

09/07/21 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

WIGWAM AVE/FORT APACHE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400112 (VS-18-0770)-ASJ COMPANIES, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME a portion of a right-of-way being Fort Apache Road located between Wigwam Avenue and Huntington Cove Parkway within Spring Valley (description on file). JJ/bb/jo (For possible action)

RELATED INFORMATION:

APN:
176-18-601-002

LAND USE PLAN:
SPRING VALLEY - MAJOR DEVELOPMENT PROJECT - URBAN VILLAGE

BACKGROUND:
Project Description

The previously approved plan depicts the vacation and abandonment of an approximately 324 foot long, 5 foot wide portion of right-of-way along Fort Apache Road. The total area for the vacation and abandonment is 1,623 square feet. The vacation is needed to install the required detached sidewalk during the future development of the subject parcel.

Previous Conditions of Approval
Listed below are the approved conditions for VS-18-0770:

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

- 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 granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Applicant's Justification

This vacation of right-of-way was completed by a previous owner and was believed to be completed and recorded prior to the current owner's involvement with the property. The new owner completed civil engineering plans and are now at the mylar approval stage. Clark County Public Works is starting construction on road improvements at Fort Apache Road that directly affects the project. Fort Apache Road will become a no cut street in the coming months that will greatly hinder the project.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-19-0181	Mini-warehouse	Approved by BCC	April 2019
VS-18-0770	Vacated and abandoned a portion of Fort Apache Road	Approved by PC	November 2018
UC-18-0482	Increased the height of an existing communication tower, reduced setback from existing residential development, reduced the number of antenna arrays, and a design review for increased height to an existing communication tower (monopole)	Approved by PC	August 2018
UC-0193-13	Wireless communication tower and ancillary uses	Approved by PC	June 2013
ZC-1276-04	Reclassified the subject site to C-2 zoning for future commercial development	Approved by BCC	September 2004
MP-0718-04	Amended the original concept plan for the subject parcel and the surrounding area	Approved by BCC	July 2004
MP-1423-00 & MP-1422-00	Approved the Public Facility Needs Assessment (PFNA) area and specific plans for the subject and surrounding parcels in the area	Approved by BCC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Major Development Project (Rhodes Ranch)	R-2	Huntington Village single family subdivision
South	Major Development Project (Rhodes Ranch)	Multi-Layer Zoning (MLZ)	Undeveloped
East	Major Development Project (Rhodes Ranch)	R-3	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis**Current 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.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Until November 20, 2022 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 re-approval by utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: CIVILWORKS, INC.

CONTACT: CIVILWORKS, INC., 4945 W. PATRICK LANE, LAS VEGAS, NV 89118