone. The request is to vacate a portion of Hauck Street and various easements that the applicant indicates area not needed for development in this area. Any required right-of-way dedications and easements will be provided with the future subdivision of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1832-03	Reclassified APN 176-24-801-008 to C-P zoning for future office use	Approved by BCC	January 2004

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac), Public Facilities & Commercial Neighborhood	R-E (RNP-I) & R-E	Single family residential & undeveloped
South	Residential Suburban (up to 8 du/ac) & Residential High (from 8 to 18 du/ac)	R-E	Single family residential & undeveloped

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
East	Commercial Neighborhood & Business and Design/Research Park	R-E	Single family residential & undeveloped
West	Public Facilities	R-E	Undeveloped

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
NZC-21-0204	Nonconforming zone change to reclassify the site to R-2 zoning for a single family residential development is a companion item on this agenda.
TM-21-500051	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 patent easements and BLM right-of-way grants for Gary Avenue west of Hauck Street. Gary Avenue would provide an important east/west link between Decatur Boulevard and Edmond Street. With an unknown development pattern in the area, it is premature to make a determination about the future of Gary Avenue. Eliminating the Gary Avenue alignment will result in a closed off street network for the sole benefit of one developer and could impact further development in this area.

Staff can support the other portions of the vacation application, which are portions of right-of-way for Hauck Street north of Gary Avenue and patent easements that are not necessary for Gary Avenue.

Staff Recommendation
Approval of the vacation of right-of-way for Hauck Street north of Gary Avenue and for patent easements not necessary for Gary Avenue; denial of the vacation of patent easements and BLM right-of-way grants for Gary Avenue west of Hauck Street. This item will be forwarded to the Board of County Commissioners' meeting for final action July 21, 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 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- 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 dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - approval.
APPROVALS:
PROTESTS:

APPLICANT: KB HOME
CONTACT: THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS, NV 89120