10/07/26 BCC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-26-0517-KHADIVI NOOSHIN TRUST & SEPEHRI NILOOFAR K TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Grand Canyon Drive, and Patrick Lane and Post Road; and a portion of a right-of-way being Fort Apache Road located between Patrick Lane and Post Road within Spring Valley (description on file). JJ/mh/kh (For possible action)

RELATED INFORMATION:

APN:
163-31-702-015

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description
The applicant is requesting to vacate and abandon a portion of the Fort Apache Road right-of-way to accommodate a detached sidewalk. In addition, the applicant is requesting to vacate patent easements which are no longer needed to develop the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-400164-09 (ZC-0315-03)	Second extension of time for a zone change from R-E to C-1 for a shopping center - expired	Approved by BCC	July 2009
ET-400134-06 (ZC-0315-03)	First extension of time for a zone change from R-E to C-1 for a shopping center - expired	Approved by BCC	August 2006
ZC-0315-03	Zone change from R-E to C-1 for a shopping center - expired	Approved by BCC	May 2003
UC-0503-01	Use permits for a place of worship, daycare, school, and increased structure height - expired	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG	Shopping center
South	Neighborhood Commercial	CN	Flood channel & daycare
East	Neighborhood Commercial & Business Employment	RS20 & CP	Flood channel & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-26-0515	A zone change from RS20 to CN is a companion item on this agenda.
WS-26-0516	A waiver of development standards and design review for office development is a companion item on this agenda.
TM-26-500119	A tentative map for 1 lot commercial 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 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 within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review
- Drainage study and compliance;

- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 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 devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Building Department - Addressing
- No comment.

Fire Prevention Bureau
- No comment.

Clark County Water Reclamation District (CCWRD)
- No objection.

TAB/CAC: Spring Valley - approval.
APPROVALS:
PROTESTS:

APPLICANT: FIRST FEDERAL REALTY
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