PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0044-17 – JONES FORD LINDELL, LLC:

**HOLDOVER ZONE CHANGE** to reclassify 7.5 acres R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone for a proposed single family residential development.

**DESIGN REVIEW** for a proposed single family residential development.

Generally located on the south side of Ford Avenue and the east and west sides of El Camino Road (alignment) within Enterprise (description on file). SB/pb/ml (For possible action)

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**RELATED INFORMATION:**

**APN:**
176-14-801-045

**LAND USE PLAN:**
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 7.5
- Number of Lots: 34
- Density: 4.5 (du/ac)
- Minimum/Maximum Lot Size (square feet): 4,182 square feet/23,136 square feet (gross)/3,722/18,108 (net)
- Project Type: Single family residential
- Number of Stories: 1 and 2 stories
- Building Height: Up to 27 feet
- Square Feet: 1,907 to 4,341

**Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 7.5 acres from an R-E zone to an R-2 zone to allow a single family residential development. The applicant conducted a neighborhood meeting at the Cactus Ridge Community Clubhouse on December 22, 2016, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project.
site. Eleven neighbors were present who expressed concerns related to the density, size of the lots, number of stories, and negative impacts to the area.

**Site Plans**
The plans depict a single family residential development consisting of 34 residential lots on 7.5 acres for a density of 4.5 dwelling units per acre. The site design shows El Camino Road separating the western 2.5 acres from the eastern 5.0 acres. Four lots over 18,000 square feet in area are located on the western 2.5 acres. Those lots will have access to El Camino Road via a private cul-de-sac. On the eastern 5.0 acres, 7 lots will have direct access to Ford Avenue and 3 lots will have direct access to El Camino Road. The 3 lots facing El Camino Road are 10,000 square foot lots while the other lots on the eastern portion of the site are between 3,722 square feet and 4,497 square feet (net). The other lots will have access to Ford Avenue and Bronco Street via a 41 foot wide private street with 4 foot wide sidewalks on 1 side of the streets. Public drainage easements are located along the north and east property lines.

**Landscaping**
The plans depict 6 foot wide landscape areas adjacent to attached sidewalks along Ford Avenue, El Camino Road, Bronco Street, and the private street located on the eastern portion of the site. A row of trees, 20 feet on center, is located along the entire southern boundary of the project.

**Elevations**
The submitted plans propose 5 different models including 1 and 2 story models. The maximum height of the homes will be 27 feet and the homes will have similar building materials consisting of stucco finished walls with decorative stone veneer accents, window articulation on all sides, with concrete tile roofs.

**Floor Plans**
The plans depict homes from approximately 1,907 square feet to 4,341 square feet with 3 to 4 bedrooms and 2 or 3 car garage.

**Applicant’s Justification**
The applicant indicates that the proposed development will keep the rural nature of the existing area while blending into the more dense development in the area. The applicant indicates the current request is compatible with the more dense zoning developed to the northeast. The applicant believes that the character of the area will be unaffected by this proposal and based on existing development in the area; the request for R-2 zoning will have similar impacts on traffic and other public services as the density proposed by the land use plan. Furthermore, the applicant indicates the design of the project will conform to several policies in the land use plan.

**Prior Land Use Requests**

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZC-1026-05</td>
<td>Reclassified the subject site and the surrounding area from R-E to R-E (RNP-I) zone</td>
<td>Approved by BCC</td>
<td>October 2005</td>
</tr>
</tbody>
</table>
### Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-E &amp; R-2</td>
<td>Single family residential &amp; undeveloped</td>
</tr>
<tr>
<td>Rural Neighborhood Preservation (up to 2 du/ac) &amp; Residential Suburban (up to 8 du/ac)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>R-E (RNP-I)</td>
<td>Single family residential &amp; undeveloped</td>
</tr>
<tr>
<td>Rural Neighborhood Preservation (up to 2 du/ac)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>R-E &amp; M-1</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>West</td>
<td>R-E (RNP-I)</td>
<td>Single family residential</td>
</tr>
<tr>
<td>Rural Neighborhood Preservation (up to 2 du/ac)</td>
<td></td>
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</tbody>
</table>

The subject site and the surrounding area are located in the Public Facility Needs Assessment (PFNA) area.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### Analysis

#### Current Planning

This request does not conform to the Enterprise Land Use Plan. Nonconforming zone boundary amendments must provide compelling justification that approval of the nonconforming zoning is appropriate. A compelling justification means the satisfaction of the following criteria as listed below for proposed nonconforming zone boundary amendments:

1. *A change in law, policies, trends, or facts after the adoption, re-adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed amendment appropriate.*

The applicant indicates that the proposed zoning for this site will keep the rural nature of the existing area while blending with the property to the northeast which is developed as R-2 zone.

Staff finds that there are no unique or special circumstances that have occurred in the immediate area since the adoption of the Enterprise Land Use Plan in October 2014 to make this request appropriate. While the land to the northeast is a single family residential development in an R-2 zone, that area was developed in accordance with the land use plan in effect at that time. The parcels north of Ford Avenue and west of the existing R-2 development are zoned R-E with single family residences on half acre lots or undeveloped. The undeveloped area is designate Residential Suburban. The south side of Ford Avenue is in an R-E (RNP-I) zone and designated Rural Neighborhood Preservation (RNP) in the land use plan. RNP areas generally contain a mix of estate lots and ranch style lots with livestock. The Enterprise Land Use Plan includes policies that aid in the creation and Protection of RNP neighborhoods. Staff finds that there have been no changes to law, policies, trends, or facts after the adoption of the land use plan which makes the proposed zoning appropriate.
2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.

This property is located near an existing R-2 zoned development. The applicant contends that the proposed R-2 zoning is compatible with the approved and planned uses in the area.

Staff finds that the location and proximity to R-2 zoned lands as indicated by the applicant should not be used to justify this request because Ford Avenue and Bronco Street (alignment) are the boundaries separating the existing R-E (RNP-I) area located south of Ford Avenue and west of Bronco Street (alignment) from higher density development to the north. These streets act as a buffer between the RNP-I area and the more intense uses to the north and east. Approval of this project will allow more intense and dense development to intrude into an existing R-E (RNP-I) area, and will not be cohesive or functionally integrated with any adjacent parcels on the west, south, and east of this site. Therefore, staff finds the proposed project is not compatible with the density and intensity of the existing and planned land uses in the surrounding area.

3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. The subject site and the surrounding area are located in the Public Facility Needs Assessment (PFNA) Area.

4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.

The applicant states that the proposed development satisfies County goals by providing single family residential development that is compatible with the surrounding residential developments and will not be gated.

Staff finds that the proposed R-2 zoned single family residential development is located in an existing RNP-I area and conflicts with Goal 6 of the Comprehensive Master Plan to provide for large lot residential with 2 distinct land uses, estate homes and Rural Neighborhood Preservation. The request also conflicts with Urban Specific Policy 38 which encourages new residential developments adjacent to existing estate residential areas to transition at appropriate densities (lot sizes of 10,000 square feet or greater) and be of similar height. Although the western portion of the site conforms to Policy 38, the proposed lots along the southern boundary on the eastern portion of the site are significantly smaller and should be located beyond any appropriate transition areas. Therefore, the request does not conform to the policies in the Comprehensive Master Plan for development in this area and it conflicts with Urban Specific Policy 8 that discourages nonconforming zone changes.

Summary
Zone Change
Staff is concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the site. Ford Avenue and Bronco Street (alignment) are the
boundary separating the existing R-E (RNP-I) area from higher density development to the north and east. Approval of this project will allow more dense zoning to intrude into an existing R-E (RNP-I) area and will not be cohesive or functionally integrated with any adjacent parcels on the west, south, and east of this site.

The issue of establishing an isolated stand-alone single family residential development in the immediate area through a nonconforming zone change and not part of a comprehensive land use plan update could have adverse impacts to the immediate area. Unexpected land use patterns may have significant impacts on traffic, noise, and lighting that may lead to dramatic changes in existing area. Staff finds that a more sound and predictable approach to consider this proposed zoning would be through a comprehensive land use plan update. A land use plan update allows for more public review of the proposed land use intensity and pattern and ensures a predictable consideration of the range of uses with corresponding impacts and a cohesive and uniform land use pattern in the surrounding area.

Therefore, staff finds that the applicant has neither demonstrated nor satisfied the criteria for compelling justification to merit approval of the application.

Design Review
Although the design of the elevations and floor plans meet Urban Land Use Policy 43 of the Comprehensive Master Plan by providing a variety of elevations with articulating building facades; staff is concerned that the subdivision layout is not consistent or compatible with the approved and planned land uses in the area. Although the plans depict 10,000 square foot lots on the western portion of the site, the proposed lots along the southern boundary on the eastern portion of the site are 4,000 square feet and do not provide and appropriate transition area for the undeveloped property to the south which is also in an R-E (RNP-I) zone. Furthermore, the plans include 2 story models. Therefore, staff finds that the request conflicts with Urban Specific Policy 38 which encourages new residential developments adjacent to existing estate residential areas to transition at appropriate densities (lot sizes of 10,000 square feet or greater) and be of similar height.

Staff Recommendation
Denial. 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

TAB/CAC: Enterprise – denial.
APPROVALS: 3 letters
PROTESTS: 6 letters

PLANNING COMMISSION ACTION: March 7, 2017 – HELD – To 03/21/17 – per the applicant to continue to meet with neighbors and revise plans.

PLANNING COMMISSION ACTION: March 21, 2017 – HELD – To 05/02/17 – per the applicant to continue to work with staff.
PLANNING COMMISSION ACTION:  May 2, 2017 – APPROVED – Vote:  Unanimous
Absent:  Frasier, Kilarksi

Current Planning
- A resolution of intent to complete in 3 years;
- Design review as a public hearing for significant changes to the plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Provide landscaping per Figure 30.64-11 along the south, west, and east property lines;
- Provide a landscape maintenance easement or CC&R’s for the maintenance of the perimeter landscape area;
- Record 1 final map for the entire project;
- Single story models in the cul-de-sac with the half acre lots;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must be completed within the time specified or it will expire.

Public Works – Development Review
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for El Camino Road, 30 feet for Ford Avenue, 30 feet for Bronco Street and associated spandrels.

Building/Fire Prevention
- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code requirements.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that the CCWRD has verified sewer capacity for this project in a prior Point of Connection (POC) request, POC Tracking #000516-2016; and that the public sewer in Ford Avenue will need to be kept as deep as possible.

COUNTY COMMISSION ACTION:  June 7, 2017 – HELD – To 06/21/17 – per the applicant.

COUNTY COMMISSION ACTION:  June 21, 2017 – HELD – To 07/19/17 – per the applicant.

COUNTY COMMISSION ACTION:  July 19, 2017 – HELD – To 08/02/17 – per the applicant.

COUNTY COMMISSION ACTION:  August 2, 2017 – HELD – To 08/16/17 – per the applicant.

COUNTY COMMISSION ACTION:  August 16, 2017 – HELD – To 09/20/17 – per the applicant.
APPLICANT: Jones Ford Lindell, LLC
CONTACT: Taney Engineering, Janna Felipe, 6030 S. Jones Boulevard, Las Vegas, NV 89118