

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:**

**ZONE CHANGE** to reclassify the following: **1)** 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; **2)** 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and **3)** eliminate within the Neighborhood Protection (RNP) Overlay.

Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

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RELATED INFORMATION:

**APN:**

176-13-701-003; 176-13-701-016; 176-13-701-026

**PROPOSED LAND USE PLAN:**

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC) (WEST SIDE OF EDMOND STREET)

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC) (EAST SIDE OF EDMOND STREET)

**CURRENT LAND USE PLAN:**

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC) (WEST SIDE OF EDMOND STREET)

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC) (EAST SIDE OF EDMOND STREET)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5 (west half/proposed RS5.2)/4.77 (east half/proposed RS3.3)
- Existing Land Use: Undeveloped

Applicant's Justification

The applicant indicates that the request is for the zone change to Residential Single-Family 5.2 and Residential Single-Family 3.3, for the west and east sides of Edmond Street; respectively. The west half is being requested to change the zoning district from RS20 to RS5.2. The east half is being requested to change the zoning district from RS20 and H-2 to RS3.3. The requested zone change will serve to establish standards for lot area, lot dimensions and setbacks that accommodate

the densities associated with the land use categories. The applicant further states the proposed zoning districts offer a more appropriate transition correlating with the surrounding zoning. The proposed zoning districts will not have any substantial adverse effect on the surrounding public facilities and services. Research of the infrastructure and correspondence with the agencies having jurisdiction have indicated that there is available water and wastewater facilities adjacent to the site with capacity to service the proposed development. Any potential impacts to the traffic or drainage patterns will be evaluated and addressed by technical studies prepared during the development review process with Clark County Public Works.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
PA-23-700045	Redesignated 5 acres from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) - withdrawn without prejudice	Withdrawn at BCC	June 2024
ZC-23-0826	Reclassified 5 acres of a 7.5 acre site from R-E (RNP-I) to R-1 zoning for a future single family residential development - withdrawn without prejudice	Withdrawn at BCC	June 2024
ZC-1026-05	Reclassified approximately 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005
UC-0480-99	Overhead electrical power transmission line with 110 foot high transmission line poles	Approved by PC	May 1999

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Open Lands & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20 (NPO-RNP) & RS2	Undeveloped & single-family residential
South	Ranch Estate Neighborhood (up to 2 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20 (NPO-RNP) & RS3.3	Single-family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS2	Single-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP) & H-2	Single-family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-24-700020	A plan amendment to redesignate the land use category of the western 5 acres (APNs 176-13-701-026 and 176-13-701-003) from RN to LN is a companion item on this agenda.

## Related Applications

Application Number	Request
VS-24-0486	A vacation and abandonment for patent easements and portions of right-of-way is a companion item on this agenda.
WS-24-0487	A single-family residential subdivision with waivers to increase fill height and retaining wall height is a companion item on this agenda.
TM-24-500101	A tentative map for a 54 lot single-family detached residential subdivision 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. The subject parcels are divided into 2 parts by Edmond Street. The west half is being requested to change the zoning district from RS20 to RS5.2. The east half is being requested to change the zone district from RS20 and H-2 to RS3.3. **The Neighborhood Protection Overlay (RNP) is located on the west side of Edmond Street, and on the northern 2.5 acres of the property on the east side of Edmond Street.** The companion plan amendment request is for the west half that is for Low-Intensity Suburban Neighborhood (LN). The land use of the east half is Mid-Intensity Suburban Neighborhood (MN), which is compatible with proposed zone change to RS3.3. Staff finds that there are single-family developments in the area that are currently zoned as RS20 to the west and south of the site located on the west side of Edmond Street. While the east half located on the east of Edmond Street is adjacent to an RS2 zoning to the north and east; and an RS3.3 to the south. Edmond Street currently acts as a clear line of demarcation less intense zoning to the west and more intense development to east. The request for the western portion 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 minimum future conflicts with higher intensity development planned on sites that are adjacent to RNP areas. For these reasons, staff finds the request for the RS5.2 Zone is not appropriate for the western half. In addition, since approval of this request is contingent upon approval of PA-24-700020 which staff is not supporting, staff cannot support this request.

The proposed zone change on the east half is compatible and support the Master Plan Policy EN-1.1 that encourages compatible infill development and standards for transitioning from higher intensity uses. Therefore, staff finds the request for the RS3.3 zone appropriate for the eastern half of the property.

### Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County

Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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**

Approval of the zone change #2 and the portion of zone change #3 on the east side of Edmond Street; denial of zone change #1 and the portion of zone change #3 on the west side of Edmond Street. This item has been forwarded to the Board of County Commissioners 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.

### **STAFF CONDITIONS:**

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**PLANNING COMMISSION ACTION:** October 15, 2024 – APPROVED – Vote: Aye: Castello, Frasier, Lee, Mujica, Stone Nay: Kilarski, Kirk

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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; 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**

- No comment.

**TAB/CAC:** Enterprise - approval of zone change #2 (RS10 on the east side of Edmond Street); denial of zone change #1.

**APPROVALS: 5 cards**

**PROTESTS: 9 cards, 1 letter**

**APPLICANT:** RICHMOND AMERICAN HOMES NEVADA, INC.

**CONTACT:** KIMLEY HORN, 6671 LAS VEGAS BOULEVARD SOUTH, SUITE 320, LAS VEGAS, NV 89119