

05/21/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-24-0095-DAF HOLDING, LLC ETAL & JGF LIVING TRUST:**

**ZONE CHANGE** to reclassify 3.5 acres from a CP (Commercial Professional) Zone to an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise (description on file). JG/md (For possible action)

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RELATED INFORMATION:

**APN:**

177-12-102-014

**PROPOSED LAND USE PLAN:**

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 3.5
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states this is a request to rezone the subject property from CP (Commercial Professional) to RS3.3 (Residential Single-Family 3.3) for a proposed 20 lot single family residential subdivision. The justification for this request is rooted in the unique characteristics of the site that make it well suited for an in-fill residential development. The property is defined by its adjacency to Warm Springs Road, a 100 foot wide public right-of-way to the north, and the presence of a 100 foot wide railway right-of way to the east. Furthermore, this zone boundary amendment is a response to the community's need for more housing and reflects a strategic adjustment to the decreased demand for commercial office space in the area. The proposed zone change aligns with the broader goal of meeting housing demands while adapting to changes in the local economic landscape. In-fill development is vital for optimizing land use in constrained areas and contributes to minimizing urban sprawl. The proposed amendment actively addresses the county's sustainability goals by repurposing available space, providing a thoughtful and efficient land utilization strategy. This proposed amendment not only meets the immediate needs of the community but also reflects a forward thinking approach to land use planning. The compatibility with existing developments and the unique considerations of the site illustrates a commitment to sustainable and well-coordinated growth within the region. The zone boundary amendment, in

conjunction with the proposed land use amendment, underscores a commitment to optimizing the subject parcels within the broader context of their geographical and environmental constraints, contributing to the long-term vision for the area.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-19-0493	Reclassified this site to C-P zoning for a medical complex consisting of 2 buildings	Approved by BCC	August 2019
CP-0509-17	Changed the land use plan designation for a portion of the site from RNP to OP	Approved by BCC	April 2018
CP-0807-07	Changed the land use plan designation for a portion of the site from RNP to OP	Approved by BCC	June 2008

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac) & Public Use	RS20	Union Pacific Railroad, undeveloped, & single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single family residential
East	Neighborhood Commercial	CP	Union Pacific Railroad, undeveloped, & office complex
West	Neighborhood Commercial	RS20	Single family residential

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-24-700003	A plan amendment to redesignate the land use from Neighborhood Commercial to Mid-Intensity Suburban Neighborhood is a companion item on this agenda.
WS-24-0096	A waiver of development standards for setback, wall height, detached sidewalk, and increased fill and design review for a single family residential development is a companion item on this agenda.
TM-24-500025	A tentative map for a 20 lot single family residential development on 3.5 acres is a companion item on this agenda.

#### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### **Analysis**

##### **Comprehensive Planning**

The Residential Single-Family 3.3 (RS3.3) zoning district is established to accommodate moderate density, single family residential developments. Immediately to the south of the subject property

is an existing single family residential development located within a Residential Single-Family 20 (RS20) zoning district. To the north of the project site, across Warm Springs Road, is an existing single family residential development located within a Residential Single-Family 20 zoning district. To the east and west of the subject property is a Union Pacific Railroad line and an unoccupied single family residence, respectfully. The RS3.3 and RS20 zoning districts require minimum lot areas of 3,300 (gross) square feet and 20,000 (gross) square feet, respectively. Staff finds the proposed RS3.3 zoning district conflicts with policy WP1.5 (Residential In-fill) of the Master Plan which encourages transitions in density and intensity along shared edges where in-fill development is adjacent to established neighborhoods to promote a cohesive character. Staff finds the RS3.3 zoning district is not compatible with the adjacent and abutting residential lots zoned RS20. Furthermore, this request does not comply with Policy 1.4.4 which encourages in-fill development and redevelopment in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. The RS3.3 zoning district is not compatible in scale or intensity with the RS20 zoning district. In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. For these reasons, staff finds the request for the RS3.3 zone is not appropriate for this location and recommends denial.

### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 18, 2024 at 1:00 p.m., unless otherwise announced.

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:**

#### **Department of Aviation**

If approved:

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0302-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUMMIT HOMES OF NEVADA

**CONTACT:** TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118