

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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

**HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate landscape buffer; and **3)** allow an attached sidewalk. **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. a. Eliminate street landscaping along Raven Avenue where 10 feet of street landscaping is required per Section 30.04.01D (a 100% reduction).
- b. Eliminate street landscaping along Pebble Road where 10 feet of street landscaping is required per Section 30.04.01D (a 100% reduction).
2. Eliminate the required landscape buffer adjacent to a freeway where a 15 foot wide landscape buffer is required per Section 30.04.02C.
3. a. Allow an attached sidewalk along Raven Avenue where detached sidewalks are required per Section 30.04.08C.
- b. Allow an attached sidewalk along Pebble Road where detached sidewalks are required per Section 30.04.08C.

**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: 38
- Density (du/ac): 7.85
- Minimum/Maximum Lot Size (square feet): 3,642/6,376
- 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 38 lots with the density for the site shown to be 7.85 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 both sides of the street. This main private street will run south to north and will run the length of the proposed subdivision. A 39 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 39 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 have an elongated hammerhead turnaround at the western terminating end of the street. 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 3,642 square feet up to 6,376 square feet. The lots shown are generally 75 feet to 95 feet long and 40 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 applicant is not proposing any street landscaping or freeway buffering. The plans show that a 6 foot high decorative CMU block wall is proposed along Pebble Road and the western property line and an 8 foot tall CMU block wall is proposed along the I-15 right-of-way. The only landscaping proposed are 2 large evergreen trees along the western portion of Lot 18 to prevent a triple frontage lot.

### 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 38 lots, and will have similar design to other newer subdivisions in the area, and Lots 15 and 16 will not access Pebble Road. 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. In addition, the applicant also indicates that an attached sidewalk is proposed as both exterior roads terminate relatively quickly after the proposed development and street landscaping is not needed on the perimeter streets due to the proposed cul-de-sacs.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VAC-40-87	Vacated and abandoned the southern 20 feet of Pebble Road - recorded	Approved by BCC	August 1987

**Surrounding Land Use\***

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
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**

Application Number	Request
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.
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 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.
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.

#### Waivers of Development Standards #1a, #1b, & #2

Staff finds the purpose of both street landscaping is 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 that the lack of landscaping on the site and around the perimeters will have a negative effect on the surrounding area due to an increase in pavement, which can exacerbate increased heating of an area. 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. For these reasons, staff can support waiver of development standards #2, but 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 that some landscaping should be provided to mitigate these effects on the proposed subdivision. In addition, staff is also concerned that since the companion plan amendment to reduce Pebble Road and delete its continuation across I-15 is not being supported by staff, this could result in significant needed

design changes to accommodate the necessary infrastructure to carry Pebble Road across the I-15 in the future. While staff finds that 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 and Enterprise Specific Policy EN-4.1, which emphasize the development of neighborhoods which enhance the livability of the development and surrounding area, promote sustainable site design, and which support the connectivity of large rights-of-way within the Valley.

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

#### Waiver of Development Standards #3

Staff cannot support the request to not install detached sidewalks along Raven Avenue and Pebble Road. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

### **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**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **January 22, 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 cul-de-sac for Raven Avenue, portion of a cul-de-sac for Pebble Road and associated spandrels.

**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.

**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.

**APPLICANT:** DIAMOND RAVEN, LLC

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