



# Planning Commission Agenda Item

Date: January 13, 2021

Item No: 4.

**TO:** Planning Commission

**FROM:** Marc Jordan, Director Land Development & Community Services  
Prepared By: Amy Michaels

**SUBJECT: ZN-23-2020 CHEYENNE & VALLEY (Public Hearing).** Applicant: LGI Homes - Nevada, LLC. Request: A property reclassification from a PUD (Planned Unit Development District) to R-CL (Single-Family Compact Lot Residential District). Location: North of Cheyenne Avenue, approximately 500 feet west of Valley Drive. (APNs 139-07-417-015 and 139-07-417-016).

## **RECOMMENDATION: APPROVAL**

### **PROJECT DESCRIPTION:**

The applicant is requesting consideration to reclassify (rezone) the subject property from PUD, Planned Unit Development to R-CL, Single-Family Compact Lot Residential District on approximately 24.30 gross acres located north of Cheyenne Avenue and approximately 500 feet west of Valley Drive.

### **BACKGROUND INFORMATION:**

Previous Action
A neighborhood meeting was held on November 30, 2020 at 5:30 p.m. at the Aliante Casino and Hotel, Sedona Meeting Room A&B located at 7300 Aliante Parkway North Las Vegas, NV 89084. The meeting was attended by one neighbor that had questions about the proposed developments housing type and would like to see one story homes within the project.

**RELATED APPLICATIONS:**

<b>Application #</b>	<b>Application Request</b>
<b>AMP-14-2020</b>	An amendment to the Comprehensive Master Plan to change the land use designation from Mixed-Use Employment to Single-Family Medium on approximately 24.30 gross acres.
<b>T-MAP-16-2020</b>	The applicant has submitted a tentative map for a 144-lot single-family subdivision on approximately 24.30 gross acres.
<b>VAC-13-2020</b>	The applicant has submitted a vacation to vacate three driveway easements and one sidewalk easement along Cheyenne Avenue.

**GENERAL INFORMATION:**

	<b>Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>Subject Property</b>	Mixed-Use Employment	PUD, Planned Unit Development District	Undeveloped
<b>North</b>	Multi-Family Residential	PUD, Planned Unit Development District and R-1, Single-Family Low Residential District	Multi-Family Residential
<b>South</b>	Public/Semi Public	M-2, General Industrial District	North Las Vegas Airport
<b>East</b>	Mixed-Use Employment	PUD, Planned Unit Development District	Commercial
<b>West</b>	Community Commercial	C-1, Neighborhood Commercial District	Undeveloped

**DEPARTMENT COMMENTS:**

<b>Department</b>	<b>Comments</b>
Public Works:	No Comment.
Police:	No Comment.
Fire:	No Comment.
Clark County Department of Aviation:	See Attached Memorandum
Clark County School District:	No Comment.

## **ANALYSIS**

The applicant is requesting consideration to reclassify (rezone) the site from PUD, Planned Unit Development District to R-CL, Single-Family Compact Lot Residential District. The applicant's subject site consists of two (2) parcels that are approximately 24.30 gross acres. The Comprehensive Plan Land Use designation for the subject site is Mixed-Use Employment proposed Single-Family Medium, the proposed Single-Family Medium supports the requested zoning. The subject site is located north of Cheyenne Avenue and approximately 500 feet west of Valley Drive. The applicant has also submitted a comprehensive plan land use amendment (AMP-14-2020); tentative map (T-MAP-16-2020); and a vacation (VAC-13-2020) to create a 144-lot single-family subdivision with the parcels.

The purpose of the R-CL, Single-Family Compact Lot Residential District is to provide for the development of single-family detached dwellings and directly-related complementary uses at a density of up to 13 units per acre. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding. The proposed Single-Family Medium land use supports the R-CL, Single-Family Compact Lot Residential zoning designation.

The Clark County Department of Aviation has submitted a memorandum recommending that the application be denied. Clark County Department of Aviation has listed a number of reasons to support this recommendation. First is due to the proposed development being in the AE-60 and AE-65 Air Terminal Environs Overlay District (AEOD). According to Title 17, whenever there are two subzones, the more restrictive shall apply. The proposed single-family residential would be subject to noise from aircraft in addition to being directly below flight patterns. The FAA has recommended that new residential construction not be allowed within the 65 decibel or higher (Db) noise contour. Within North Las Vegas residential uses are permitted within the AE-65 subzone, but the applicant will be required to provide 25 Db sound attenuation to each home within the development. Secondly, the proposed development is located within 982 feet of the departure runway for the airport. The airport has approximately 529 operations a day. This is the principal runway and it is forecast that operations could increase to over 900 a day. Additionally, the proposed residential land use is not compatible with the existing airport operations or existing non-residential uses.

The Clark County Department of Aviation states that the following conditions be put on the project as required by Title 17 if Planning Commission approves the applications.

- For that portion located within the AEOD, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the CCDOA;
- For that portion located within the AEOD, applicant must provide a copy of the

- recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of each signed document to the CCDOA;
- For that portion located within the AEOD, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and the Air Terminal Environs Overlay District for VGT (North Las Vegas Airport);
  - For that portion located within the AEOD, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35' in height or 25 decibels into the building construction for the habitable space that is less than 35' in height;
  - Applicant is advised 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 buildings purchased or soundproofed.
  - No structures permitted within the Runway Protection Zone.

The proposed R-CL, Single-Family Compact Lot Residential District is consistent and compatible with the proposed Single-Family Medium land use designation. The surrounding land uses currently consist of single-family and multi-family residential property to the north; commercial development to the west and east; and City of North Las Vegas Air Terminal to the south.

#### **Approval Criteria: (Zoning Map Amendments)**

The City Council may approve zoning map amendments, and the Planning Commission may recommend approval, if the zoning map amendment meets all of the following criteria:

- (1) The rezoning will promote the public health, safety, and general welfare;
- (2) The rezoning is consistent with the comprehensive master plan and the purposes of this Code;
- (3) The rezoning is consistent with the stated purpose of the proposed zoning district(s);
- (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

- (5) The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- (6) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- (7) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.

**ATTACHMENTS:**

Clark County Department of Aviation Memorandum  
Letter of Intent  
Boundary Map  
Neighborhood Meeting Summary Letter  
Clark County Assessor's Map  
Location and Comprehensive Plan Map