

03/22/23 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

GRAND TETON DR/TIOGA WAY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400011 (VS-20-0207)-DXD F1 GRAND TETON, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of a right-of-way being Tioga Way located between Grand Teton Drive and Ackerman Avenue within Lone Mountain (description on file). MK/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

125-10-405-007 & 125-10-405-008

LAND USE PLAN:

LONE MOUNTAIN - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The approved plans depict the vacation and abandonment of a 5 foot wide portion of a right-of-way on the west side of Tioga Way between Grand Teton Drive and Ackerman Avenue. The applicant states that the existing 5 foot wide right-of-way is no longer needed for the development of the property.

Previous Conditions of Approval

Listed below are the approved conditions for VS-20-0207:

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

- Right-of-way dedication to include an additional 5 feet for Grand Teton Drive;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Right-of-way for Buffalo Drive to remain at a minimum of 50 feet to accommodate dual left turn lanes;

- 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 may require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Applicant's Justification

The applicant is requesting an extension of time for 3 years to allow enough time to complete the development of the entire site per the conditions of approval; submit the appropriate land use applications; submit required technical studies; obtain permits; and commence the project. The applicant states that this request for an extension of time is to have enough time to diligently work to commence and complete construction of the project, record the final map, and for the issuance of the building permit. The previous vacation application expired because the final map was not ready to record within 2 years.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400051 (DR-21-0130)	First extension of time for a proposed daycare facility	Approved by BCC	June 2022
ET-22-400050 (UC-19-0864)	First extension of time for a project of regional significance for a mini-warehouse and vehicle rental with waivers for alternative landscaping, screening, and modified driveway standards	Approved by BCC	June 2022
ET-22-400049 (NZC-0511-12)	Fifth extension of time to reclassify from R-E to C-1 zoning	Approved by BCC	June 2022
DR-21-0130	Design review for a daycare and façade design for an approved retail center with a mini-warehouse building	Approved by BCC	June 2022
VS-20-0207	Vacated and abandoned a portion of right-of-way	Approved by BCC	June 2021
UC-19-0864	Project of regional significance for a mini-warehouse and vehicle rental with waivers for alternative landscaping, screening and modified driveway standards.	Approved by BCC	December 2019
ET-19-400131 (NZC-0511-12)	Fourth extension of time to reclassify from R-E to C-1 zoning	Approved by BCC	December 2019
WC-18-400177 (NZC-0511-12)	Waived conditions to construct a new block wall; construct an intense landscape buffer, construct a gate and provide gate access; and right-of-way dedication for a proposed shopping center.	Approved by BCC	October 2018
WS-18-0471	Waived alternative landscaping and alternative commercial driveway geometrics for a retail center	Approved by BCC	October 2018
NZC-0511-12 (ET-0147-17)	Third extension of time to reclassify 11.6 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	December 2017

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0511-12 (ET-0133-16)	Second extension of time to reclassify 11.6 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	November 2016
NZC-0511-12 (ET-0098-14)	First extension of time to reclassify 11.6 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	October 2014
NZC-0511-12	Reclassified 11.6 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	October 2012

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	City of Las Vegas	C-V	Arbor View High School
East	City of Las Vegas	R-1	Single family residential
West	Neighborhood Commercial	C-1	Undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Comprehensive 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.

If approved, staff recommends the expiration date be set to match DR-21-0130 and UC-19-0864.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until October 3, 2024 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 reapproval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Lone Mountain - approval.

APPROVALS:

PROTEST:

APPLICANT: DXD F1 GRAND TETON, LLC

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