



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MARCH 11, 2025  
DEPARTMENT: COMMUNITY DEVELOPMENT  
ITEM DESCRIPTION: APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER:  
BRER RABBIT, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
25-0027-ZON1	Staff recommends APPROVAL.	
25-0027-VAR1	Staff recommends DENIAL, if approved subject to conditions:	25-0027-ZON1
25-0027-TMP1	Staff recommends DENIAL, if approved subject to conditions:	25-0027-ZON1 25-0027-VAR1

**\*\* NOTIFICATION \*\***

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 307

PROTESTS 0

APPROVALS 0

**\*\* CONDITIONS \*\***

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**25-0027-VAR1 CONDITIONS**

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**Planning**

1. Approval of a Rezoning (25-0027-ZON1) and Approval of and conformance to the Conditions of Approval for Variance (25-0027-VAR1) shall be required, if approved.
2. 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.
3. A Variance is hereby approved to allow an alternative hammerhead design where a cul-de-sac is required, to allow private streets without a gate to not be built to public street standards where such is required and to allow a connectivity ratio of 1.00 where a minimum of 1.30 is required.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**25-0027-TMP1 CONDITIONS**

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**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.

**Conditions Page Two**

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2. Approval of Rezoning (25-0027-ZON1) and Variance (25-0027-VAR1) shall be required, if approved.
3. A Waiver from Title 19.06.070, is hereby approved to allow a five-foot wide landscape buffer adjacent to a portion of the right-of-way where six feet is required.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

7. Construct half-street improvements including appropriate transition and overpaving on Donald Road and Leon Avenue adjacent to this site concurrent with development of this site. 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.
8. 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.
9. 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.

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10. 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.
11. 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.
12. 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 termini, width and connectivity 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.

**Fire & Rescue**

13. 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.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a project request for a proposed 10-lot single-family residential subdivision that fails to comply with Title 19 development standards on 2.08 acres located at the northeast corner of Donald Road and Leon Avenue.

**ISSUES**

- A Rezoning is requested from R-E (Residence Estates) to R-1 (Single Family Residential). Staff supports the request.
- A Variance is requested to allow an alternative hammerhead design where a cul-de-sac is required. Staff does not support the request.
- A Variance is requested to allow private streets without a gate, and to not be built to public street standards where such is required. Staff does not support the request.
- A Variance is requested to allow a connectivity ratio of 1.00 where a minimum of 1.30 is required. Staff does not support the request.
- A Waiver is requested to allow a five (5.75)-foot wide landscape buffer adjacent to a portion of the right-of-way where six feet is required. Staff does not support the request.

**ANALYSIS**

The subject undeveloped, 2.08-acre site is currently zoned R-E (Residence Estates) and subject to Title 19 development standards. Properties adjacent to the south and east are zoned R-E (Residence Estates) and developed with single-family dwellings. Properties adjacent to the north and west are zoned R-1 (Single Family Residential) and developed with single-family dwellings. The applicant proposes to develop the subject site with a 10-lot single-family residential subdivision.

**Rezoning**

The subject site is currently zoned R-E (Residence Estates). The purpose of the R-E District is to provide for low-density residential units located on large lots (no less than 18,000 square-foot size lots) and conveying a rural environment. This District is consistent with the policies of the Desert Rural Density Residential category of the General Plan. The applicant requests to rezone the subject site to R-1 (Single Family Residential). The purpose of the R-1 District is to provide for the development of single-family detached dwellings in a suburban setting, with a minimum lot size of 6,500 square feet.

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The R-1 District is consistent with the policies of the Low Density Residential category of the General Plan. The subject site is located within the 2050 Master Plan Tule Springs Area, which calls for medium-low density suburban development. As the proposed Rezoning conforms with the existing land use designation and is compatible with the existing residential development in the surrounding area, staff recommends approval.

**Variance**

The applicant requests approval of the following Variances from Title 19.04 Complete Street Standards:

- To allow an alternative hammerhead design where a cul-de-sac is required;
- To allow private streets without a gate to not be built to public street standards where such is required; and
- To allow a connectivity ratio of 1.00 where a minimum of 1.30 is required.

Pursuant to Title 19.04, public streets which terminate other than at an intersection with another public street, and private streets that terminate other than at an intersection with another private or public street, the termination shall be provided by one of the following, as applicable:

- A. A cul-de-sac with a minimum radius of 40 feet as measured from the flow line of the curb for street lengths up to 600 feet; or
- B. In the case of a private street up to 250 feet in length that is located behind a gate, a hammerhead meeting the Standard 212.1.S1 design.

Private streets are required to have the same dimensions as the comparable public streets unless separated by gates. The proposed private street is not gated. The Connectivity Ratio is a measure of how efficiently a transportation network provides access between destinations. It is computed by taking the ratio of links (street segments) to nodes (intersections and cul-de-sac terminuses). It is determined by dividing the number of street segments (street sections between intersections and or cul-de-sac terminuses) by the number of intersections and cul-de-sac terminuses. Staff finds the Variance requests to be self-imposed hardships and outside the realm of NRS Chapter 278 for granting of Variances.

**Tentative Map**

The submitted tentative map depicts a 10-lot single-family residential subdivision. Development is subject to the proposed R-1 (Single Family Residential) zoning district. The subdivision has a density of 4.81 dwelling units per acre, which is in alignment with the existing L (Low Density Residential) land use designation. The lot sizes range from 7,058 square feet to 8,751 square feet. Each dwelling unit will have a two-car garage.

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A Waiver is requested to allow a 5.75-foot wide landscape buffer adjacent to a portion of the right-of-way where six feet is required. Staff does not support the request. All other landscape buffer requirements are satisfied. The submitted site cross sections depict maximum natural grades greater than two percent across this site. Per Title 19.06.070, development with a natural slope greater than two percent is allowed a maximum six-foot tall retaining wall. Per the detail sheet, no single wall height appears to have an exposure higher than six feet.

The Department of Public Works – Traffic Engineering Division has commented, “This project will add approximately 94 trips per day on Elkhorn Road and Leon Avenue. Currently, Elkhorn Road is at about 26 percent of capacity and Leon Avenue is at about two percent of capacity. With this project, Elkhorn Road is expected to be at about 27 percent of capacity and Leon Avenue is expected to be at about three percent of capacity. Counts are not available for Donald Road, but it is believed to be under capacity. Based on Peak Hour use, this development will add about nine vehicles in the peak hour, or about one every six minutes.”

The Clark County School District has commented, “Shadow Ridge High School is over capacity for the 2024-2025 school year. Shadow Ridge High School is at 113.82 percent of program capacity. An additional five students are expected to be generated from this proposed development.”

While a residential subdivision is appropriate for the subject site, staff is unable to support the proposed development due to the requested Variances of Title 19 Complete Street Requirements. Therefore, staff recommends denial of the Variance and Tentative Map requests. Staff recommends approval of the Rezoning request as it aligns with the City of Las Vegas 2050 Master Plan.

### **FINDINGS (25-0027-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 existing 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 Single-Family, Detached use allowed by the requested Rezoning will be compatible with the existing residential development in the surrounding area.

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

As the City continues to grow, it is imperative to provide a variety of housing options to meet the needs of the expanding population.

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 by Donald Road and Leon Avenue, both 60-foot Local Streets, are adequate in size to meet the needs of the R-1 (Single Family Residential) zoning district.

### **FINDINGS (25-0027-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 a subdivision that does not adhere to Title 19 Complete Street requirements. 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 (25-0027-TMP1)**

While the proposed Tentative Map conforms to Nevada Revised Statutes, staff recommends denial due to the associated Variance requests of Title 19 Complete Street requirements.

**BACKGROUND INFORMATION*****Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.***

There are no related relevant city actions of note.

***Most Recent Change of Ownership***

01/09/06	A deed was recorded for a change in ownership.
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***Related Building Permits/Business Licenses***

There are no related building permits/business licenses of note.

***Pre-Application Meeting***

01/13/25	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Tentative Map.
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***Neighborhood Meeting***

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

***Field Check***

01/30/25	Staff conducted a routine field check and found an undeveloped lot. No issues were noted.
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<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	2.08

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
North	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Residential, Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)
East	Residential, Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)
West	Residential, Single Family, Detached	R (Rural Density Residential)	R-1 (Single Family Residential)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Tule Springs	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
RP-O (Rural Preservation Overlay) District	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	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***Pursuant to Title 19.06, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	6,500 SF	7,058 SF	Y
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	15 Feet	15 Feet	Y

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-E (Residence Estates)	1 du/lot	5
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-1 (Single Family Residential)	1 du/lot	11
<b>Existing General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
L (Low Density Residential)	<5.5 du/ac	11

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Donald Road	Local Street	Title 13	60	Y*
Leon Avenue	Local Street	Title 13	60	Y*

\*A Condition of Approval has been added requiring half-street improvements.

<b>19.04.040 Connectivity</b>		
<b>Transportation Network Element</b>	<b># Links</b>	<b># Nodes</b>
Internal Street	1	
Intersection - Internal		
Cul-de-sac or Hammerhead Terminus		1
Intersection - External Street or Stub Terminus		
Intersection - Stub Terminus with Temporary Turnaround Easements		
Non-Vehicular Path - Unrestricted		
Total		
	<b>Required</b>	<b>Provided</b>
<b>Connectivity Ratio (Links / Nodes):</b>	<b>1.30</b>	<b>1.00</b>

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

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>	
		<b>Parking Ratio</b>	<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	10	2 spaces per unit	20				
<b>TOTAL SPACES REQUIRED</b>			20		20		Y

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Six-foot landscape buffer adjacent to the right-of-way	To allow a 5.75-foot landscape buffer adjacent to the right-of-way	Denial