

**PUBLIC HEARING**

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

**ZC-23-0830-ROOHANI KHUSROW FAMILY TRUST:**

**HOLDOVER ZONE CHANGE** to reclassify 2.5 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-1 (Single Family Residential) Zone for a future residential development.

Generally located on the northeast corner of Frias Avenue and Fairfield Avenue within Enterprise (description on file). MN/gc/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-28-702-017

**PROPOSED 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 approximately 500 feet to the east. The request also addresses the need for in-fill development in Clark County and reduces urban sprawl.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-1340-05	Waived street intersection off-set for a proposed 4 lot residential subdivision - expired	Approved by PC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-D	Single family residential

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Place of worship

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

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-23-700046	A plan amendment to redesignate the site from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) 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 the request to reclassify the site to R-1 zoning to not be compatible with the surrounding area. The proposed R-1 zoning does not provide for an appropriate transition from the R-D zoned residences to the north, to the R-E (RNP-I) zoned residences to the south, or from the R-E (RNP-I) zoned place of worship to the east to the R-E (RNP-I) zoned residences to the west. 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 a zone change to R-D would be 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 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.

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### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **May 22, 2024** at 9:00 a.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:**

#### **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**

- No comment.

#### **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](mailto: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 website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

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

**APPROVALS:** 1 card

**PROTESTS:** 6 cards, 11 letters, petition with 27 signatures, petition with 70 signatures

**PLANNING COMMISSION ACTION:** February 6, 2024 – HELD – To 04/16/24 – per the applicant.

**APPLICANT:** KHUSROW ROOHANI

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