

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0529-DIAMOND RAVEN, LLC:**

**AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate landscape buffer (previously notified as eliminate street landscaping); **2)** modify driveway design standards (previously notified as eliminate landscape buffer); and **3)** allow an attached sidewalk (no longer needed).

**DESIGN REVIEW** for a single-family residential subdivision on 4.84 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the south side of Pebble Road and the west side of the I-15 right-of-way within Enterprise. JJ/hw/kh (For possible action)

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RELATED INFORMATION:

**APN:**

177-20-104-004; 177-20-104-005; 177-20-104-007

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. **Eliminate the required landscape buffer adjacent to a freeway where a 15 foot wide landscape buffer is required per Section 30.04.02C.**
2. **Eliminate the separation between a residential driveway and a curb return where 12 feet is the minimum per Uniform Standard Drawing 222 and Section 30.04.08C (a 100% reduction).**
3. **No longer needed.**

**PROPOSED LAND USE PLAN:**

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 4.84
- Project Type: Single-family detached residential subdivision
- Number of Lots: **36**
- Density (du/ac): **7.43**
- Minimum/Maximum Lot Size (square feet): **3,603/8,384**
- Number of Stories: 1 to 2
- Building Height (feet): 17.6 (minimum)/28.4 (max)
- Square Feet: 1,720 (minimum)/2,936 (max)

### Site Plan

The plans provided show the proposed single-family detached subdivision will be located on a 4.84 acre site located at the southwest corner of Pebble Road and the I-15 right-of-way. The plans show the site will be subdivided into **36** lots with the density for the site shown to be **7.43** dwelling units per acre. The plans show the site will be accessed solely from Raven Avenue in the south through a 39 foot wide private street with attached sidewalks on **the east side** of the street. This main private street will run south to north and will run the length of the proposed subdivision. A **37 foot** wide, 150 foot long private stub street running west will extend off of the main private street accessing 4 lots in the southwest portion of the site, but no turnaround is proposed with this street. Another **37 foot** wide private street is proposed in the northern portion of the site and will extend off of the main private street accessing 4 lots in the northwest portion of the site. The northern private street will **also terminate as a stub street with no turnaround**. There are rows of lots on each side of the main private street with lots clustered around the terminating end of each side street. The lots range in size from **3,603** square feet up to 8,384 square feet. The lots shown are generally **89 feet to 151 feet** long and 40 feet **to 59 feet** wide with 20 foot front setbacks, 15 foot rear setbacks, and 5 feet to 10 feet side setbacks. All driveways are shown to be a least 20 feet long.

### Landscaping

**The landscape plan shows the applicant is proposing street landscaping along both Raven Avenue and Pebble Road. Along both Pebble Road and Raven Avenue, a 15 foot wide landscape area is proposed consisting of a 5 foot wide landscaping strip along the street followed by a 5 foot wide detached sidewalk, and then another 5 foot wide landscaping strip. Within these landscaping areas, Velvet Mesquite (*Prosopis velutina*) trees are provided every 30 feet on center and staggered on each side of the provided detached sidewalk. In total, there are 10 trees provided along Pebble Road and 6 trees provided along Raven Avenue, where 16 large trees are required between both street frontages. The applicant is not proposing the landscape portion of the freeway buffer, but is providing the required 8 foot decorative wall. Within the interior of the site, 4 small common elements are being proposed on the north and south sides of both interior private streets and will contain various shrub species.**

### Elevations & Floor Plans

The elevations provided show a total of 4 different options for the exterior design of the homes that can be constructed within the development. Each exterior corresponds with a particular floor plan. All models are either 1 or 2 stories tall and range in height from 17.6 feet to 28.4 feet. All residences are shown to consist of painted stucco, gabled and offset roofs with concrete tile shingles, window accents and recessing, variations in roofline, and building pop-outs and extensions. All models are shown with a covered entry courts or courtyards, stone veneer or metal accents, awnings, and significant fenestration. The plans show that the 1 story models will primarily be located along the western property line.

The models shown range in size 1,720 square feet up to 2,936 square feet, including garage space, spread across 1 to 2 stories. Each model is shown to have 3 to 4 bedrooms with options that include walk-in closets, ensuite bathrooms, large living and dining spaces, game rooms, and

gourmet kitchens. All 2 story homes have garage space for 2 cars with the 1 story model having a one car garage with option for an accessory garage.

#### Applicant's Justification

The applicant states the proposed subdivision will contain **36** lots, and will have similar design to other newer subdivisions in the area. The applicant further states that no landscaping is being provided along the I-15 right-of-way as an 8 foot wall will screen the site from the freeway and the homes will be constructed with noise attenuation. **The applicant states the reduction in driveway separation is needed to reduce potential driveway conflicts along Raven Avenue and keep potential conflicts to the interior streets.**

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
PA-24-700025	An amendment to the Transportation Element of the Clark County Master Plan to reduce the width of Pebble Road and eliminate a portion of Pebble Road from the Transportation Element	Withdrawn	February 2025
VAC-40-87	Vacated and abandoned the southern 20 feet of Pebble Road - recorded	Approved by BCC	August 1987

#### **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)	H-2 & RS20	Undeveloped
South	Business Employment	RS20	Place of worship
East**	Entertainment Mixed-Use	CR	Undeveloped
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac) & Neighborhood Commercial	RS20	Single-family detached residential

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

\*\*The I-15 right-of-way is directly to the east of the site.

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-24-700024	A plan amendment to redesignate the existing land use category from Low-Intensity Suburban Neighborhood (LN) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
ZC-24-0528	A zone change to reclassify the site from RS20 to RS3.3 zoning is a companion item on this agenda.
VS-24-0530	The vacation and abandonment of a BLM patent easement and a portion of the Pebble Road right-of-way is a companion item on this agenda.

### Related Applications

Application Number	Request
TM-24-500115	A 38 lot single-family residential subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waiver of Development Standards #1

Staff finds the purpose of **landscaping along the property line adjacent to the freeway** to provide shading opportunities along portions of the site that will be most vulnerable to the heat island effect and to mitigate effects from noise and air pollution. Staff finds **the** surrounding areas particularly to the east with a similar pattern of development show an increase in heat vulnerability emphasizing the need for some landscaping to be provided. In addition, while landscaping can help buffer the residences from the noise and air pollution that is generated from the freeway other residential developments south of the subject site have been approved without the required freeway buffer. **With that said, staff finds some landscaping should be provided along the freeway to mitigate the effects on the proposed subdivision.** For these reasons, staff cannot support waiver of development standards #1.

##### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds that the proposed residential development is similar in character to other developments within the area. There are similar residential developments to the south with similar lots sizes and density. In addition, the proposed development will also help to activate an unused area and act as an in-fill development in the area. In terms of the design of the proposed residential development, staff finds that the proposed architecture and garage styles are like the surrounding residential developments and are consistent with newer development designs. In

addition, the proposed designs are attractive, modern, and fit the aesthetics of the newer homes in the neighborhoods of the Enterprise area. Each lot is provided with sufficient access to the internal and external street systems and on-site parking is well provided to avoid issues that can arise from on-site parking. With that said, staff is concerned that the complete elimination of landscaping on the site could lead to increased impacts on surrounding properties and those within the subdivision from heat, noise, and air pollution. Staff finds some landscaping should be provided **along the freeway** to mitigate these effects on the proposed subdivision. While staff finds the proposed subdivision supports Master Plan Policies 1.3.1 and 1.4.4, and Enterprise Specific Policy EN-1.1, which all support the development of compatible and continuous residential developments within in-fill areas of existing neighborhoods, the proposed development is violating Master Plan Policies 1.3.5 and 6.2.2, which emphasize the development of neighborhoods which enhance the livability of the development and surrounding area **and** promote sustainable site design. **As a result, staff cannot support this request.**

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

##### **Waiver of Development Standards #2**

**Staff has no objection to reducing the distance from the back of the curb radius (BCR) to the driveways. The reduction is only for lots internal to the development that will see a lower volume of traffic, helping to mitigate potential impacts from the reduction.**

##### **Waiver of Development Standards #3**

**No longer needed.**

#### **Department of Aviation**

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 waiver of development standards #2; denial of waiver of development standards #1 and the design review.** This item will be forwarded to the Board of County Commissioners' meeting for final action on **April 2, 2025 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:

- 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;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Lot 27 to have a minimum frontage of 34 feet;
- Right-of-way dedication to include 25 feet to the back of curb and portion of a cul-de-sac for Raven Avenue, and 15 feet to the back of curb for Pebble Road.

### **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; 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**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

### **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 #0397-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPROVALS:**

**PROTESTS: 4 cards, 1 letter**

**PLANNING COMMISSION ACTION:** November 19, 2024 – HELD – To 12/17/24 – per the applicant.

**PLANNING COMMISSION ACTION:** December 17, 2024 – HELD – To 02/04/25 – per the applicant.

**PLANNING COMMISSION ACTION:** February 4, 2025 – HELD – To 03/04/25 – per the applicant.

**APPLICANT:** DIAMOND RAVEN, LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118