

EASEMENTS
(TITLE 30)

UPDATE
TENAYA WY/AGATE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-20-0285-LH VENTURES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Tenaya Way and Montessouri Street (alignment), and between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:
176-22-501-025

LAND USE PLAN:
ENTERPRISE - PUBLIC FACILITIES

BACKGROUND:
Project Description

The plans show the vacation and abandonment of patent easements and BLM grants ranging in width from 5 feet to 30 feet wide. These easements are located along the Belcastro Avenue (alignment) and on portions of the perimeter of the development, excepting out dedication for public right-of-way. The 14 foot wide easements were reserved for the purpose of an equestrian trail which currently runs from Pebble Road on the north, then heads south along the Belcastro Street (alignment) to Agate Avenue and eventually heading west. The applicant wishes to vacate the current trail alignment and redirect it to the west on Raven Avenue, south down Tenaya Way, then eventually heading west at the intersection of Agate Avenue and Tenaya Way. Additionally, the plans show the vacation and abandonment of a 5 foot wide BLM grant on the east side of Tenaya Way to accommodate a detached sidewalk in conjunction with the school development.

Prior Land Use Requests

Application Number	Request	Action	Date
AG-20-900314	Received direction to consider an amendment to the trail alignment along Belcastro Street between Pebble Road and Agate Avenue as part of the Clark County Trails Map	Approved by BCC	July 2020
PA-18-700021	Plan Amendment to the Enterprise Land Use Plan on 52 acres from RNP, PF and CG to RS	Approved by BCC	March 2019

Surrounding Land Use

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

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

Related Applications

Application Number	Request
AG-20-900314	An agenda item to consider an amendment to the trail alignment along Belcastro Street between Pebble Road and Agate Avenue as part of the Clark County Trails Map is a companion item on this agenda.
ZC-20-0284	A zone change to reclassify 14.6 acres to a P-F zoning for a proposed charter school site 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 and Bureau of Land Management (BLM) right-of-way grants that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. 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: August 18, 2021 – APPROVED – Vote: Unanimous
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 35 feet to the back of curb for Tenaya Way, 30 feet for Agate Avenue, 30 feet for Montessori Street, 30 feet for Raven Avenue with a portion of an elbow at the intersection of Raven Avenue and Belcastro Street 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-0285-20; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

TAB/CAC:

APPROVALS: 2 cards

PROTESTS: 16 cards, 2 letters

PLANNING COMMISSION ACTION: August 18, 2020 – HELD – To 09/15/20 – per the applicant.

PLANNING COMMISSION ACTION: September 15, 2020 – HELD – To 10/20/20 – per the applicant.

PLANNING COMMISSION ACTION: October 20, 2020 – HELD – To 11/17/20 – per the applicant.

PLANNING COMMISSION ACTION: November 17, 2020 – HELD – To 01/19/21 – per the applicant.

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 04/20/21 – per the applicant.

PLANNING COMMISSION ACTION: April 20, 2021 – HELD – To 08/17/21 – per the applicant.

APPLICANT: LH VENTURE, LLC

CONTACT: MARGO GAGLIANO, HERITAGE SURVEYING NV, 1895 VILLAGE
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