



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 9, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: KB HOMES LAS VEGAS INC.

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0086-SCD1 to SCD10	Staff recommends DENIAL, if approved subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 474

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0086-SCD1 to SCD10 CONDITIONS

Planning

1. A Major Deviation is hereby approved to allow a one-foot setback from a residential street to the exterior wall surface where two feet is required for Lots 22, 25, 103, 113, 119, 126, 131, 137, 140, and 143.
2. Conformance to Summerlin Development Standards, except as amended herein.
3. Conformance to the approved conditions for Tentative Map (22-0394-TMP1).
4. This approval shall be void two 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant has requested 10 Major Deviations of the Summerlin SFSD (Single Family Special Lot Development) Exhibit 2.12 Rear Loaded Detached Paseo Lots with Attached Garages building setbacks from a residential street for lots located within an approved single-family residential subdivision (Summerlin Village 22 (Parcels S, T and U - Quail Cove) located on the northwest corner of Flight Range Avenue and Desert Foothill Drive.

ISSUES

- The applicant has requested Summerlin Major Deviations for lots #22, 25, 103, 113, 119, 126, 131, 137, 140, and 143 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 Summerlin Design Review Committee approved the requested deviations in a letter dated January 22, 2024.

ANALYSIS

The subject property is part of Summerlin West, development within the Summerlin planned community is subject to a 1994 Development Agreement, which authorized the Summerlin Development Standards. On September 13, 2022 the Planning Commission approved a request for a Tentative Map (22-0394-TMP1) for a 144-lot single-family detached residential subdivision (Summerlin Village 22 Parcel STU) on 13.97 acres at the northwest corner of Flight Range Avenue and Desert Foothill Drive. The subject site is designated SFSD (Single Family Special Lot Development) special land use designation and has been designed to comply with Exhibit 2.12 Rear Loaded Detached Paseo Lots with Attached Garages development standards.

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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 10-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 January 22, 2024 prior to submittal to the City for review. The applicant has requested 10 Summerlin Major Deviations (24-0086-SCD1 to SCD10) for Lots #22, 25, 103, 113, 119, 126, 131, 137, 140, and 143 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:

<u>LOT #</u>	<u>APN</u>	<u>ADDRESS</u>	<u>BUILDING SETBACK FROM A RESIDENTIAL STREET</u>
<u>22</u>	137-23-216-022	1458 Whistling Kite Street	1.50'
<u>25</u>	137-23-216-025	1434 Whistling Kite Street	1.50'
<u>103</u>	TBD	1503 Upland Sandpiper Street	1.50'
<u>113</u>	TBD	1486 Upland Sandpiper Street	1.50'
<u>119</u>	137-23-216-050	1441 Nocturnal Flight Street	1.50'
<u>126</u>	137-23-216-057	1480 Nocturnal Flight Street	1.50'
<u>131</u>	137-23-216-062	1440 Nocturnal Flight Street	1.50'
<u>137</u>	137-23-216-068	1429 Whistling Kite Street	1.50'
<u>140</u>	137-23-216-071	1453 Whistling Kite Street	1.50'
<u>143</u>	137-23-216-074	1477 Whistling Kite Street	1.50'

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Staff has determined that the requested deviations will have a negative impact to the previously approved residential subdivision and surrounding area. As proposed the 10-lots do not comply with SFSD (Single Family Special Lot Development) Exhibit 2.12 (Rear Loaded Detached Paseo Lots with Attached Garages) of the Summerlin Development Standards building setbacks from the street where two 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.

FINDINGS (24-0086-SCD1 TO SCD10)

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.

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.
	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.
06/12/18	The Planning Commission approved a Tentative Map (TMP-73332) for a 36-parcel master planned village and modifications to the Summerlin improvement standards on 320.59 acres at the northwest corner of Far Hills Avenue and Clark County 215. Staff recommended approval.
07/18/18	The City Council approved a two-year review (DIR-73621) of the Development Agreement for Summerlin West.
	The City Council approved a Vacation (VAC-73331) for a Petition to Vacate a portion of Carriage Hill Drive north of Far Hills Avenue. The Planning Commission and staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
10/17/18	The City Council approved a Development Plan Review (MDR-73901) for Summerlin Village 22 on 446.69 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The Planning Commission and staff recommended approval.
06/10/19	The Department of Planning administratively approved a Minor Modification (MOD-76665) to adjust land use allocation and parcel acreages on 444.50 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. This request revised the land use designation of Parcel E from: NF/SF3 (Neighborhood Focus/Single Family Detached) to: SF3 (Single Family Detached) and revise the land use designation Parcel F from: SF3 (Single Family Detached) to: NF/SF3 (Neighborhood Focus/Single Family Detached).
06/11/19	The Planning Commission approved a Tentative Map (TMP-75103) for a 43-parcel master planned village with deviations of the Summerlin improvement standards on 446.69 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. Staff recommended approval.
11/21/19	The Department of Planning processed a request for a Final Map (FMP-77968) (Summerlin West Village 22 – Unit 1) for a four-lot subdivision on 446.69 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The final map was recorded on 03/27/20 (Book and Page #161068).
02/19/20	The City Council approved Major Modification (MOD-77751) of the approved Summerlin Village 22 Development Plan (MDR-73901) to amend the Summerlin land use designation of various parcels within village 22 on 444.45 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The Planning Commission and staff recommended approval of the request.
	The City Council approved a Tentative Map (TMP-77752) for a 37-Parcel Master Planned Village with deviations of the Summerlin development standards on 444.45 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The Planning Commission and staff recommended approval of the request.
	The Department of Planning processed a request for a Final Map (FMP-78404) (Summerlin West Village 22 – Unit 2) for a three-lot subdivision with 12 common area lots on 380.62 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The final map was recorded on 11/19/20 (Book and Page #163043).
07/06/21	The Department of Planning processed a request for a Final Map (100135-FMP) for a three-lot subdivision with 10 common area lots on 33.43 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The map was recorded on 10/26/21.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
07/08/21	The Department of Planning processed a request for a Final Map (100136-FMP) for one -lot subdivision with seven common area lots on 13.57 acres at the southwest corner of Kindle Rise Way and Kettle Bend Road. The map has not been approved or recorded.
08/03/21	The Department of Planning processed a request for a Final Map (100146-FMP) for eight-lot subdivision on 125.60 acres at the southwest corner of Kindle Rise Way and Kettle Bend Road. The map recorded on 01/11/22.
08/09/21	The Department of Planning processed a request for a Final Map (100147-FMP) for a one-lot pod on 79.30 acres northwest of the corner of Sunset Run Drive and Scurry Ben Drive. The map has not been approved or recorded.
10/20/21	The City Council approved a request for a Major Modification (21-0487-MOD1) of the approved Summerlin Village 22 Development Plan (MDR-73901) to combine and amend the Summerlin land use designation of various parcels within Village 22 on 444.45 acres at the southwest corner of Lake Mead Boulevard and Clark County 215. The Planning Commission recommended approval of the request.
03/08/22	The Planning Commission approved Tentative Map (21-0727-TMP1) for a proposed 150-lot Single-Family Attached Residential subdivision on 12.76 acres at the southeast corner of Fleet Wing Avenue and Kettle Ridge Drive.
07/20/22	The City Council approved Major Modification (22-0268-MOD1) of the approved Summerlin Development Standards to modify SFSD (Single Family Special Lot) development standards. The Planning Commission recommended approval of the request.
09/13/22	The Planning Commission approved a Tentative Map (22-0394-TMP1) for a 144-lot single-family detached residential subdivision (Summerlin Village 22 Parcel STU) on 13.97 acres at the northwest corner of Flight Range Avenue and Desert Foothill Drive. Staff recommended approval of the request.
03/13/23	The Department of Community Development - Planning Division processed a request for a Final Map Technical Review (100307-FMP) request for a 75-lot single-family detached residential subdivision (Summerlin Village 22 Parcel STU - Quail Cove - Unit 1) on 13.97 acres at the northwest corner of Flight Range Avenue and Desert Foothill Drive. The map was recorded on 08/28/23.
09/21/23	The Department of Community Development - Planning Division processed a request for a Final Map Technical Review (100375-FMP) request for a 69-lot single-family detached residential subdivision (Summerlin Village 22 Parcel STU - Quail Cove - Unit 2) on 13.97 acres at the northwest corner of Flight Range Avenue and Desert Foothill Drive. The map was recorded on 08/28/23.

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Most Recent Change of Ownership	
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12/01/22	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses	
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03/13/23	A Final Map Technical Review (100307-FMP) was processed for a 75-lot single-family detached residential subdivision (Summerlin Village 22 Parcel STU - Quail Cove- Unit 1) on 13.97 acres at the northwest corner of Flight Range Avenue and Desert Foothill Drive. The map was recorded on 08/28/23 (Book 171 Page 018).
06/15/23	A building permit (#C23-01925) was issued for early grading (Quail Cove Unit #1) at 11575 Kindle Rise Way. The permit has not been finalized.
	A building permit (#R23-06240) was issued for retaining walls (Quail Cove Unit #1) at 11575 Kindle Rise Way. The permit has not been finalized.
09/14/23	A building permit (#C23-02752) was issued for retaining walls (Quail Cove Unit #1) at 11575 Kindle Rise Way. The permit has not been finalized.
09/21/23	A Final Map Technical Review (100375-FMP) was processed for a 69 - lot single-family detached residential subdivision (Summerlin Village 22 Parcel STU - Quail Cove- Unit 2) on 6.10 acres at the northwest corner of Flight Range Avenue and Desert Foothill Drive. The map was recorded on 02/20/24 (Book 172 Page 036).
11/21/23	A building permit (#R23-17524) was issued for early grading (Quail Cove Unit #2) at 11575 Kindle Rise Way. The permit has not been finalized.
	A building permit (#C23-03786) was issued for an entry sign (Quail Cove) at 11575 Kindle Rise Way. The permit has not been finalized.
01/30/24	A building permit (#L23-01737) was issued for civil improvements (Summerlin Village 22 Parcel STU-Quail Cove Unit 2) at 11575 Kindle Rise Way. The permit has not been finalized.
02/08/24	A building permit (#C24-00397) was processed for screen walls (Quail Cove Unit #1) at 11575 Kindle Rise Way. The permit has not been issued.
02/13/24	A building permit (#C24-00010) was issued for a monument (Quail Cove) at 11575 Kindle Rise Way. The permit has not been finalized.

Pre-Application Meeting	
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02/15/24	A pre-application meeting was held with the applicant to discuss submittal requirements for multiple Summerlin Major Deviation applications.
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Neighborhood Meeting	
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A neighborhood meeting was not required, nor was one held.
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Field Check	
02/26/24	During a routine site visit staff observed a single-family residential subdivision that is still under construction.

Details of Application Request	
Site Area	
Gross Acres	A portion of 13.97 acres

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	SFSD (Single Family Special Lot Development)	P-C (Planned Community)
South	Undeveloped	MF3 (Multi Family Residential) and VC (Village Commercial)	P-C (Planned Community)
East	Undeveloped	MF2 (Multi Family Residential) and VC (Village Commercial)	P-C (Planned Community)
West	Undeveloped	COS (Community Open Space)	P-C (Planned Community)
		SFSD (Single Family Special Lot Development)	

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Summerlin West	Y
Summerlin West Development Agreement	Y
Special Area and Overlay Districts	Compliance
P-C (Planned Community) District	Y
Other Plans or Special Requirements	Compliance
Trails (within the approved Development Plan)	Y
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

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DEVELOPMENT STANDARDS

Pursuant to Summerlin Development Standards, the following standards apply:

Rear Loaded Detached Paseo Lots with Attached Garages – (Exhibit 2.12) - 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	N*
	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

**The applicant has requested 10 Summerlin Major Deviations (24-0086-SCD1 to SCD10) to address setbacks from a residential street to the exterior wall surface that are not in compliance with required two-foot minimum setback.*