



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MAY 14, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: KB HOME NEVADA, INC. - OWNER: THE HOWARD HUGHES COMPANY, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0125-SCD1 to SCD41	Staff recommends DENIAL, if approved subject to conditions:	
24-0125-TMP1	Staff recommends DENIAL, if approved subject to conditions:	24-0125-SCD1 to SCD41

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

NOTICES MAILED 245

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0125-SCD1 TO SCD41 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Tentative Map (24-0125-TMP1) shall be required, if approved.
2. A Major Deviation is hereby approved to allow a two-foot setback from a residential street to the exterior wall surface where two feet is required for Lots #94 to #117 and Lots #194 to #210.
3. Conformance to Summerlin Development Standards, except as amended herein.
4. 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.
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0125-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. Approval of Summerlin Major Deviations (24-0125-SCD1 to SCD41) shall be required, if approved.

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3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. 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.
7. Grant a minimum 20-foot wide Public Sewer Easement and a minimum 20-foot Public Drainage Easement to be privately maintained for the public sewer and storm drain facilities within Common Element "A". Additionally, grant matching Public Sewer and Drainage easements by separate document to be privately maintained for the public sewer and drainage facilities adjacent Common Element "A" between lots 12 and 13, through the proposed park, to Far Hills Avenue. The Public Sewer and Drainage Easements (by separate document) shall be recorded prior to submitting Mylar plans or Mylar subdivision Maps. The recorded document number shall be required on the plans where the easement is called out prior to issuing final Mylar approval for Sewer.

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8. Grant a minimum 40-foot wide Public Sewer Easement to be privately maintained for the public sewer within Common Element "B". Additionally, grant a minimum 40-foot wide Public Sewer and Drainage Easement by separate document adjacent Common Element "B" to Grand Park Boulevard. The Public Sewer and Drainage Easement (by separate document) shall be recorded prior to submitting Mylar plans or Mylar subdivision Maps. The recorded document number shall be required on the plans where the easement is called out prior to issuing final Mylar approval for Sewer.
9. Provide a minimum 12-foot wide paved access to proposed manholes in Common Element "A" and Common Element "B". Acceptable paved access includes concrete, asphalt, or pavers.
10. No walls, signs, lights, parking area, buildings or other structures, or permanent landscaping having a mature height of greater than 3-feet shall be placed anywhere in any public sewer easement or in the vehicle ingress or egress pathways to such easements.
11. 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.
12. Comply with approved Traffic Impact Analysis #76120-5.
13. 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.
14. 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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15. 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. No 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.

Fire & Rescue

16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
17. Emergency access road in the northwest corner of the site tying into Grand Park Dr. to be a minimum of 18' wide.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a 228-lot single-family residential subdivision on 22.91 acres within Summerlin Village 29 (Parcel E and F) located on the southwest corner of Far Hills Avenue and Grand Park Boulevard.

ISSUES

- This is a 228-lot single-family residential (attached and detached) development to be built to SFSD (Single Family Special Lot Development) standards in accordance with Exhibit 2.2 (Front Loaded Lots with Attached Garages) and Exhibit 2.13 (Rear Loaded Attached Paseo Lots with Attached Garages) of the Summerlin Development Standards. Staff recommends denial of this Tentative Map request.
- The applicant has requested Summerlin Major Deviations for Lots #94 to #117 and Lots #194 to #210 to allow reduced building setbacks to a residential street. Staff recommends denial of the request.
- Pursuant to the Summerlin Development Standards Section V, a Deviation may be requested for relief of the strict and literal interpretation of the Standards; these deviations can include, but are not limited to, setbacks on irregular lots or lots on a curve. The Department of Community Development Director has determined that a Major Deviation is required for the project. Staff does not support this request.
- The submitted Final Map [#100218-FMP (Summerlin Village 29 - Unit 2)] created the developer Parcel "E & F" recorded on 10/24/22.
- The Summerlin Design Review Committee reviewed and approved the proposed tentative map for the proposed residential subdivision on March 05, 2024.
- The Summerlin Design Review Committee reviewed and approved the proposed front setback deviations associated with the proposed residential subdivision on February 27, 2024.

ANALYSIS

The subject property is part of Summerlin West, which is governed by a Development Agreement between the Master Developer and the City of Las Vegas, as well as the Summerlin Development Standards. The proposed Tentative Map was reviewed and approved by the Summerlin Design Review Committee on March 05, 2024 prior to submittal to the City for review.

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The Summerlin Development Standards designate the subject property as SFSD (Single Family Special Lot Development), which allows up to 18 residential units per gross acre. The proposed density of 9.95 dwelling units per net acre falls well within the maximum allowed. As this site is part of a master plan with its own improvement standards, it is not subject to Title 19.04 street section requirements. The proposed lots range in size from 1,963 square feet to 5,695 square feet, with an average lot size of 2,695 square feet.

Per the Summerlin West Development Standards, perimeter village walls may be built up to 10 feet high (as measured from the side of the wall with the maximum vertical exposure) without a major deviation. The east/west cross section depicts a maximum natural grade less than two percent across this site. Per the detail sheet, no single wall height appears to have retaining wall higher than 8 feet. The north/south cross section depicts a maximum natural grade greater than two percent across this site. Per the detail sheet, no single wall heights appear to have an exposure higher than four feet.

In addition, the applicant has requested 41 Summerlin Major Deviations for Lots #94 to #117 and Lots #194 to #210 to allow reduced building setbacks to a residential street. Per Section V of the Summerlin Development Standards, "When practical difficulties, unnecessary hardships or dictates inconsistent with the general purpose of these Development Standards will result through the strict and literal interpretation and enforcement of the provisions hereof, the Director shall have the authority, by administrative act, to grant deviations which are minor in nature and affect only specific lots and/or structures. Such minor deviations include, not by way of limitation: setbacks on irregular lots, setbacks on lots on a curve, and building and wall heights. If, in the opinion of the Director, the requested deviation exceeds the intent of this authority the Director shall defer the deviation responsibility to the Planning Commission and the applicant shall be required to follow the procedures for review and decision of a Major Deviation."

With regards to this project the Director of Community Development - Planning Division has determined that Major Deviation applications be required for the requested 41-lots to allow reduced building setbacks from a residential street to the exterior wall surface. The proposed Major Deviations were reviewed and approved by the Summerlin Design Review Committee on February 27, 2024 prior to submittal to the City for review. The applicant has requested 41 Summerlin Major Deviations (24-0125-SCD1 to SCD41) for Lots #94 to #117 and Lots #194 to #210 to allow reduced building setbacks to a residential street to the exterior wall surface the where two feet is the minimum allowed. See table of requested Major Deviations below:

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<u>DEVIATION APPLICATION # (24- 0125-)</u>	<u>LOT #</u>	<u>BUILDING SETBACK FROM A RESIDENTIAL STREET</u>
<u>SCD1</u>	<u>94</u>	2.00'
<u>SCD2</u>	<u>95</u>	2.00'
<u>SCD3</u>	<u>96</u>	2.00'
<u>SCD4</u>	<u>97</u>	2.00'
<u>SCD5</u>	<u>98</u>	2.00'
<u>SCD6</u>	<u>99</u>	2.00'
<u>SCD7</u>	<u>100</u>	2.00'
<u>SCD8</u>	<u>101</u>	2.00'
<u>SCD9</u>	<u>102</u>	2.00'
<u>SCD10</u>	<u>103</u>	2.00'
<u>SCD11</u>	<u>104</u>	2.00'
<u>SCD12</u>	<u>105</u>	2.00'
<u>SCD13</u>	<u>106</u>	2.00'
<u>SCD14</u>	<u>107</u>	2.00'
<u>SCD15</u>	<u>108</u>	2.00'
<u>SCD16</u>	<u>109</u>	2.00'
<u>SCD17</u>	<u>110</u>	2.00'

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<u>DEVIATION APPLICATION # (24- 0125-)</u>	<u>LOT #</u>	<u>BUILDING SETBACK FROM A RESIDENTIAL STREET</u>
<u>SCD18</u>	<u>111</u>	2.00'
<u>SCD19</u>	<u>112</u>	2.00'
<u>SCD20</u>	<u>113</u>	2.00'
<u>SCD21</u>	<u>114</u>	2.00'
<u>SCD22</u>	<u>115</u>	2.00'
<u>SCD23</u>	<u>116</u>	2.00'
<u>SCD24</u>	<u>117</u>	2.00'
<u>SCD25</u>	<u>194</u>	2.00'
<u>SCD26</u>	<u>195</u>	2.00'
<u>SCD27</u>	<u>196</u>	2.00'
<u>SCD28</u>	<u>197</u>	2.00'
<u>SCD29</u>	<u>198</u>	2.00'
<u>SCD30</u>	<u>199</u>	2.00'
<u>SCD31</u>	<u>200</u>	2.00'
<u>SCD32</u>	<u>201</u>	2.00'

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<u>DEVIATION APPLICATION # (24- 0125-)</u>	<u>LOT #</u>	<u>BUILDING SETBACK FROM A RESIDENTIAL STREET</u>
<u>SCD33</u>	<u>202</u>	2.00'
<u>SCD34</u>	<u>203</u>	2.00'
<u>SCD35</u>	<u>204</u>	2.00'
<u>SCD36</u>	<u>205</u>	2.00'
<u>SCD37</u>	<u>206</u>	2.00'
<u>SCD38</u>	<u>207</u>	2.00'
<u>SCD39</u>	<u>208</u>	2.00'
<u>SCD40</u>	<u>209</u>	2.00'
<u>SCD41</u>	<u>210</u>	2.00'

Staff has determined that the requested deviations will have a negative impact to the previously approved residential subdivision and surrounding area. As proposed the 41-lots do not comply with SFSD (Single Family Special Lot Development) Exhibit 2.02 (Front Loaded Lots with Attached Garages) of the Summerlin Development Standards building setbacks from the street where eight feet is required. Staff does not support the requested deviations, as the building setbacks outlined within the Summerlin Development Standards Manual have been established to ensure harmonious residential subdivision design with the surrounding area. Therefore, staff recommends denial of the requested Deviations and associated Tentative Map.

FINDINGS (24-0125-SCD1 TO SCD41)

Staff does not support the requested deviations, as the building setbacks outlined within the Summerlin Development Standards Manual have been established to ensure harmonious residential subdivision design with the surrounding area.

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FINDINGS (24-0125-TMP1)

The proposed Tentative Map conforms to Nevada Revised Statutes, Title 19 and the Summerlin Development Standards, and has been approved by the Summerlin Design Review Committee. However, staff recommends denial of the proposed Tentative Map due to the associated 41 Major Deviations (24-0125-SCD1 to SCD41).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
01/27/97	The City Council approved a Development Agreement (DA-0001-96) for the development of the Summerlin Planned Community west of the 215 Beltway between Charleston Boulevard and Cheyenne Avenue. The Planning Commission and staff recommended approval. The agreement was adopted as Ordinance 4069 on 02/24/97 and was recorded 11/21/97. This document included the General Development Plan for Summerlin West.
01/27/97	The City Council approved a Rezoning (Z-0119-96) from N-U (Non-Urban) to P-C (Planned Community) on 8,318 acres along the west side of Clark County 215, between Charleston Boulevard and Lake Mead Boulevard. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a revised Summerlin Development Standards document (DIR-3934), which is still in effect.
02/06/18	A four-lot Parcel Map (PMP-72276) on 5,055.08 acres generally located at the southwest corner of Lake Mead Boulevard and Clark County 215 was recorded.
05/01/18	A four-lot Parcel Map (PMP-72289) on 5,053.24 acres generally located at the southwest corner of Lake Mead Boulevard and Clark County 215 was recorded. The proposed Village 22 area is shown as Lot 2.
07/18/18	The City Council approved a two-year review (DIR-73621) of the Development Agreement for Summerlin West. Staff recommended approval of the request.
03/05/20	A Parcel Map (PMP-78534) was submitted for a four-lot parcel map (Villages 27, 29, 30A) on 3,642 acres west of Sky Vista Drive and Far Hills Avenue. The map was recorded on 06/25/20.
06/16/21	The City Council approved a request for a Development Plan Review (21-0167-MDR1) for Summerlin West Village 29 on 324.39 acres on the southwest corner of Sandstone Rise Drive and Sky Vista Drive.
09/14/21	The Planning Commission approved a Parent Tentative Map (21-0411-TMP1) request for a 22-lot Master Planned Village (Summerlin Village 29) on 324.39 acres on the west side of Sky Vista Drive, approximately 1,380 feet south of Redpoint Drive. Staff recommended approval of the request.

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
02/24/22	The Department of Community Development - Planning Division processed a request for a Final Map Technical Review (100203-FMP) for a five-lot pod (Summerlin Village 29 - Unit 1) on 90.21 acres on the west side of Sky Vista Drive, approximately 1,380 feet south of Redpoint Drive. The map recorded on 09/26/22 (Book: 168, Page: 071).
04/18/22	The Department of Community Development - Planning Division processed a request for a Final Map Technical Review (100218-FMP) for seven subdivision lots (Summerlin Village 29 - Unit 2) on 137.23 acres on the west side of Sky Vista Drive, approximately 1,380 feet south of Redpoint Drive. The map recorded on 10/24/22 (Book: 168, Page: 100).
05/10/22	The Planning Commission approved a Parent Tentative Map (22-0138-TMP1) request for a 22-lot Master Planned Village (Summerlin Village 29) on 324.39 acres on the southwest corner of Sandstone Rise Drive and Sky Vista Drive. Staff recommended approval of the request.
08/08/23	The Department of Community Development - Planning Division administratively approved Minor Modification (23-0352-MOD1) of the approved Summerlin Village 29 Development Plan (21-0167-MDR1) to amend the land use designation of Parcel E from MF2 (Medium Density Multi-Family) to SFSD (Single Family Special Lot Development) on 9.90 acres at the northeast corner of Spring Run Drive and Park Drift Trail.

<i>Most Recent Change of Ownership</i>	
12/18/97	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses associated with the subject site.	

<i>Pre-Application Meeting</i>	
03/05/24	A pre-application meeting was held with the applicant to discuss submittal requirements for multiple Summerlin Major Deviations and a Tentative Map applications.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

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Field Check	
03/28/24	The site is undeveloped and contains desert vegetation.

Details of Application Request	
Site Area	
Gross Acres	22.91

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	SFSD (Single Family Special Lot Development)	P-C (Planned Community)
North	Undeveloped	COS (Community Open Space) - Summerlin	P-C (Planned Community)
South	Undeveloped	NF (Neighborhood Focus)	P-C (Planned Community)
		SF2 (Single Family Detached) - Summerlin	
East	Single Family Detached	SF3 (Single Family Detached) - Summerlin	P-C (Planned Community)
West	Future Village 30B	Multiple	P-C (Planned Community)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Summerlin West	Y
Special Area and Overlay Districts	Compliance
P-C (Planned Community) District	Y
Other Plans or Special Requirements	Compliance
Trails (per the Development Agreement)	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Spring Run Drive	Residential Collector	Summerlin Improvement Standards	37	Y

Pursuant to Summerlin Development Standards, the following standards apply:

Front Loaded Lots with Attached Garages – (Exhibit 2.2) - Development Standards			Compliance
1. Building Setbacks:			
a. From Residential Street	8' to living (measured to slab from back of walk or curb if no walk exists)		N*
	3' to porch, courtyard wall, portico, outside staircase, balcony, or other similar elements (measured to slab from back of walk or curb if no walk exists). 3'-5' or 18' to garage door face		Y
b. From Interior Property Line	3' for separated units (measured to finished exterior wall surface)		Y
c. From Rear Property Line	3' (measured to finished exterior wall surface)		Y
2. Building Separation	6' (measured to finished exterior wall surface)		Y
3. Private Yard Space	150 sf min. (with min. 6' dimension)		Y
4. Use Easement Criteria	Dedicated 3' width from one lot to adjacent lot, where applicable		Y

**The applicant has requested 41 Summerlin Major Deviations (24-0125-SCD1 to SCD41) to address setbacks from a residential street that are not in compliance with required eight-foot minimum setback.*

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Pursuant to Summerlin Development Standards, the following standards apply:

Rear Loaded Attached Paseo Lots with Attached Garages – (Exhibit 2.13) - Development Standards		Compliance
1. Building Setbacks:		
a. From Paseo Easement	12.5' to living from property lot line	Y
	7.5' to porch, courtyard wall, portico, balcony, or other similar elements from property lot line	Y
b. From Common Lot	2' to living	Y
	0' to porch, courtyard wall, portico, balcony, or other similar elements.	Y
	<i>Note: When adjacent to a common lot that borders a Village Street a minimum 20-foot common lot width is required from back of curb including streetscape and residential common lots.</i>	
c. From Interior Residential Street	2' to finished exterior wall surface	Y
	5' or less or 18' minimum to garage door face.	Y
	<i>Note: 6' or less is allowed on a curved street</i>	
d. From Interior Property Line	3' (measured to finished exterior wall surface)	Y
e. From Corner	8' to living	Y
	3' to porch, courtyard wall, portico, balcony, or other similar elements	Y
2. Building Separation		
a. From Side	6' (measured to finished exterior wall surface)	Y
3. Private Yard Space	100 sf min. (with min. 6' dimension)	Y
4. Use Easement Criteria	Dedicated 3' width from one lot to adjacent lot, where applicable	Y