

EASEMENTS & RIGHTS-OF-WAY
(TITLE 30)

UPDATE
FRIAS AVE/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0202-SCHIRLLS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Arville Street and Schuster Street; and portions of a right-of-way being Haleh Avenue located between Arville Street and Schuster Street and a portion of Schirlls Street located between Haleh Avenue and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:

177-30-701-014; 177-30-701-015; 177-30-701-019 through 177-30-701-022; 177-30-701-040 through 177-30-701-041

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 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 Schuster Street, and various easements that the applicant indicates are 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
NZC-19-0612	Zone change of 33.5 acres, including portions of this site, to R-2 zoning for a single family residential development	Approved by BCC	November 2019
VS-0095-11	Vacated and abandoned a portion of right-of-way being Hinson Street located between Haleh Avenue and Pyle Avenue	Approved by PC	May 2011
ZC-1026-05	Reclassified approximately 3,800 parcels of land from an R-E 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) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I) & ROI/R-2	Single family residential & undeveloped
South	Public Facilities & Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
West	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

Related Applications

Application Number	Request
NZC-21-0203	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-21-500050	Tentative map for a 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 portions of this request since the overall street network for the surrounding area was based on both the approval of prior land use applications for the subject site and approvals and assurances from the current developer that, in lieu of having Hinson Street act as the public north/south street in the area, Schirlls Street would take that role. Eliminating Schirlls Street will result in a closed off street network for the sole benefit of this developer.

Based on the above, staff cannot support the vacation of right-of-way and patent easements that are necessary for Schirlls Street and for Haleh Avenue between Arville Street and Schirlls Street.

Staff has no objection to the vacation of right-of-way for Haleh Avenue, east of the Schirlls Street alignment, the drainage easement on APN 177-30-701-014, nor any of the patent easements that are not necessary for either Schirlls Street or Haleh Avenue west of the Schirlls Street alignment. This includes support for the 3 foot wide remainders of the patent easements for both Schirlls Street and Haleh Avenue.

Staff Recommendation

Approval of the vacation of right-of-way for Haleh Avenue east of Schirlls Street, the drainage easement, the patent easements that are not necessary for the dedications of both Schirlls Street or Haleh Avenue west of Schirlls Street; denial of the vacation of right of way for Schirlls Street

and Haleh Avenue west of Schirlls Street, and the patent easements necessary for the dedications of both Schirlls Street and Haleh Avenue west of Schirlls Street. 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PLANNING COMMISSION ACTION: June 15, 2021 – APPROVED – Vote: Unanimous
Absent: Kilarski, Frasier

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

- Right-of-way dedication to include 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;
- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future;
- Drainage study and compliance;
- 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 controls.

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.

TAB/CAC: Enterprise - approval (denial of right-of-way vacation).

APPROVALS: 2 cards

PROTESTS: 2 cards

APPLICANT: KB HOME

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