



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MARCH 11, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: STONE LAND HOLDINGS, LLC - OWNER:
CLARK COUNTY VACANT SERIES OF THE CAB PROPERTIES, LLC**

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0631-ZON1	Staff recommends DENIAL.	
24-0631-VAR1	Staff recommends DENIAL, if approved subject to conditions:	24-0631-ZON1
24-0631-TMP1	Staff recommends DENIAL, if approved subject to conditions:	24-0631-ZON1 24-0631-VAR1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 326

PROTESTS 3

APPROVALS 0

**** CONDITIONS ****

24-0631-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved, to allow a private street on private lots where a common lot is required.
2. A Variance is hereby approved, to allow a 41-foot private street without a gate, where 47 feet is the minimum width required for a gated, private street.
3. A Variance is hereby approved, to allow a 37-foot private street without a gate, where 47 feet is the minimum width required for a gated, private street.
4. A Variance is hereby approved to allow stub street termini on a private street where a cul-de-sac is required.
5. Approval of a Rezoning (24-0631-ZON1) and approval of and conformance to the Conditions of Approval for Tentative Map (24-0631-TMP1) shall be required, if approved.
6. This approval shall be void four years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
7. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0631-TMP1 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. All landscaping shall be in conformance with the landscape plan date stamped 01/13/25.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
4. Approval of Rezoning (24-0631-VAR1) and approval and conformance to the Conditions of Approval for Variance (24-0631-VAR1) shall be required, if approved.
5. Street names must be provided in accordance with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association. Additionally, all Homeowner's Association common elements and any private improvements in the public right-of-way authorized by an Encroachment License Agreement shall be the maintenance responsibility of the Homeowner's Association. If the Homeowner's Association fails to perform any private maintenance obligation, then the individual property owners within the subdivision shall be jointly and severally liable for any and all City expenses that may be incurred to perform any private maintenance obligations.

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8. Construct half-street improvements on El Capitan Way and Juliano Road adjacent to this site concurrent with development of this site. Additionally construct all incomplete improvements (Shared Use Path) as shown on the approved Tentative Map and a private pedestrian access from the private street to El Capitan Way. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
9. In accordance with code requirements of Title 13.56 and Section 2.2 of the City's Vision Zero Action Plan, remove all substandard offsite improvements and unused driveway cuts, if any, and replace with new improvements meeting Public Right-of-Way Accessibility Guidelines (PROWAG) to the satisfaction of the City Engineer concurrent with development of this site. Grant Pedestrian Access Easement(s) if necessary to comply with this requirement. All existing paving damaged or removed by this development shall be restored at its original location, width and depth concurrent with development of this site.
10. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
12. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC sections 19.02.130.

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13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. A deviation from standards for street terminus is hereby approved. No other deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a proposed Rezoning on 3.93 acres at the northeast corner of Alexander Road and El Capitan Way. In addition, the applicant has proposed to develop a 19-lot single family detached residential subdivision.

ISSUES

- A Rezoning is requested from: R-E (Residence Estates) to: R-1 (Single Family Residential). Staff does not support this request.
- A Variance is requested to allow a private street on private lots where a common lot is required. Staff does not support this request.
- A Variance is requested to allow a 41-foot private street without a gate, where 47 feet is the minimum width required for a gated, private street. Staff does not support this request.
- A Variance is requested to allow a 37-foot private street without a gate, where 47 feet is the minimum width required for a gated, private street. Staff does not support this request.
- A Variance is requested to allow stub street termini where a cul-de-sac terminus is required for a private street. Staff does not support this request.
- A Waiver of Title 19.06.070 is requested to allow a five-foot perimeter landscape buffer where six feet is required adjacent to Alexander Road. Staff does not support this request.
- The subject properties are located within Planning Area B as defined by the 2016 Interlocal Agreement between Clark County and City of Las Vegas. Planning Area B must remain residential and maintain a buildable lot size of 10,000 square feet.

ANALYSIS

The proposed 19-lot single family residential subdivision consists of two undeveloped parcels that are zoned R-E (Residence Estates). The parcels are located within the Lone Mountain neighborhood area as defined by the City of Las Vegas 2050 Master Plan and are surrounded by single family residential development with zoning categories including R-1 (Single Family Residential), U (DR) Undeveloped [Desert Rural Density Residential] General Plan designation, R-PD2 (Residential Planned Development - 2 Units per Acre) and R-PD5 (Residential Planned Development - 5 Units per Acre).

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Rezoning

The proposed R-1 (Single Family Residential) zoning district provides for the development of single family detached dwellings in a suburban setting with minimum lot sizes starting from 6,500 square feet. The subject site is located within Planning Area B as defined by the 2016 Interlocal Agreement between Clark County and the City of Las Vegas. The purpose of the Interlocal Agreement is to coordinate growth and development in the northwest part of the Las Vegas Valley, which consists of pockets and islands of unincorporated lands. During the term of the Interlocal Agreement, the areas identified as Planning Area B must remain residential and maintain a buildable lot size of 10,000 square feet. Rezoning the subject properties to R-1 (Single Family Residential) will introduce a suburban development pattern into an area that is rural and would conflict with the intent of the interlocal agreement's minimum lot size requirement. Therefore, staff recommends denial of this Rezoning request.

Variance

The submitted Tentative Map includes a single private street. Pursuant to Title 19.04.070.C, private streets without a gate shall meet the minimum construction standards for public streets. Additionally, all private streets shall be located on a separate common lot or lots that are maintained by a homeowner's association (HOA) or another approved private maintenance organization. The submitted Tentative Map depicts a private street as a private street easement in lieu of a separate common element, prompting a Variance of this requirement. By extending the residential lots to the centerline of the private street, the applicant would be ensuring each developable lot adheres to the minimum R-1 (Single Family Residential) lot size and setback requirements. Where if the street was made a common lot as required by Title 19 development standards, the proposed lots would not meet the minimum lot size requirements.

Approval of this Variance may also create liability issues, as the private street, sidewalk, curb and gutter will be on the private residential lots with an easement. Additionally, the applicant has proposed a 41-foot and 37-foot private streets without a gate, with stub street termini where a cul-de-sac is required for a private street. No justification relating to the physical characteristics of the subject properties has been presented to warrant these Variance requests. These Variance requests are evidence of the applicant attempting to overdevelop the subject site and the hardship is self-imposed and therefore, staff recommends denial of the requested Variance.

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Tentative Map

The submitted Tentative Map depicts a 19-lot single family detached residential subdivision with a density of approximately 4.9 dwelling units per acre, which is within the maximum density allowed for properties with an L (Low Density Residential) General Plan designation. Proposed lots within the residential subdivision are to range in size from 7,353 square feet to 12,584 square feet, which is being achieved through the associated Variance to allow residential parcels to extend into the private street centerline. If the private street were on a common lot, lot 19 would not meet the minimum lot size requirements for the R-1 (Single Family Residential) zoning district. Additionally, Variances would need to be obtained for each of the 19 lots, as the front yard setback from back of curb or back of sidewalk would effectively be 14 feet. Staff does not support the request.

The subject properties are adjacent to a future shared-use trail on along the north side of Alexander Road. Pursuant to Title 19.04.420, shared-use trails must have a minimum amenity zone width of five feet with an eight to 10-foot detached sidewalk. The submitted Tentative Map indicates a five-foot amenity zone and 10-foot detached sidewalk, which matches adjacent residential development to the east. An additional six-foot landscape buffer is required from back of sidewalk alongside Alexander Road. The applicant depicts a five-foot landscape buffer and requires a Waiver of this requirement. Staff finds this request to be an attempt to overdevelop undeveloped properties, which would otherwise be able to accommodate the six-foot requirement. Staff does not support the request.

The submitted site cross sections for this site depict maximum natural grades greater than two percent across the site. Pursuant to Title 19.06.050, a development with a natural slope grade greater than two percent is allowed a maximum six-foot tall retaining wall. The submitted detail sheets depict retaining wall heights that are no greater than three feet. These three-foot retaining walls are then stacked over with a six-foot block wall.

Other Considerations

The Department of Public Works - Traffic Engineering Division has determined that the project is expected to add an additional 179 trips per day on Alexander Road and El Capitan Way. Currently, Alexander Road is at about 23 percent of capacity and El Capitan Way is at about 17 percent of capacity. With this project, Alexander Road is expected to remain at about 23 percent of capacity and El Capitan Way is expected to be at about 18 percent of capacity.

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The Clark County School District (CCSD) has commented that the proposed residential development would generate a total of three elementary school students, two middle school students, and three high school students. The proposed residential development is serviced by Garehime Elementary School, Leavitt Middle School, and Centennial High School. Both Centennial High School and Garehime Elementary School are over capacity at 117.22 percent and 120.79 percent respectively.

Recommendation

The proposed residential subdivision is within the Lone Mountain neighborhood planning area of the City of Las Vegas 2050 Master Plan, which similarly to the Interlocal Agreement, calls for the continuity of rural preservation for this segment of Lone Mountain. The applicant is attempting to overdevelop the subject properties as evidenced by the requested Variances that would allow substandard street widths, street terminations, and allowing residential lots to extend into the street centerline to satisfy minimum lot size and setback requirements in the R-1 (Single Family Residential) zoning district. Residential lots within Area B of the Interlocal Agreement must have a buildable area of at least 10,000 square feet. Therefore, staff recommends denial of all entitlement requests. If approved, the Variance and Tentative Map will be subject to conditions.

FINDINGS (24-0631-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed R-1 (Single Family Residential) zoning district conforms with the L (Low Density Residential) land use designation.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The purpose of the R-1 (Single Family Residential) zoning district is to accommodate single family detached dwellings in a suburban setting. The subject properties and surrounding areas are developed with single family detached dwellings, thereby ensuring the Residential, Single Family, Detached use allowed in the R-1 (Single Family Residential) zoning district is compatible with the surrounding area.

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3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

This area of Lone Mountain has been identified as a rural preservation area as indicated by the City of Las Vegas 2050 Master Plan and by the Interlocal Agreement between Clark County and the City of Las Vegas. Future growth and development factors in the community do not indicate the need for or appropriateness of the rezoning.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

The subject site is accessible from Juliano Road, a 60-foot Local Street as designated by Title 13, which is adequate in size to accommodate the needs of the proposed zoning district.

FINDINGS (24-0631-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

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No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to develop the subject sites with substandard street widths, terminations, while locating these streets on private lots. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (24-0631-TMP1)

While the proposed Tentative Map conforms to Nevada Revised Statutes, it fails to comply with Title 19.04 complete street requirements and requires a Waiver of the perimeter landscape buffer requirements. The proposed residential lot property lines extend to the private street centerline in order to meet the minimum lot size and setback requirements. The usable space for the residential lots are smaller than the listed lot sizes. Therefore, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
04/06/22	The City Council approved a Petition (22-0062-ANX1) property located on the north side of Alexander Road between El Capitan Way and Juliano Road.
05/04/22	The City of Las Vegas City Council approved Bill No. 2022-9 to extend the boundaries of the city containing property generally located on the north side of Alexander Road between El Capitan Way and Juliano Road.
02/11/25	<p>The Planning Commission voted (7-0) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 3.93 acres at the northeast corner of Alexander Road and El Capitan Way (APNs 138-05-801-023 and 024), Ward 4 (Allen-Palenske).</p> <p>24-0631-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL)</p> <p>24-0631-VAR1 - VARIANCE - TO ALLOW PRIVATE STREETS THAT DO NOT CONFORM TO TITLE 19.04 COMPLETE STREET STANDARDS FOR PRIVATE STREET REQUIREMENTS AND STREET TERMINATIONS OTHER THAN AT INTERSECTIONS</p> <p>24-0631-TMP1 - TENTATIVE MAP - ALEXANDER & EL CAPITAN - FOR A PROPOSED 19-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS</p>

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Most Recent Change of Ownership

07/07/16	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

There are no related building permits or business licenses.

Pre-Application Meeting

11/25/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Rezoning, Tentative Map, and Variance.
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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.
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Field Check

01/06/25	Staff conducted a routine field check of the subject property and observed two undeveloped parcels. Nothing of concern was noted.
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Details of Application Request**Site Area**

Gross Acres	5.00
Net Acres	3.93

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
North	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	U(DR) Undeveloped [Desert Rural Density Residential] General Plan Designation)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
South	Residential, Single Family, Detached	L (Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
East			R-1 (Single Family Residential)
West		DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development - 2 Units per Acre)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Lone Mountain	N*
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Area or Overlay Districts	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Shared Use Trail – North side of Alexander Road)	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N*
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

*The proposed residential subdivision is within the Lone Mountain neighborhood planning area of the City of Las Vegas 2050 Master Plan, which similarly to the Interlocal Agreement, calls for the continuity of rural preservation for this segment of Lone Mountain. The applicant is attempting to overdevelop the subject properties as evidenced by the requested Variances that would allow substandard street widths, street terminations, and allowing residential lots to extend into the street centerline to satisfy minimum lot size and setback requirements in the R-1 (Single Family Residential) zoning district. Residential lots within Area B of the Interlocal Agreement must have a buildable area of at least 10,000 square feet, which this proposal fails to meet.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 and the Interlocal Agreement Excepted Area B, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF (Title 19.06) 10,000 SF (Interlocal Agreement)	7,353 SF	Y*
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
• Front	20 Feet	32 Feet	Y*
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50%	50%	Y
Max. Building Height	2 Stories/ 35 Feet	2 Stories/ 35 Feet	Y

*A Variance is requested to allow the property lines to extend into the private street centerline in order to meet the minimum lot size (Lot 19) and setback requirements. The actual usable space and setbacks for the residential lots is smaller than the listed lot sizes and setbacks.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	1 du/lot, 20,000 SF lots	8.56
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-1 (Single Family Residential)	1 du/lot 6,500 SF lots	26.34
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
L (Low Density Residential)	5.49 du/ac	21.57

Pursuant to Title 19.06, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• South	1 Tree / 30 Linear Feet	20 Trees	20 Trees	Y
• East	N/A	0 Trees	9 Trees	N/A
• West	1 Tree / 30 Linear Feet	9 Trees	12 Trees	Y
TOTAL PERIMETER TREES		29 Trees	41 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• South	6 Feet		5 Feet	N*
• East	N/A		6 Feet	N/A
• West	6 Feet		6 Feet	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Alexander Road	Primary Arterial	Master Plan of Streets and Highways Map	100 Feet	Y
Juliano Road	Local Street	Title 13	60 Feet	Y
El Capitan Way	Collector Street	Master Plan of Streets and Highways	80 Feet	Y

19.04.040 Connectivity		
Transportation Network Element	# Links	# Nodes
Internal Street	1	
Intersection - Internal		
Cul-de-sac or Hammerhead Terminus		
Intersection - External Street or Stub Terminus		1
Intersection - Stub Terminus with Temporary Turnaround Easements		
Non-Vehicular Path - Unrestricted	0.5	
Total		
	Required	Provided
Connectivity Ratio (Links / Nodes):	1.30	1.50

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential, Single Family, Detached	19 Units	2 per Unit	38				
TOTAL SPACES REQUIRED			38		38		Y
Regular and Handicap Spaces Required			38	0	38	0	Y