

10/04/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

DECTAUR BLVD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0521-DECATUR POST, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Post Road and Teco Avenue (alignment) and between Decatur Boulevard and Hauck Street (alignment); a portion of right-of-way being Decatur Boulevard located between Post Road and Teco Avenue (alignment); and a portion of right-of-way being Post Road located between Decatur Boulevard and Hauck Street (alignment) within Spring Valley (description on file). MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-801-008; 163-36-801-014

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 33 foot wide patent easement that runs along the northern and west boundary of APN 163-36-801-014 located in the southern portion of the subject site. The plans also depict the vacation and abandonment of a portion of right-of-way described as Post Road, a 60 foot right-of-way, and Decatur Boulevard, a 120 foot right-of-way. Five feet is proposed to be vacated from both Post Road and Decatur Boulevard. Along Post Road, a 222 foot portion will be vacated for a total area of 1,110 square feet, and along Decatur Boulevard, a 442 foot portion is to be vacated for a total area of 2,210 square feet. The applicant states that the vacation of the patent easement is needed to allow for the development of the site, and that the patent easements are no longer needed for any roads or utilities. The applicant also states that the vacation of the rights-of-way are needed in order to provide detached sidewalks for the proposed development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0648	Reclassified the site from C-2 and R-E zoning to C-2 zoning for future commercial uses	Approved by BCC	February 2023
PA-22-700006	Redesignated the land use for the site to Corridor Mixed-Use from Business Employment	Adopted by BCC	February 2023

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0814-05	Reclassified the site from R-E to C-2 zoning for a future commercial development	Approved by BCC	July 2005
ZC-1469-00	Reclassified the site from R-E and M-D zoning to C-2 and M-1 zoning for a convenience store, gas station, shopping center, taxing staging, and maintenance facility	Approved by BCC	November 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2	Motorcycle sales
South	Corridor Mixed-Use	C-2	Undeveloped & restaurant
East	Business Employment	C-2 & R-E	Undeveloped
West	Business Employment	M-1	Freight terminal

Related Applications

Application Number	Request
WS-23-0520	A waiver of development standards for a shopping center with retail, vehicle maintenance, restaurant, convenience store with gasoline station, and future uses is a companion item on this agenda.
TM-23-500110	A tentative map for a 1 lot commercial subdivision is 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 that are not needed for site, drainage, or roadway development and right-of-way for detached sidewalks.

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**

- Satisfy utility companies' requirements.

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 a radius or chord in the northeast corner of APN 163-36-801-008 to encompass traffic components;
- Dedicate a 3 foot wide streetlight and traffic control easement in addition to the above condition, concentric with the radius or parallel to the chord;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Decatur Boulevard in accordance with RTC standards;
- 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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: DECATUR POST, LLC

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