

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0822-ROOHANI FAMILY TRUST & ROOHANI KHUSROW TRS:

HOLDOVER ZONE CHANGE to reclassify 2.5 acres from an R-D (Suburban Estates Residential) Zone to an R-1 (Single Family Residential) Zone for a future residential development.

Generally located on the southwest corner of Frias Avenue and Bermuda Road within Enterprise (description on file). MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

177-28-803-001

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Existing Land Use: Undeveloped

Applicant’s Justification

The applicant states that the request for R-1 zoning is appropriate for the site since there are existing developments with greater density in the area such as the R-3 and RUD developments across Bermuda Road to the east and northeast. The request also addresses the need for in-fill development in Clark County and reduces urban sprawl.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|--------------|
| ZC-0710-17 | Reclassified the site to R-D zoning for a single family residential development | Approved by BCC | October 2017 |
| VS-0711-17 | Vacated and abandoned easements - expired | Approved by BCC | October 2017 |
| TM-0139-17 | Single family residential subdivision - expired | Approved by BCC | October 2017 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|-------|---|---------------------------|---------------------------|
| North | Ranch Estate Neighborhood (up to 2 du/ac) | R-E (RNP-I) | Place of worship |
| South | Low-Intensity Suburban Neighborhood (up to 5 du/ac) | R-D | Single family residential |
| East | Compact Neighborhood (up to 18 du/ac) | R-3 | Single family residential |
| West | Ranch Estate Neighborhood (up to 2 du/ac) | R-E (RNP-I) | Single family residential |

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

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

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds the request to reclassify the site to R-1 zoning to not be compatible with the existing single family residential developments to the west and south. The proposed R-1 zoning does not provide for an appropriate transition for the R-D zoned residences to the south or the R-E (RNP-I) zoned residences to the west; or from the R-E (RNP-I) zoned place of worship to the north to these residences. The request does not comply with Policy 1.5.1 of the Master Plan which supports the protection of existing Rural Neighborhood Preservation (RNP) areas as defined by NRS 278; and Policy 1.5.2 which promotes adopting and implementing standards to protect the established character and lifestyles associated with RNP areas and minimize future conflicts with higher intensity development planned on-sites that are adjacent to RNP areas. Suggested strategies in the Master Plan include providing transitioning densities with larger lots adjacent to RNP areas or clustering higher intensity housing units away from the shared edge of the RNP. Given the small size of the subject property (2.5 acres), utilizing such strategies would be hard to accomplish. Staff finds that the existing R-D zoning for the site is more compatible with the surrounding area, as opposed to the R-1 zoning request. For these reasons, staff finds the request for R-1 zoning is not appropriate for this location.

Department of Aviation

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

Staff Recommendation

Denial.

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

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications will be reviewed for conformance with the regulations in place at the time of application.

Public Works - Development Review

- Right-of-way dedication to include 50 feet for Bermuda Road, 30 feet for Frias Avenue and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.

Department of Aviation

- 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 is strongly encouraged; and 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 funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 7 cards, 1 letter, 1 petition (70 signatures)

COUNTY COMMISSION ACTION: February 7, 2024 – HELD – To 05/22/24 – per the applicant.

APPLICANT: KHUSROW ROOHANI

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