

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**ZC-24-0058-FORT APACHE, LTD:**

**ZONE CHANGE** to reclassify 9.1 acres from a CG (Commercial General) Zone to an RM32 (Residential Multi-Family 32) Zone.

Generally located on the west side of Fort Apache Road and the south side of Pebble Road within Enterprise (description on file). JJ/hw/ng (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-19-501-006 through 176-19-501-008; 176-19-501-025

**PROPOSED LAND USE PLAN:**

ENTERPRISE - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 9.1
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant indicates the proposed zone change is appropriate for the site due to its location along Fort Apache Road and the trend in the area towards commercial and higher density residential uses. In addition, the applicant indicates the proposed zoning of RM32 is appropriate for the site due to the zoning being able to serve a buffer between the single family residential uses to the west and the approved commercial uses to the east and from Fort Apache Road. The applicant also indicates that the multiple family developments allowed by RM32 zone will be less detrimental in terms of traffic and impact than a commercial or mixed-use development would be in the current CG zone.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0918-05	Reclassified the site from R-E to C-2 zoning for a future neighborhood shopping center	Approved by BCC	July 2005
ZC-0852-97	Reclassified the site from R-E to C-2 zoning for a shopping center - expired	Held Indefinitely	June 1997

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WT-0779-95	40 foot tall overhead transmission lines	Approved by PC	June 1995

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Open Lands	RS20	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Open Lands	RS3.3 & RS20	Single family residential & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CG & RS20	Undeveloped
West	Corridor Mixed-Use & Open Lands	RS3.3	Single family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-24-700002	A plan amendment to redesignate the existing land use category from Corridor Mixed-Use (CM) to Urban Neighborhood (UN) is a companion item on this agenda.
WS-24-0059	A waiver of development standards for a 288 unit multiple family apartment complex is a companion item on this agenda.
SDR-24-0060	A sign design review for wall, awning, and entrance signs for an apartment complex is a companion item on this agenda.
VS-24-0061	A vacation and abandonment of a BLM right-of-way grant, patent easements, and rights-of-way 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**

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds that there are several single family developments in the area that are zoned either RS3.3 or RS2 and have been developed at densities between 5 to 10 dwelling units per acre. In addition, there also appears to be other RM32 zoned properties within a half-mile of the subject site. With that said, staff also finds that the subject site is still a viable commercial node due to the approved commercial development across Fort Apache Road and the overall need for commercial developments and zoning within the area. In addition, staff finds that

in this location the potential for 32 dwelling units per acre would be out of place and significantly exceeds the surrounding developments. Staff further finds that the other RM32 zoned properties are mainly concentrated along the larger Blue Diamond Road thoroughfare where higher intensity uses, including high density multiple family residential developments, are more appropriate. Staff also finds that the proposed zone change fails to comply with Policy 1.3.3 of the Master Plan which encourages the integration of grocery stores, restaurants, medical offices, and other daily needs services as part of or adjacent to new neighborhoods to minimize the need for longer vehicle trips, and Policy EN-5.3 which promotes limiting the conversion of commercial lands for the purposes of residential development. For these reasons and the fact that staff is not supporting the proposed plan amendment to the Urban Neighborhood (UN) land use designation, staff finds the request for the RM32 zone is not appropriate for this location and cannot support this zone change.

### **Staff Recommendation**

Denial. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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.

**PLANNING COMMISSION ACTION:** April 16, 2024 – APPROVED – Vote: Aye: Castello, Kirk, Lee, Mujica; Stone Nay: Kilarski Absent: Frasier

### **Public Works - Development Review**

- No comment.

### **Fire Prevention Bureau**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; and 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0091-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPROVALS:** 1 card

**PROTESTS:** 8 cards, 1 letter

**APPLICANT:** THE CALIDA GROUP

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135