

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE

**** CONDITIONS ****

The Planning Commission (6-0-1/ld vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Habitable Accessory Structure use.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

As part of the construction of a new single-family, residence the applicant is seeking to build a porte-cochere and a Habitable Accessory Structure (pool house). The Rancho Bel Air standards state that the applicant must first have the permission of the Rancho Bel Air Architectural Committee and, if that permission is granted, follow the City of Las Vegas requirements for the proposed use. The requirement for the Habitable Accessory Structure, in this case a pool house in the rear yard, is to obtain a Special Use Permit. This request meets all conditions for a Habitable Accessory Structure and approval is recommended.

Revised plans were submitted depicting that the applicant has rotated the Habitable Accessory Structure (pool house) to accommodate the required setback.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/02/78	The City Council approved a Site Development Plan Review (Z-0057-78) for the Rancho Bel Air subdivision. The Planning Commission recommended approval.
10/19/06	A companion Special Use Permit (SUP-16498) was held in abeyance.
11/16/06	A companion Special Use Permit (SUP-16498) will be heard concurrently with this item.
11/16/06	The Planning Commission recommended approval of companion item VAR-16497 concurrently with this application. The Planning Commission voted 6-0-1/ld to recommend APPROVAL (PC Agenda Item #24/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this site.	
<i>Pre-Application Meeting</i>	
05/16/06	A pre-application meeting was held and elements of this project were discussed. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this project, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development 4 Units per Acre)
North	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development 4 Units per Acre)
South	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development 4 Units per Acre)
East	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development 4 Units per Acre)
West	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development 4 Units per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Z-57-78 and Title 19.08 the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front	25 Feet	14 Feet	N
• Side	7.5Feet	9 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Min. Distance Between Buildings	6 Feet	19 Feet	Y
Max. Building Height	30 Feet	30 Feet	Y

ANALYSIS

The proposed Habitable Accessory Structure is located in the rear yard and is approximately 600 square feet in floor area. The structure will contain a kitchen and thus is considered habitable. This structure would not have a significant affect on the area and meets the required setbacks of the Rancho Bel Air Development Agreement. Building elevations and materials for the proposed Habitable Accessory Structure will match those of the main dwelling and are appropriate for the area. Approval of this request is recommended.

HABITABLE ACCESSORY STRUCTURE

- (1) The size of the lot or parcel must exceed six thousand five hundred square feet.
- (2) Unless the principal dwelling is owner-occupied, a habitable accessory structure may not be offered or occupied as a rental unit.
- (3) A habitable accessory structure may contain one kitchen, but otherwise must comply with all provisions of Section 19.08.040 applicable to accessory structures.
- (4) A minimum of one additional on-site parking space must be provided beyond the number of spaces normally required.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Habitable Accessory Structure can be conducted in a manner that is harmonious and compatible with the surrounding area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is physically suitable for the type and intensity of land-use proposed. The lot is 21,215 square feet and sufficient room is available in the rear yard to accommodate the proposed structure.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The property is a single-family residence and gains access from a standard residential street, in this case Driftwood Drive. This street provides adequate access to and from the subject property.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

Approval of this Special Use Permit would not compromise the public health or the general welfare of the surrounding area.

- 5. The use meets all of the applicable conditions per Title 19.04.**

The use meets all of the required conditions of Title 19.04 for Habitable Accessory Structure use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 3

SENATE DISTRICT 6

NOTICES MAILED 170 by City Clerk

APPROVALS 0

PROTESTS 7